The Governing Board of the Southwest Florida Water Management District (SWFWMD) met at 9:00 a.m. on April 24, 2007, at Brooksville headquarters. The following persons were present:

**Board Members Present**
- Talmadge G. Rice, Chair
- Judith C. Whitehead, Vice Chair
- Neil Combee, Secretary
- Jennifer E. Closshey, Treasurer
- Thomas G. Dabney, Member
- Patricia M. Glass, Member
- Heidi B. McCree, Member
- Sallie Parks, Member
- Todd Pressman, Member
- Maritza Rovira-Forino, Member
- Patsy C. Symons, Member

**Board Members Absent**
- None

A list of others present who signed the attendance roster is filed in the permanent files of the District. Approved minutes from previous meetings can be found on the District's Web site (www.WaterMatters.org).

**Public Hearing**

1. **Call to Order**
   Chair Rice called the meeting to order and opened the public hearing. Mr. Combee noted a quorum was present.

2. **Pledge of Allegiance and Moment of Silence**
   Chair Rice led the Pledge of Allegiance to the Flag of the United States of America and asked that a moment of silence be observed.

**Public Hearing**
Chair Rice noted that this Governing Board meeting is being broadcasted to the Bartow, Tampa, and Sarasota Service Offices using the video conferencing system for the purpose of viewing the Board meeting only. Public input will only be taken at Brooksville headquarters. The Governing Board’s meeting is also being recorded for broadcast on government access channels.

Chair Rice stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should fill out and submit a speaker's card. To assure that all participants have an opportunity to speak, a member of the public may submit a blue card to comment on one agenda item only during today's meeting. If additional time is needed or if the speaker wishes to address the Board on an issue not on today's agenda, a blue card may be submitted for comment at the end of the meeting during "Public Input." Chair Rice stated that comments would be limited to three minutes per speaker, and, when appropriate, exceptions to the three-minute limit may be granted by the Chair. He also requested that several individuals wishing to speak on the same issue/topic designate a spokesperson. (CD 1/Track 1 – 00:00/03:30)
3. **Additions/Deletions to Agenda**  
   According to Section 120.525(2), Florida Statutes, additions to the published agenda will only be made for "good cause" as determined by the "person designated to preside." Mr. Moore noted there are no additions and said there would not be a closed attorney-client session held during the lunch break. (CD 1/Track 1 – 03:30/04:28)

4. **Oath of Office for Newly Appointed Board Member(s)**  
   Ms. Kavouras administered the Oath of Office to reappointed Governing Board member Ms. Judith C. Whitehead and newly appointed Governing Board member Ms. Patricia M. Glass. Chair Rice congratulated Ms. Whitehead on her reappointment and Ms. Glass on her appointment. He said the Board and staff members look forward to working with them both. (CD 1/Track 2 – 00:00/01:11/Track 3 – 00:00/01:06)

5. **District Recognition – Best Places to Work® Award**  
   Ms. Elaine Kuligofski, Director, Human Resources and Risk Management Department, said the District received the first annual Best Places to Work® Award for large employers in Hernando County on April 19, 2007. The District competed against 44 local employers in Hernando and Pasco counties for the prestigious award. Ms. Kuligofski said this distinction would be a powerful recruitment tool to attract diverse and highly skilled employees. (CD 1/Track 4 – 00:00/02:35)

6. **District Recognition – Future of the Region Awards**  
   Mr. Mark Hammond, Director, Resource Management Department, said two District projects received awards at the 15th Annual Future of the Region Awards hosted by the Tampa Bay Regional Planning Council on March 30 in Tampa. The District received an Honorable Mention in the Public Education Category for its Florida-Friendly Landscaping Project. The District received a First Place award in the Environmental Category for the Lancaster Tract Habitat Restoration Project. (CD 1/Track 5 – 00:00/06:46)

7. **District Recognition – Land Resources Volunteer Program**  
   Mr. Musselmann provided a brief review of the District’s Third Annual Volunteer Appreciation Day that was held on April 14, 2007, at Lake Panasoffkee. Approximately 150 people attended the event and this year volunteers from the SWIM program were included. Governing and Basin Board members attended the event, as well as Mr. Moore. Mr. Musselmann commended Mr. Michael Blanton, who has worked with the District for the past couple of years to provided hunting and recreational opportunities for disabled individuals. The Beagles, a musical band composed of District employees, volunteered the entertainment, and Mr. Musselmann thanked the group for their time.

   a. **Take Pride in America Volunteer Appreciation Awards**  
      Mr. Fritz Musselmann, Director, Land Resources Department, said the Take Pride in America Program is a national partnership established by the U.S. Department of the Interior that aims to engage, support and recognize volunteers who work to improve public lands. The District has been participating in this program and nominating volunteers for awards since October 2004. The volunteers that received awards were as follows: Joseph Newkirk, Boy Scout Troop 203, Wesley Chapel, 220 hours; Margaret and Joe Willis, Campground Hosts at Green Swamp, 4,823 hours; Flatlanders Equestrian Group at Green Swamp, represented at today’s meeting by Mr. Bill Blommel, 400 hours; Tampa Bay Watch, Environmental Volunteer Group, represented by Mr. Peter Clark and Ms. Martha Garcia, 1,125 hours; and Hillsborough County Conservation Department Volunteers, represented by Mr. Ross Dickerson and Mr. Richard Sullivan, 1,125 hours.

   b. **National Wild Turkey Federation Vision Award**  
      Mr. Musselmann introduced Ms. Cynthia Blanton who said the District received an award from the Wheelin’ Sportsmen – National Wild Turkey Federation Vision Award
During the organization's 31st Annual Convention in Nashville, Tennessee, and later at a banquet in Wildwood, Florida. The national award was presented to the District in recognition of its participation in providing access for disabled hunters. Ms. Blanton said, on behalf of the Wild Turkey Federation, she thanked the District for providing opportunities to the disabled. (CD 1/Track 6 – 00:00/15:19)

8. **Employee Recognition**
Mr. Moore said the District's employees are its most valuable resource. He made presentations to the Board for the employees who had achieved milestones of 20 years or greater to specially acknowledge and commend the contributions of these individuals. The following individuals were in attendance at today's meeting and celebrated 20 years of service: Mr. Ron Cohen, Senior Professional Engineer, Regulation Performance Management; Mr. Brian Starford, Director, Bartow Regulation Department; Ms. Sherrie Kubis, Database Administrative Supervisor, Information Resources Department; Ms. Debby Treanor, Contracts and Budget Coordinator, Regulation Performance Management; and Mr. Jay Yingling, Senior Economist, Planning Department. The following individuals were also celebrating 20-year milestones but were not able to attend today's meeting: Mr. Keith Brand, Senior Heavy Equipment Operator, Operations; and Ms. Rena Robinson, Regulation Processing Specialist, Regulation Performance Management. Mr. Daylon Toole, Staff Field Technician, Resource Conservation and Development, is celebrating 35 years.

Mr. Jerry Mallams, ROMP Manager, Resource Conservation and Data, was recently promoted to the managerial level. Mr. Mallams is a professional geologist and has worked at the District for approximately ten years.

The Governing Board sent their warm wishes to all these employees and congratulated them on their accomplishments. (CD 1/Track 7 – 00:00/10:28)

9. **Approval of Minutes – March 27, 2007 Governing Board Meeting**
Staff recommended approval of the minutes from the March 27, 2007 Governing Board Meeting. Following consideration, Mr. Combee moved, seconded by Ms. Rovira-Forino, to approve the meeting minutes as presented. Motion carried unanimously. (CD 1/Track 8 – 00:00/0:14)

10. **Public Input for Issues Not Listed on the Published Agenda**
Mr. Al Grubman, representing the TOOFAR group, came forward to thank Messrs. Moore and Wirth for taking time out of their schedules to meet with members of TOOFAR and help them with issues that concern them. (CD 1/Track 8 – 00:14/01:46)

Chair Rice relinquished the gavel to Regulation Committee Chair Pressman.

**Regulation Committee**

**Consent Items**

11. ERP No. 43028797.001 - Bellasol Condo Docking Facility – Hillsborough County
12. ERP No. 49030015.001 - Eagle's Crest – Phase 1 – Hillsborough County
13. ERP No. 43022140.008 - Twin Rivers – Phase IV-C – Manatee County
14. ERP No. 49031880.000 - River Club Park of Commerce – Manatee County
15. ERP No. 49013559.015 - New River Lakes – Mitigation Modification – Pasco County
17. ERP No. 43030447.000 - Dayflower Road – Retail Complex – Pasco County
18. ERP No. 43020065.001 - Clearwater Recreation Center Docking Facility – Pinellas County
19. ERP No. 43021488.001 - City of Clearwater – Lake Bellevue 6A Stormwater Management Project – Pinellas County
20. ERP No. 43023532.001 - FDOT – State Road 682 (Pinellas Bayway) from the West Toll Plaza to State Road 679 – Pinellas County
21. ERP No. 46030250.000 - T & T Enterprises Phase II (Denial) – Pinellas County
22. ERP No. 43031438.000 - Worthington – Phase I – Polk County
23. ERP No. 44020198.138 - Villages of Sumter – Mission Hills (includes an exchange of Conservation Easements) – Sumter County
24. WUP No. 20003275.008 - W F I N - Adrian R. Chapman/A. R. Chapman 31 Ranch – Charlotte and DeSoto Counties
25. WUP No. 20003530.007 - W F I S D - American Citrus Products Corporation/Bermont Grove – Charlotte County
26. WUP No. 2011549.005 - W F D - Premier Partners III, Ltd. Partnership/Crossing Groves – DeSoto County
27. WUP No. 2008468.002 - F N+ - City of Polk City – Polk County
28. TWUP No. 2010420.005 - W S ~ - Extension of Temporary Permit for Peace River/Manasota Regional Water Supply Authority – DeSoto County
29. TWUP No. 20006509.007 - F N- - Extension of Temporary Permit for Polk County Board of County Commissioners/Northeast Regional Utility Service Area – Polk County

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30. Approval of Final Language to Amend Rule 40D-4.331, Florida Administrative Code (F.A.C.), to Allow Extension of a Current Permit Duration by Letter Modification
Staff recommended to approve the proposed amendments to Rule 40D-4.331, F.A.C., to allow extension of the duration of certain environmental resource permits to be made by letter modification, and authorize staff to complete the rulemaking process, unless substantive public comment is received or substantive changes are proposed.

31. Initiate Rulemaking to Amend Basis of Review Section 3.3.2 (Mitigation Ratio Guidelines) and 40D-4.091, F.A.C. to Reference Rule 62-345, F.A.C., (Uniform Mitigation Assessment Method)
Staff recommended to authorize the initiation of rulemaking to amend Basis of Review Section 3.3.2 and 40D-4.091, F.A.C., to reference Rule 62-345, F.A.C., and authorize staff to complete the rulemaking process, unless substantive public comment is received or substantive changes are proposed.

32. Initiation of Rulemaking to Revise Water Well Contractor License Renewal Form and Rule 40D-1.659(2), F.A.C.
Staff recommended to authorize the initiation of rulemaking to adopt a revised Water Well Contractor License Renewal Form and amend Rule 40D-1.659(2), F.A.C., to reference the new form. If the initiation of rulemaking is approved, District staff will proceed with adoption of the proposed revised form and rule change without further Governing Board action, unless public comment is received or substantive changes are proposed.

Following consideration, Mr. Combee moved, seconded by Ms. Parks, to approve the Regulation Consent agenda as presented. Motion carried unanimously. (CD 1/Track 9 – 00:00/00:34)
Discussion Items

Ms. Closshey said she would like to hear an update from Polk County Utilities. Mr. Gregg Bletcher, Polk County Utilities Director, provided a presentation highlighting the following topics: Water Conservation, Reclaimed Water, and Water Supply Planning. With regard to water conservation, the County has implemented a rate-inclining block of water rates, adherence to watering restrictions, offering device incentive programs, commercial landscaping ordinance, utilizing reclaimed in three regional systems, public education, leak detection mobile lab, and capacity management. Mr. Bletcher reviewed the County's positive results from their multi-level conservation efforts. Mr. Gene Heath, consultant to the County, said the Governing Board's action has played a tremendous role in Polk County's water conservation success. He encouraged the Governing Board to continue their role in enforcing water conservation. Mr. Dabney suggested Polk County focus some of their efforts on outdoor conservation.

33. Public Supply Water Conservation Requirements

Mr. Owen provided the Board with a summary of the current conservation requirements within the District’s rules. This included an overview of the Conserve Florida initiative being spearheaded by the Department of Environmental Protection.

The Water Use Permitting rules contain Conditions for Issuance that must be met in order for a permit to be granted. Among these Conditions is a requirement that the water use will incorporate water conservation measures. The Basis of Review includes information to address this requirement. The conservation requirements most recently updated are those within the Southern Water Use Caution Area (SWUCA), which went into effect January 1, 2003. These requirements include (1) a per capita use standard of 150 gallons per day, (2) implementation of a water-conserving rate structure, (3) implementation of informative customer billing practices, and (4) a comprehensive water audit to evaluate and eliminate distribution losses. The requirements of the Northern Tampa Bay WUCA are similar, with the exception of the informative billing requirement. Outside the WUCAs, the District has a 150 gallon per day per capita guideline, and any permittee above that use level must reduce their per capita use but there is no specific rule requirement to reduce it to 150 gallons. Each permit is evaluated individually to determine the appropriate level of reduction. Within the WUCAs, each public supply permittee must implement the above conservation programs (rate structure, informative billing and water audit) and any additional conservation measures it deems necessary and appropriate to achieve or surpass the 150 per capita standard. In the more recent SWUCA rule making, which took effect in January 2007, new requirements were adopted requiring a consistent methodology for the calculation of compliance per capita rates. The SWUCA Recovery Strategy calls for collecting several years of utility-reported per capita rates utilizing the standardized methodology before considering potential changes to the 150 per capita standard. It should be noted that maximization of the use of reclaimed water and other alternative sources is also an important element that is addressed based on each utility's capabilities. An alternative or supplemental approach to public supply conservation requirements would be to revisit the development of more specific conservation requirements, including items such as landscape codes and reclaimed water benchmarks.

Staff recommended to initiate rulemaking to enhance public supply water conservation requirements and develop a "scorecard" of permittee's conservation activities for Board information. Following consideration, Ms. McCree moved, seconded by Ms. Closshey, to approve the staff recommendation. Motion carried unanimously.

34. Northern District Water Use Management Strategies

Mr. Owen said at the January 30, 2007 Governing Board meeting staff provided information on water use trends and water resource conditions, and water use management strategies in the northern six counties of the District. The six counties that
make up the northern portion of the District have historically been rural counties with relatively low demand for water, especially as compared to the southern ten counties in the District. Over the past several years, the region has experienced significant growth. Though water levels indicate that water resources are generally in good condition on a regional scale, there are areas of potential concern. These are areas where the rate of growth has accelerated beyond anticipated levels and where the pattern of development has resulted in substantial water demands. The anticipated impacts of meeting these future demands with ground water are sufficient to cause concern over the potential effects to environmental features and therefore require focused attention to prevent harm to the resources from occurring.

At the January meeting, the Governing Board directed staff to:

1. Move forward with a Water Conservation Summit in partnership with the SJRWMD targeting Citrus, Hernando, Lake, Levy, Marion and Sumter counties;
2. Initiate rulemaking to expand the Southern Water Use Caution Area per capita requirements District-wide;
3. Initiate a public process to receive input as to whether to declare all or portions of Marion and Sumter counties a Water Use Caution Area;
4. Initiate a public process to receive input as to whether to expand the Northern Tampa Bay Water Use Caution Area into those portions of Pasco and northern Hillsborough counties not currently in the Northern Tampa Bay Water Use Caution Area; and
5. Initiate a public process to receive input as to whether to declare all or portions of Citrus and Hernando counties a Water Use Caution Area.

Staff has held specific workshops and used other forums to discuss each effort and provided a report on these workshops and the input received. At the workshop held April 10, 2007 in Brooksville the following topics were discussed: use of per capita as a measure, interest in detailed methodology, appreciation for District information and website, concern that methodology does not allow flexibility, and concerns regarding 150 gpcd standard. Staff will for the SWUCA per capita requirements continue with rulemaking and draft rules, hold additional public workshops, and integrate with additional public supply conservation considerations.

Next, Mr. Owen updated the Board on the potential expansion of the Northern Tampa Bay WUCA. Staff has presented the subject matter at the Withlacoochee River, Coastal Rivers, and Hillsborough River Basin Boards. A public workshop was held in Dade City on April 9, 2007 and staff presented at the Pasco County Commission on April 10, 2007. A presentation has also been conducted at each one of the Advisory Committees. The major topics that evolved from these input forums were as follows: 150 gpcd, timeframes, existing impacts, WUCA regulations and the effects on various user groups. At the Withlacoochee River and Coastal Rivers Basin Board meetings, motions were passed recommending that the Governing Board take no action at its April meeting to expand the Northern Tampa Bay Water Use Caution Area at this time; and, recommending the Governing Board consider non-regulatory strategies to address the concerns of the area, and allow adequate time to solicit input from local governments and the public.

Following consideration, Mr. Dabney moved, seconded by Ms. Parks, to authorize the initiation of rulemaking and in-depth public input process for the potential expansion of the Northern Tampa Bay WUCA.

Regulation Committee Chair Pressman heard public comment on this subject at this point.

Mr. Vince Ruano, Bushnell City Manager, said he was happy to hear that staff was not looking for a recommendation today regarding Marion and Sumter counties. Mr. Ruano said the City is concerned that there is not enough scientific data to justify a WUCA, especially in southern Sumter County. The City requested that the District divide Sumter County into north and south sections, using U.S. Highway 44 as the divider. Mr. Ruano
spoke about a resolution the City had issued stating their opposition to the creation of a WUCA in southern Sumter County until such data empirically demonstrates a need for a WUCA. Copies were provided to the Governing Board and a copy of Resolution 2007-03 was filed with the public records of this meeting.

Ms. Nancy Lopez, a resident of The Villages, addressed the Governing Board to express her opinions and speak in favor of a WUCA for Marion and Sumter counties. Ms. Lopez brought copies of a U.S. Geological Survey circular titled *Sinkholes, West-Central Florida, A Link Between Surface Water and Ground Water*, and copies of a map depicting the First Magnitude Springs located in the Northern portion of the District to aid her in her presentation. Ms. Lopez feels a WUCA would provide the needed protection for staving off harmful environmental impacts that could occur from continued increased use of area groundwater.

Mr. Joseph Strickland, Mayor, City of Bushnell, addressed the Governing Board and spoke about the highlights from the resolution the City had filed opposing the consideration of a WUCA in Marion and Sumter counties.

Chair Rice read into the record the letter sent to the Pasco County Board of County Commissioners supporting the expansion of the Northern Tampa Bay WUCA.

After hearing public input and discussing the subject matter further, Board members voted and the motion carried unanimously. (CD 1/Track 12 – 39:34/01:39:34)

Mr. Owen reviewed the highlights from the Water Conservation Summit held in Ocala last month. Over 170 people from various organizations attended the Summit. The feedback was very favorable, especially regarding the facility, speakers, and topics. A notebook of compiled information has been created, and this information is also available on the District's website.

Mr. Owen reviewed the venues and meetings District staff have presented regarding the creation of a WUCA for Lake, Marion, and Sumter counties. They include a meeting of the Withlacoochee Regional Water Supply Authority in February, the Withlacoochee River and Coastal Rivers Basin Boards in April, a Public Workshop at The Villages in March, the Advisory Boards, and a Workshop at the Sumter Fairgrounds last evening.

At the Withlacoochee River and Coastal Rivers Basin Board meetings, motions were passed recommending that the Governing Board take no action at its April meeting to declare any portion of the northern District a WUCA at this time; and, recommending the Governing Board consider non-regulatory strategies to address the concerns of the area, and allow adequate time to solicit input from local governments and the public.

Some of the emerging topics from the public input were boundaries may need adjusting, that a WUCA designation is late/premature, slower process, more input, more information on what a WUCA means, unique elements in the North (per capita, geology, uses), self-supply contribution, and information on potential impacts.

Mr. Owen said, with regard to a potential WUCA in Hernando and Citrus counties, the Governing Board had directed staff to initiate a public process to receive input; due to staffing resource constraints, workshops have not yet been scheduled. (CD 1/Track 12 – 39:34/01:49:35)

Submit & File Reports – None
Routine Reports
The following items were provided for the Committee's information, and no action was required.
35. Demand Management Activities
36. Overpumpage Activities
   With the drought situation, Mr. Moore said some utilities may be out of compliance or close to it. The watering restrictions need to be strictly adhered to and more education about when to water is a key factor that the District will be focusing on this summer.
37. Southern Water Use Caution Area Quantities
   Mr. Moore called attention to the footnote on page 121 of the Governing Board notebook. The footnote states, “The SWUCA Recovery Strategy anticipates that up to 35 mgd will be obtained from the Surficial and intermediate aquifers.” The footnote helps to explain the 4 mgd up-tick in the withdrawals from the intermediate aquifer. Mr. Moore said this increase and others are expected over the next 20 years.
38. Major Water Supply Summary

Chair Rice recessed the public meeting for a lunch break.

Committee Chair Pressman relinquished the gavel to Resource Management and Development Committee Chair Combee.

Resource Management and Development Committee

Consent Items

39. Donation of the Remaining Fee Interest – Alafia River Corridor Project, SWF Parcel No. 11-709-106 (Presented to the Alafia River Basin Board at its April meeting)
   Staff recommended to authorize the Land Resources Director to accept the donation of remaining interest to 77.56± acres and accept the deed, SWF Parcel 11-709-106 and designate the parcel as having been acquired for conservation purposes.
40. Facilitating Agricultural Resource Management Systems – Lloyd’s Harvesting, Inc. (Presented to the Alafia River Basin Board at its April meeting)
   Staff recommended to:
   (1) Approve the Lloyd’s Harvesting, Inc. FARMS Project for a not-to-exceed project reimbursement of $115,000, with $28,750 provided by the Alafia River Basin's Water Supply and Resource Development Reserves, $28,750 provided by the Governing Board, and $57,500 provided from State Appropriations;
   (2) Authorize the transfer of $28,750 from fund 011 H100 Alafia River Basin's Water Supply and Resource Development Reserves, $28,750 from fund 010 H017 Governing Board FARMS funds, and $57,500 from the 2005 State Appropriations allocated to fund 010 H017 the FARMS program, to H519 Lloyd's Harvesting, Inc. project fund; and
   (3) Authorize the Executive Director to execute the agreement.
41. Facilitating Agricultural Resource Management Systems – MD Council and Sons, Inc. (Presented to the Alafia River Basin Board at its April meeting)
   Staff recommended to:
   (1) Approve the MD Council and Sons, Inc. FARMS Project for a not-to-exceed project reimbursement of $120,000, with $30,000 provided by the Alafia River Basin's Water Supply and Resource Development Reserves, $30,000 provided by the Governing Board, and $60,000 provided from 2005 State Appropriations;
   (2) Authorize the transfer of $30,000 from fund 011 H100 Alafia River Basin's Water Supply and Resource Development Reserves, $30,000 from fund 010 H017 Governing Board FARMS funds, and $60,000 from the 2005 State Appropriations allocated to fund 010 H017 the FARMS program, to H520 MD Council and Sons, Inc. project fund; and
   (3) Authorize the Executive Director to execute the agreement.
42. **Appraisals, Purchase/Sale Agreement, Interlocal Agreement with Hillsborough County and Resolution Requesting Funds – Lower Hillsborough Flood Detention Area Project, SWF Parcel No. 13-300-760** *(Presented to the Hillsborough River Basin Board at its April meeting)*

Staff recommended to:
(1) Approve Interlocal Agreement with Hillsborough County;
(2) Accept the appraisals;
(3) Reimburse Hillsborough County 50 percent of the acquisition costs and 50 percent of the direct land acquisition costs;
(4) Approve resolution requesting funds; and
(5) Designate the parcel as having been acquired for conservation purposes.

43. **Lease Agreement Between the District and Hillsborough County for Use and Maintenance of a District-Owned Residence – Lower Hillsborough Flood Detention Area, SWF Parcel No. 13-300-738X** *(Presented to the Hillsborough River Basin Board at its April meeting)*

Staff recommended to approve the Lease Agreement with Hillsborough County for SWF Parcel No. 13-300-738X.

44. **Release of Mineral Interests on Surplused Lands – Tampa Bypass Canal, SWF Parcel No. 13-003-364S** *(Presented to the Hillsborough River Basin Board at its April meeting)*

Staff recommended approving the Release of Interests Deed in SWF Parcel No. 13-003-364S to First Tampa Sabal Ridge, LLC.

45. **Land Management Plan – Deer Prairie Creek Preserve, SWF Parcel No. 21-708-127X** *(Presented to the Manasota Basin Board at its April meeting)*

Staff recommended approval of the Land Management Plan for SWF Parcel No. 21-708-127X.

46. **Appraisal, Purchase/Sale Agreement, and Resolution Requesting Funds – Lake Hancock Project, SWF Parcel 20-503-152** *(Presented to the Peace River Basin Board at its April meeting)*

Staff recommended to:
(1) Accept the appraisal;
(2) Approve the purchase/sale agreement;
(3) Approve the resolution requesting funds; and
(4) Designate the parcel as having been acquired for conservation purposes.

47. **Utility Easement to Withlacoochee River Electric Cooperative – Green Swamp West, SWF Parcel No. 19-706-118X** *(Presented to the Withlacoochee River Basin Board at its April meeting)*

Staff recommended approval to convey a power line easement to the Withlacoochee River Electric Cooperative for the Future Farmers of America cattle project at Green Swamp West.

Following consideration, **Mr. Pressman moved, seconded by Ms. McCree, to approve Consent Items 39 through 47. Motion carried unanimously.** *(CD 1/Track 13 – 00:00/01:15)*

48. **Establishment of Minimum Flows and Levels for the Freshwater Segment of Braden River**

This was an information item for the proposed minimum flows for the freshwater segment of the Braden River and the methodologies used to develop these flow recommendations. The technical report is being finalized for outside review and comment by interested parties and for the panel that will conduct a voluntary scientific peer review. This item was provided for the Committee's information, and no action was required.
49. **Staff Response to Peer Review of Minimum Flows Report for the Lower Hillsborough River**

Mr. Wirth said development of a minimum flow is essentially a five phase process. The initial phase involves Data Collection (Phase 1), which is followed by Data Analysis and Development of a Draft Minimum Flows and Levels (MFLs) Report (Phase 2). The District submits all MFLs developed for rivers, springs and estuaries for independent scientific peer review, and this constitutes Phase 3 of the MFLs development process. If the MFLs is not being met or is projected to fall below the proposed MFLs over the next 20 years, a "recovery strategy" is developed as Phase 4 of the process. In the case of the lower Hillsborough River (LHR), a recovery strategy is needed and is currently under development. Once the recovery strategy is completed (Phase 4), it will be presented to the Board along with a proposed rule for adoption (Phase 5). It is anticipated that the recovery strategy and proposed rule will be submitted to the Board for their consideration in the May to June timeframe.

Mr. Wirth introduced Martin H. Kelly, Ph.D., Manager, Resource Conservation and Development Department. Dr. Kelly presented staff's response to the peer review report of District's re-evaluation of the minimum flow for the LHR. Dr. Kelly said overall the District was commended for preparing an excellent report. The supporting data and information used to develop the provisional MFLs were found to be technically sound, the procedures and analyses were appropriate and reasonable, and based on the best information available. The peer review panel also thought that the District had paid close attention to the previous peer review and adopted their recommendations. Dr. Kelly addressed specific comments related to the biological characteristics of the LHR and the relationship between flow and water quality. The highest potential for estuarine impacts is during the April-June period, because of the increased use of nursery habitats by the young fish and macroinvertebrates. During the controlled release experiments it was discovered that the salinity variability was reduced when flows approached or exceeded 20 cubic feet per second (cfs). The results also indicated that an undesirable reverse salinity gradient in the river above the Sulphur Springs outfall is eliminated by freshwater inflows greater than 20 cfs. Increasing the MFLs to 24 cfs during the seasonal peak of increased utilization of estuarine nursery habitats in the Tampa Bay ecosystem would encourage recovery of the environment's ecological health and productivity.

This item was presented for the Committee's information, and no action was required.

Resource Conservation and Development Committee Chair Combee heard public comment at this time.

Mr. Tom Krumreich, representing Florida Consumer Action Network, said he is a Tampa resident living on the shores of the Hillsborough River, and he believes documentation he has read supports a minimum flow of 30 cfs but he and his organization members are willing to compromise with a minimum flow of 24 cfs. Mr. Krumreich said his fellow group members and neighbors believe the minimum flow should be implemented immediately.

Mr. Phil Compton, Friends of the River, said his organization is willing to compromise and accept a minimum flow of 20 to 24 cfs if it is implemented immediately and used as a starting point to be re-evaluated over the next five years. Mr. Compton submitted 232 signatures from local residents agreeing with the compromise of 20 to 24 cfs.

Dr. Rich Brown, Friends of the River, echoed the message Mr. Compton expressed on behalf of the Friends of the River.
Ms. Jan McLean, City of Tampa Assistant City Attorney, reported that the City has been working very diligently in conjunction with District staff on a recovery strategy.

(CD 1/Track 13 – 01:15/30:23)

50. **Water Level Recovery in the Northern Tampa Bay Area**

Mr. Wirth said in 1998, the Governing Board approved several strategies to assist in water level recovery in the Northern Tampa Bay (NTB) area, including the Partnership Agreement, issuance of Tampa Bay Water’s (TBW) water use permit for its 11 regional wellfields (the Consolidated Permit), adoption of minimum flows and levels (MFLs) and a recovery strategy, and changes to its water use and environmental resource permitting rules. Minimum levels for 41 cypress wetlands, 15 lakes, and seven Floridan aquifer wells were adopted in 1998 and minimum levels for an additional 51 lakes in the NTB area have been adopted to date. In addition, data relating to the health of approximately 500 wetlands and water levels in over 1,000 wells in the NTB area is routinely collected. District staff is using these tools and others to monitor, assess, and manage the recovery process cooperatively with other local agencies.

Mr. Wirth introduced Mr. Michael C. Hancock, Senior Professional Engineer, Resource Conservation and Development Department. Mr. Hancock said the purpose of his presentation was to provide the Board with an update and status of the District’s efforts to monitor water level recovery in the NTB area. Mr. Hancock presented an overview of the District's monitoring program, water level responses in the NTB area that have been observed to date, and of the challenges that lie ahead in preparation for the required evaluation of recovery in 2010.

The evaluation of recovery has been complicated by two factors. First, rainfall over the past seven years has been highly variable ranging from extremely dry to extremely wet. Second, because the recent development of alternative water supply projects have allowed for the reduction of pumping for less than four years, there has been insufficient time to observe the "long-term" response of water levels to the reduced pumping. However, preliminary indications are that the progress toward recovery in the area has been positive. In 2010, the District's Governing Board will have several critical decisions to make regarding water level recovery in the NTB area. These include the re-evaluation of current MFLs and possible adoption of new MFLs, determining the need for a second phase of recovery, and the evaluation of TBW's Consolidated Permit. Over the past several years, District staff has been working to ensure the necessary data and technical analysis will be available by 2010 to support the Board’s decision-making process.

Ms. Closshey said a timeline of projects would be helpful for tracking purposes and suggested a future presentation on the topic. She said she was pleased to learn that staff plans to keep the Board informed on water level recovery in the NTB area with frequent updates. Ms. McCree said the Hillsborough River Basin Board discussed funding for wetland evaluation studies and asked Mr. Wirth what would be the timing of those studies. Mr. Hancock responded to Ms. McCree and said the studies she was referring to were short-term two-year studies. Mr. Moore said District staff and other agencies are constantly studying this area and changing their policies as necessary. In 2010, he said the technical evaluation will not be the issue; he said the policy question will be how much adverse impacts will be considered acceptable.

This item was presented for the Committee’s information, and no action was required.

(CD 1/Track 14 – 00:00/57:03)

51. **Water Supply Update – Tampa Bay Water**

Dr. Don Polmann, Director, Science and Engineering, Tampa Bay Water, updated the Governing Board on its efforts to meet the water supply needs of the tri-county area they represent. The System Configuration II, which is their current major project, includes development of new supply and plumbing facilities to achieve a median year yield of
25 mgd of additional supply for TBW's regional system. This is a $232 million project and the anticipated completion is in 2011. Dr. Polmann said he wanted to take this opportunity to thank the Governing Board and Basin Boards for the cooperative funding support and to thank District staff members who have worked so diligently with TBW staff on water management issues for years. The System II Configuration project will require some additional land acquisition and several permits. Dr. Polmann's presentation consisted of several graphics depicting the facility and plumbing expansions associated with the System Configuration II. The hydrologic conditions concern TBW and their Board, they are particularly concerned about the lack of water they have been able to put back into the reservoir.

Ms. Closshey suggested that a schedule of which organization will be presenting their project updates in the future would be helpful. Mr. Wirth said staff would look into developing a schedule for these presentations.

This item was presented for the Committee's information, and no action was required. (CD 1/Track 15 – 00:00/26:02)

52. Districtwide Hydrologic Conditions Overview
Mr. Granville Kinsman, Manager, Hydrologic Data Section, said this item was to update the Governing Board on current hydrologic conditions on a regional and District-wide basis, and to review the most recent National Oceanic and Atmospheric Administration (NOAA) forecast for the upcoming months. Each month the Hydrologic Data Section provides information on the general state of the District's hydrologic conditions, by comparing rainfall, surface water, and groundwater levels for the current month to comparable data from the historical record.

Rainfall data for the month of March 2007 indicate that rainfall totals were below the normal range for most of all the regions in the District. The average rainfall District-wide was 0.92 inch, equivalent to the 8th percentile. The cumulative rainfall for the current twelve-month period is now at the 5th percentile, which is about twelve-inches below the long-term mean and over six-inches below the bottom of the normal range. Groundwater levels in the Floridan/Intermediate aquifer decreased in all three regions of the District in March. Groundwater levels in the northern counties continue to remain below the normal range, while the central and southern counties stayed within the normal range of historic monthly values. Lake levels decreased in all regions of the District and were below normal in all three regions of the District.

Due to the abnormally low rainfall amounts received during the previous 12-month period, especially during the past winter and current spring months, extremely dry conditions exist throughout the District. As a result of continued drier-than-normal weather conditions, already depressed hydrologic indicators (e.g., streamflow, lake and groundwater levels) are expected to continue to deteriorate until the onset of the rainy season, which historically begins in June. Looking at the Weather Forecast from the Climate Prediction Center for the three-month outlook of May, June and July, it indicates the District could have equal chances at above average rainfall, normal rainfall, or below normal rainfall.

This item was presented for the Committee's information, and no action was required. (CD 1/Track 16 – 00:00/26:02)

Submit & File Report
The following item was provided for the Committee's information, and no action was required.
53. Fourth Annual Report of Natural Systems Restoration on District Lands
Routine Reports
The following items were provided for the Committee's information, and no action was required.

54. Significant Water Supply and Resource Development Projects
55. Land Resources Department Significant Activities
56. Florida Forever Status Report
57. Minimum Flows and Levels Status Report
58. Structure Operations Status Report

The meeting was recessed to provide a short break.

Committee Chair Combee relinquished the gavel to Finance and Administration Committee Chair Closshey.

Finance and Administration Committee

Consent Items

59. Board Travel
As of April 11, 2007, no travel was planned for outside the geographic boundaries of the District. No action was required at this time.

60. Budget Transfer Report
Staff recommended approval of the Budget Transfer Report covering all budget transfers for March 2007.

Following consideration, Ms. Rovira-Forino moved, seconded by Ms. Parks, to approve Consent Item 60. Motion carried unanimously. (CD 1/Track 17 - 00:00/00:55)

Discussion Items

61. Fiscal Year 2008 Budget Development Status Report
Mr. Schiller said he and his staff will be presenting the first steps in the Fiscal Year (FY) 2008 Budget Development process.

a. Review Draft Information Resources Five-Year Technology Plan and Computer Sinking Fund Strategy
Mr. Terry Redman, Director, Information Resources Department, presented the draft Information Resources Five-Year Technology Plan.

Staff recommended approval for budget planning purposes of the FY2008 through FY2012 Information Resources Five-Year Technology Plan forecasts and Computer Renewal and Replacement Sinking Fund investment and expenditure schedule, subject to FY2008 budget approval.

Following consideration, Mr. Dabney moved, seconded by Ms. Rovira-Forino, to approve Discussion Item 61.a. Motion carried unanimously. (CD 1/Track 17 - 00:55/19:52)

b. Review Draft Five-Year Capital Improvements Plan
Ms. Linda R. Pilcher, Assistant Finance Director, Finance Department, said the purpose of the Five-Year Capital Improvements Plan (CIP) is to project future capital needs and anticipated future funding requirements to meet those needs. The District uses a pay-as-you-go sinking fund approach and does not incur debt. The CIP includes expenditures for basic construction costs and other related capital project costs. The plan includes a five-year forecast for the FY2008 through FY2012 time frame, and is updated annually. Ms. Pilcher provided a high-level overview of projects included in the Plan. Mr. Dabney inquired about a sewer upgrade at the Bartow Service Office. Mr. Schiller, Deputy Executive Director, Management Services Division, said the sewer system had been installed incorrectly when the building was
originally constructed; however, since the facilities staff changed out the type of toilet paper used the problems that require the upgrade have gone away. Ms. Whitehead led a discussion regarding emergency power plant centralized chiller study. Mr. Lloyd Roberts, Director, General Services Department, said this study investigates the possibility of having our own plant on-site and the potential benefits to being a provider. The main purpose of the study is to evaluate the benefits associated with constructing a centralized chiller plant and a centralized emergency generator plant.

Staff recommended acceptance of the Five-Year CIP for FY2008 through FY2012 for budget planning purposes for inclusion in the FY2008 Recommended Annual Service Budget.

Following consideration, Mr. Dabney moved, seconded by Ms. Rovira-Forino, to approve Discussion Item 61.b. Motion carried unanimously. (CD 1/Track 18 - 00:00/06:42)

62. Inspector General’s Report
   a. District Audit Services Semiannual Performance Report for the Period Ending March 31, 2007
      This item was presented for the Committee’s information, and no action was required.
   b. Fiscal Year 2007 Audit Plan Amendment for April 1, 2007 through September 30, 2007
      Staff recommended approval of the amended FY 2007 Annual Audit Plan.

Following consideration, Ms. McCree moved, seconded by Ms. Rovira-Forino, to approve Discussion Item 62.b. Motion carried unanimously. (CD 1/Track 18 - 06:42/07:42)

63. Annual Workforce and Vendor Diversity Report
Ms. Rovira-Forino said she was pleased to introduce the 2007 Annual Workforce and Diversity Report. The District maintained its commitment to utilize diverse vendors. She said the District had the highest level of expenditures with minority vendors of any of the water management districts. The District continues to register a large number of small and minority businesses to maximize opportunities for participation in competitive bidding opportunities. The District has sustained its outreach efforts to encourage application and hiring of competitive, talented and diverse employees. The District continues to hire many talented, diverse students and temporaries who in turn provide an outstanding pool of applicants for our full-time, regular positions.

Ms. Elaine M. Kuligofski, Director, Human Resources and Risk Management Department, provided a status report on continuous programs that staff are working on to promote the District’s diversity efforts, including student internship programs, minority vendor and cooperative funding partner outreach activities. Ms. Kuligofski reported on Workforce Outreach and Events, including recruitment, community outreach efforts, District Employee Committee activities and mentoring initiatives.

Staff recommended acceptance of the Annual Report on Workforce and Vendor Diversity at the District.

Following consideration, Ms. Parks moved, seconded by Ms. Rovira-Forino, to approve Discussion Item 63. Motion carried unanimously. (CD 1/Track 18 - 07:42/10:42)

Submit & File Reports
The following items were provided for the Committee's information, and no action was required.
64. Fiscal Year 2007 Second Quarter Financial Report
65. Treasurer's Report, Payment Register, and Contingency Reserves Report
66. Service Office Deployment of Automated External Defibrillators
Routine Report
The following item was provided for the Committee's information, and no action was required.

67. Significant Management Services Projects Status Report

Committee Chair Closshey relinquished the gavel to Outreach and Planning Committee Chair Whitehead.

Outreach and Planning Committee

Consent Items – None

Discussion Items

68. FY2007 Media Messaging Overview
Mr. Michael Molligan, Director, Communications Department, said water resources messaging is one initiative the District uses to promote water resources conservation and protection. The total budget for the FY2007 media messaging campaign and emergency water shortage media campaign was $750,000. The continued dry conditions through February and March prompted the need for another media buy in April and May consisting of the District's water conservation television, print and radio PSAs. Contingency funds in the amount of $250,000 were approved by the Board in January for this purpose. Methods of measurement for the campaign included tracking of online publication ordering, reach and frequency numbers, and anecdotal reports from Florida Yards & Neighborhoods coordinators. During February-March, online orders of public education materials resulted in a 274 percent increase compared to last year's campaign.

At Mr. Dabney's suggestion, to reinforce the District's media messaging efforts, District staff from the Communications Department and the Hydrologic Data Section met with meteorologists from four Tampa Bay television networks. The purpose of the meeting was to present the forecasters with hydrologic data available to them for their broadcasts and to receive feedback on the formats currently available. Mr. Molligan played a spot from News Channel 8 that depicted the meteorologist Steve Jerve using a rainfall map provided by the District. Mr. Molligan said other news channels seem to be utilizing this information as well. In conclusion, staff felt this was excellent progress and they will continue to nurture these relationships.

Moving forward, the District plans to target water use during two periods of the year when lawn watering is less essential. District staff assembled a work group to target this behavioral change. The District will promote proper use of irrigation timers and skipping a week of irrigation especially between the months of December and February. Staff will continue to research the best methods to use for this project and conduct some pilot testing.

This item was presented for the Committee's information, and no action was required. (CD 1/Track 19 – 00:00/14:25)

69. Legislative Update
Ms. Colleen Thayer, Community and Legislative Affairs Department, said this was the final two weeks of the Legislative Session. Property tax relief remains the largest issue and Ms. Thayer reported that there remain philosophical differences between the House and Senate on this issue.

The Governing Board Bill that passed the House on April 19, 2007 included an amendment that will further delineate the at-large seats. The amendment ensures that new seats would be appointed after current board members’ terms expire.
The Peace River Watershed Resolution was adopted by the House and Senate on April 12, 2007. The Springs Protection and Myakka River Wild and Scenic Designation bills both passed a Senate Committee today.

Regarding appropriations, the Conference Committee is underway. The Senate is holding their position to not take money out of trust funds to fund general revenue projects.

Regarding Federal issues, Ms. Thayer said the Water Resources Development Act passed the House. This bill includes authorization for watershed management, restoration and development projects throughout the U.S., including the Charlotte Harbor watershed.

The following item was presented for the Committee's information, and no action was required. (CD 1/Track 20 – 00:00/09:31)

Submit & File Report
The following item was provided for the Committee's information, and no action was required.
70. **Regional Builder & Developer Florida Yards & Neighborhoods Outreach Program**

Routine Reports
The following items were provided for the Committee's information, and no action was required.
71. **Comprehensive Plan Amendment and Related Reviews Report**
72. **Review of Developments of Regional Impact**
73. **Upcoming Events**

Committee Chair Whitehead relinquished the gavel to Chair Rice.

General Counsel's Report

Consent Items

74. **Consent Order – WUP No. 20010260.000 – Brassboys Enterprises, Inc. (Citrus Springs Golf and Country Club) – Citrus County**
Staff recommended to approve the proposed Consent Order and authorize the initiation of litigation in the event that Brassboys Enterprises, Inc. fails to comply with the Consent Order.

75. **Initiation of Litigation – ERP No. 46007571.002 – Sean M. Murphy and Shelly A. Murphy (Hidalgo Building) – Manatee County**
Staff recommended to authorize the initiation of litigation against Sean M. Murphy and Shelly A. Murphy and any other appropriate parties to obtain compliance, recover an administrative fine/civil penalty, and recover District enforcement costs, court costs and attorney’s fees.

76. **Initiation of Litigation – MSSW Permits No. 40006736.02 and 40006736.05 – Add-a-Room Self-Storage of Bradenton, LLC (Add-a-Room Self Storage Facilities) – Manatee County**
Staff recommended to authorize the initiation of litigation against Add-A-Room Self Storage of Bradenton, LLC and any other appropriate parties to obtain compliance, recover an administrative fine/civil penalty for permit condition violations, and recover District enforcement costs, court costs and attorney’s fees.

77. **Initiation of Litigation – ERP No. 49003900.018 – Mote Ranch Homeowners Association, Inc. (River Park at Mote Ranch) – Manatee County**
Staff recommended to authorize the initiation of litigation against Mote Ranch Homeowners’ Association, Inc. and any other appropriate parties to obtain compliance, recover an administrative fine/civil penalty for the permit condition violation, and recover District enforcement costs, court costs and attorney’s fees.
78. **Initiation of Litigation – Well Construction – J.C. McClendon, Jr. – Pinellas County**

Staff recommended to authorize the initiation of litigation against Mr. McClendon to obtain an administrative fine/civil penalty, and recover District enforcement costs, court costs and attorney’s fees.

Following consideration, Mr. Dabney moved, seconded by Ms. Closshey, to approve Consent Items 74 through 78 as presented. Motion carried unanimously. (CD 1/Track 21 – 00:00/00:24)

**Discussion Items** – None

**Submit & File Reports** – None

**Routine Reports**

The following items were provided for the Committee’s information, and no action was required.

79. **Litigation Summary and Report**

Mr. Dabney asked Mr. Bilenky for a status report on the proposed Weeki Wachee lease. Mr. Bilenky said staff notified the attraction of the April 20, 2007 deadline immediately after the last Governing Board meeting; the attraction made no effort to accept the offer of a new lease and time has expired. Mr. Bilenky said he sent the Governing Board members information on the Crowley Nature Center litigation and, as anticipated, the plaintiff did file an appeal and the District will be prosecuting that appeal. (CD 1/Track 21 – 00:24/01:50)

80. **Rulemaking Update**

**Reports**

81. **Industrial Advisory Committee Liaison Report**

Ms. Closshey said the Committee met on April 17, 2007. Mr. Ken Weber, Regulation Program Director, Regulation Performance Management Department, presented the Northern WUCA strategies and Dr. Kelly presented the MFLs for the Lower Hillsborough River. The Committee heard an interesting presentation on a proposed ethanol production facility; Mr. Moore said the District has made contact with producers to let them know this would be an excellent opportunity to use reclaimed water. Other presentation topics included Water Management Information System and Reclaimed Water Task Force. (CD 1/Track 21 – 01:50/03:34)

82. **Public Supply Advisory Committee Liaison Report**

Ms. Kavouras provided this report and she said the following topics were presented: TBW System II Configuration, the Lower Hillsborough River Peer Review Report, and the Northern WUCA strategies. (CD 1/Track 22 – 00:00/02:39)

83. **Well Drillers Advisory Committee Liaison Report**

Mr. Dabney said the Well Driller’s Advisory Committee met on April 18, 2007. St. Johns River Water Management District presented its well construction on-line permitting process and received feedback on the proposed changes to the statewide well construction application and completion form. The District presented information on the Water Management Information System (WMIS) and reported on the number of permits that were currently being received on line. Staff also presented an issue paper outlining some of the issues associated with the permitting of earth coupled with heat pump systems and recommendations that boreholes be properly sealed. (CD 1/Track 23 – 00:00/4:39)

84. **Executive Director’s Report**

Mr. Moore provided the Board with an update regarding the Strategic Plan Initiative. He said there is a three-level team and that Mr. Kurt Fritsch will be working with the new Planning Director, as well as staff from Executive. There will be a Strategic Planning Workshop in June with the Governing Board.
The Hillsborough County Environmental Protection Commission (EPC) has been in the news lately regarding local governments and wetlands permitting. The Hillsborough County EPC is planning to conduct a feasibility study where it will ask the District to delegate the Environmental Resource Permitting program to Hillsborough County. Staff will keep the Board appraised with any concerns that may arise.

Mr. Moore said that Chair Rice had suggested the District start to use signage similar to South Florida Water Management District's to identify structures and potentially other water management features and facilities. Mr. Moore said it would cost approximately $20,000 to identify all of the structures, and he believes it would send an important message to the public. Chair McCree requested that an update be provided to her regarding signs for the watershed education programs.

Ms. Symons reported on an educational event that took place on the Peace River to celebrate the watershed, with a commemorative paddle that originated at Lake Hancock. Ms. Symons said the event was well attended and included over 100 school children.

Ms. Closshey said she wanted to thank Mr. Moore for his presentation at the Plant City Chamber breakfast meeting and answering questions from a large group of people. (CD 1/Track 24 – 00:00/10:50)

85. Chair's Report
Chair Rice welcomed Ms. Glass again.

Public Input
No requests to address the Board were submitted.

There being no further business to come before the Board, Ms. McCree moved, seconded by Mr. Dabney, to adjourn the meeting. Motion carried unanimously. (CD 1/Track 24 – 10:50/11:25)

The meeting was adjourned at 4:50 p.m.