

APRIL 12, 2005

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, April 12, 2005 at 4:00 p.m. in Courtroom B of the Walton County Courthouse.

The following Board members were present: Commission Kenneth Pridgen, Chairman, Commissioner Larry Jones, Commissioner Cindy Meadows, Commissioner Rosier Cuchens, and Commissioner Scott Brannon. Mr. Ronnie Bell, County Administrator, Attorney Gary Vorbeck, Director of Legal Services, and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Cuchens led with prayer followed by the pledge of allegiance to the American flag. Chairman Pridgen called the meeting to order.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve the consent agenda consisting of the following items. Ayes 4, Nays 0. Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

1. EAL Approval	
General Fund	\$ 815,288.58
County Transportation	\$ 209,389.84
SHIP	\$ -
Fine & Forfeiture	\$ 840,114.00
Debt Service Hospital	\$ -
Mosq. Control State	\$ 19,709.85
Mott Sign Grant	\$ -
Section 8 Housing	\$ 126,556.78
Tourist Dev. Council	\$ 155,574.83
N.W. Mosquito Control	\$ 451.11
W. Co. Library	\$ 11,031.90
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 15,073.35
Solid Waste Enterprise	\$ 270,650.99
Mossy Head VFD	\$ 7,891.54

Glendale VFD	\$	935.17
Darlington VFD	\$	1,641.66
Red Bay VFD	\$	979.25
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	49,291.91
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	2,823.03
Capital Projects Fund	\$	1,844,673.17
Imperial Lakes MSBU	\$	161.67
Totals	\$	4,372,238.63

2. Approve minutes of March 14, 2005-Public Hearing
March 15, 2005-Joint Meeting BCC/EDC
March 22, 2005-Regular Meeting
3. Investment Report
4. Resolution (2005-22) to Support the County Pre-Hospital Emergency Medical Services System
5. State Homeland Security Training between Walton County and Ecology & Environmental, Inc.
6. Resolution (2005-23) Establishing a map Product Fee
7. Scenic Corridor Association Request to Display Banners
8. Resolution (2005-24) to Amend the Budget for the Darlington/Gaskin Volunteer Fire Department FEMA Reimbursement for Hurricane Ivan Damage
9. Resolution (2005-25) to Amend the Budget for the Supervisor of Elections for Additional Grant Revenues to Purchase Touch Screen Voting Machines
10. Certificate of Acceptance of the 2005 Local Law Enforcement Block Grant for use by the Sheriff's Department
11. Resolution (2005-26) to Amend the Budget for Grant Revenues for the Mack Bayou CIGP/JPA Grant Program

The Division Activity Updates were presented for review. Per request of Commissioner Cuchens, Mr. Imfeld gave an update on the status of the Bay Loop Road Joint Participation Agreement. Commissioner Meadows requested an update on the status of the Coastal Dune Lakes project.

Attorney Gary Vorbeck turned the floor over to Mr. Billy Bearden, Building Official, to discuss litter control and ADA compliance regarding public accommodations. Mr. Bearden presented and reviewed the ADA Accessibility Guidelines regarding

accessibility to places of public accommodation and commercial facilities by individuals with disabilities. Attorney Vorbeck advised that residence establishments did not fall within the categories listed for places of public accommodation. He recommended that a supporting resolution be adopted advising developers of this issue and encourage them to apply the ADA Accessibility Guidelines to residential dwellings.

Further discussion was held regarding the guidelines. Commissioner Brannon stated that the ultimate challenge would be defining rental establishments from residential establishments. Mr. Don Crim requested that this issue be continued until Ms. Martha Heller could be present.

(Commissioner Jones arrived)

Mr. Bearden addressed Section 9-106., Litter Control, of the Walton County Code, which states "All construction and demolition contractors, owners or agents, shall provide on-site control measures to prevent wind-driven scattering of such materials if the materials are otherwise not properly disposed of on a daily basis. All litter, tar paper, packaging and crating materials and similar materials shall be removed within 30 days after the completion of the construction or demolition." He requested direction regarding enforcement of this issue.

Motion by Commissioner Cuchens, second by Commissioner Meadows, that all litter must be removed from construction and demolition sites before inspection could be passed. Ayes 5, Naves 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Chairman Pridgen called to order the continued public hearing to consider approval of the Treetops Plat.

Treetops—WLC Treetop, LLC, Steve Devane as Managing Member, proposed a 79-lot single family residential subdivision located on the south side of US 98 , about 12 miles east of US 331. Ms. Melissa Ward, Planning Assistant, presented staff's recommended for approval. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the Treetops final plat for recording. Ayes 5, Nayes 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Rick Milliard, Construction Manger, addressed the Board to give an update on the status of the new jail and courthouse construction projects. He presented photographs of the progress that was being made at the new jail construction site. He also presented photographs of the progress being made at the current jail site.

Mr. Milliard presented a letter from Hatch Mott MacDonald regarding north façade revisions to the courthouse correlated drawings. Attached to the letter was a sketch for the revised plans. The letter requested a change order to the contract for \$8,000 for the architectural and engineering work. Mr. Milliard recommended that the Board approve the change order.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the change order. Ayes 5, Nayes 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Milliard presented a letter from Dennis W. Dallman, previous Project Manager for the Walton County Courthouse Additions & Renovations, regarding lost workdays due to weather through the months of July to January. The letter stated that the work days would be lost and needed to be converted to calendar days to reflect their

contract. Mr. Milliard recommended that the Board approve a change order to their contract for 29 lost workdays due to weather.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve a change order. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Milliard explained that during the design phase of the Courthouse Addition & Renovation Project, the decision had been made to use VCT tile in lieu of porcelain tile in the entrance ways and hallways of the courthouse. Mr. Milliard recommended that the Board approve to amend the design to use porcelain tile. He provided tile samples that he recommended, along with an estimate in the amount of \$111,042 to provide porcelain tile instead of VCT. He stated that his recommendation was the most cost effective, yet attractive and long wearing, option that was explored.

Discussion was held regarding how the color of the tile would be chosen. Mr. Bell stated that the architect could narrow the choices to bring back to the constitutional officers and department heads to make a decision.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the recommendation to provide porcelain tile in lieu of VCT tile. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. John Hinson, Hinson's Wrecker Service, addressed the Board and requested that the County regulate towing rates due to the increase in insurance rates and fuel prices. He presented a petition signed by other towing companies in the county who would also like to see the rates regulated. He also presented the Florida Highway Patrol

Rotation Towing Rate Structure currently used by the State as well as those used by Jackson, Holmes, and Washington Counties.

Discussion was held regarding the process to get the rates raised by the Florida Highway Patrol. Commissioner Cuchens didn't disagree that the rates needed to be raised, but felt that it wasn't the Board's place to regulate them. Commissioner Jones asked Mr. Hinson why he didn't just raise the rates. Mr. Hinson stated that he could not raise the rates on his own if he wanted to stay on state rotation.

The Board asked Mr. Lawton Rockman of Rockman's Auto Service to speak on the issue. Mr. Rockman stated that he felt that it was not the County's place to regulate private business rates. He felt that if the businesses wanted the Highway Patrol rates raised they should work through the state. He said that he would help the businesses petition the state, but if the County regulated rates his business would also be affected. He stated they needed to start by contacting their State Representative, Don Brown.

Motion by Commissioner Jones to adopt a resolution (2005-27) to send a letter of support requesting the state to review the towing rates. Commissioner Meadows seconded the motion. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell, for information purposes, updated the Board on the bike path issue involving Larry Pentel, represented by Attorney Allan Ramey.

Mr. James Dular, Tamtech Pool and Spa, appeared before the Board to address a complaint he had regarding Code Enforcement. He submitted and reviewed email correspondences that had occurred between county staff. He also submitted several articles from the Northwest Florida Daily News.

Mr. Allen Fowler addressed the Board to request to purchase surplus land that the county owns behind his property. Mr. Bell requested an additional two weeks to gather additional information to bring back to the Board.

Mr. Roger McCombs, McCombs Enterprises, addressed the Board requesting approval of a proposal for the Mossy Head Industrial Park. The proposal consisted of three projects, which included: RV World, Race World/Auto World, and a Concrete Plant. The projects were proposed to be located on three separate parcels—a 50 acre parcel, 20 acre parcel, and a 40 acre parcel, respectively. Mr. McCombs made a brief presentation to explain each project. The new projects proposed to generate between 205-210 new jobs for Walton County with an average base salary of over \$23,000.

Discussion was held regarding the penalty if the job and salary requirements set forth in the proposed agreement were not met.

Attorney Vorbeck submitted a draft copy of an agreement for the Board's review. He explained that the Board could conceptually approve the proposal and a final agreement could be brought back for final approval.

Commissioner Meadows stated that she liked the proposal but felt that there was not sufficient information to take action at this time. She requested a full cost analysis of the proposed projects. She questioned if there was a policy for applying for county property.

Motion by Commissioner Cuchens to proceed with finalizing a contract for the Mossy Head Commerce Park proposal presented by Roger McCombs. Commissioner Jones seconded the motion.

Further discussion was held. The following individuals asked questions regarding the proposal: Mr. Bob Dobes, Mr. Don Crim, and Ms. Heather Civil

A vote was called for the motion on the floor. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Naye.

Mr. Gerald and Mrs. Pat Wallens of Higher Standard Realty & Homes addressed the Board to present their proposal for the 50 acre parcel of property. A packet describing the proposal was entered into the record. After lengthy discussion, it was the general consensus for Mr. Ronnie Bell to meet with Mr. And Mrs. Wallens to discuss the proposal in further detail.

Mr. Ken Little, Citizens Services Director, presented a list of expiring board and committee appointments. He requested the Board's approval of the recommended reappointments to the boards and committees.

(Commissioner Jones stepped out)

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the following recommended reappointments to the Recreation Board: Jeff Infinger, District 1, Chuck Stevenson, District 1, Curt Anderson, District 2, Randall Infinger, District 4, and Jean Arrant, District 4. Ayes 4, Nays 0. Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Little presented a request from the Florida Department of Health for permission to use the Tri County Community Canning Center located on Highway 331 South for the USDA Farmer's Market Program.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the request. Ayes 4, Nays 0. Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Greg Scoville, Planning Processes and Systems Senior Manager, addressed the Board regarding a boathouse located on county property near Pitts Bay Shore Subdivision Park. Recently, Code Enforcement had received a complaint about the abandoned boathouse. An investigation was initiated and a condemnation of the structure was obtained from the Building Official. Mr. Scoville requested direction for the next step for initiating demolition of the structure. It was the general consensus of the Board to direct staff to perform a title search on the property and provide the findings to Legal Services. Commissioner Brannon requested to be advised of the results.

Mr. Scoville presented a proposal from Eric M. Zwerling, Rutgers Noise Technical Assistance Center, for an on-site presentation of the certification course *Community Noise Enforcement*. The letter reviewed the course fee for up to 10 students, tuition for additional attendees, and expenses for travel, lodging, mileage, and per diem. Mr. Scoville stated that the total cost for the training would be \$5,381.00.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the appropriate funding for the *Community Noise Enforcement* certification course, for a total cost of \$5,381.00. Ayes 4, Nays 0. Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Gary Mattison, Human Resources Director, submitted into the record for its first reading additional language for the American Disability Act Accessibility Guidelines to use as compliance with the American Disabilities Act.

Mr. Mattison presented for approval a recommendation to appoint David A. Hallman as Director of Legal Services. He submitted Mr. Hallman's statement of qualifications into the record.

(Commissioner Jones returned)

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve Human Resources' recommendation to appoint David A. Hallman as Director of Legal Services. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Discussion was held regarding the vacant position of Beach Coordinator.

Mr. Ronnie Bell, County Administrator, directed the Board's attention to a map illustrating several lots surrounding the current county jail and courthouse. Mr. Bell stated that, per the Board's request, an appraisal was currently being performed on lot C.13 and would be ready to be presented at the next Board meeting.

Next, Mr. Bell directed the Board's attention to the property that Mr. Terry Garner was offering to sell to the County for the amount of \$155,000. The .85 acre of property included: Lots 13, 14, 15, 16, 17, 18, 19, 20 and the W 75 feet of Lots 21, 22, 23, and 24 of block B of the Flournoy Subdivision. Mr. Garner addressed the Board to give a description of the property.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to purchase the .85 acre property from Terry Garner. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Imfeld requested the Board's approval to allocate contingency funds for the purchase of the property.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to authorize the allocation of contingency funds for the purchase of the property. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell submitted a proposal from Robert Barley for the sale of 15.5 lots, Zoned R-2, between 5th and 2nd Street in DeFuniak Springs.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve to proceed with an appraisal of the property. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell requested that the Board not take action on the Moore property and allow him to come back with additional information. There was no opposition.

Mr. Bell presented the incremental costs for the D & D Pet Motel as a temporary animal shelter. He stated the information was the same as that which was presented at the February 22, 2005 BCC meeting.

The following citizens addressed the Board to speak in opposition to using the D & D Pet Motel as a temporary animal shelter: Ms. Lynda Morse and Mr. Jerry Fulaytar.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to proceed with the D & D Pet Motel as a temporary animal shelter. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Naye.

Mr. Imfeld requested the Board's approval to allocate contingency funds to proceed with the D & D Pet Motel.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to authorize allocating contingency funds. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Naye.

Mr. Bell presented and reviewed information regarding the issue of purchasing the former Wal-Mart building. Discussion was held regarding identified possible uses for the building. Issues regarding the cost to bring the building up to standards and where the funding would come from were also addressed. Mr. Imfeld stated that the money would have to be allocated out of the County's general fund reserves, which currently held a balance of \$8,597,000. Commissioner Cuchens asked how much of the money that was spent as a result of Hurricane Ivan would be refunded back to the County. Mr. Imfeld stated that he expected FEMA to refund between 1.3 and 1.5 million of the 2.2 million spent.

Commissioner Meadows mentioned the option of leasing the property if it were purchased by another entity.

Further discussion was held regarding the current land use category of the property.

The following individuals made public comments regarding the issue: Mr. Don Crim and Mr. Bob Dobes.

Motion by Commissioner Cuchens to proceed with the purchase of the former Wal-Mart Building. Commissioner Brannon seconded the motion. Ayes 2, Nays 3. Jones Naye, Brannon Aye, Cuchens Aye, Pridgen Naye, and Meadows Naye. The motion died.

Mr. Bell stated that he would prepare a letter advising that the County was not interested in purchasing the former Wal-Mart building.

Mr. Bell presented a request from the Walton County School District to acquire a twenty plus (20+) acre tract of the north half forty-seven (47) acres in Mossy Head designated as the choice for location of a future elementary school.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the request to provide the twenty plus acre tract of land in Mossy Head for a school site. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

The commissioners recessed briefly.

Mr. Bell presented information relating to the proposed new postal facility in Santa Rosa Beach for review only.

Mr. Bell presented a letter from Mayor Mickey Marse, City of Freeport, regarding the installation of sewer in the Bay Area and around East Bay Loop Road. The City was asking to include the cost of the sewer project around East Bay Loop Road in the debt forgiveness clause.

Motion by Commissioner Cuchens, second by Commissioner Jones to approve including the cost relating to East Bay Loop Road in the debt forgiveness clause. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell stated that a commissioner was needed to attend the Strategic Partnership Meetings held by Dr. Richburg of Okaloosa-Walton College. Commissioner Brannon volunteered to attend the meetings.

Mr. Bell presented a letter from the Shelter House requesting permission to put up yard signs announcing the Victim's Rights Week.

Motion by Commissioner Jones, second by Commissioner Meadows to approve for the Shelter House to put up yard signs announcing the Victim's Rights Week. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell announced that the dates for the Hurricane Exercise had changed and would be held May 8-22. Walton County will participate on May 19. The Homeland Security National System training will be held May 5 with the actual exercise being held on May 27 at the EOC facility.

Mr. Bell presented a letter from Captain Glidewell regarding a revised budget to fund a five-man traffic unit south of the Bay.

Motion by Commissioner Meadows, second by Commissioner Jones, to create the traffic unit for south Walton.

Chairman Pridgen questioned how the Board could be assured the money would be used for the purpose it was intended. Mr. Bell stated that the Board could create an interlocal agreement between the Sheriff and Board. Commissioner Jones asked that the agreement be drafted before taking any further action.

Commissioner Jones withdrew his second to the motion stating that he would like to see a schedule of where the units would be located. Therefore, the motion died for lack of a second.

Motion by Commissioner Meadows to schedule a public hearing to consider funding for a South Walton Traffic Unit. The motion died for the lack of a second.

Commissioner Meadows spoke about the need for more message boards for emergency situations. Mr. Bell stated that the message boards have already been purchased.

Commissioner Meadows spoke about County review and recommendations for safety measures, at DOT designated intersections, immediately upon completion of the projects.

(Commissioner Cuchens left the meeting)

Commissioner Meadows spoke about the need to input historical data into the computer, such as 95-361 Maps. She stated that two crews are needed for approximately three years.

Commissioner Meadows presented a letter from Salvatore Patti regarding the traffic signals at the intersection of US Highway 98 and Forest Shore Drive. Mr. Patti addressed the Board regarding the dangerous intersection. Commissioner Meadows asked if the county could petition DOT for a traffic signal or look at realigning the intersection. The commissioners asked Mr. Bell to contact DOT regarding the matter. Commissioner Meadows will follow up with Mr. Patti.

Commissioner Meadows stated that the Government Education Center "Trial Committee" needed to be appointed.

Motion by Commissioner Jones, second by Commissioner Brannon, to place the committee appointment under the direction of the D5 Commissioner. Ayes 4, Nays 0. Jones Aye, Brannon Aye, Pridgen Aye, and Meadows Aye.

Commissioner Meadows advised that she had received a recommendation to deny a request for a temporary development order for Palacio Grande Apartments. There was no one present to speak on behalf of the Palacio Grande Apartment complex.

Commissioner Meadows advised that she was still receiving calls regarding debris cleanup in the Coastal Dune Lakes. Mr. Imfeld said they had not paid the company

which was responsible for the CDL clean up. He advised that he and Mr. Jeremy Bracewell were working on the necessary documentation and they would proceed from there.

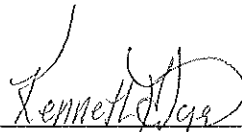
Commissioner Meadows stated that the Florida Trust for Florida Lands had asked if the county would be interested in them submitting an application for the purchase of property in Grayton Beach. If the property could be obtained then it would be deeded back to the county for recreational purposes. There was no opposition.

Chairman Pridgen opened the floor for public comments. Mr. Don Crim asked if the annual paper drive would be held this year. Mr. Bell advised that it would not be conducted this year.

Attorney Vorbeck introduced Mr. David Hallman as the newly hired County Attorney who would take Mr. Vorbeck's place due to his resignation. Mr. Hallman addressed the Board stating that he was looking forward to working with the Board.

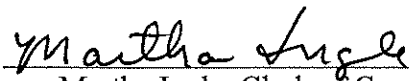
There being no further business, the meeting was adjourned at 7:06 p.m.

APPROVED:



Kenneth Pridgen, Chair

ATTEST:



Martha Ingle, Clerk of Court