

MARCH 13, 2001 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, March 13, 2001 at 1:00 p.m. in the Boardroom of the Walton County Courthouse.

The following Board members were present: Commissioner Tim Pauls, Commissioner Larry D. Jones, Chairman Herman L. Walker, Vice-Chairman Lane Rees and Commissioner Gene Ryan. Ms. Shirl Williams, Administrative Supervisor, Attorney George R. Miller and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Jones led with prayer following the Pledge of Allegiance to the American Flag.

Chairman Walker called the meeting to order.

Ms. Ingle introduced Mr. William Pennington, Financial Director for the Clerk's Office, and gave an overview of his experience.

Mrs. Patti Yates, Finance Supervisor, presented payment request approval for Boyd Brothers in the amount of \$1,162.25 for printing services on behalf of the Tourist Development Council.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve payment to Boyd Brothers in the amount of \$1,162.25. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Yates presented the Expenditure Approval List consisting of the following bills for payment:

General Fund	\$632,657.99
County Transportation Trust Fund	362,862.03
Fine & Forfeiture	557,423.66

N.W. Mosquito Control	1,316.23
Walton-DeFuniak Library	9,906.60
Solid Waste Enterprise	731,387.80
Glendale VFD	557.71
Darlington VFD	1,259.86
Liberty VFD	2,323.61
Red Bay VFD	36.43
Capital Projects Fund	144,095.24
Tourist Development Council	60,438.01
Section 8 Housing	340.06
Multi-purpose Trust Fund	18.00
Debt Service fund-hospital	125.00
Mossy Head VFD	1,421.15
Local Option Gas Tax	20,431.12

Motion by Commissioner Jones, second by Commissioner Ryan to approve payment of bills as presented on the Expenditure Approval List. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Ingle advised the Board that they must review and approve the EAL, however, the Board can delegate an individual to sign them. The Board appointed Mr. Imfeld, Financial Director, to sign the EAL's from this point forward. Discussion was held regarding the Commissioners having electronic access to the EAL's for on-line review.

Mr. William Imfeld, Financial Director, presented the bid results for bid #01-002, Front End Loader for Public Works/Landfill. Five bids were received along with three no-bids. Mr. Imfeld recommended awarding the bid to Tallahassee New Holland, low bidder, who submitted a bid in the amount of \$60,380.00. Commissioner Jones stated that he has concerns with New Holland equipment because of the newness of the equipment. Mr. Rusty Floyd, Landfill Supervisor, recommended Tractor & Equipment who sells the Komatsu loader, because their equipment has served the county well in the past. The

Board discussed the possibility of purchasing an extended warranty on the New Holland equipment.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to accept Mr. Imfeld's recommendation and award bid #01-002 to Tallahassee New Holland in the amount of \$60,380.00.

Chuck Tibbs, Tractor & Equipment Co., presented information regarding the warranty and service provided by his company.

Chairman Walker called for the vote. Ayes 3, Nays 2. Pauls Aye, Jones Naye, Walker Aye, Rees Aye, Ryan Naye. Motion carried.

Mr. Imfeld requested clarification of purchasing guidelines and spending limits for the TDC now that they are directly under the Board.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to grant Mrs. Kris Titus the same spending limit guidelines as set by Board policy, up to \$3,000.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Ingle advised the Board that Mr. Alex Alford, MIS Director, would place the EAL on the Internet for Board review. Mrs. Yates will continue to present the information for approval.

Mr. Ronnie Bell, Public Works Director, presented a requisition request for the purchase of 10 barrels of yellow traffic paint from Safety Coatings in the amount of \$3,520.00.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve the purchase of traffic paint from Safety Coatings in the amount of \$3,520.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve the purchase of 10 pallets of glass beads from Safety Coatings in the amount of \$6,000.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. The Board asked Mr. Imfeld to look at the spending level for routine items of this nature.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept the recommendation of Roy Brown Sr., District 5 Foreman, and Mr. Bell to approve adding the following six roads within Driftwood Estate Subdivision to the county's maintained road list: East Shipwreck Road, West Shipwreck Road, Harborview Road, Shipwreck Circle, Driftwood Point Road, and Driftwood Court. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. These roads were inadvertently left off of the list.

Mr. Bell presented a request from Mayor Marse of Freeport who is requesting assistance in resurfacing of five (5) streets. He stated that the City of Freeport is willing to give \$20,000.00 toward the project. The County collects the gas tax from Freeport and has an interlocal agreement with them to maintain their streets. Questions were raised regarding the amount of taxes collected and the proposed costs for resurfacing. This item will be readdressed once the amount of gas tax is determined.

Mr. Bell presented information in reference to Beach Highlands beach access. He stated that he has worked with Tracy Howell, TDC, and advised that Mr. Roach is agreeable to pay for the improvements in front of his home in the amount of \$15,000.00.

Mr. Ed Lathem gave an overview of the history of the beach access. He stated that it was never intended to be public and it was not designed for parking. Landscaping would shift the parking to someone's property other than Mr. Roach's.

Mr. Bell summarized the history of the situation for the benefit of the new commissioners. He stated that there is not any dedicated parking in this area and that the parking is in disarray. Mr. Bell stated that Mr. Roach desires to landscape his property up to the brick pavers. He reminded the Board that they previously requested TDC to develop a plan to enhance this area. Commissioner Pauls related the problems that exist from TOPS'L.

Mr. Howell explained how the enhancement plan was developed and stated that the changes are needed before additional development occurs in the area.

Vice-Chairman Rees felt that this is a good opportunity for improvement. Chairman Walker stated that he is not in favor of giving the county's right-of-way to Mr. Roach because it sets precedence and should not be upgraded to benefit any individual.

Mrs. Lathem also spoke in opposition to upgrading the parking due to the high publicity this beach access receives when there is not sufficient room for high traffic volume.

Chairman Walker stated that he is not against the upgrade for parking purposes; however, it should not be done for Mr. Roach's benefit.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the upgraded Beach Highlands concept as presented by Mr. Bell and Tracy Howell with further negotiations with Mr. Roach to fund the entire \$21,000.00 and allow Connelly & Wicker to complete the construction plans at an approximate cost of \$600.00.

Mr. Bell advised that TDC would be responsible for maintenance once the upgrade is complete and any utility company removing shrubs would be responsible for their replacement.

Chairman Walker called for the vote. Ayes 3, Nays 2. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Naye. Motion carried.

Chairman Walker directed Mr. Bell's department to remove the blockades from the right-of-way on Bishop Street. Attorney Walker and Miller will prepare an agreement with Mr. Roach.

Mr. Bell presented a request from Mr. Britt Haas of Hideaway Bay Drive, requesting that the county enter into a Developer's Agreement with the residents of Hideaway Bay Drive to pave their street. The residents would pay for the cost of the asphalt and the county would provide engineering and preparation of the base.

Motion by Commissioner Pauls, second by Commissioner Ryan to enter into a Developer's Agreement with the residents of Hideaway Bay Drive for the paving of their road. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented a letter from Fire Chief Coley of the DeFuniak Springs Fire Department requesting the Board adopt a resolution approving the closure of the east end of Bob Sikes on April 14 for the purpose of conducting a live burn training session. The Division of Forestry has granted approval. The Commissioners voiced concerns regarding the amount of traffic hindered by the road closing, thickly wooded area, utility lines, and other concerns. No action was taken.

Motion by Commissioner Jones, second by Vice-Chairman Rees to accept Mr. Bell's recommendation approving a right-of-entry form for Mr. Cowin on Crowder Chapel Road in Mossy Head to work with Soil Conservation to make repairs to the retention pond and delivery of necessary loads of dirt. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell also advised the Board that he has received calls from residents of the King Lake area who stated that the sand pipe is leaking. He advised the Commissioners that this is not a county issue, however, they do not have a homeowners association. Chairman Walker requested the county attorneys research the issue and also have the Soil Conservation Office look into the situation. Commissioner Pauls questioned if a homeowners association that no longer exists could be translated into some form of MSBU to help pay for repairs.

Ms. Ingle advised that she spoke with Mr. Dave Ansley, Department of Revenue, and he stated that gas taxes are not broken down per municipality, therefore at this time it cannot be determined how much taxes Freeport receives. Mr. Bell recommended proceeding with the City of Freeport's request to resurface the five roads.

Motion by Commissioner Ryan, second by Commissioner Jones to accept Mr. Bell's recommendation and approve resurfacing of those roads in Freeport. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Vice-Chairman Rees commended Mr. Bell for his hard work and for his willingness to accept new challenges as assigned by the Board. He also thanked Mr. Bell for his work while serving in the capacity as Public Works Director.

Mr. Bell presented a request to add Juniper Island Drive to the county's maintained road list due to it being inadvertently left off. Chairman Walker questioned previous action to not accept roads on dams and beyond. Mr. Bell explained that this road has consistently been maintained. Commissioner Jones advised that the county has caused damage to the road and needs to make the necessary repairs and recommended accepting the road.

Motion by Commissioner Jones, second by Commissioner Ryan to add Juniper Island Drive to the County's maintained road list. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Walker requested Mr. Bell review the roads in Ten Lakes Estate to determine which roads should be added to the list.

Chairman Walker stepped out and turned the chair over to Vice-Chairman Rees.

Mr. Phil Givens, Walton County Fireboard, advised the Board that the newly purchased communications equipment has now been installed.

Staff Attorney Jonathan Walker presented a proposed resolution designating two local agencies to receive funds from "Choose Life" license plate sales. Children's Home Society of Florida and St. Margaret's Catholic Parish are the two entities that meet the qualifications to receive the funds. Attorney Walker recommended approval.

Motion by Commissioner Pauls, second by Commissioner Jones to adopt a resolution (01-15) designating the named agencies as qualified recipients of the funds. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

The Board recessed briefly.

Mr. Dan Owens, Librarian, presented the Federal Library Services and Technology Act (LSTA) grant application and requested approval for submission. The grant is for the purpose of upgrading of the library's automation system. The county will pay \$68,498.00 of the total, which is made up of staff's time (\$54,098.00) and new computer equipment (\$14,400.00). The annual recurring cost will be \$9,500.00.

Motion by Commissioner Ryan, second by Commissioner Jones to approve submission of the grant application. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye. Mr. Owens advised that the funds would come from the 2002 budget year.

Mr. Owens introduced Ms. Shelly Sullivan, Assistant Director, to the Commissioners. Vice-Chairman Rees commended Mr. Owens on the Library Report that he submitted.

Ms. Nancy James reported that the library has received over 12,000 hours of volunteer service and in excess of \$510,000.00 has been raised for their capital project funds. Vice-Chairman Rees commended them on their labors.

Mr. Rick Sutton, Walton County Sheriff's Department, addressed the Board regarding potential problems with the 911 system. He explained that there is not a contract with Motorola for repair service, which could be costly to the county in the event the system should go down in addition to critical time delays. He presented a quote of \$17,693.00 per year for a service contract. He has also been trying to obtain costs to upgrade the equipment. Mr. Sutton requested the Board's assistance in funding \$8,000.00 of the service contract. The Commissioners agreed to turn this request over to Mr. Imfeld for review.

Mrs. Virginia Cole, scheduled on the agenda, withdrew her request.

Ms. Williams reminded the Board of the letter previously submitted from "Friends of the Emerald Coast" regarding tourism in Northwest Florida. The Board requested further clarification of the group's commitments.

Ms. Williams presented a list of issues to be considered by Legislation for the Commissioner's review.

The Commissioners recessed briefly.

Ms. Williams reported back that Friends of the Emerald Coast is a group attempting to promote tourism in Okaloosa County.

Motion by Commissioner Ryan, second by Commissioner Pauls to authorize the Chairman's signature and submit a letter along with the TDC in support of tourism in Okaloosa County. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Dr. Susan Turner, Walton County Health Department, appeared before the Commissioners and presented her 18-month evaluation given by the State. The evaluation gave an overview of her qualifications and the services rendered by the Walton County Health Department. She reminded the Board that they appointed her and they could contact her with any concerns that may arise. She is also in charge of health services and an advocate at the stated level. Vice-Chairman Rees informed Dr. Turner of action taken by the Board to create a Citizen Services Division that will correlate with the health department.

The Commissioners discussed several areas of concern with Dr. Turner. She explained the inability to provide full service in some related areas of health due to lack of funding. Commissioner Pauls questioned the health related issues of residents north of Highway 98.

Commissioner Walker returned.

Dr. Turner stated that Walton County fees for septic permits are lower than the surrounding counties and are not sufficient to cover the program costs.

Mrs. Crystal Steele, Licensed Geologist for the Walton County Health Department, presented a request to increase their fees for septic system permitting from

\$200.00 to \$250.00. The repair permit would increase by \$25.00. The increase would bring in an estimated \$50,000.00 per year. Commissioner Walker questioned the possibility of amending the budget to cover the increase needed.

Mrs. Steele responded to Commissioner Pauls question relating to health issues and stated that they look for proximity and certain regulations. Water tests can be provided if there is health related concerns.

Dr. Turner stated that their budget was not previously tracked to determine which program was self-sufficient. Commissioner Walker requested Dr. Turner to come back with projected costs needed to carry them through the remainder of the year. In addition, Commissioner Jones requested they provide operating costs to permit each tank.

After further consideration was given to the request and the amount of funds needed Commissioner Walker motioned to amend the Board's budget in the amount of \$27,000.00 to provided necessary funding to the health department on a pro-rated monthly schedule, seconded by Commissioner Jones. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Commissioners recessed until 5:00 p.m.

The Board reconvened in Courtroom A. Chairman Walker called to order the public hearing to consider the Planning Commission recommendations.

Mr. Tom McGee, Chairman of the Walton County Planning Commission, presented the Bryant Small-scale Amendment for consideration. Gary C. and Carrie J. Bryant requested an amendment on 4.47 acres to be changed from Rural Village to Future Land Use Commercial for the purpose of a mobile home park. The Planning Commission recommended approval subject to the future development of the site being a

major development, subject to review by the Planning Commission and the Board of County Commissioners.

Mr. McGee commented on the Planning Commission developing a procedure giving the reasons for approval or denial.

Mr. Jack Rhodes appeared before the Commissioners representing Gary Bryant. Mr. Rhodes explained that they are attempting to place five mobile homes on the lot, thereby requesting the change. He explained the location of the property and surrounding industrial sites. An expected build out time of 18 months to three years is expected. Lengthy discussion followed regarding requirements and sewer availability.

Motion by Commissioner Ryan, second by Commissioner Pauls to accept the Planning Commission's recommendation and approve the Bryant small-scale amendment (ordinance 01-02) subject to the future development of the site being a major development. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. McGee presented the following three development proposals. DeFuniak Springs FL0047 Cellular Tower: Cellular South Real Estate Inc. is proposing a 300-foot tower and compound on .23 acres designated as Future land Use Rural Residential on the north side of Highway 90 approximately 7.1 miles west of Highway 331. This project is subject to FAA Notices. Beatrice Point FL0051 Cellular Tower: Cellular South is proposing a 200-foot tower and compound on .23 acres designated as Future land Use General Agriculture. The site is located on the north side of East Bay Loop Road approximately 3.5 miles south of Highway 20. This project is subject to FDEP storm water permits and FAA notices. Black Creek FL0052 Cellular Tower for consideration. Cellular South is proposing a 200-foot tower and compound on .23 acres designated as

Future Land Use General Agriculture. The site is located on the east side of Black Creek Boulevard approximately 1 ½ mile south of Highway 20. Approval of this project is also subject to FDEP permits and FAA notices. The Planning Commission recommended approval of all three tower sites.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to accept the Planning Commission's recommendation and approve the development proposals for the three tower sites as requested by Cellular South Real Estate. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. McGee presented Blue Mountain Beach FL0053 Cellular Tower development proposal for consideration. He explained that the Planning Commission had discussion regarding the requirements for the Scenic Corridor Standards. Commissioner Pauls explained that the proposed site does not abut Highway 98.

Mr. John Lewis of Connelly & Wicker was present to answer any questions as well as Marcus Infinger of Cellular South.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to accept the Planning Commission's recommendation and approve Blue Mountain Beach FL0053 Cellular Tower subject to FDEP permits and FAA notices. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. McGee presented Noble Dunes Planned Unit Development for consideration. Noble Dunes LLC is proposing 215 residential lots and 44,000 square foot neighborhood commercial/office space with 50 live/work units on 42 acres designated as Future Land Use NPA/Infill. Mr. McGee stated that Planning Staff approved the project and the Planning Commission denied it.

Ms. Nancy James, South Walton Community Council, stated that the Council is opposed because of the size, density, incompatibility, and possible damage to the dune system and because of a lack of beach accesses.

Mr. Norman Froeschner also addressed the Board in opposition to the project because of density and further questioned the economics of the project and the lack of beach accesses. He stated that the density is four times greater than any of the surrounding projects. He also commented on problems that may be created with the roadways.

Mr. Ted Froeschner, resident of Beachview Heights, objected because of density, sewer, wetlands issues, and additional traffic. He feels that CR30A cannot handle additional traffic.

Mr. Lewis Seybold, applicant of Noble Dunes, presented excerpts from minutes of the Planning and Zoning Meeting. Mr. Seybold explained that they have reduced the project by one-third and stated that the plans are consistent with all growth management plans, and county codes. He stated that he is amending the plan to reduce the live/work units from 50 to 20 and will seek relief in court if this project is not granted approval.

Ms. Celeste Cobina, Chair of Beach to Bay Connections, stated that the project is greater than 10 acres and should be classified as Conservation/Residential. Ms. Cobina stated that the adjacent property, TOPS'L Hill, is an important piece of property that needs protecting. She stated that this project is not compatible, buffers are not sufficient, and there is no protection of wetlands.

Mr. Tommy Ervin, Park Manager for TOPS'L Hill, commented on how this project will affect TOPS'L Hill Preserve; sea turtles, intrusive plant species, and animals.

He stated that he would like to see this development organize a homeowners association if the project passes. He also requested that the developer be required to install a fence that will protect the Preserve area.

Mr. Ken Shannon, Planning Technician, stated that the project meets the requirements based on the Comp Plan and Land Development Code.

Commissioner Pauls questioned if parking was sufficient to meet the PUD requirements. He stated that additional parking is required for homes with more than three bedrooms.

Mr. Shannon advised the Board that they have been given a Corp of Engineer wetlands permits.

Mr. John Bentay, Florida Park Services, questioned if there are buffer requirements near a wildlife area. Chairman Walker stated that according to Planning Staff TOPS'L is not designated as a preserve.

Mr. Russ Aldrich, consultant for Mr. Seybold, stated that the cypress pond on the site is not classified as wetlands as defined by DEP, the county's Land Development Code or the Corp of Engineers. Mr. Bill Muldowney stated that he does not agree with Mr. Aldrich and that it is the responsibility of the county to preserve the wetlands.

Attorney Miller stated that this does not seem to be a legal issue.

Motion by Commissioner Ryan, second by Commissioner Jones to grant approval of the Noble Dunes Planned Unit Development and to assure that the plans are in compliance with all guidelines such as parking and landscaping. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Naye, Ryan Aye.

Mr. McGee presented the proposed development of Villas at Rosemary Beach (Villas at Inlet Beach). Planning Staff recommended approval and the Planning Commission denied the proposed project.

Mr. Russ Aldrich, representing Villas, stated that strict guidelines have been followed and a large amount of money has been spent to reach this point. He advised the Board of two concerns, compatibility and water/sewer, which is being resolved. He stated that they are willing to tie into Regional Utilities system or the possibility of connecting with Phillips Inlet water system. Mr. Aldrich introduced Mr. Fred Goodrow, a compatibility studies expert.

Mr. Goodrow addressed the Commissioners and presented an overview of his experience in this field. He stated that the plan is in conformance with the county's codes and comp plan. Density and height mass were compared with surrounding projects of a similar nature. Mr. Goodrow stated that it is compatible in regards to density and height.

Mr. Shannon stated that the county's code does not outline clear guidelines to follow regarding compatibility.

Attorney Kathleen Reynolds, representing the Villas, stated that the developer has complied with all regulations and spent a great amount of money. Attorney Reynolds stated that he has met all the legal requirements of the Development Code.

Attorney Clayton Adkinson, representing Inlet Beach Neighborhood Association, voiced concerns regarding compatibility with a project of 13 units per acre. He also stated that he has concern with the staff's recommendation because they submitted this plan to the Planning Commission before enough information was obtained. Attorney Adkinson

stated that Inlet Beach Water Board will be under a consent order with Northwest Florida Water Management District if approved.

Mr. Shannon advised that the Inlet Beach Water Board issued a letter of availability and then issued another letter contradicting the first letter. He stated that they have letters from Regional Utilities stating that the project is not within their service area to provide sewer; however, they are in negotiations with Inlet Beach Water Systems to provide sewer transmission lines at Rosemary Beach to the wastewater treatment plant.

Commissioner Pauls questioned using density that is under water and the distance of the CCL line and how far forward the project is. Mr. Shannon stated that any land that is landward of the mean high water line can be counted as defined by DEP.

Mr. Clay Barjarone, adjacent property owner, felt that this project is in violation of the Comp Plan and also advised the Board that he has not been given ample opportunity to speak at Planning Commission Meetings.

Ms. Barbara Jackson spoke in opposition to the project because of parking issues and asked the Board to keep this area unique.

Mr. Aldrich stated that the only issue of concern should be water/sewer availability. He asked the Board to grant approval and to assist with obtaining water/sewer.

The Board closed the public hearing.

Vice-Chairman Rees stated that he agrees with the concerns voiced that the area has more single-family homes. He also stated that the Planning Commission will consider establishing a four-unit per acre density.

Commissioner Pauls stated that he feels the only issue is that of compatibility, which he feels this project is not compatible.

Motion by Commissioner Ryan to accept the Planning Staff's recommendation and approve Villas at Rosemary Beach. The motion died for the lack of a second.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to accept the Planning Commission's recommendation to deny Villas at Rosemary Beach based on non-compatibility, on-site review, and other testimony presented at this time. Ayes 3, Nays 2. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Naye.

Mr. McGee presented the Planning Commission's recommendation to establish and adopt a uniform 4-stories or 50 feet height limitation for the areas south of the Choctawhatchee Bay and Intracoastal Waterway. The Board has set a public hearing for April 17th at 5:05 p.m. at the TDC. Vice-Chairman Rees encouraged the Planning Commission to continue to define compatibility and wetlands issues.

Attorney Miller requested the Board recommend to the Planning Commissioner that they list their reasoning for approval or denial of projects. Mr. Miller and Mr. McGee will meet to discuss this issue further.

Mr. James Bush, FDOT Project Manager, appeared before the Board along with Mr. Hugh Williams and Ms. Sandra Lamb. Mr. Bush spoke about the proposed new alignment of U.S. Highway 331 South near Freeport. The current proposal is to two-lane the road, identify necessary right-of-way and possibly four-lane it in the future. Mr. Bush stated that DOT plans are to open the road to traffic in early 2007. The existing road will become a collector road and DOT will request the county to take over maintenance when the new road is opened. Discussion was held regarding the State funds that could be used

to assist the county in maintaining the road. Attorney Miller advised against taking the road over because of a lack of continuing funds from the state. No action was taken at this time.

Chairman Walker called to order the advertised public hearing regarding South Walton Fire District's communication tower. Ms. Maureen Paine, American Tower, Pensacola, presented a letter from Quadratics stating that a site survey was conducted locating the best possible site for the tower location. The tower would provide free space for the fire district and emergency responses. Ms. Paine stated that no opposition currently exists.

Mr. Mike D'Autilla, Walton County Zoning Board of Adjustments, explained that the vote taken by the five members present resulted in a three to two vote denying the request. He explained the reasoning for denial is due to the size of the property and the board members that were present felt that all members should be present to vote on this issue.

Motion by Commissioner Pauls, second by Commissioner Jones to grant approval to South Walton Fire District for construction of a 300-foot guy tower subject to final approval from the variance board.

Attorney Miller reminded that Commissioners that the Variance Board grants the final answer and granting approval does not remove the requirement for a variance.

Chairman Walker called for the vote. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Russ Aldrich presented Magnolia Bay at Sandestin for final plat approval. Attorney Miller advised that the plat is in order.

Motion by Commissioner Pauls, second by Commissioner Jones to approve Magnolia Bay at Sandestin for final plat approval. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Aldrich presented Preserve at Burnt Pine for final plat approval. Attorney reviewed the plat and advised that the plat is in order.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to grant final plat approve for Preserve at Burnt Pine for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Dick Gilliland presented Oceanside RV Park for final plat approval. Attorney Miller reviewed the plat and found it in compliance.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve Oceanside RV Park final plat for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Taylor Kirchenfield, NW Natural Resource Program Manager, appeared before the Commissioners with a presentation regarding Choctawhatchee Bay Watershed Partnership. Mr. Kirchenfield presented information regarding the partnership developed by Senator Clary and the stakeholders involved. Research has been conducted regarding the water quality of the rivers and potential sources of pollutants and toxic nutrients. He gave an overview of the final outcome of the project and stated that he already has commitments in the amount of \$100,000.00 of the \$300,000.00 needed. He requested the Board consider becoming a stakeholder by committing \$25,000.00, which would be collected upon completion of the project. Mr. Kirchenfield advised that the monies collected would be distributed between various agencies performing the studies. Data

collected would then be used to determine who is responsible for run-off of toxins and concerns would be addressed to those entities responsible. The Commissioners requested a copy of the proposed budget for this project before committing any revenues and also questioned how the duties and responsibilities of Hartman & Associates relates to this project.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to table a decision on this issue pending receipt of their budget, scope-of-work, and a list of benefits from any possible donation. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Gail Mesner, Executive Director of Crystal Bay Senior Living/Seaside Retirement Inc., appeared before the Board on behalf of Attorney Chix Miller. She requested authorization from Walton County, who is the bond issuer, to lease their facility to American Senior Living of Destin, FL, LLC. Ms. Mesner stated that it is difficult to locate professional liability insurance at a reasonable cost and by leasing the facility to American Senior Living it would allow them to afford the insurance. Walton County issued the original bonds in 1996. Ms. Williams advised that Mr. Imfeld has reviewed the request and stated that there is no liability to the county.

Motion by Commissioner Pauls, second by Commissioner Jones to adopt a resolution (2001-17) providing for consent to lease Seaside Retirement Center to American Senior Living. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams presented several options to the Commissioners for the renaming of the old Warren Building for county use.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve renaming of the Warren Building to College Avenue Governmental Complex. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Board approved a request from Mr. Bruce Ward, County Extension Office, to use the county's van for the Sr. Management Group.

Ms. Williams requested the Commissioners present their appointments for the Contractor's Licensing Board at a later meeting.

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve an interlocal agreement between the City of Freeport and Walton County for administration and enforcement of the city's land development code. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Commissioner Ryan to approve to hold hearings for Planning Commission recommendations on the 1st Tuesday of each month beginning May 1st at the TDC. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to hold a public hearing on April 10, 2001 at 6:30 p.m. regarding the renaming of Old Highway 98 and a separate public hearing on April 24, 2001 at 2:45 p.m. to consider purchasing property near the landfill. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams presented a request from Sheriff Johnson to amend his agreement to allow him to utilize additional space at the old hospital for personnel. The Commissioners

requested additional information regarding the number of personnel, the amount of space needed, and liability issues being addressed before granting approval.

Ms. Williams presented information relating to the 380 Plan as it relates to acquisition of small utility systems for the Commissioners review.

Ms. Williams presented information regarding Inlet Beach Water System and Pinecrest Developers. Attorney Michael Donaldson, representing Pinecrest, addressed the Board regarding a development at Pinecrest that has previously been approved subject to sewer and water. The agreement was addressed in August of 2000, however, the terms of the agreement has not transpired. Regional Utilities is prepared to provide sewer and water to Inlet Beach if allowed to do so. Attorney Donaldson requested the Board allow Regional Utilities to proceed with providing sewer and water if Inlet Water System will not cooperate.

Motion by Commissioner Ryan, second by Commissioner Jones to allow Regional Utilities to proceed with providing water and sewer service to the Inlet Beach area on March 21, 2001 if Inlet Beach Water Board does not execute an agreement by March 20th, 2001.

Mr. Buddy Hardwick, representing Pinecrest Development, addressed the Board and stated that they are ready to proceed with the development order, but are awaiting approval of sewer and water to the area. Mr. Hardwick requested the Commissioners assist by directing one of the utility companies to provide necessary utilities.

Attorney Kathleen Reynolds stated that she has spoken with representatives of Regional Utilities who assured her that they are awaiting direction from the county; they are willing to provide water and sewer to the Inlet Beach area. She further requested the

Board to give Regional Utilities the authority to proceed. Mrs. Susan Valley informed the Board of her conversations with Mr. Roberts of Inlet Beach and his unwillingness to communicate.

Chairman Walker called for a vote on the motion. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams presented an offer on behalf of Okaloosa-Walton Community College to purchase property located in the South Walton Governmental Education Center at a cost of \$361.66 per acre. Chairman Walker suggested that a time frame be stipulated to commence construction of the college. Attorney Miller advised that the cost of infrastructure also needs to be pro-rated as part of their costs.

Ms. Williams presented information and requested the Board appoint a redistricting committee. Vice-Chairman Rees requested to postpone this issue for two weeks.

Ms. Williams presented the Policy for Orientation of New Board Appointees. Commissioner Pauls requested to add Administrator “or Division Director” to the first sentence under policy 25.20. Number 17 of policy 25.30 Checklist was changed from swearing in procedure to “affirming” procedure.

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve the policy as amended. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Commissioner Jones to adopt the Policy for Local Emergency Management Structure and place in the county’s policy manual. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams advised that she met with Sheriff Johnson regarding the Board taking over the emergency services. The Sheriff requested to postpone any changes pending the outcome of the State's assessment on March 27th. She also advised that the Sheriff would like to retain 911 dispatching but is willing to turn over Emergency Management to the Board. Ms. Williams recommend allowing Mr. Bell to be present during any discussions due to him being placed in charge of the Emergency Response Division. The Board agreed.

Attorney Miller advised that he received information regarding Treasure Island Marina. He advised that he would be called into the court proceeding and therefore recommended seeking outside council. He recommended the Board consider one of the following Attorneys: David Theriaque, Ken Goldberg, Steve Hall, or Bob Apguard. The Board directed Attorney Miller to begin negotiations with David Theriaque or Ken Goldberg and present back to the Board a proposal from each of them.

Attorney Miller advised that the Library has sent a proposed amendment to the agreement previously submitted for the Commissioners review.

Mr. Miller stated that he received an agreement for the land swap between St. Joe and the U.S. Division of Forestry. The agreement provides for a purchase price of \$775,000.00 for the land. A difference of \$71,000.00 would have to be made up to Walton County by the government. He advised that if the latest survey shows over a 5% increase in acreage that it would require another appraisal. Mr. Miller stated that the agreement appears to be in order. Questions were raised regarding the amount of acreage involved in the swap. The Board agreed to sign the agreement contingent upon clarification of the amount of acreage.

Attorney Miller advised that he has the proposed agreement from the Chamber of Commerce for the New Town Center site. The lease consists of a 99-year time frame for \$1.00 per year. He requested additional time to review the agreement.

Attorney Miller presented a letter addressed to Mr. Britt Green. Mr. Green previously prepared a letter for Attorney Miller's signature granting full satisfaction of their affordable housing commitment. Mr. Miller changed the wording to read "significant" instead of "full satisfaction". They are now saying that Arvida's participation in the Bear Creek project will satisfy specific condition 16 of their affordable housing commitment.

Mr. Ken Borac, St. Joe Company, voiced concerns with wording of significant contribution, whether it would satisfy specific condition 16. He stated that it is his understanding that the development order only pertains to WaterColor.

Attorney Miller stated that St. Joe's participation in the Bear Creek project would satisfy specific condition 16-affordable housing as to resolution 99-79, which pertains to WaterColors.

Motion by Vice-Chairman Rees, second by Commissioner Pauls that the satisfaction of affordable housing condition-16 as referred to in Resolution 99-79 is for WaterColors only and not future projects. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Powell presented to Mr. Miller a proposal for Preferred Homes who is requesting to build a custom design manufacturing company in Freeport. They are requesting an ad-valorem tax exemption for 10 years. Mr. Miller advised the Board of the process that must be followed to grant the request. He stated that they must submit a

formal application. The Board advised Mr. Miller that action had been taken during the last meeting to accept the application.

Attorney Miller advised the Board that he would possibly be out of town on business during the next board meeting.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to accept the minutes of the following meetings: February 5, 2001-Workshop; February 10, 2001-Public Forum; February 12, 2001 Special Meeting; February 13, 2001-Regular Meeting; February 26, 2001-Special Meeting; February 27, 2001-Regular Meeting; and March 5, 2001-Regular Meeting. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Vice-Chairman Rees advised the Board that the fire-based EMS Committee has met and recommended holding a joint meeting in April. He also advised that he attended opening session and met with the county's Lobbyist, representatives and senators and further advised that this will be a tough session. Mr. Rees stated that he attended the FACT Board Meeting in Tallahassee. In closing he stated that the TDC is running 3% higher in revenues than last year.

Commissioner Jones advised that he spoke with Charlotte Flint regarding the buildings purchased as the distribution center. He advised the Board that insulation has been purchased in the amount of \$6,427.00, but not yet delivered. He recommended requesting a refund. The Board directed staff to submit a request for a refund and proof of delivery for the second building. Commissioner Jones stated that a decision needs to be made as to what should be done with the buildings due to the county not needing them now. The Board questioned if Universal Steel would refund the monies and what kind of

loss the county would suffer if the buildings could be returned. They also discussed the possibility of accepting bids on them. Commissioner Ryan considered the possibility of using them for the YMCA at the Wee Care Park and stated that more floor space is needed than that building contains.

Commissioner Jones updated the Board on a recent tragedy that happened recently in his district when it took 17 minutes for an ambulance to arrive on the scene. He stated that arrangements need to be made to place an ambulance on the west side of the county to expedite response time. Commissioner Ryan reminded the Board that with the implementation of fire-based EMS in South Walton, it was agreed that three ambulances would be transferred from the south end. The Commissioners agreed that better service is needed in the outlying areas of the county.

Commissioner Ryan gave an overview of the Board's decision to purchase the Lang property. He reminded them that the original decision to purchase the property was not based on the Humane Society using it, but to enhance future use of the landfill. Mr. Ryan advised that the agreement was signed and the property owner moved out and incurred costs. He requested the Board make a decision either to proceed or not and to compensate the owner for monetary damages for them complying with the agreement. Chairman Walker requested for Ms. Williams and Attorney Walker to meet with Mrs. Lang to determine what amount of damages may have been incurred and report back to the Board.

Commissioner Pauls presented a letter from the postal service regarding their funding cycle. He also received a preliminary wetlands delineation of the 40-acres for

review. He felt that a more appropriate site might be located off of J.D. Miller Road that has better accessibility and better suitable for the post office.

Commissioner Pauls also stated that he and Mr. Bell met with the constitutional officers regarding the Governmental/Education Complex. He is pleased with the progress made and hopes to have floor plans to present back to the Board soon.

Commissioner Pauls advised that the Redevelopment Policy needs to be clarified along with some of the definitions.

Discussion was held regarding business location use/zone verification and a procedure to determine what business is operating in what location. He suggested that the Growth Management Director look into this issue.

Commissioner Pauls presented a request from Mr. Tony Durke asking that the speed limit on CR30-A between WaterColor and CR283 be reduced to 35 mph. The Board agreed to allow Attorney Miller and the Public Works Department to address this issue.

Chairman Walker opened the floor for public comment. Mrs. Susan Valley thanked the Board for their help with the Inlet Beach water problems.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to adjourn at 11:00 p.m. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

APPROVED: _____
Herman L. Walker, Chairman

ATTEST: _____
Martha Ingle, Clerk of Courts