

JULY 9, 2002 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, July 9, 2002 at 6:00 p.m. in the Tourist Development Council's Boardroom.

The following Board members were present: Commissioner Tim Pauls, Vice-Chairman Larry D. Jones, Commissioner Herman L. Walker, Chairman Lane Rees and Commissioner Gene Ryan. Mr. Michael Underwood, County Administrator, Attorney Gary Vorbeck, Director of Legal Services, and Ms. Martha Ingle, Clerk of Courts, were also present.

Chairman Rees called the meeting to order following the Land Use Hearing that was held to consider the S&S Materials project.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the consent agenda consisting of the following items. (Item 4 was removed). Ayes 5, Nayes

0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

1. Expenditure Approval List	
General Fund	551,861.91
County Transportation Trust	508,725.77
Multi Purpose Trust Fund	13,948.14
Debt Service	206,627.50
North Walton Mosquito Control	676.50
Walton County Library	16,940.97
Recreation Plat Fee	23,781.06
Solid Waste	161,445.34
Mossy Head VFD	3,565.50
Glendale VFD	669.54
Darlington VFD	7,925.89
Liberty VFD	2,795.53
Red Bay VFD	11,885.90
Local Option Gas Tax	49,953.84
Capital Projects Fund	230,296.53
Tourist Development Council	292,374.58

Arthur regarding the removal of sign language. The second public hearing is scheduled for August 13, 2002.

Mr. David Kramer stated that he has reviewed the proposed ordinance and presented his recommended changes. The commissioners requested Mr. Kramer discuss his recommendations with Mr. Shannon. There were no additional public comments.

Mr. William Imfeld, Financial Director, presented information relating to the following three bids for Insecticide for the Mosquito Control Department. ADAPCO Inc., \$18.75 per gallon; Clarke Env., \$19.10 per gallon; and Vopak USA \$19.05 per gallon.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve the purchase of 2000 gallons of insecticide from ADAPCO in the amount of \$18.75 per gallon, low bid. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Angie Biddle, Grants Coordinator, advised the commissioners that new appointees or reappointments need to be made to the Community Development Citizens Advisory Committee. Ms. Jean Lucus of Choctaw Beach will replace Ms. Jackie Malone who serves as the District 1 appointment. Mr. Hansel Geoghagen, District 2, and Ms. Sally Merrifield, District 4, were reappointed. Mr. John Jones, District 3 and Ms. Polly Capps, District 5, will be reappointed contingent upon their willingness to serve.

Mr. Russ Barry, Public Works Director, presented information relating to the request for a beach walkover by Ciboney Condominium Owners Association. Attorney Perry had additional information to present as a result of previous discussion and questions. Ms. Perry advised that Ciboney is requesting to construct a dune walkover over and above the county's right-of-way along CR 2378. The walkover would be

approximately 5-6 feet in the right-of-way. She explained that the walkway would not block any pedestrian traffic.

Motion by Commissioner Pauls, second by Commissioner Jones to approve a right-of-way agreement with the requested additional language in the agreement regarding the provision for parking. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. (Tape 1/side 2)

Mr. Barry presented an update regarding CR 3280. He stated that he is attempting to set a meeting with White Construction to implement the agreement they signed for road maintenance between the pit they are hauling from and Highway 331. Chairman Rees advised that Legal staff has contacted them, but was also unsuccessful in setting a meeting. Mr. Barry stated that county crews would be making some repairs to the road next week.

Mr. Barry advised that he has included the necessary funding in the budget for the equipment that will be needed to maintain the bike path and funding for additional personnel for trash removal for the entire county.

Mr. Barry informed the Board that he has also included funding in the upcoming budget for additional personnel for the litter control program throughout the county.

Mr. Barry addressed the issue relating to the right-of-way and stop signs at Rosemary Beach. He stated that he would like to determine if the stop signs meet the ASHTO Standards. Mr. Barry stated that he would like to lease a traffic control device to measure the results and requested to proceed.

Commissioner Ryan commented that the problem attempting to be solved is based on automobile count. However, he requested information on how any type of change

would affect pedestrian traffic. Commissioner Pauls spoke about a pedestrian activated traffic device. He felt that a standardized method of pedestrian crossings is needed.

Mr. Barry stated that he previously presented a request to purchase two front-end loaders. After speaking with the road foreman, he has decided to postpone that purchase until which time they feel there is a more urgent need for them. Bid specifications will be advertised again at that time.

Mr. Barry requested to defer discussion relating to the Herring property until a later date.

Mr. Barry presented a request for new speed limits and lane striping in Zone 3. The request submitted was to lower the speed limit to 10 miles per hour on the following roads in Blue Mountain Beach: Sea Grade Road, Sea Oats Road, Gulf Point Road, and Sand Dunes Road. Double stripes were also requested on CR 30A from Flamingo Village to CR 393. Mr. Barry stated that he spoke with the Sheriff's Department who recommended a speed of at least 15 mph for enforcement purposes. They also agreed with double stripes. Commissioner Pauls stated that 15 mph is consistent with the Land Development Code.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the request to lower the speed limit to 15 mph on the road and to double stripe CR 30A from Flamingo Village to CR 393. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Barry presented information relative to a realignment of the Public Works budget to cover the costs of necessary road repairs and paving. No additional funds are being requested.

Motion by Commissioner Jones, second by Commissioner Ryan to approve the realignment of the Public Works budget to redirect funds for roads. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. (A handout was presented showing the amounts being transferred).

Mrs. Kris Titus, Executive Director of the South Walton Tourist Development Council, presented the proposed county logo as designed by Bohan, Carden & Cherry Marketing Agency.

Motion by Commissioner Walker, second by Commissioner Jones to approve the final county logo. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye.

Mrs. Titus also presented a request to extend the annual marketing contract between Walton County and Bohan, Carden & Cherry Marketing Agency.

Motion by Commissioner Pauls, second by Commissioner Walker to approve TDC's contract with Bohan, Carden & Cherry Marketing Agency. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Rees introduced the new Public Information Officer, Mr. Brian Ricks.

Chairman Rees called to order the advertised public hearing to consider the Escambia County Health Facilities Authority Revenue Bonds. Mr. Pat Schlinker and Mr. David Tucker, Sacred Heart Hospital, appeared before the commissioners to present the information. Mr. Tucker presented a copy of the published TEFRA Notice. He stated that the purpose is to receive public input on a bond issue by the Escambia County Health Facilities Authorities. He explained that approximately \$30 million of the \$75 million will be for the new hospital in Walton County. Mr. Tucker explained the process needed,

which requires a two-part motion adopting an interlocal-agreement with Escambia County Health Facilities Authority.

Chairman Rees questioned Mr. Schlinker regarding the purpose of the issue and how the proceeds will be used. Mr. Schlinker responded that it is for financing the acquisition, construction and equipping the healthcare improvements of the hospital. The hospital will be located at 7800 US Highway 98 West, Destin, Florida (Walton County). The bonds are health and hospital bonds with Ascension Health of St. Louis, Missouri being the financial obligor. Mr. Schlinker explained that the bonds will be limited obligation of authority payable solely by payments to be made by Ascension Health Group. There are no known circumstances that would hinder repayment. Repayment of the bonds will not be guaranteed, insured, or otherwise credit supported. Mr. Schlinker explained the borrower's financial condition and stated that they are financially strong. He explained that bondholders may sue Ascension Health Group since the bonds are not obligated and will not have the ability to sue Walton County.

Chairman Rees opened the floor for public comments or questions. Mr. David Kramer raised questions regarding the total amount of the bonds and also requested further clarification of Walton County being sued. Mr. Tucker stated that because it is not a Walton County obligation there is no liability to the bondholder, which is Walton County. There were no further comments or questions from the public.

Motion by Commissioner Walker, second by Commissioner Pauls to approve an interlocal agreement with Escambia County Health Facilities Authority with the amount of bonds up to \$30 million for the Walton County portion. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Pauls, second by Commissioner Walker to approve issuance of the bonds for purposes of Section 147F of the Internal Revenue Code. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Schlinker advised that they are on schedule with construction of the new hospital, which is about 65% complete. (Tape 2)

Mrs. Jennifer Christensen presented Mr. Grantham's depreciating letter of credit for approval. She explained that Mr. Grantham previously appeared before the Board regarding the assurance of guarantee for completion of the South Walton Business Center. She stated that an agreement has been reached, which states that no lots can be sold in the subdivision until all improvements are completed; staff recommended approval. Attorney Vorbeck stated that normally a letter of credit is required for plats; however, this is not for a plat.

Motion by Commissioner Walker, second by Commissioner Pauls to accept the depreciating letter of credit from Mr. Grantham. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Rees called to order the advertised public hearing to consider a Large-scale amendment. Mr. Tom Blackshear appeared before the Board stating that the amendment is 02-1 and is the first of two adoption hearings. The second hearing will be held on August 6, 2002. This amendment is comprised of 13 separate amendments, three textual and ten map amendments. Mr. Blackshear explained that these amendments have been through numerous reviews and can now be adopted, modified, or denied. A final compliance review will be conducted by the reviewing agencies after the county holds their second public hearing.

Mr. Blackshear presented the following Text Amendments:

1. Encouraging clustering of residential development in Strategic Habitat Conservation Areas.

Mr. David Kramer questioned the density regarding this amendment. Mr. Blackshear read a portion of the amendment, which explained the density for clustering.

2. Establishing height limitations in South Walton County north of U.S. 98.

Again, Mr. Kramer commented on the amendment objecting to limiting heights south of the Bay on the basis that it will encourage urban sprawl. Mr. Blackshear stated that this amendment extends the height limit North to the Bay and to the Intracoastal Waterway.

3. Interior lots of residential subdivisions in mixed use areas. Mr. Blackshear read the amendment for the record stating that there has not been any change since the last workshop. Mr. Blackshear answered questions from Ms. Gene Butts and Mr. David Kramer regarding this amendment.

Mr. Blackshear presented the following Map Amendments:

1. The Tops'1 Campground on West C-30A near the U.S. 98 intersection. Section 32, Township 2, Range 20W. This parcel is approximately 76 acres. The state purchased this property. The amendment proposes changing this parcel from Neighborhood Planning Area to reflect state ownership. No comments were voiced.
2. Lot 92 in South Inlet Beach. Section 26, Township 3S, Range 18W. This parcel is approximately 1.136 acres, and it fronts US 98 and Walton Rose Lane. It is listed as Neighborhood-Commercial in the Inlet Beach Neighborhood Plan; however, the Inlet Beach Neighborhood Plan map shows it as Residential. The amendment proposes changing the map to show the parcel as Neighborhood-Commercial. Mr. Blackshear answered questions raised by Ms. Butts.
3. Lots 53, 54, 0541, & 55 in South Inlet Beach from Residential to Neighborhood-Commercial. Section 36, Township 3S, Range 18W. These parcels total approximately 3.8 acres. These lots are listed in the Inlet Beach Neighborhood Plan as Neighborhood-Commercial; however, the Inlet Beach Neighborhood Plan map shows them as Residential. This amendment proposes changing the map to show parcels as Neighborhood-Commercial. No comments were voiced.
4. Cedar Beach Cove Subdivision on SR 20, west of Basin Bayou. Section 19, 1 South, Range 20W. Part of this subdivision is an Industrial polygon. This

- amendment proposes to place the entire subdivision in the Rural Village future land use category. Mr. Nick Southerland questioned a time frame for completion.
5. Three unplatted parcels at the entrance of Edgewood Terrance on CR-393 totaling 3.66 acres. Section 35, Township 2S, Range 20W. The NPA Neighborhood Map Series shows these parcels within a Residential Preservation area. The amendment proposes to change these parcels to Infill. No comments were voiced.
 6. Two unrecorded subdivisions covering approximately 20 acres on South CR-393 on Cypress Pond Road. The FLUM shows them as state land. Adjacent land is Conservation Residential 2:1. This amendment proposes to change these two subdivisions to Conservation Residential 2:1.

Commissioner Pauls questioned if this is consistent with current development. Mr. Blackshear stated that it is consistent and everyone would be allowed to build a single family dwelling per lot of record, as defined by the Comprehensive Plan. Commissioner Pauls stated that it should be change to what is actually there.

Mr. David Kramer spoke about Conservation Residential and the allowance for horses in that area. He stated that the property is surrounded by State forest and felt that lowering the density to still allow horses, connectivity and trail use would make those homeowners content. Commissioner Pauls stated that both parcels are already platted and there is a need to be consistent.

7. Light industrial area covering approximately 2.4 acres east of US 331, just south of the US 331 causeway. Section 29, Township 2S, Range 19W. This amendment proposes to change the subject 2.4 acres to Light Industrial and to change a currently designated area on both sides of the highway just north of the subject area to Neighborhood Planning Area.

Ms. Nancy James, South Walton Community Council, stated that Mr. Tom McGee has researched this issue and they proposed this amendment be removed from the process. They were concerned because they found no record that this parcel should have been Light Industrial. She stated that they also objected because they felt that the entrance should be designated Industrial. Ms. James stated that they proposed to Mr. Holder, property owner, that a better classification might be Village Mixed Use. Ms.

James advised that they disagree with the change on Mr. Stein's property, who is only a sub-lessee. Mr. Stein stated that this change is needed. He said that this site was a landfill and only became Light Industrial because it was a landfill at the time land use classifications were designated. He stated that it was a scrivener's error.

Mr. Kramer stated that he sold Mr. Holder his property and there was evidence that they were informed by the Planning Department that it was zoned Light Industrial.

8. Happy Hollow Subdivision o CR 3280. Section 36, Township 1S, Range 19W. The FLUM currently includes most of the subdivision in the Industrial land use category. The amendment proposes to change the entire Happy Hollow Subdivision to Rural Village. Mr. Southerland agreed with the change.
9. All parcels annexed into the City of DeFuniak Springs south of US 90 to the western side of the City after the Walton County FLUM was adopted. Sections 29 & 30, Township 3N. Range 19W. These parcels total approximately 160 acres. No comments were voiced.
10. A privately sponsored amendment that proposes to change approximately 1,680 acres west of Bruce from Large Scale Agricultural to Estate Residential. Sections 11, 12, 13, 14, & 23, Township 1S, Range 18.

Discussion was held regarding privately sponsored amendments. Commissioner Pauls commented on the review by the Department of Community Affairs and why they felt amendment 10 should not be approved. Mr. Blackshear recommended this amendment be reviewed very cautiously.

Mr. Kramer questioned Mr. Blackshear as to why there was an omission to the amendment on parcels located adjacent to WaterSound, of which he is the owner. Mr. Blackshear explained that the amendment Mr. Kramer is referring to is in the transmittal stage.

Commissioner Pauls stated that he would like to see a recommendation from Mr. Blackshear. Mr. Blackshear stated that he could give his recommendation, however, it will overshadow other amendments currently under consideration.

Mr. Ken Shannon advised the Board that Mr. Arthur has been in contact with Mr. Paul Miller regarding the Northwest Florida Regional Planning Council. They will be holding three public hearings beginning in August to review the Land Development Code changes. Commissioner Pauls questioned the board's decision to have a private consultant review the discrepancies between the LDC and the Comprehensive Plan. Mr. Shannon stated that he would look into this matter. Mr. Mike Lane questioned if the neighborhood planning issue was addressed in the same manner. Commissioner Pauls stated that the Board needs to make a decision regarding this issue.

Attorney Kira Honse stated that there were statutory changes to the Local Option Fuel Tax during the legislative session, changing the expiration date from August 31 to December 31. She advised that an amendment needs to be made recognizing the new date.

Motion by Commissioner Ryan, second by Commissioner Jones to approve to hold a public hearing on August 27, 2002 to consider amending the expiration date on the Local Option Fuel Tax. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Mr. Vorbeck also advised that the cities will be required to sign off on the portion they receive.

Ms. Honse spoke about the need for providing additional training for county staff on public records management. She provided a memorandum outlining the details and cost of the training, which is sponsored by the Department of State. One day training for up to 80 people would cost the county approximately \$550.00. Mr. Vorbeck stated that he would also like to coordinate this training with the Clerk of Court. The Board concurred.

(Tape 2/side 2)

Mr. Underwood presented the proposed Preliminary Rate Resolution for the Board's consideration. The resolution relates to the provision of fire protection services, facilities and programs in the unincorporated area of the county and establishes the estimated assessment rate for fire protection. The rates are \$25.00 for residential and \$82.00 for non-residential.

Motion by Commissioner Jones, second by Commissioner Ryan to adopt the Preliminary Rate Resolution for fire assessment (2002-34). Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood requested the Board set a date of August 27 to hold a public hearing to set the final MSBU rates.

Motion by Commissioner Jones, second by Commissioner Ryan to hold a public hearing on August 27, 2002 to set the final rate. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Walker, second by Commissioner Ryan to approve an agreement with the Department of Corrections for the Public Works Inmate Work squad. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood presented an easement agreement on behalf of CHELCO to provide utilities services at the GEC Center for the Chamber of Commerce and the Cultural Arts Center. Mr. Kellenberger advised that there are no conflicting issues.

Motion by Commissioner Pauls, second by Commissioner Walker to approve a utilities easement agreement with CHELCO to provide one utility line serving the GEC Center. It is also subject to language in the agreement stipulating that CHELCO must obtain approval from the county before any other easement expansion or structural

expansion is performed. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood presented information on the properties adjacent to the courthouse desired for the parking expansion. Mr. Terry Pilcher, Abbott & Andrews Realty has identified the parcels and negotiated contracts with the individuals, subject to Board approval.

Discussion followed regarding the best possible way to solve the parking situation at the courthouse and which property would best suit the county's needs. After lengthy discussion, the commissioner's agreed to purchase all of the lots in block C, which lies North of the current jail site (excluding C-13). They also agreed to purchase B21 & B23 to the northwest of the county jail and lot 9290 directly to the east of the jail.

Motion by Commissioner Walker, second by Commissioner Pauls to approve to proceed with the purchase the following parcels. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye.

James Hobbs	25-3N-19-19356-00C-0010 25-3N-19-19356-00C-0030 25-3N-19-19356-00C-0170 25-3N-19-19356-00C-0200 25-3N-19-19356-00C-0220	\$141,750
Mary Lou Garrett	25-3N-19-19356-00C-0230	\$82,000 Co-Broke
John Julius Simmons	25-3N-19-19356-00C-0090 25-3N-19-19356-00C--160	\$30,000 Co-Broke
National Foreclosure Serv.	25-3N-19-19356-00C-0070	\$17,000 Co-Broke
Linda Lewis	25-3N-19-19356-00C-0050	\$46,500
George/Nelson	25-3N-19-19070-000-9290	\$16,000

Judy Maples Cook	25-3N-19-19356-00B-0210 25-3N-19-19356-00B-0230	\$25,000
Idell Cummings	25-3N-19-19356-00C-0100	\$27,500

Mr. Underwood stated that they would work on completing the purchase with contracts, surveys, title insurance, and environmental assessments. He will speak with Mr. Imfeld regarding the budget aspects of the purchase.

Commissioner Pauls questioned if church signs are exempt from county regulations or if the same rules apply. The commissioners agreed that they should be treated equally but fairly. The commissioners asked that Code Enforcement work with the church community. Commissioner Walker felt that they should be left alone.

Commissioner Pauls explained that there are problems with parking in the county right-of-ways at the beaches because of the lack of signage. The Board directed him to have signs put up for better enforcement.

Commissioner Ryan requested clarification regarding payment of the Little League's light bills. He advised that there is an amount of \$1,500.00 that remains outstanding.

Motion by Commissioner Ryan, second by Commissioner Jones to approve payment of the light bills, to direct staff to work with the Little League to determine their needs, and to place a cap on future amounts to be paid. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Commissioner Walker suggested directing staff to discuss the issue with the Recreational Board for them to draft a plan.

Chairman Rees requested to appoint Mr. Ken Little to serve on the Heritage Museum Board. The Board agreed.

Chairman Rees advised that Representative Don Brown has initiated Youth Appreciation Week for the week of August 4-10. Mr. Rees also requested the Board adopt a proclamation in recognition of Youth Week. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Rees also notified the commissioners that Mr. Jack Dennis has resigned from the Library Board and a replacement needs to be made. Chairman Rees also announced that Governor Bush has appointed him to the Medical Examiner's Commission for the State of Florida.

Ms. Ingle announced that Mr. Tom Gallagher, Treasurer, Insurance Commissioner and State Fire Marshal, would be present for the dedication of the Paxton Firehouse.

There being no further business, the meeting was adjourned at 8:50 p.m.

APPROVED: _____
Lane Rees, Chairman

ATTEST: _____
Martha Ingle, Clerk of Courts