

JULY 23, 2002 – REGULAR MEETING

The Board of County Commissioner, Walton County, Florida, held a Regular Meeting on Tuesday, July 23, 2002 at 9:00 a.m. in the Boardroom of the Walton County Courthouse.

The following Board members were present: Commissioner Tim Pauls, Vice-Chairman Larry D. Jones, Commissioner Herman L. Walker, and Chairman Lane Rees. Mr. Michael Underwood, County Administrator, Ms. Kira Honse, Legal Services, and Ms. Martha Ingle, Clerk of Courts, were also present. Commissioner Ryan was out of town.

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

Chairman Rees called the meeting to order and recognized county staff for their one-year tenure with the Board: Mr. Underwood, Mr. Barry, Mr. Arthur and Mr. Vorebeck.

Motion by Commissioner Jones, second by Commissioner Walker to approve the consent agenda as presented consisting of the following. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

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| 1. EAL Approval | |
| General Fund | 462,996.14 |
| County Transportation | 250,142.73 |
| Walton Library | 7,395.83 |
| Recreation Plat Fee | 364.09 |
| Solid Waste Enterprises | 259,890.48 |
| Mossy Head VFD | 1,800.86 |
| Darlington VFD | 260.00 |
| Liberty VFD | 6,110.06 |
| Red Bay VFD | 305.11 |
| Capital Project Fund | 476,779.64 |

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| Tourist Development Council | 190,267.90 |
| Section 8 Housing | 130,730.62 |
| NW Mosquito Control | 4,340.27 |
| Driftwood Debt Service | 1,028.22 |
| Fine & Forfeiture | 46,345.34 |
| Glendale VFD | 336.33 |
| Local Option Gas Tax | 7,000.00 |
| 2. Approve Minutes: June 18, 2002-Land Use Meeting | |
| July 2, 2002-Land Use Meeting | |
| 3. Records Disposition Requests | |
| 4. Grant Agreement for Alaqua Creek Park | |
| 5. Surplus Equipment Request from the Clerk | |

Ms. Ingle announced that Mrs. Melissa Thomason has joined the Clerk's staff to fill the vacancy left by Patti Yates. The commissioners welcomed Mrs. Thomason.

Commissioner Walker requested an amendment to the April 24, 2002 minutes regarding discussion about the Grayton Grand project. They were amended to include the following statement by Commissioner Walker: **Commissioner Walker read a portion from the Land Development Code which states that the county should do all within its power to ensure the protection, conservation, and appropriate use of the wetlands. Commercial/Industrial development shall not be located within a wetland. All new or redevelopment shall be designed to avoid impacts on wetlands. Through the site plan approval process the county will ensure that wetlands are avoided to the maximum extent practical.**

Motion by Commissioner Walker, second by Commissioner Pauls to amend the April 24, 2002 minutes as reflected. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Imfeld presented a recap of the proposed budget for FY 2002/03 with the proposed millage rate of 5.315.

Motion by Commissioner Walker, second by Commissioner Jones to adopt the proposed millage rate of 5.315 and .5430 for the Mosquito Control for FY 2002/03. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Imfeld stated that a legal ruling regarding the use of funds from the Recreational Impact Fee states the funds cannot be used for the Arts.

Mr. Don Crim questioned if the transfer of \$500,000 from Solid Waste to the General Fund is to finance economical development. Mr. Imfeld explained that it is proposed funding the Board will consider using for economic development. Mr. Imfeld further explained that, as previously agreed by the Board, there was already \$1.5 million in escrow for future land purchase, which is sufficient at this time. Mr. Crim stated that a vote has not occurred to discontinue the \$500,000 from going into that Landfill fund. He stated that the vote only authorized money to be taken out of the fund, according to the new ordinance as written. Ms. Honse explained that this is only a proposed budget to set a millage rate. The new ordinance will allow the commissioners to make a determination on how to spend the money.

Mrs. Angie Biddle, Grants Coordinator, appeared before the Board requesting permission to submit a grant application to Florida Community Trust for the Florida Forever Funds, which are available for land acquisition. She stated that they are considering the purchase of the Morrison Springs land tract, which belongs to the Caldwells. The asking price is \$2.2 million. Mrs. Biddle advised that she is asking for 100% funding in addition to acquisition costs such as surveys, closing and all other related expenditures. The total grant application is for \$2,260,000 with no matching funds. Commissioner Walker questioned what commitments would be required of the

county. Mrs. Biddle explained that the county would be required to develop the site as recreation, conservation or preservation. He wanted clarification that the commitments are clearly defined and what the money would be spent for. She further explained that the site is currently developed as recreation and also has a dive shop in operation. It would be up to the commissioners if they wished to keep that operational. She stated that a site plan would have to be developed. Commissioner Pauls asked that costs for an environment assessment be included. Commissioner Walker reiterated that an environmental assessment should be performed on any property purchased by the county. The Board agreed.

Motion by Commissioner Jones, second by Commissioner Pauls to approve to submit a grant application for funding of the purchase of the Morrison Springs land tract. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Imfeld commended Mrs. Biddle and Ms. Carol Thornton for their handling of the Grants Department. He informed the Board that they have handled \$18 million in grants.

Mr. Imfeld also explained that he is working with the new PIO Officer to begin posting RFQ's and RFP's on the web. This will provide more timely information to vendors and save on advertising costs.

Mr. Russ Barry, Public Works Director, stated that he has received a proposal from WRM Ventures to assist the county in preparing the road for paving for the first 1500 feet of Old Blue Mountain Beach Road. WRM Ventures proposed to provide engineering design services, a topographical survey, permitting with all required agencies including DOT, DEP, USACE, mitigation, asphalt and asphalt placement. The county

would provide clearing and grubbing, fill as needed, grading, and all site preparation. Mr. Barry recommended the Board develop an agreement with WRM Ventures based upon the WRM proposal. He stated that there is definitely a public purpose as the road is proposed as one of the north-south collector roads in the grid system.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the recommendation for Old Blue Mountain Beach Road with the modification of mitigation being part of the negotiations. Commissioner Pauls stated that mitigation should be discussed, but not made a requirement. Commissioner Pauls stated that as the grid system is developed the road needs to go through from Highway 98 to Chat Holley. Commissioner Jones agreed and stated that team effort could play an important role in getting the job done quicker. Mr. Barry stated that there is a 60-100' right-of-way. He also stated that preparation of this road could be worked into the schedule in November or December.

Chairman Rees called for the vote. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Barry updated the commissioners on CR 3280. He stated that he has had work crews making repairs on that road, using hot patch for better repairs. He also informed the commissioners that they are tracking all expenditures. Ms. Honse stated that they are working with Attorney Cadenhead, who represents White Construction, to discuss this issue.

Mr. Barry updated the Board on the Cease and Desist Order. He stated that all information has been provided to EPA for mitigation both in the north and south end of the county. He has a meeting scheduled today with DEP to further discuss this and a

meeting with the CORPS next week. Commissioner Walker reported on the successful meeting he had at his office regarding this matter. He stated that representatives from the Corps of Engineers, the county's Consulting Engineers, two Senators, two Congressman and environmental groups were all present. The meeting was very successful. Mr. Underwood commented and stated that it provided good communication with the key players. Mr. Barry agreed that the meeting was very positive.

Mr. Barry reported on the landfill remediation. The aerators should be installed in early August and the county has built five of the six holding ponds. He stated that the project should be complete within 60 days.

Mr. Barry reported that training has been ongoing for in-house paving, which will begin in August. He stated that he has adequate funds for this project and will present the comparative costs at a later date.

Chairman Rees advised that he had a meeting with representatives from Arvida about who owns the docks at Eden State Gardens. Mr. Rees was informed that the county owns those. After further discussion with Britt Greene, he agreed to discuss the issue with Arvida to see if they would be willing to help with funding for improvements to the docks. Mr. Barry will also look into this matter and the cost to upgrade.

Commissioner Pauls asked Mr. Cliff Knauer, Preble-Rish, to provide an update on the bike path. Mr. Knauer stated that there is a grant from DEP for that portion of the bike path from CR 83 to US Highway 98 on CR 30A. He explained that another grant had been applied for, and both ended up funding the same section of the bike path. Rather than duplicating the funding they have moved a portion of funding to the Allen Loop section. The construction plans are almost complete and all dredge and fill permits have

been obtained. He plans to advertise for bids in August. Commissioner Pauls stated that surveys are being performed for Scenic Gulf Drive and hopes to see construction begin by the end of the year on this project.

Mr. David Herring appeared before the Board regarding the drainage easement along his property that is located on Brown Road. He spoke about existing problems caused by water runoff from county property onto his property. He voiced concerns about sediment problems reoccurring, stagnated water could cause health problems, the county could lose State funding for bridge repairs on Brown Road, and further erosion of adjacent property. Mr. Herring recommended that the county remove the silt, exchanging property for easement to divert the water into the creek in return for 330' feet in front of his house and along the south side of Brown Road. He further suggested placing grass or concrete in the ditches to help prevent silting. Mr. Herring stated that it would also provide necessary land for the county to build a concrete bridge and right-of-way for paving Brown and Harrison Roads. This would prevent future water runoff onto private property.

Mr. Barry responded that the proposal by Mr. Herring might work. However, the current structure that is in place has been there a number of years and has worked. He contends that it should be incumbent upon the private landowner to provide the design and bear the costs. He further stated that the drainage area may need some improvements, but it is not the county's responsibility to redesign it. Mr. Barry showed aerial photos of the drainage easement that shows it currently works as designed. Mr. Herring questioned Mr. Barry on what the county would do to correct the problems. Mr. Barry stated that he

and his crews would go out and look at it to see what could be done to make it work better. (Tape 2/side 2)

Mr. Ronald Herring explained that the Soil Conservation designed the ditch and why they designed it like they did. David stated that he does not want the ditch across his property like it is. Mr. Barry commented that the ditch might need to be dug out to provide better drainage. Commissioner Walker stated that soil from Brown Road is draining and piling up. Mr. Barry agreed to review this issue with the County Engineer to make necessary repairs and would report back to the Board at a later date. Commissioner Walker stated that the first 1780' is the cleared part where the grass swale is supposed to be located. Commissioner Jones stated that if it is a problem created by the county then it needs to be repaired without causing further problems.

Mr. Ronnie Bell, Emergency Response Director, presented a request on behalf of the Darlington Gaskin Fire Department. He explained that there are maintenance problems with a fire truck and after evaluation staff has recommended to not make any further repairs to the truck because it is becoming too costly. Staff recommended to proceed with the purchase of a new chassis to replace their 1990 GMC Topp Kick Squad vehicle. Three quotes were received and they recommended the low quote from Deep South in the amount of \$92,500 plus travel cost. Mr. Bell explained that Darlington Fire Department is also asking to refinance their current loan with the county to include this purchase.

Motion by Commissioner Walker, second by Commissioner Pauls to accept staff's recommendation to approve to refinance the current loan for the Darlington Gaskin Fire Department and an additional \$96,000 allowing them to purchase a new fire

truck from Deep South, low quote. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Bell requested approval to pay overtime for the Animal Control employees. He stated that the changes in Animal Control services resulted in an overall savings of \$50,000. Mr. Bell explained that the Officers respond after hours to vicious animals, bite cases, and injured animals. Because of limited staffing, they are unable to take comp time and therefore need to be paid overtime.

Motion by Commissioner Walker, second by Commissioner Jones to approve to pay overtime for the Animal Control Officers. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye. Mr. Bell agreed to minimize the amount of overtime and to reschedule the Officer's hours to better respond to the needs. Commissioner Jones commented that a part-time person might prevent as much overtime.

Mr. Bell presented an agreement between Walton County and the Department of Community Affairs to complete the Hazardous Analyses update for Walton County for the upcoming year. Upon completion of this update by in-house personnel, the State will remit to Walton County \$3,803. Mr. Bell recommended approval of the agreement.

Motion by Commissioner Walker, second by Commissioner Pauls to approve the agreement with the Department of Community Affairs. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Bell requested the Board appoint a commissioner to serve on a committee, as recommended by the Planning Department, to look at hurricane preparedness and how it relates to the Comprehensive Plan. Mr. Bell, Mr. Arthur and two members from the Planning Commission will serve on the committee. He also stated that they would like a

commissioner who serves on the MPO to serve on this committee. The commissioners agreed to review this and make a decision at a later date.

Mr. Bell advised that the interlocal agreement for animal control services with the City of Paxton remains incomplete, but is under review by Paxton's attorney and the City Council.

Mr. Ron Prokop, Darlington Gaskin Fire Department, invited the Board and public to the dedication of their new firehouse. Mr. Tom Gallagher will also be present. Mr. Prokop spoke about their accomplishments and strides they have made. He thanked the Board for their support.

Mr. Ken Little, Citizen Services Director, presented an update on those departments under his direction. He advised that the committee appointed to pursue occupational licensing has met and is in the process of reviewing the issue. He advised that the reading garden at the Coastal Branch Library and bike racks at all libraries are currently being installed. The Health Department will start water sampling at the beach sites every week and they will add two additional test sites. They are also looking into the ability to accept credit card payments for birth certificates requests and EH permits. Mr. Little explained that the Health Department has also taken over the "Super-Act" program, which monitors and investigates well water contaminations. The Health Department and South Walton Fire Department has begun working together to coordinate the sharps program for a south Walton drop-off site. Mr. Little also advised that the Health Department held their ground-breaking ceremonies for the South Walton Health Department, but no construction work of any kind has begun. Also, this week has been declared as Environmental Health Week.

Mr. Little reported that completion of the Ag Building has been turned over to the Construction Project Manager, Mr. Collier.

Mr. Little stated that he is still working on the maps relating to county owned property. He advised that he has partnered with the TDC and has located properties for beach accesses. Commissioner Pauls expressed caution from becoming diverted because of the importance in relating to the grid system and county owned right-of-ways.

Mr. Little stated that he is working with Mr. Brian Rick, Public Information Officer, to develop a core of volunteers for various boards to facilitate nominations when vacancies arise.

Chairman Rees requested to appoint Mr. Tom Patton to the Planning Commission, District 1, to fill the temporary position he currently holds.

Motion by Commissioner Walker, second by Commissioner Pauls to appoint Mr. Tom Patton to the Planning Commission to serve another term. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Chairman Rees announced the Mr. Jack Dennis has resigned from the Library Board. Mr. Rick is looking for an individual to fill the vacancy.

Motion by Commissioner Walker, second by Commissioner Jones to appoint Mrs. Ann Bell to the Zoning Board of Adjustment. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye. He felt that her experience in running her own business and working with the community would give the experience she needs.

Chairman Rees stated that several positions on the Design Review Board will be expiring in September and recommended the commissioners begin considering who will serve.

The commissioners recessed briefly.

Mr. Gary Mattison, Human Resources Director, advised that he received a letter from the Florida Association of Counties Trust (FACT) showing the projected increase for the insurance renewal. Along with Attorney Vorbeck, he recommends renewal with a \$10,000 deductible. He explained that after lengthy review, this amount of deductible fits the amount of claims experience for Walton County.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the renewal of insurance with FACT for an amount of \$215,678.00 with a \$10,000 deductible. Ayes, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye. The deductible is per incident. This covers liability and wrongful employment practices.

Mr. Mattison presented a draft policy regarding Annual Leave for the commissioner's review. (Tape 2)

Mr. Mattison highlighted the activities occurring in his division. He stated that they are preparing a proposal for worker's compensation rates just to view other alternatives.

Mr. Pat Markey appeared before the Board and introduced Dr. Chuck Stevenson to discuss the Recreational Board issues. Mr. Markey did clarify that Mr. Jeff Infinger, board member, is the nephew of Randal Infinger, as it was previously stated that there was no relation between them. Mr. Markey requested approval for 50% payment to the contractor who is installing curbing at the Wee Care Park. The total amount is about \$4,000 and Mr. Markey requested to pay \$2,000 upon inspection of the work. The commissioners requested further clarification before approving as to why special approval is being requested when it is within the signature approval guidelines.

Dr. Stevenson presented a report on the Summer Recreation Program. Approximately 225 kids participated in the programs, which brought in about \$10,000. The program cost is approximately \$30,000. He explained that the sports camp scheduled to be held at Camp Timpooshee will not be held because of inadequate staffing and less enrollment than expected.

Dr. Stevenson requested approval to fund the following items from their budget.

1. \$500.00 to produce a coach's soccer clinic.
2. Purchase (2) two sets of portable soccer goals. (\$4,000.00 max.)
3. \$9,200.00 to be paid to the YMCA, which will be used to pay (4) four Directors who will run the soccer programs throughout the county this fall.
4. \$7,500.00 total given to (3) three football organizations. The money to be distributed as follows: \$1250.00 each as soon as possible. The remaining \$1250.00 to be distributed after their next Recreation Board Meeting, if the leagues meet specific criteria, which is
 - a. Form a Board of Directors
 - b. Produce a budget by August 19, 2002
 - c. Show progress in fund raising activities

Dr. Stevenson stated that any league that does not meet the criteria will not only be denied the remaining \$1250.00 but stands a chance of being shut out of next year's budget. He stated that they do need support. Commissioner Walker questioned if they have insurance coverage or if the county would be responsible. Mr. Markey advised that the little leagues have their own insurance coverage.

Mr. Crim questioned if funding would be provided for Little League. Dr. Stevenson stated that they would receive funding next year; however, it is too late in the season this year.

Motion by Commissioner Walker, second by Commissioner Jones to approve funding for the above four items at the recommendation of the Recreational Board. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Dr. Stevenson further requested that any remaining funds left at the end of the budget year be returned to their budget. He also questioned if the monies collected from the participants would go the Recreational Board or would it be used to offset their budget expenses. The Board stated that it would be used to offset their budget.

Mr. Underwood clarified that Mr. Markey's request for payment for curbing at the Wee Care Park needed approval because the EAL's had already been approved.

Motion by Commissioner Walker, second by Commissioner Pauls to approve payment in full to Emerald Coast Curbing, upon inspection by Mr. Markey, for the installation of curbing at the Wee Care Park. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye. The amount of payment is approximately \$4,000.

Mr. Arthur felt that those additional monies being generated by the Recreation Department should be placed back in their budget in order for them to become self-funding.

Mr. Arthur presented information regarding the water expansion for the Portland community. He stated that the Planning Department has no problems with it.

Mr. Waylon Davis, Choctaw Beach resident, appeared before the commissioners stating and explained that the City of Freeport has also planned an expansion for the Choctaw Beach area. He stated that they were left out of the process and has not received any information regarding this issue. He also stated that he has not seen any legal advertisement for this project. Mr. Davis voiced his concern regarding the project and asked the Board to deny it because of its location. After further discussion, the commissioners deferred this issue for further study. Mr. Arthur will contact Mayor Marse to determine the urgency for approval.

Ms. Betty Fraizer, Eastern Street in Choctaw Beach, voiced her concern and stated that many of her neighbors are also concerned with the distance of the new well from their septic tanks. She also voiced concern regarding Eglin's flight path.

Ms. Barbara Gilmer appeared before the commissioners requesting assistance in correcting a land use classification. The property is located on Louva Lane, east of CR393. Ms. Gilmer explained that she purchased 2 ½ acres in 1980 and another 2 ½ acres in 1982, which abut each other. She stated that she has attempted to restrict this to residential development. In 1998 there was an amendment proposed before the Planning Commission to change the classification to Village Mixed Used. She stated that she had requested Ms. Willa Hertwig, former Chair of the Planning Commission, to write a letter stating that action was taken to remove these lots from the VMU category, but she never did and the amendment passed reclassifying the property to VMU. Ms. Gilmer requested that this property be classified back to the original classification of Conservation Residential. (Tape 2/side 2) Ms. Gilmer explained that the uses are restricted by recorded deed and asked for proper classification. Commissioner Pauls commented that if deed restrictions were subsequently lost, they should still apply, the restrictions should run with the land. He also commented that because the property is VMU, it does not mean that it would be able to be developed as commercial, it could be residential, but subject to the residential portion of the VMU classification. There are eight parcels and Ms. Gilmer stated that she only owns the lot she lives on. She also stated that the neighbors support her request. Ms. Gilmer read a quote from Planning Commission meeting minutes, which was denied, to remove those parcels in question from the VMU category. She stated that her attorney has assured her that the deed restrictions run with the land.

Mr. Arthur advised that this is a land use matter that needs to go back to Planning and petitioned by those individuals who own the property. Owners must make application for a small-scale amendment themselves in writing or either grant Ms. Gilmer power of attorney in this matter.

Motion by Commissioner Pauls, second by Commissioner Jones to waive the fees for these small-scale amendments to allow this error to be corrected.

Mr. Mike Judkins stated that he feels the county should be responsible to correct the problem because they made the mistake. Commissioner Walker agreed. However, it is the person of ownership of record who must request the correction and staff will help facilitate it in the best manner possible.

Chairman Rees called for a motion on the vote to waive the fees. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Attorney Honse explained that Attorney Amy Perry, who represents Ciboney, previously requested a resolution for abandonment. The details of the resolution were not prepared within the 30-day statutory requirement and therefore Ms. Honse requested the Board re-approve the resolution for advertising.

Motion by Commissioner Pauls, second by Commissioner Jones to adopt a resolution (2002-36) regarding the Ciboney Abandonment. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

The commissioners recessed for lunch.

Mr. Richard Fowlkes, appeared before the commissioners on behalf of the South Walton Community Council regarding the height limitations in south Walton. He explained that they have been researching two different aspects of height limitations in

south Walton. One aspect is how the regulation is being interpreted and the second is how it is being enforced. He stated that the Land Development Code spells out how to measure the starting elevation of a building, which is to use the average elevation of the existing natural ground beneath the footprint of the building. Mr. Fowlkes stated that it appears the code is being interpreted to allow a developer to measure down from the starting point allowing for additional height on the building. The SWCC questions the interpretations and recommends a maximum building height of 50' regardless of the starting point. They also recommend a maximum of four stories in height, counting every story, including parking. He voiced concern that no one in the Growth Management Department can determine if a building is higher than allowed. Commissioner Walker stated that the building plans should show the actual height of the building, even though the starting point may vary because of elevation. Mr. Fowlkes stated that he considers the starting elevation as the natural elevation under the footprint of the building.

Commissioner Pauls agreed that Mr. Fowlkes pointed out substantial issues, but could not agree that there should not be parking under the building. Mr. Fowlkes stated that the parking should be counted as a floor.

Mr. Arthur stated that one cannot determine how tall the building is by looking at it and staff is not trained for that. A professional with the proper equipment and knowledge would have to be hired to reset the grade. Mr. Arthur spoke about the intent of the code. Commissioner Pauls stated that one cannot interpret the intent of the code. If the community wants to change the code or its intent, then they need to go through the process.

Mr. Fowlkes stated that the South Walton Conservation and Development Trust Strategic Plan for 1994 said that 3-4 story buildings are the tallest acceptable height. The SWCC says that people are making buildings larger than four stories or higher than 50' because they are building downward. He stated that this is not what was intended by the Code. Commissioner Jones stated that he is comfortable with the way it is written. He stated that it is clear to him that height relates to where the top ends up. (Tape 3)

Commissioner Walker stated that a developer should be applauded for building their parking under the building. There was no action taken. Commissioner Pauls commented that if there appears to be a specific case in violation of the Code then it should be submitted to Code Enforcement.

Mr. Fowlkes stated that he would like Code Enforcement to be able to figure out the height from the natural elevation. Mr. Arthur stated that the Planning Department would soon start requiring the elevation grade to be listed on the development plans in addition to asking that a benchmark be established on site.

Mr. Arthur presented the recommendation for selection of the Master Plan Consultant for U.S. 331 to Mack Bayou Road. The following eight (8) firms submitted a proposal and were ranked by the committee as listed. Mr. Arthur recommended interviews with the top four (4) ranked firms.

1. PBS&J
2. SAIC/WilsonMiller
3. HSA Consulting Group
4. Jones Edmunds & Associates, Inc.
5. Wilbur Smith Associates/Gail Easley Co.
6. Genesis Group
7. EDAW, Inc.
8. Volkert & Associates

The commissioners agreed to hold interviews with the top two (2) ranked firms on Monday, August 12, 2002 at 1:00 p.m. at the Coastal Branch Library.

Commissioner Walker stepped out.

Mr. Arthur gave a brief summary of the departmental activities under his direction according to the work performed by each department, number of items issued and fees collected.

Commissioner Pauls asked Mr. Arthur for an update on previous discussion regarding the RPC and what issues they would be addressing. Mr. Arthur stated that one issue is the conflict between the Comp Plan and Land Development Code. The other item is the issues in the Land Development Code that need to be reviewed. Commissioner Pauls questioned if a consultant would be hired to work on the discrepancies between the Comp Plan and the LDC. Mr. Arthur said that it is in next year's budget to fund a consultant for that. Mr. Arthur stated that RFQ's would be advertised as soon as he is assured the budget will fund it. Commissioner Pauls stated that he would like to know if the budget would fund that in order to proceed. The Board directed staff to proceed with the selection process for a consultant, although no funds will be expended until the new budget.

Commissioner Rees questioned Mr. Arthur regarding the opening of the Coastal Dune Lakes and the process to follow. Mr. Barry stated that he placed money in next year's budget for that study. Again, Chairman Rees asked to proceed with the study without spending any funds until the next budget cycle. Mr. Barry agreed to proceed.

Mr. Brian Rick, Public Information Officer, gave an overview of the duties of the PIO Office and an update on his accomplishments. He stated that his role is to gather and

disseminate information to the public through the media and to provide the BCC with feedback from the community. Mr. Rick stated that in the short timeframe that he has been here he has spent time researching and time with each commissioner. He stated that in the near future he will begin generating a monthly Walton Update to include information gathered on various county issues. Mr. Rick welcomed any comments and suggestions.

Chairman Rees stated that he along with Mr. Rick, Mr. Underwood and Mr. Jones, participated in the National Association of Counties Meeting. He felt that a lot of the work Mr. Rick and Mr. Little will be doing would go hand in hand. Mr. Rees spoke about the various forms of communication and ways the community can participate in county government.

Mr. Mike Judkins addressed the Board regarding signs and road safety. He presented pictures of the newly paved North Holiday Road and the signs. Mr. Judkins stated that the signs are being ignored and not enforced. He stated that he has temporarily closed his business because traffic is not able to get into his place of business. He spoke about confrontation with his neighbors over trucks parking and unloading in the road. He asked for a guardrail that would require the adjacent property owner to operate his business on his own property. Mr. Judkins stated that the property owner, Mr. Perry Wooten, changed his property use and should no longer be grandfathered in.

Ms. Lois Bailey, nearby resident, agreed with Mr. Judkins. She stated that the business in question allows their vehicular traffic to park in the street to unload, blocking traffic. She also stated that they have destroyed Forrest Road. She asked for help from the commissioners to solve the problem. Commissioner Pauls advised that the design of the

road was based on DOT design standards. (Tape 3/side 2) Commissioner Pauls felt the signs would help with the problems and would be enforceable.

Commissioner Pauls stated that this is a land use classification issue. The first portion of North Holiday Road is Coastal Center, which allows certain things. The challenge is finding a solution to allow the commercial traffic to turn around without having to travel further into the neighborhood. Mr. Pauls stated that there are two vacant lots across from the church that could possibly be purchased for a cul-de-sac turn around as well as storm water. He reminded the audience that the county cannot restrict trucks from using that road because of the court ruling. He stated that if semis are parking in the road then it is a law enforcement issue because of safety factors that are involved.

Mr. Dan Arner, County Engineer, stated that the proposal for guardrails is not warranted. The road was not designed for guardrails according to highway standards. Mr. Arner stated that he would not recommend it and asked that the problems be addressed by sign complaints. He explained that guardrails would create more accidents. Commissioner Pauls recommended the county look into the possibility of creating a cul-de-sac and storm water retention pond. He also requested the signs be fixed for better enforcement. Ms. Honse stated that it is a law enforcement issue and the Sheriff needs to address it. Chairman Rees asked Mr. Underwood to contact the Sheriff regarding the issue. Mr. Underwood will also speak with Mr. Wooten requesting him not to allow future businesses that require semi truck traffic.

Mr. Marvin Collier, Construction Manager, appeared before the Board with an update on construction progress. He advised that commissioners that pest control services need to be considered for all county facilities.

Commissioner Walker advised Mr. Collier that the Assisted Living Facility was previously approved and the Council On Aging was to present their recommendations back to the Board. No further action has occurred. Mr. Collier stated that he would meet with Mr. Walker to further discuss the ideas on this issue.

Commissioner Pauls questioned Mr. Collier regarding the Coastal Branch Library and proper installation of the louvers. He advised that the problem was corrected.

Mr. Collier reported that plans have been developed for the present courthouse, but is contingent upon the staff relocation to the old hospital. He estimated a time frame of October 2003 before the transfer could occur.

Commissioner Walker asked Mr. Collier to consider removing the north wing at the old hospital. Mr. Collier agreed to look into this matter.

Mr. Underwood stated that a move date of October 1, 2002 is scheduled for staff to move into the South Walton Courthouse and stated that they would possibly be asking authorization to close the South Walton Office on September 30 and October 1 to allow staff to relocate.

Mr. Collier reported that the plans and specifications for the jail renovation and addition are 70% complete. Additional property around the existing site has been purchased. Storm water will have to be addressed due to the additional parking. A meeting will be held to discuss the final scope of work with the Sheriff, jail staff and county staff.

Mr. Collier reviewed the status of the old hospital and stated that a walk through inspection was held on July 9 with the Architect and Contractor to discuss the scope of work. The asbestos abatement removal is progressing.

The South Walton Courthouse Annex has a finish date of September 15 with a move in date of October 1. Mr. Underwood also suggested moving forward with accepting bids for the sale and removal of the trailers currently being used for the Courthouse Annex. Discussion followed regarding the limited time frame for them to be removed and paving completed. Concerns were voiced as to the cost to tear them down, have them moved, and to reset them up for use. (Tape 4)

Motion by Commissioner Jones, second by Commissioner Pauls to declare the six-wide trailer, currently being used as the Courthouse Annex, as surplus with the stipulation that a determination is made regarding the cost to move them and reset them up and to determine if there is a need for them by another community. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Collier stated that Watkins is preparing the pricing for site clearing for preparation of the new Zone 5 Maintenance Facility.

Mr. Collier stated that RFP's are going to be sent out for one of the 25,000 square foot buildings located at the EOC. The scope of work will include complete site work and set up. He advised that a decision needs to be made on the second building due to it beginning to deteriorate.

Chairman Rees requested to accept the appointment of Mr. Donnie Richardson as a non-voting member of the Planning Commission representing the School Board. The Board agreed.

Commissioner Jones questioned Mr. Underwood regarding the status of RFQ's for the Mossy Head Industrial Park. Mr. Underwood advised that they have been

submitted to the committee members and are to be returned to him to tally the results. The top three will give a presentation to the Board.

Mr. Randy Webster, Three Rivers Housing Foundation, appeared before the commissioners regarding the Community Contribution Tax Credit Program. Ms. Honse explained that this is a benefit to the local businesses of the county. There is no impact on the county and it allows local small businesses to donate materials or in-kind services for the building of homes for tax credit purposes.

Motion by Commissioner Pauls, second by Commissioner Jones to adopt a resolution (2002-37) certifying that the Three Rivers Housing Foundation Program for the Construction of Single family home ownership is consistent with local plans and regulations. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Mr. Tom Powell, Economic Development Council, appeared before the Board to report on the County Wide Strategic Plan for Economic Development. The Strategic Plan belongs to the public. The plan reflects how the residents of Walton County want the county to be developed over a period of years. Mr. Powell stated that it has been posted on the EDC's website for review. Mr. Powell further explained that the second document is the Implementation Plan for FY 2002/03 reflecting that the Strategic Plan is the big plan and describes in detail how to implement the Strategic Plan. Mr. Powell explained that they have received commitments from the EDC, Chamber of Commerce, TDC, Okaloosa-Walton Community College and the Okaloosa-Walton Workforce Development Board to support action requested by the EDC. Numerous other entities are reviewing the documents, but have not yet responded.

Motion by Commissioner Jones to accept the proposed Implementation Plan and to adopt a resolution of support for the countywide strategic Plan for Economic Development. The motion died for the lack of a second. The commissioners stated that they would like to defer this item pending further review and agreed to discuss it again during the second meeting in August. Commissioner Pauls stated that he would like to have Growth Management to review the listed items to make sure the items can be implemented before it is agreed to. Mr. Powell stated that he would make himself available to work with staff.

Mayor Mickey Marse of Freeport appeared before the Board to discuss the Portland Water System well site. He advised that he needs to receive location approval from the county for the well site. Mayor Marse stated that the City of Freeport bought 4-5 acres of property to place the well on. Chairman Rees made Mayor Marse aware that the decision regarding the Choctaw Beach Water System was deferred.

Mr. Charles Peters, Engineer for the City of Freeport, stated that they went through the review process last year. They received a letter from Tom Blackshear that this project was not inconsistent with the Plan. Mr. Peters showed a map of the proposed site for the Portland Community. Mayor Marse explained that the 200' buffer is set by DEP. He further explained that a hydrogeologist at Water Management stated that it is not necessary to provide the 200' buffer, because of a 120' confining unit of clay, at Choctaw Beach and therefore DEP set the buffer back to 100'. Mr. Peters also state that they have backed the well site up to Eglin's property in an attempt to maximize the buffer. They have purchased three lots and the positioning selected provided 200' buffer in the front and 150' on either side.

Mr. Underwood questioned if the county requires this to be approved by the Planning Department. Mr. Arthur advised that the Planning Department is beginning to apply the rules already in place.

Motion by Commissioner Pauls, second by Commissioner Walker to approve the well site at Portland as proposed by The City of Freeport. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Commissioner Pauls questioned if Eglin has had an opportunity to review the proposed site for Choctaw regarding obstruction in their flight path. Mr. Peters stated it would be addressed in the plans. Mayor Marse stated that they already own the system in Choctaw Beach, but it is substandard and needs improvement. He advised that there are currently 600 customers and another 175 who have signed up for service. He wants to provide the service to the people.

Ms. Kris Titus, Executive Director of the South Walton Tourist Development Council, and Mr. Brad Pickles presented an alternative to restore the shoreline. A presentation was given to the TDC by Benedict Engineering, in which they presented an opportunity for the county to invest in the technology. They later presented a proposal agreeing to pay a \$250,000 matching share to the State's money, which is dedicated for experimental technology to install net groins for the eastern one-mile of beach in Walton County. Mr. Pickles explained that an RFQ is being developed to request qualifications for the installation of these net groins on a 100% reimbursable cost to the county.

Motion by Commissioner Walker, second by Commissioner Pauls to approve the request by TDC to develop an RFQ to select a company and investigate the feasibility for

the installation of porous groins on one-mile of critically eroded area on the eastern end of the county. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Commissioner Walker advised that he has received numerous calls from the residents of Imperial Lakes. He stated that they have hired lawyers and have objections to the collecting of MSBU's. Commissioner Jones stated that the objection is to the action taken by the homeowners association regarding the validity of collecting assessments against certain property owners. The issue of collecting MSBU's is different than what is occurring. Residents felt that the county has gone beyond their authority, however, the county has not done what they are implying. The county only agreed to investigate the situation.

Commissioner Pauls presented the conclusion of the independent investigation on the property located on North Holiday Road in Chaparral Estates. The study was performed to determine if the property was a violation or a change of land use. The study was performed by Tony Arrant, AICP, who concludes that the property, building, and grounds are a grandfathered non-conforming use and should be allowed to continue until such time as the grandfathered non-conforming use status is changed. Commissioner Pauls stated that he believes the report was prepared in a non-biased manner.

Mr. Mike Judkins disagreed that the report was non-biased. He stated that he presented Mr. Arrant with aerial photos taken in 1985 showing the building had not yet been constructed. Mr. Judkins stated that it was only storage trailers. He said the building was built in 1987 and knows two men who helped to build it. Mr. Judkins presented a statement by Mr. Mickey Moore who helped build the building and also lived there when it was constructed. Mike stated that the building was erected illegally in 1987. Mr.

Judkins stated that Mr. Arrant wouldn't listen to information he had to give. (Tape 4/side 2) Commissioner Jones stated that Mr. Arrant had documentation showing his position was correct, but Mr. Judkins had disputed it stating that the pictures were doctored.

Commissioner Pauls stated that part of the investigation was to determine the use of the property and to determine if any change of land use has occurred. The report states that the subject property building was originally constructed to house contractor's offices, building materials, equipment and storage yards. The building has been in continued use for these purposes since the date of construction, without any documented periods of vacancy and/or abandonment. Mike disagreed stating that the property is not grandfathered in. He stated that it was not even discussed during the court proceedings. Mike further stated that the report is wrong according to when the building was constructed, which would determine whether or not it would be under the code. He stated that no building permits were pulled for the construction of the building. He further stated that the building should not be grandfathered in because no permits were pulled. No action was taken.

Commissioner Pauls presented a handout regarding the Proposed Road Impact Fee Program. Due to the rate of growth and demand for infrastructure, the time has come to consider adopting an Impact Fee Program. To maintain and catch up with the expected road improvements, the existing taxation rate will not be adequate. He outlined various options and stated that a needs driven Roads Impact Fee Ordinance could be ready for adoption within 3-4 months. Commissioner Pauls requested to allow Mr. Underwood to contact Dr. James Nicholas regarding a possible ordinance and to make a presentation to the Board.

Motion by Commissioner Pauls, second by Commissioner Walker to allow Mr. Underwood to contact Dr. Nicholas regarding the Road Impact Fees and to request that he make a presentation to the Board. Ayes 4, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Commissioner Pauls addressed the issues relating to signage in the GEC Center. He stated that Carlan Killam had previously presented a set of design guidelines for the GEC Center. One area of the designs related to signage. Commissioner Pauls suggested that the GEC Center merge with the signage program being used for south Walton and the TDC Program. Mrs. Titus explained the process that they have used for bringing on family signs for south Walton. A committee has met several times to discuss signage. A presentation will be given to the Scenic Corridor, CAD, and the Design Review Board. The plan will later be presented to the Planning Commission and to the Board of County Commissioners. She stated that it would make it easy for the Board to use the same concept if they approve of it. The scope of service could be increased. The Board agreed to move forward to include the GEC Center's signage, working with Legal Services and Russ Barry.

Commissioner Pauls also spoke about architectural design in the GEC Center relating to the Arts Center. He recommended using the same architectural style throughout the Center, including the same roof and color design.

Mr. Terry Garner, Friends of the Coastal Branch Library, stated that they had already begun permitting through D.O.T. regarding their signage and questioned if they would be required to replace them. Mrs. Titus stated that they would communicate a sign theme for all of the GEC Center.

Commissioner Pauls spoke about space allocations for the new South Walton Courthouse Annex. He commented on the original plan of 19,360 square feet and the proposal for a two-story building to also include the Judges and courtrooms. Commissioner Rees at that time had requested that his office be located in the Annex as his was part of District 1. However, the GEC Center is no longer in District 1 due to redistricting. Commissioner Pauls stated that the building will be full when it is opened as there is need for additional space for the Planning Department, Building Department, Public Works, and Administration. Mr. Pauls recommended that space in this building be dedicated to county personnel only not allowing a permanent location for any county commissioner. He advised that he spoke to Mr. Britt Greene regarding a District 1 Office in the new commercial complex to be developed along CR 395 if acceptable to the District 1 Commissioner. Mr. Pauls stated that he feels this plan would serve the working relationship with county staff and commissioners best.

Commissioner Rees showed the map and explained that having an office in the GEC Center would provide for him to be centrally located for all of his constituents. He stated that the location was not necessarily because it was in District 1, but more so the location was central to District 1. He also stated that because the building is already there, it would result in additional savings. Commissioner Pauls felt that a commissioner should be located in his own district, in addition to keeping the needed space for staff.

Commissioner Walker stated that location of a commissioner's office should be his choice. However, he has also seen problems created from a commissioner being located in the same building as staff. He stated that he would support Mr. Rees having an

office suited to meet his needs, but he is not sure that being located in the Courthouse Annex would be the best location.

Commissioner Rees stated the he requested staff to look at available spacing because he wants to be cost effective. He stated that the only choice would be around the complex and being with the Sheriff does not seem feasible. Commissioner Pauls felt the working relationship would work best with no commissioner in the building. Commissioner Jones stated that he understands the concerns of both commissioners.

Commissioner Pauls presented a proposed resolution for the Blue Mountain Landfill Zone 3 Storage Facility. He advised that he has been able to work with the State Forestry Department in an attempt to obtain a lease. He explained that in the past the property was an old dumpsite. The resolution is for the lease to continue using the site to stockpile landfill materials for road repairs. Ms. Honse explained that this is one step in the process to determine if the Forestry Department will allow the county to continue using the property.

Motion by Commissioner Pauls, second by Commissioner Walker to adopt a resolution (2002-38) for lease of the property known as the Old Blue Mountain Landfill from the State Forestry Department. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Commissioner Pauls requested to submit a letter to the Florida Fish & Wildlife for grant funding towards Garfield Access Addition at Grayton Beach, known as the Guy Davidson property.

Motion by Commissioner Pauls, second by Commissioner Walker to approve to submit an application requesting grant funding for the purchase of the Guy Davidson property. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

Commissioner Pauls stated that he would appear at the School Board Meeting regarding the GEC Trails to request that they reaffirm their commitment in paying their portion of the trail plan in the GEC Center.

Motion by Commissioner Jones, second by Commissioner Walker to authorize Commissioner Pauls to represent the county before the Walton County School Board. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye.

There were no public comments voiced.

There being no further business, the meeting was adjourned at 4:30 p.m.

APPROVED: _____
Lane Rees, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court