

OCTOBER 8, 2002 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, October 8, 2002 at 4:00 p.m. in the Boardroom of the Tourist Development Council.

The following Board members were present: Lane Rees, Chair, Larry D. Jones, Vice-Chair, Commissioner Tim Pauls, and Commissioner Gene Ryan. Mr. Michael Underwood, County Administrator, and Attorney Gary Vorbeck, Director of Legal Services were also present. Commissioner Walker was not present.

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

Commissioner Rees called the meeting to order and announced that the Florida Association of Counties Legislative Conference will be hosted by the TDC in Walton County December 4-6, 2002.

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

1. EAL Approval	
General Fund	\$ 362,199.37
County Transportation	\$ 861,639.63
Fine & Forfeiture	\$1,608,986.39
Section 8 Housing	\$ 210.90
N.W. Mosquito Control	\$ 723.18
W. Co. Library	\$ 12,612.05
Recreation Plat Fee	\$ 2,523.28
Solid Waste Enterprise	\$ 211,748.96
Mossy Head VFD	\$ 253.07
Gelendale VFD	\$ 1,189.69
Darlington VFD	\$ 5,763.02
Liberty VFD	\$ 1,079.00

Red Bay VFD	\$ 569.40
Local Option Gas Tax	\$ 36,403.84
Capital Projects Fund	\$ 20,043.61
SHIP	\$ 7,031.22
Tourist Dev. Council	\$ 295,578.18
Mott Sign Grant	\$ 7,018.65
Spec. Law Enforcement	\$ 5,000.00

2. Approval of Minutes: Sept. 12, 2002-Regular BCC Meeting  
Sept. 16, 2002-Budget Hearing  
Sept. 23, 2002-Budget Hearing  
Sept. 24, 2002-Regular BCC Meeting
3. Request that two printers be relinquished to the Public Defender's Office to be put to use in offices that belong to other counties
4. Surplus Equipment Request by the Clerk's Office
5. Records Disposition Request by the Clerk's Office
6. Set Public Hearing for Nov. 12, 2002 at 5:00 P.M. to Consider Adoption of an Ordinance Requiring Pre-emptive Equipment on Traffic Signals in the Unincorporated Areas
7. Set Public Hearing for Oct. 22, 2002 at 2:00 P.M. to Consider Adopting a Resolution Supporting Funding Through House Bill 1611 for Camp Timpooshee

Mr. William Imfeld, Financial Director, appeared before the Board and advised that the Sheriff has received a Local Law Enforcement Block Grant in the amount of \$16,894. Mr. Imfeld recommended accepting the funds.

Motion by Commissioner Jones, second by Commissioner Ryan to accept grant funds in the amount of \$16,894 on behalf of the Sheriff's Department. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Imfeld advised that the Association for Retarded Citizens purchased a parcel of property approximately 10 years ago, at which time they received a Community Development Block Grant. The grant required that ARC issue Walton County a second mortgage. There was no funding involved with the second mortgage and they have now paid off the first mortgage and are asking for release of the second mortgage. Mr. Imfeld

requested approval for the Chair to sign the mortgage release form giving the ARC clear title to their property.

Motion by Commissioner Jones, second by Commissioner Ryan to authorize the Chair's signature on the mortgage release form for ARC. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Imfeld presented the information relating to the funds that are to be rolled forward from the projects and grants that remain incomplete at the end of the fiscal year. He advised that the SHIP program has funds that will need to be rolled forward as soon as all of the information is obtained.

Motion by Commissioner Ryan, second by Commissioner Pauls to authorize Mr. Imfeld to proceed with rolling forward the funds into the 2002-03 budget. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Russ Barry, Public Works Director, introduced Ms. Gay Owens who was present to represent the Hidden Harbor Home Owners Association. Ms. Owens explained that the subdivision was built in 1995 and has had continual drainage problems since. She stated that there is no storm water management plan and therefore no place for the water to drain. Ms. Alisa Miller spoke in great detail about the subdivision and its drainage problems. She presented numerous documents regarding the development showing that the drainage plan was not in compliance. She stated that problems exist with the way the development was constructed and stated that there are no swales or proper berms. The driveways were constructed without drainage. Ms. Miller advised that construction is currently taking place, but she is unsure if the proper permits have been issued. She presented further documentation from Mr. Don Brock, Engineer, stating that three ditches

were draining onto Holiday Road were stopped up and now drain into Hidden Harbor. She also presented letters from 1996 from both W. Horn and Preble-Rish admitting that there was drainage problems. Ms. Miller stated that she feels the county let these issues slide by and therefore requested that the county look into this matter. She said that mosquitoes are breeding in the standing water and becoming a health hazard. She also spoke about the continual moisture in the homes and health problems of those living there.

Commissioner Pauls stated that he received a letter from Harold and Gay Owens and further stated that he has visited the site. He stated that this problem is in relation to the adjoining subdivision, Malibu Gardens. He stated that he has met with the builders involved as well as the developer, who both said that it was the responsibility of each other to install the swales. (Tape 1/side 2) Commissioner Pauls stated that part of the problems is that the county originally stated that they were exempt from storm water permitting. It appears that the calculations require a storm water plan and permit. So it is now necessary to find the legal entity to force the developer to comply with storm water plans. He stated that the drainage for all of the surrounding subdivisions needs to be addressed. Commissioner Pauls stated that the roads within Hidden Harbor are not county roads nor is there a homeowners association so it is questionable as to who owns the roads.

Ms. Owens stated that they have a daughter in a wheel chair and she would have no way to get out in the event of a house fire because of the standing water in their yard.

Mr. Underwood stated that the county has looked at the problem. However, the property is private and the county cannot spend public funds on private roads.

Ms. Diana Morrison, resident of Hidden Harbor, stated that Wayne Clark, developer, had lived in some of the homes before selling them and is aware of the situation. Commissioner Pauls stated that it would be a civil matter in terms of disclosure and a homeowner selling something with a defect. They advised the commissioners that Mr. Clark is building under someone else's name.

Attorney Vorbeck stated that if there is a drainage solution then a possibility would be for the owners to deed the rights of way for the drainage easements to the county then it could be determined who would be responsible to pay to correct the problem, whether done by special assessment or another means.

Mr. Barry stated that a survey would need to be conducted to determine the flow. The swales will also have to be designed. He stated that work would have to be done to the driveways in order to create proper drainage. Commissioner Pauls stated that it is the developer's responsibility. He stated that he is not opposed to the county developing a plan to help solve the problem.

Ms. Elizabeth Lane, resident of Hidden Harbor, stated that she spent \$600 to dig ditches around her home to help prevent flooding. She stated that Mr. Clark lives in one of the homes and some of the water drains up to his home where he has apparently installed a driveway at which point the water stops.

Commissioner Ryan stated that the county has hired professionals who has the knowledge to deal with these problems. He felt that the county should have some responsibility by not making the developer follow through on his responsibility. He stated that engineering is a problem because the water cannot just be redirected to drain into the bay without property permitting from DEP. He further recommended making a

determination as to the costs involved and what responsibility the county has to assist in getting the problem fixed. Commissioner Ryan further stated that the county needs to address the issue of Mr. Smith continuing to build homes.

Mr. Mike Judkins addressed the Board and stated that the developer should be held responsible and suggested placing a moratorium on the builders.

The commissioners requested Mr. Vorbeck research this issue further.

Mr. Barry requested the Board certify the rights of way on Pompano Street and Campbell Street according to Florida Statute 95.361. The certification stipulates that these roads were constructed by Walton County and have been continually maintained and repaired for a minimum of four years. This includes all rights, titles, and easements as depicted on the map, which Mr. Barry requested to be recorded.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept the certification of Pompano Street and Campbell Street as county roads. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Barry advised the commissioners that he received two bids for the relocation of the trailers from the South Walton Governmental site to Public Works. Mr. Barry recommended the low bidder, A&A Mobile, in the amount of \$20,000. This includes the complete tear down, relocation, and set-up.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept staff's recommendation and award the low bid to A&A Mobile in the amount of \$20,000. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Barry advised that he looked into the matter regarding the proposed development of Tindle's New Shop. Mr. Barry stated that he met with Mr. Tindle, his

engineer, and lawyer to discuss potential problems. A letter was submitted to Mr. Barry by Mr. Tindle's attorney stating what they would agree to. Mr. Barry stated that if the letter is made part of the development order then he feels the county's interests would be protected relating to storm water and road improvements. Mr. Tindle will continue looking into the need for a decel lane at the intersection at SR20 and Ben King Road. Commissioner Ryan stated that traffic issues on SR20 need to be addressed before it becomes a problem. Mr. Barry stated that he recommends approval subject to a traffic study being performed on Ben King Road and the impact on SR20.

Mr. Mark Siner, Engineer with Choctaw Engineering, stated that an analysis had been performed. The analysis was performed using the standard DOT process using the latest trip count information available, which was taken from 1997. Mr. Siner also stated that the nearby pit has nothing to do with the Tindle Shop. He stated that Mr. Tindle's project will not create enough traffic to cause the need for a turn lane.

Commissioner Pauls questioned if the Planning Department has traffic concurrency for the number of trips relative to SR20 and the projects being approved. Mr. Mike Lane stated that the Planning Department is tracking the number of trips for each project. He further commented that each project is incorporated into their traffic analysis. Commissioner Jones questioned Mr. Barry if he could use the traffic counter equipment to gauge the amount of traffic for the Tindle Shop.

Motion by Commissioner Ryan, second by Commissioner Pauls to accept Mr. Barry's recommendation and approve Tindle's New Shop. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye. The Certificate of Occupancy will not be issued until Mr. Tindle meets the conditions of the agreement relating to the road.

Commissioner Pauls informed Mr. Barry that the permits have now been received for opening of Oyster Lake.

Mr. Barry presented a request on behalf of the City of Paxton for assistance in clearing a fence line and for paving at the City Hall. Mr. Barry recommended allowing him to provide assistance for clearing the fence rows, but stated that he does not have personnel available to provide the requested paving. He stated that he is willing to add the paving as a filler project when he has crews available.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Mr. Barry's recommendation to assist the City of Paxton with clearing and paving as personnel is available. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Barry advised that he presented a counter offer of \$1,000.00 per acre for the Covell Tract located near the landfill. He advised that he received a contract accepting the offer, which includes the timber. Mr. Barry stated that he will review the contract and present his recommendation back at a later date along with recommended usage of the property for mitigation purposes. (Tape 2)

Ms. Linda Morse questioned what the property would be used for and stated that it should not be used for landfill purposes because of the impact the wetlands. Mr. Barry stated that he would provide alternative uses for the property.

Mr. Barry advised that he now has all the traffic analysis equipment in and will begin using it on CR 30-A and will present the outcome of the study at the next meeting.

Mr. Barry stated that the contract for CR3280 is in the Legal Services department and is being completed. The project will be bid and awarded in November with a start date in December for reconstruction of the road. Mr. Barry stated that he would contact

White Construction to assure that they are complete with their hauling before the road is reconstructed.

Mr. Underwood stated that DEP is requiring mitigation on the impact of wetlands created by the construction of the Zone 3 Maintenance Facility Building. The amount needed for mitigation is 5.80 acres. The Army Corps impact is .79 and DEP impact is .55. The mitigation will offset the impact created by the incoming roads to the facility. Mr. Underwood requested the Chair's signature on the conservation easement agreement.

Motion by Commissioner Pauls, second by Commissioner Ryan to authorize the Chair's signature on the conservation easement agreement relating to the Zone 3 Maintenance Facility. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Chick Huettel, owner of Bayou Arts and Antiques, appeared before the commissioners on behalf of business owners on and off of U.S. Highway 98 regarding code enforcement for signage. Mr. Huettel complimented Code Enforcement for their willingness to help. He read a statement into the record on behalf of the business owners asking that code enforcement be relaxed during construction of Highway 98. He also requested authorization for temporary signage until the four-laning of Highway 98 has been completed. Mr. Huettel presented a petition signed by 87% of the business owners asking for relaxed code enforcement. Signage along Highway 98 has been knocked down or is no longer readable causing a hardship to business owners. He also stated that seven businesses have closed and two more are having difficulties according to the owners. He therefore asked for assistance from the commissioners for less stringent enforcement. Mr. Huettel felt that there would be more closures forthcoming during the winter months if enforcement is not relaxed during the completion of construction on Highway 98.

Commissioner Pauls stated that he supports an emergency ordinance allowing temporary signage along U.S. Highway 98, but would like to see it approved by the Department of Transportation. He stated that there appears to be a problem with which signs are approved and the ones that are being pulled up. Mr. Pauls stated that he would like to support those businesses during this time of construction due to the hardship being created. He also stated that he is in favor of addressing the Community Directory Signs for effectiveness. He felt that these signs could be worked into the way finding system as proposed by the TDC.

Attorney Vorbeck questioned the Code Enforcement Officers if they would be able to temporarily enforce a more relaxed code during the construction phase. Mr. Phillip Green, Code Enforcement Officer, advised that they would.

Mr. David Kramer, Code Enforcement Board Representative, wanted assurance that the Code Enforcement Officers are protected adequately. He also requested that definite boundaries be established to prevent other parts of the county from becoming overwhelmed with signs. He suggested the boundaries be between the intercoastal waterway and the Gulf of Mexico and the county lines.

Mr. Mike Judkins stated that he would like to see language in the emergency ordinance limiting the number and size of the signs for each business. Commissioner Pauls stated that the intent is not to violate the current standards.

Motion by Commissioner Pauls, second by Commissioner Ryan to temporarily suspend code enforcement regulations regarding temporary signs in the area along U.S. Highway 98 under construction. The area shall encompass that portion between the Gulf of Mexico and the intracoastal waterway. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees

Aye, Ryan Aye. Temporary business signs are still subject to the current standards and business owners will still be cited for non-compliance.

Mr. Underwood advised that the Catherine-Cole Taylor Center for the Arts will not be placing the trailer in the GEC Center as previously approved. Watkins Contractors has offered them an alternative that they chose to accept. Mrs. Meg Nelson stated that they will occupy the trailer used by Watkins for a period of four months.

Mr. Mike Judkins requested the Board to direct Code Enforcement to return a sign they picked up from his property. Mr. Green advised that the sign appears to be the county's sign.

The commissioners recessed briefly.

Mrs. Ellen Mayfield voiced her appreciation on behalf of the DeFuniak Springs Business and Professional Association. Through the support of the county, the DBPA was able to fund their signage program, which supports DeFuniak Springs.

Commissioner Rees called to order the advertised public hearing for the Large-scale Amendment Transmittal Hearing. Mr. Tom Blackshear, County Planner, presented the amendments and stated that the commissioners may choose to transmit them, modify them, or not approve them at all. Mr. Blackshear stated that the amendments will be sent to State and several review agencies including the Department of Community Affairs, West Florida Regional Planning Council, Water Management District, Department of Transportation, Department of Environmental Protection, Department of State, Florida Fish and Wildlife Commission and the Department of Agriculture. A report will be sent back to the county for final review and adoption, which is estimated to take approximately seven months.

Mr. Blackshear presented three Text Amendments: LSA 02-2.1.A, LSA 02-2.1.B, and LSA 02-2.1.C. The first amendment - LSA 02-2.1.A is text requiring a 25' vegetated buffers for shallow lots of record abutting environmentally sensitive areas. The intent of the amendment is to establish reasonable set back requirements for environmentally sensitive lots, subdivisions and lots of record.

Mr. Mike D'Autillia, Chair of the Coastal Dune Lake Advisory Board, stated that the platted lots of record have been a problem for many years. Many lots cannot abide by the 100' setback as required in county code, however, the county allows construction of one single family residence on lots of record. The Advisory Board feels that there should be a minimum of a 25' vegetated buffer where the 100' setback cannot be complied with.

Commissioner Pauls thanked Mike for his work on the Advisory Board. He stated that the intent is to remove the specifics from the Comprehensive Plan in order to maintain consistency on implementing goals and objectives. The goals are in the Comprehensive Plan and the specifics are in the Land Development Code. Commissioner Pauls stated that he would like to see the plan state that there shall be a vegetative buffer.

Ms. Nancy James, South Walton Community Council, stated that they are proposing that a hardship relief clause be added as C-3.2.2. She read the clause for the record. Ms. James requested the Board consider removing this amendment for further study. Mr. David Kramer presented a handout showing recommended changes to Nancy's proposal. (Tape 2/side 2)

Mr. Ken Goldberg disagreed with taking the specificity out of the Comprehensive Plan and putting it in the Land Development Code. He felt that it would create additional problems because a Comp Plan amendment has to go through State review. He feels the

commission would be better served having some level of detail in the Comp Plan. Discussion followed regarding policy for lots of records.

Mr. Lloyd Blue addressed the commissioners on behalf of himself and the Walton County Property Owners Association. He stated that there is confusion in the process. He stated that staff previously took the position that the lots of record prior to 1992 did not have the setbacks applied to them. He stated that vegetative buffer requirements were not applied to those lots in the past. Mr. Blue stated that one option would be to add a date specific to the lots of record and to make a 25' setback requirement for the lots prior to 1992.

Commissioner Pauls requested clarification from the Planning Department regarding the setbacks and if they apply to lots prior to 1992. Mr. Blackshear stated that the Comp Plan does not address that and further stated that the county has not enforced buffer requirements for lots of records. Commissioner Jones stated that a provision should be made that would allow people to build on the lots of record and still maintain some buffering.

Motion by Commissioner Pauls, second by Commissioner Ryan to not proceed with transmitting LSA 02-2.1.A, Vegetated Buffer Requirements for Shallow Lots of Record Abutting Environmentally Sensitive Areas. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear presented LSA 0-2.2.1.B: Neighborhood-Commercial Text Clarification. This amendment includes substituting the date of plan policy adoption for the word "new" and substituting the word "project" for the word "use". Mr. Blackshear reviewed the other amendments to this policy as previously requested by the Board and

Planning Commission. Mr. Kramer and Mr. Blue voiced their recommended changes. Mr. Underwood suggested setting a workshop to discuss these issues further. The commissioners agreed that more time needs to be spent on this issue. Mr. Billy Buzzett also addressed the commissioners with concerns and requested this amendment be deferred pending further discussion. Ms. Meadows stated that this amendment has been worked on for approximately two years and does not need to be delayed any further. The commissioners agreed to hold a workshop on November 12, 2002 at 1:00 p.m. to continue discussion of amendments 02-2.2.1A and 02-2.2.1B.

Mr. Mike Chesser, representing Mr. Dale Peterson, spoke about the section relating to unexpired covenants and questioned why the wording is there. He presented his proposed wording for consideration.

Mr. Blackshear presented LSA 02-2.2.1C, which establishes Medium Industrial and Light Industrial land use categories for North Walton County, deleting specificity in the existing Comprehensive Plan text regarding list of uses and location, lot coverage, and buffering requirements; and deferring such specificity to the Land Development Code.

(Tape 3) Mr. Judkins stated that he would like to see language that requires compatibility between residential uses and Medium Industrial to protect the citizens.

The commissioners agreed to continue this amendment until November 12, 2002.

Mr. Blackshear presented the county sponsored future land use map amendments for consideration, LSA 02-2.2.A-E. Amendment 02-2.2A is a future land use map amendment for the Association of Retarded Citizens Industrial site. There were no objections voiced.

Motion by Commissioner Pauls, second by Commissioner Jones to transmit Large Scale Amendment 02-2.2.A. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear presented LSA 02-2.2.B, Huck 'n' Tom's Subdivision, for consideration. There were no objections.

Motion by Commissioner Pauls, second by Commissioner Jones to transmit LSA 02-2.2.B. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear presented LSA 02-2.2.C, which is the line separating General Agriculture and Large Scale Agriculture from Neighborhood Planning Area north of Seacrest, Rosemary Beach, and North Inlet Beach. There were no objections voiced.

Motion by Commissioner Jones, second by Commissioner Pauls to transmit LSA 02-2.2.C. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear presented LSA 02-2.2.D, unplatted parcels adjacent to Cassine Gardens. He stated that the Planning Commission has concerns regarding the width of Lee Place, a single-lane dirt road. Commissioner Pauls also stated that another problem is designating all of the unplatted parcels as infill. He said there is too much infill.

Mr. Bill Wright, Seagrove Beach resident and business owner, spoke about a lot he purchased, which is currently red flagged by the county because of a scrivener's error. Mr. Blackshear agreed that the problem was caused by a scrivener's error. Commissioner Pauls stated that this can be corrected with a small-scale amendment. Mr. Blackshear reminded the Board that he currently has two RFQ's advertised to begin correcting these problems.

Motion by Commissioner Pauls, second by Commissioner Jones to not transmit LSA 02-2.2D and allow the county to sponsor a small-scale amendment to correct the problem that was created by a scrivener's error. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear presented LSA 02-2.2.E, amending the Neighborhood Planning map series designating twenty acres on C-30A, East of Camp Creek Lake, as Small Neighborhood Projects. There were no objections voiced.

Motion by Commissioner Pauls, second by Commissioner Ryan to transmit LSA 02-2.2.E. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear presented two privately sponsored future land use map and text amendments: LSA 02-2.3A and LSA 02-2.3.B.

The St. Joe Company is sponsoring LSA 02-2.3.A, Watersound North, a mixed use development in southeastern Walton County. There were no objections voiced.

Motion by Commissioner Pauls, second by Commissioner Ryan to transmit LSA 02-2.3.A. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear presented LSA 02-02.3.B, South Walton Commerce Park, a Light Industrial Development. St. Joe is also sponsoring this amendment. There were no objections voiced.

Motion by Commissioner Pauls, second by Commissioner Ryan to transmit LSA 02-2.3.B. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear explained that another privately sponsored amendment involves a textural amendment and a land use map amendment. The text amendment establishes a business park/future land use map category for north and south Walton County. The

business park would include a variety of uses arranged in a campus like atmosphere including offices, retail, and wholesale. No one spoke in opposition to this amendment. Commissioner Pauls asked the Board to consider changing the referenced “40” acres to “10” acres. He explained that this would allow this category to be utilized in more areas. Ms. Meadows stated that allowing the use of 10-acre parcels could create too many high intensive projects.

Mr. David Haight, PBS&J, appeared before the Board representing the applicant and explained that a portion of their property proposed for the project has been removed and will not be used.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve to transmit the textural amendment for the business park with the change to 10-acre parcels. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Blackshear also explained the location of the property being proposed on the map amendment. The property is 115 acres located on the north side of U.S. Highway 98 approximately seven miles east of U.S. Highway 331 South.

Motion by Commissioner Pauls, second by Commissioner Jones to transmit the map amendment as presented. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Sheriff Johnson and Deputy Glidewell appeared before the commissioners to answer questions regarding the Animal Control Ordinance. Commissioner Rees questioned Sheriff Johnson about enforcement of the ordinance. Sheriff Johnson stated that the commissioners would need to determine what level of enforcement they would like to see and what type of equipment they would want used. Deputy Glidewell

explained the concerns that would need to be addressed. He stated that the equipment is costly and the amount of deputies required for the Sheriff's Department to enforce the ordinance would be 3-4 deputies per shift. Mr. Glidewell stated that Okaloosa County utilizes their Code Enforcement Officers to enforce the ordinance and the Sheriff responds after hours.

Commissioner Jones stated that noise does need to be dealt with and Code Enforcement cannot cover all of it.

Mrs. Mary Brockett felt that we do not need to be comparing our enforcement with another county. She stated that the county hired Mr. Eric Zwerling, a Professional Noise Consultant, and felt that they should follow his direction. Mrs. Brockett further stated that she had spoken with the Sheriff regarding problems with barking dogs.

Mrs. Shari Judkins commented that the Sheriff should be responsible for enforcing the State Statutes and Code Enforcement should enforce the Noise Ordinance. Mr. Judkins agreed that Code Enforcement should be responsible for enforcing the Noise Ordinance.

The commissioners agreed to allow Mr. Zwerling to move forward with the Ordinance. Commissioner Jones stated that enforcement should begin with the issues that are disrupting the quality of life, those problems most critical, and then enforcement can be expanded to enforce other problems.

Commissioner Rees commended the Sheriff and Mr. Ronnie Bell, Emergency Response Director, for the team effort that took place during the recent storm.

Mrs. Judkins suggested allowing Mr. Zwerling to begin providing the necessary training to the Code Enforcement Officers.

The commissioners recessed briefly.

Ms. Sara Comander appeared before the Board on behalf of Ms. Pam Tedesco representing the Chamber of Commerce. Ms. Comander invited the commissioners to the building dedication for the Chamber on Thursday, October 24<sup>th</sup>. The Chamber expressed their appreciation to the commissioners for the land donated by the county. She also announced the Community Day that will be held on November 23<sup>rd</sup> at the new GEC Center. The event will have vendor booths, entertainment, and activities to showcase the local community.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the Chamber of Commerce Community Day on November 23, 2002 at the GEC. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye. (Tape 3/side 2)

Ms. Joy Sadler, Seaside, advised the commissioners that they would be sponsoring a marathon on Sunday, March 2, 2003 and requested approval to close 6.5 miles of the eastbound lane on CR 30A from Seaside to Gulf Place. Ms Sadler stated that they already have the support of the Sheriff's Department. The purpose is to use the funds raised from this event for the Seaside School.

Motion by Commissioner Pauls, second by Commissioner Jones to support Seaside and authorize closure of that portion of CR 30A to conduct the marathon. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Attorney Vorbeck advised that he received a letter from Charles Roberts of McGuireWoods, Bond Council representing the Walton County Convalescent Center. Mr. Vorbeck explained that they have an option to purchase the property for \$100.00

when the debt is paid off and therefore recommended to the commissioners that they approve them to make that purchase and quit-claim the deed to them.

Motion by Commissioner Jones, second by Pauls to allow the Walton County Convalescent Center to exercise their option to purchase the property for \$100.00 and quitclaim the deed over to them. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Ken Little, Citizens Service Director, appeared before the commissioners on behalf of the Occupational License Study Committee. Commissioner Pauls thanked each of the committee members for their hard work and asked the other Board members to review the information being presented. He asked the committee to consider holding one more meeting to finalize any recommended changes by the commissioners.

Mr. Tom Powell, Chair of the Occupational License Study Committee, stated that most people in general were opposed to any increase in taxes. Commissioner Ryan questioned what the amount of the fee is based on. Mr. Powell explained that the fee was partially based on the number of businesses, which is estimated at approximately 2,400 to 4,000. The ordinance would exempt businesses in any municipality which has an occupational license requirement. It is estimated to bring in about \$75,000.00 per year. The committee also recommended reviewing the progress again in two years to determine if the fee needs to be raised or lowered. The ordinance also allows for an individual who has already purchased a vendor's license to be exempt from being double taxed. The commissioners agreed to review the draft ordinance for the committee to make final changes.

Mr. Gary Mattison, Human Resources Director, presented the Grievance Procedure Policy for review and asked to table discussion on this item. The Board agreed.

Mr. Mattison requested the Board to consider a salary adjustment for the Tourist Development Council Executive Director. He recommended a 3% increase raising the current salary from \$96,000.00 to \$98,800.00. The salary is comparable with the Cody & Associates Study.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept the recommendation to raise the TDC Director's salary to \$98,800.00. Ayes 3, Nays 1. Pauls Aye, Jones Naye, Rees Aye, Ryan Aye. Commissioner Jones stated that he supported a 10% increase last year. Commissioner Ryan also suggested developing a system whereas the payscale for this position would be based on evaluations and budgeting.

Mr. Mattison recommended a 3% increase in salary for the Director of Legal Services from \$99,750.00 to \$102,750.00.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept the recommendation and approve a 3% increase for the Director of Legal Services. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Mattison recommended a 5% increase for the County Administrator, raising the current salary of \$75,350.00 to \$79,118.00. He explained that this percentage is also within the Cody study.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept the recommendation raising Mr. Underwood's salary to \$79,118.00. Aye 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Commissioner Ryan commented on the good job Mr. Mattison is doing and questioned if his salary has been brought in line with the Cody study. Mr. Underwood recommended a 5% increase based on his performance, and keeping within the study.

Motion by Commissioner Ryan, second by Commissioner Jones to approve a 5% increase in salary for Mr. Mattison, Human Resource Director. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Don Crim questioned why the employees do not receive the same amount across the board. Commissioner Ryan explained that the system is set up on a step increase based on evaluations.

Mr. Bell presented the three proposals that were submitted for Medical Director of Walton County. Mr. Bell recommended awarding the contract to Dr. Ruben Garcia in the amount of \$11,760.00 per year.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept the recommendation and award the proposal to Dr. Garcia in the amount of \$11,760.00. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Bell advised the commissioners that Animal Control has been involved in the investigation regarding a dangerous dog. Upon a decision by Animal Control, the complainant has requested to appeal the decision. Mr. Bell requested the Board appoint Thomas McGee as the hearing officer in this appeal.

Motion by Commissioner Jones, second by Commissioner Pauls to approve to appoint Mr. Tom McGee as the hearing officer to hear the matter regarding a dangerous dog. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Bell presented a copy of a letter from Governor Bush to President Bush requesting that the panhandle counties be declared a State of Emergency because of Tropical Storm Isidore. The amount of damages now exceeds \$9 million. FEMA will be requested to look more at the beaches in order to take protective measures. Mr. Bell applauded the TDC and Mr. Brad Pickles for the excellent job they did in profiling the beaches immediately after the storm. (Tape 4)

Attorney Vorbeck presented an offer to the county regarding the Bonnell property.

Motion by Commissioner Ryan, second by Commissioner Jones to deny the Bonnell offer. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye. Commissioner Ryan explained the situation and what occurred in the past.

Attorney Vorbeck presented a corrective deed for the property the county is deeding to Okaloosa Walton Community College at the GEC Center.

Motion by Commissioner Pauls, second by Commissioner Ryan to authorize the Chair to sign a corrective deed with the corrective clause. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Underwood advised the Board that he presented information to the School Board regarding the Dori Slossberg Driver's Education Law as previously discussed. In response, the School Board did not present any clear direction and he therefore recommended deferring this issue until a later date.

Mr. Underwood advised that Mrs. Cindy Jeselnick's term on the Northwest Florida Council Big Bend Health Council has expired as of September 30, 2002. Mr. Michael Hill, Director, has requested that Mr. Rob Neale fill this position.

Motion by Commissioner Jones, second by Commissioner Pauls to approve the appointment of Mr. Rob Neale to the Northwest Florida Council Big Bend Health Council. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Underwood presented a request for the Chair's signature on behalf of the county entering into Federal Equitable Sharing Agreement. The agreement is between the Federal Government, the Sheriff's Department and Walton County and sets forth the requirements for participation in the Federal Equitable Sharing Program for forfeited property, its proceeds, and interest earned.

Motion by Commissioner Pauls, second by Commissioner Ryan to authorize the Chair's signature on the Federal Equitable Sharing Agreement. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Underwood presented an offer to the county for the purchase of five lots north of the old hospital. The Stanley's own the property and has offered it at a cost of \$92,000.00. Mr. Marvin Collier, Construction Manager, stated that he does not see a need for the property within the next 10 years. No action was taken.

Commissioner Rees commended Mr. Collier for assisting those departments moving into the new South Walton Courthouse Annex and his efficiency.

Commissioner Pauls requested approval of the way finding signs presented by Watercolor. He previously recommended approval subject to Growth Managements review. Growth Management has stated that they do not have authority over the placement of these signs.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the way finding signs on behalf of Watercolor. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Commissioner Ryan and Commissioner Jones did not present any items for discussion.

Commissioner Rees presented a letter from Mary Kay Cariseo from the Florida Association of Counties regarding the vacancy left by Commissioner Walker. Ms. Cariseo requested a replacement be named to fill the vacancy.

Motion by Commissioner Pauls, second by Commissioner Jones to appoint Commissioner Rees to serve on the Florida Association of Counties Board of Directors. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Commissioner Rees opened the floor for public comment.

Mr. Crim again asked what is taking place with the metal buildings. Mr. Underwood stated that they are waiting on cost estimates for construction of the building before a decision is made.

There being no further business, the meeting was adjourned at 9:15 p.m.

APPROVED: \_\_\_\_\_  
Lane Rees, Chairman

ATTEST: \_\_\_\_\_  
Martha Ingle, Clerk of Court