

MAY 27, 2003 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, May 27, 2003 at 8:00 a.m. in Courtroom B of the Walton County Courthouse.

The following Board members were present: Larry Jones, Chair, Tim Pauls, Vice-Chair, Commissioner Lane Rees, Commissioner Kenneth Pridgen, and Commissioner Ro Cuchens. Mr. Michael Underwood, County Administrator, Attorney Gary Vorbeck, Director of Legal Services and Ms. Martha Ingle, Clerk of Courts, were also present.

Chairman Jones led with prayer followed by the pledge of allegiance to the American Flag. He then called the meeting to order.

Commissioner Cuchens presented a request on behalf of Ms. Dede Hinote who asked that her previous time with the county be combined with her present employment. Mr. Gary Mattison, Human Resources Director, explained the process of rehiring employees. He stated that combining an employee's time is usually approved when an employee returns within one year. He further explained that three individuals would be affected. Mr. Mattison presented an addendum to Policy No. 11 stating that former BCC employees re-hired within one (1) year from date of termination will be given previous service credit for annual leave and sick leave purposes.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to approve to combine any current employees previous service time with their current service. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Chairman Jones presented the consent agenda and recommended a word change to Policy No. 11 from "termination" to "separation". The Board concurred.

Motion by Commissioner Cuchens, second by Commissioner Rees to approve the consent agenda with the change in wording in Policy 11 as stated. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

1. EAL Approval

General Fund	\$	663,621.14
County Transportation	\$	800,054.99
Fine & Forfeiture	\$	3,308.96
Section 8 Housing	\$	129.73
N.W. Mosquito Control	\$	4,141.95
W. Co. Library	\$	13,579.11
Recreation Plat Fee	\$	28.00
Solid Waste Enterprise	\$	228,409.90
Mossy Head VFD	\$	3,424.60
Gelendale VFD	\$	106.95
Darlington VFD	\$	507.76
Liberty VFD	\$	1,183.26
Red Bay VFD	\$	541.23
Local Option Gas Tax	\$	21,532.80
Capital Projects Fund	\$	220.00
SHIP	\$	15,343.00
Tourist Dev. Council	\$	176,912.86
Mott Sign Grant	\$	-
Debt Service Hospital		
Spec. Law Enforcement	\$	-
Driftwood Debt Service	\$	145.66

2. Approve Minutes of May 01, 2003-Town Hall Meeting  
May 06, 2003-Landuse Hearing  
May 13, 2003-Workshop/Regular Meeting

3. Division Activity Updates

- a. Public Works
- b. Citizens Service
- c. Emergency Management
- d. Finance
- e. Construction Manager
- f. Public Information
- g. Human Resources
- h. Growth Management

Commissioner Rees complimented Citizens Services for their detailed update and requested others, like Public Works, to provide more depth on divisional updates.

Commissioner Rees requested an update from Mr. Marvin Collier, Construction Manager, regarding the courthouse and use of the old hospital. Mr. Collier advised that he is waiting for additional information from Mr. Freddy Baker, Council on Aging. He also advised that the final plans are complete and he will be reviewing them soon. The bid process can begin once the county receives a release from the Bankruptcy Court for Watkins.

Mrs. Jennifer Christensen, Planning Coordinator, presented Seaside 17 final plat for approval. Seaside Community Development Corporation is developing a 10-lot single-family residential subdivision. Staff recommended approval.

Motion by Commissioner Pauls, second by Commissioner Rees to approve Seaside 17 final plat for recording. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mrs. Jennifer Christensen, Planning Coordinator, presented Wild Dunes final plat for approval. Wild Dunes, LLC is proposing an 8-lot single-family residential subdivision. Staff recommended approval.

Motion by Commissioner Rees, second by Commissioner Pauls to approve Wild Dunes final plat for recording. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mrs. Jennifer Christensen, Planning Coordinator, presented Tennis District at Watercolor for approval. St. Joe Company is proposing a 10-lot single-family residential subdivision. Staff recommended approval.

Motion by Commissioner Rees, second by Commissioner Cuchens to approve Tennis District at Watercolor final plat for recording. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mrs. Jennifer Christensen, Planning Coordinator, presented Magnolia Cottages By The Sea final plat. Magnolia Partners, developer, is proposing a 63-lot single-family residential subdivision. Staff recommended approval.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve Magnolia Cottages By The Sea final plat for recording. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Ronnie Bell, Emergency Response Director, appeared before the Board and recognized Mr. Ed Baltzley and Ms. Christine Bell for the efforts in earning Walton County the designation of being a “Storm Ready County”. Mr. Bell introduced Mr. Ben Nelson, State Meteorologist, and Mr. Bob Goree, National Weather Service, who were present to award the commissioners with a plaque from the National Weather Service. Mr. Nelson stated that Walton County has been recognized as a “Storm Ready County”, which states that the county has prepared themselves for severe weather.

Mr. Little presented the proposed Library Program Policy for consideration. Chairman Jones requested that the language under Public Access be clarified better. Mr. Little advised that the Library Board has reviewed and approved this policy. Commissioner Rees suggested moving that language to the children’s programs section.

Motion by Commissioner Rees, second by Commissioner Pauls to approve the Library Program Policy with the language change as stated. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bruce French, Gannett Fleming, Inc., appeared before the Board regarding effective regulation of towers and wireless facilities within Walton County. Mr. French asked that the Board consider upgrading the current land use codes by adopting a proposed ordinance that he presented. The ordinance puts in place regulations for both the county and industry. Mr. French spoke about non-tax revenue including assessments, application fees, and leases. He closed by asking that the Board review the information he presented and to address the needed code revisions by considering his firm to provide the code revisions. Mr. French stated that this would limit towers and encourage co-location.

Commissioner Pauls commented that this information should be reviewed along with the ongoing work with Kimley-Horn regarding the Comprehensive Plan. This information will be sent to the Planning Department and Legal Services for additional review.

Mrs. Melissa Pilcher, Regional Utilities, requested authorization to submit Grant Reimbursement Request #4 in the amount of \$345,708.59.

Motion by Commissioner Pauls, second by Commissioner Cuchens to approve for Regional Utilities to submit Grant Reimbursement Request #4. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Willie Tharp appeared before the commissioners regarding a zoning change. Mr. Tharp stated that when he purchased the property it was classified as industrial and the county rezoned it in 1996 as Rural Village without notifying him. Mr. Tharp

requested the Board waive the \$450.00 fee in order for him to apply for a small-scale amendment for the property to be rezoned. Commissioner Pauls asked if it should be a large-scale amendment instead so that it would cover more than 10 acres and more than one owner. Mr. Lane explained that he is unsure as to why it was changed and stated that a small-scale amendment would be faster. Commissioner Pauls commented that this issue has affected other individuals who have had to pay the fees as well and he wants everyone treated fairly. He further stated that notification was advertised in the paper, but not every individual property owner was notified.

Motion by Commissioner Cuchens to approve waiving the \$450.00 fee for Mr. Tharp to proceed with a small-scale amendment. The motion died for the lack of a second.

Commissioner Pauls explained that the county could sponsor a large-scale amendment at no cost to Mr. Tharp, but it could take some time.

Ms. Sandra Miller, scheduled on the agenda, was not present.

Mr. Sid Braunstien, Boys and Girls Club, and Mr. Greg Phelp, Sandestin Resort, appeared before the Board with information relating to the Elephant Walk Triathlon, which will be held on August 23, 2003. Mr. Braunstien stated that he has spoken with Sammy Sanchez, South Walton Fire District, EMS, and Sheriff's personnel to cover the safety aspects of the Triathlon. He explained the route that would be used and stated that it is their intent to make this a safe event.

Mr. Preston Taylor, Manager of Tradewinds Condominium, appeared before the Board regarding a problem with Pompano Joes and Walton County's lack of enforcement. He stated that there have been continual problems over the past 5-6 year.

Mr. Taylor stated that Pompano Joe's is in violation of the county code because they do not have any building permit or electrical permit and their building is on his property.

Discussion followed regarding the number of infractions all along CR 30A. Individuals have been notified and advised that they will be required to remove any obstacle that is in the county's right-of-way should the county need it. Commissioner Pauls stated that he would like to see a description of the easements and what obstacles are located in them. This is an issue that Code Enforcement is reviewing and Tradewinds will be notified.

Commissioner Rees commented on the proposed right-of-way policy that is currently being drafted regarding parking in the right-of-way.

Mr. Mike Judkins scheduled on the agenda was not present.

Mr. Lamar Sikes appeared before the Board requesting that he be allowed to reactivate the ferry as a toll ferry. He stated that the Corps is in favor of it. He stated that this would help speed up the response time for EMS in the event of an emergency. They could respond more quickly without having to drive around through Panama City. There would not be any cables across the canal and no liability to the county. Mr. Sikes stated that it would not require any public monies and he would agree to hold the county harmless. The Board felt that they do not have any jurisdiction over this issue. Mr. Sikes stated that he owns the property on both sides of the canal at that location. Attorney Vorbeck stated that he would research this issue further.

The commissioners recessed briefly.

Mr. Russ Barry, Public Works Director, presented a request from the residents of Mar-a-Lago Homeowners Association. He advised that they have volunteered to pay for

the paving of the road into their housing development, which is about 1000 feet in length. The design and permitting can be accomplished using in-house staff. Mr. Barry recommended accepting the offer and using this as a filler project some time during the summer.

Motion by Commissioner Rees, second by Commissioner Pridgen to accept the offer from the Mar-a-Lago Homeowners Association to pay for the paving of their road contingent upon proper stormwater drainage designs. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Barry presented an update on Ellis Road and Driftwood Drive. He stated that he has reviewed safety, pedestrian access, and nuisance flooding issues along these roads. He also looked at how the county could obtain its right-of-way back. The Engineering Department recommended sending a ballot to each resident asking them who is in favor of making the roads one-way.

Motion by Commissioner Pauls to accept staff's recommendation to proceed with issuing a survey to the residents. Motion died for the lack of a second.

Several members of the audience spoke in opposition to making the roads one-way. Commissioner Pauls questioned if the traffic analysis could be expanded for this area. He also asked if speed humps or other traffic devices could be used that would make people reduce their speed. He stated that the safety factors need to be improved. Mr. Barry stated that he would review the possibility of speed humps.

Discussion was held regarding the right-of-way policy being drafted. The commissioners agreed that this is an issue that needs to be addressed at a workshop.

Commissioner Pauls felt that the language of the policy should be reviewed in relation to the Kimley-Horn's review of the Comp Plan/LDC revisions.

Mr. Barry presented information on behalf of Mr. J.D. Brown who had previously requested assistance from the county for opening Pelayo and Montego Streets. He advised that these streets were platted in 1925, but there was no dedication to the county. Mr. Barry stated that this is too large of a project for his department to undertake.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to accept staff's recommendation allowing J.D. Brown to design, permit, mitigate, and construct the two streets on the county right-of-way, after complying with the requirements of the Land Development Code for road construction. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Barry updated the Board on the status of the CR-2 bridge. He advised that once the approaches are paved the project would be complete. Mr. Barry also advised that the paving on CR 3280 should be complete by June 25<sup>th</sup>.

Mr. Underwood requested direction from the Board regarding encroachments in the right-of-way that Mr. Taylor addressed. The Board directed staff to continue addressing the issue as they have. The property owners will be notified if the county needs to acquire the right-of-way back. Discussion was held regarding the proposed right-of-way policy. Commissioner Pauls stated that people need to be made aware when they encroach into the county's right-of-way.

Chairman Jones called to order the advertised public hearing to consider a budget amendment for the purchase of the Covell tract.

Mr. William Imfeld, Financial Director, requested a budget amendment for the purchase of the Covell property in the amount of \$760,375.00. The funds will be transferred from the Solid Waste Fund.

Ms. Lynda Morse spoke in opposition to the purchase of the Covell tract because of the cost. She voiced concern that the property will be purchased and then not used. Commissioner Pauls felt that this is the right thing to do for the future of the county.

Motion by Commissioner Pauls, second by Commissioner Rees to approve a budget amendment in the amount of \$760,375.00 for the purchase of the Covell property. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Imfeld presented a revised contract for the Co-conflict Council. He explained that Judge Lindsey has requested that the amount be increased. The additional amount would be taken from the judge's budget for the remainder of this year.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve the amendment to the contract allowing an increase from \$3,958.33 per month to \$5,416.67. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Imfeld advised that he met with Sheriff Johnson who has decided to proceed with the hiring of four additional deputies to patrol the south end of the county. The Sheriff has adequate funding in his current budget to cover the costs and the necessary vehicles. The Board thanked the Sheriff for taking this action.

After additional questions from the audience regarding the Covell property, Mr. Barry advised the Board that an environmental assessment has been performed and he has walked the property with DEP and the Corps of Engineers. They advised the county to proceed with filing the necessary permit applications.

Mr. Underwood presented information regarding a possible north/south connector road from CR 30A to Highway 98. He explained that there is a 9.5 mile section of road where there is no connector. Mr. Underwood stated that he has spoken with Commissioner Charlie Bronson regarding the proposed connector road. He advised that the Department of Agriculture would need to grant permission to enter the proposed property to perform a preliminary design and engineering study. Mr. Underwood requested approval for the Chair to sign and submit a letter requesting the necessary permission to enter their property.

Commissioner Rees stated that there is a need for a north/south connector for safety reasons. He spoke about the importance of it in the event of a fire or the need for EMS to gain access. It is also important to consider it for an evacuation route. Commissioner Pauls agreed and stated that it could be a challenge in how to work with the Forestry Department. He felt that this location was considered for the lesser impact to the wetlands. Commissioner Cuchens agreed and felt that this is good future planning. Mr. Underwood stated that this is preliminary information and that further study would have to be performed.

Ms. Celeste Cobena suggested constructing the road on the boundary of St. Joe/Arvida's property to diminish the impact on habitat and recreation on the proposed location. She also questioned the need for the road and asked if it is more so to benefit St. Joe/Arvida. She voiced opposition to the proposed location because she felt it would diminish property value and the habitat.

Mr. Bill Higgins, representing the Seacrest Neighborhood Association, stated that he supports the need for a connector road, but is opposed to the proposed location of the road going through the forest. He felt that further study is needed.

Mr. Don Crim addressed the commissioners commenting that U.S. Highway 331 needs to be four-laned before adding any additional traffic to the roads.

Ms. Beverly Kraska voiced her opposition to the proposed road because she felt it would become a parking area for traffic off of Highway 98.

Motion by Commissioner Rees, second by Commissioner Cuchens to approve for the Chair to sign and submit a letter requesting the necessary permission to enter the Forestry's property to consider this proposal and to study other alternative locations for a north/south connector road. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve the Chair's signature for the distribution of funds in the amount of \$25,000.00 to the City of DeFuniak Springs for the Byrne Grant. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Commissioner Rees introduced Mr. Don Hambrick, U.S. Army Corps of Engineers, and Ms. Mary Jean Yon, DEP, who were present to discuss information relating to the Wetland Permitting Strategic Plan. Mr. Larry O'Donnell, DEP, was also present. Ms. Yon spoke about the Strategic Plan and stated that they are looking at ways to streamline the permitting process. She commented that they are considering a general permit that encompasses approximately 61,000 acres in Bay and Walton County. Mr. Hambrick spoke about the history of St. Joe's change from silva culture to development.

He spoke about mitigation strategy and the area that would be included in the 61,000 acres. He stated that their plan has three aspects that would be addressed: direct, indirect, and cumulative impacts. He stated that St. Joe agreed to set aside 9,000 acres within the study area, which will be used for conservation purposes. The second part of the plan would use off-site mitigation areas. The third part would not allow more than 20% of low quality wetlands to be filled.

Commissioner Rees thanked Ms. Yon for attending the meeting and the commissioners invited them to attend the wetlands committee meeting to discuss the issue further. Commissioner Pauls stated that he would also like a way to deal with conservation areas.

Commissioner Rees presented discussion regarding road safety and stated that Mr. Barry is working with DOT and wondered if there are any additional steps that could be taken to insure better safety. Mr. Barry stated that he spoke with the Operations Engineer in charge of the Highway 98 project about safety. DOT is providing additional traffic patrol, signage, and road striping for safety. Commissioner Pauls stated that he has had his staff working on this issue also. He stated that he would be asking for better signage and road markings.

Commissioner Cuchens requested the status on the batting cages at the Wee Care Park. Mr. Collier explained that they have run out of funding for phase II, which included the batting cages. An additional \$17,000.00 is needed to complete phase II and will not be available until the next budget cycle. Commissioner Cuchens felt that completion of the park should be expedited in order to provide activities for the kids during their summer break. Commissioner Pauls commented that a plan and a budget needs to be

developed for how the park will be completed and maintained. Mr. Collier explained that the teen center was not in the original plans and therefore created a shortfall in the budget for completing the batting cages.

Commissioner Cuchens questioned the progress on the Choctaw Beach Park. Mr. Collier stated that he has obtained quotes and they are currently working on completing the boardwalk and fencing. The project is continuing.

Mr. Collier advised that the Portland Community Ag Center project came in over the budget. He stated that he negotiated the contract down to \$178,000.00 versus the grant in the amount of \$150,000.00. He stated that work could be done for less with county crews; however, the crews are limited. He also stated that he has looked at ways to reduce the costs of the project. The grant expires in September. Mr. Imfeld recommended beginning the project to complete as much as possible with the amount of funds available. The Board agreed to sign the contract and begin the project to complete as much as possible until the next budget cycle.

Commissioner Pauls advised that the Transportation Planning Organization voted 11 to 4 in favor of moving the six-laning of Highway 98 to the number one priority for the TPO. He also stated that the TPO granted unanimous support for Highway 331 from Highway 98 to the Bay, to be designed as suburban. He spoke about the importance of this designation. Commissioner Pauls spoke about the change in the TPO's boundary. The new boundary will include DeFuniak Springs, Highway 331 South and all of Highway 20.

Commissioner Pauls stated that the Destin Commons project is of extreme regional significance due to its location and size. Walton County's traffic expert, Tipton

and Associates, advised that this project would be detrimental to Walton County property owners being able to develop their property. He felt that the TPO making Highway 98 the number one priority is the solution to the existing problem with Okaloosa County.

Motion by Commissioner Pauls, second by Commissioner Rees to drop the lawsuits against Okaloosa County regarding the Destin Commons project based on action taken by the TPO to prioritize the six-laning of Highway 98 as the number one priority. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Chairman Jones opened the floor for public comments.

Ms. Lynda Morse questioned the status of the policy for links on the county's web site. She was advised that staff is working on this issue. She also commented on the Humane Society of Walton County and asked what revenues the county has collected from them in fees in the past. Ms. Morse also spoke about several agencies in the county who have successfully adopted many animals out.

There being no further business, the meeting was adjourned at 11:50 a.m.

APPROVED: \_\_\_\_\_  
Larry D. Jones, Chairman

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