

MARCH 9, 2004 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, March 9, 2004 at 4:00 p.m. in Courtroom B of the Walton County Courthouse.

The following Board members were present: Larry Jones, Chair, Tim Pauls, Vice-Chair, Commissioner Rosier Cuchens, Commissioner Lane Rees, and Commissioners Kenneth Pridgen. Mr. Ronnie Bell, Interim County Administrator, Attorney Gary Vorbeck, Legal Services Director, 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. Chairman Jones called the meeting to order.

The consent agenda was presented consisting of the following items:

1. EAL Approval

General Fund	\$ 402,913.07
County Transportation	\$ 262,002.55
SHIP	\$ 2,543.36
Fine & Forfeiture	\$ 772,859.00
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 66.60
Tourist Dev. Council	\$ 103,218.34
N.W. Mosquito Control	\$ 538.66
W. Co. Library	\$ 4,973.05
Recreation Plat Fee	\$ 287.94
Public Safety- 911	\$ 2,799.73
Solid Waste Enterprise	\$ 1,672.40
Mossy Head VFD	\$ 368.80
Glendale VFD	\$ 1,062.56
Darlington VFD	\$ 6,662.41

Liberty VFD	\$	-
Red Bay VFD	\$	358.28
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Bldg Dept/Enterp. Fund	\$	5,660.61
Capital Projects Fund	\$	811.63
Imperial Lakes MSBU	\$	-
Totals	\$	1,568,798.99

2. Approve Minutes of:
 - January 20, 2004-LU Hearing
 - February 03, 2004-LU Hearing
 - February 05, 2004-Town Hall Meeting
 - February 23, 2004-Special Meeting
 - February 24, 2004-Regular Meeting
3. Surplus/Disposal Request
4. Proclamation Declaring March as American Red Cross Month

Item 4 was removed from the consent agenda pending further discussion.

Motion by Commissioner Pridgen, second by Commissioner Cuchens to approve the consent agenda less the American Red Cross Proclamation. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Chairman Jones called to order the advertised public hearing to consider the Contractor Competency Ordinance Amendment.

Attorney Allen Ramey appeared before the Board requesting an amendment to the Contractor's Competency Ordinance. He spoke about revising the violations and penalties sections of the ordinance regulating construction contractors. He asked the Board to adopt the Florida Statute that sets forth the penalties and violations. He stated that there could be other amendments in the future. The Competency Board recommended approval. The appeal process will be held through the Circuit Court. Legal Services has reviewed the Ordinance. No one offered any public comments.

Motion by Commissioner Rees, second by Commissioner Pridgen to approve the Contractor Competency Board Ordinance (2004-13). Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Straighter, American Red Cross of Northwest Florida, appeared before the commissioners requesting a proclamation be adopted designating March as Red Cross month.

Motion by Commissioner Pridgen, second by Commissioner Cuchens to approve the proclamation. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Ken Little presented a request on behalf of the Friends of the Coastal Branch Library. They have requested that the Coastal Branch Library Meeting Room be designated as “The Friends of the Library Conference Center”. Mr. Little recommended approval.

Motion by Commissioner Pridgen, second by Commissioner Pauls to approve naming the meeting room as requested. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye. The commissioners voiced their appreciation to the Friends of the Coastal Branch Library.

Mr. Little requested approval to submit a grant application for an additional library bookmobile. Commissioner Rees also asked that the lobbyist be made aware of the grant application. The county match required is \$106,302.20, but can be in-kind services.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve the request to submit a LSTA grant application for the bookmobile library system. Ayes 5, Naves 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Little presented the proposed Town Hall Meeting schedule for the remaining portion of the year.

Motion by Commissioner Rees, second by Commissioner Pridgen to approve the proposed dates for the town hall meetings. Ayes 5, Naves 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Russ Barry, Public Works Director, appeared before the Board regarding property (Morrow Tract) that has been proposed for the county to purchase. The property is adjacent to the landfill property. He requested approval to obtain an independent appraisal on the 40-acre tract.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to approve to proceed with an independent appraisal. Ayes 5, Naves 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry requested authorization to proceed with the purchase of a D6 Dozier this year in exchange for the compactor from next year's budget. Mr. Barry will advertise for bids for the necessary equipment.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve to advertise for bids for a D6 Dozier. Ayes 5, Naves 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Dan Arner, County Engineer, appeared before the Board regarding Pompano Street, which was washed out during previous hurricanes. He stated that he met with the

residents, although they may not have reached a consensus. Mr. Arner gave a brief overview of the situation. He recommended proceeding with cleaning up the area and create a walking path for the residents. He stated that he spoke with DEP and they are not in favor of replacing the road. Commissioner Cuchens stated that the road has been a county maintained road as long as he has know; he felt the road should be replaced. The estimated cost of replacing the road is \$80 to \$90,000.00.

Mr. Bell advised that Attorney Adkinson, representing Inlet Beach Water System, was not able to be present. Mr. Adkinson asked that if this property is abandoned that an easement be reserved for utilities for underground water.

Attorney Ken Goldberg, appeared before the Board on behalf of the neighbors regarding Pompano Street. The neighbors are concerned with the road being abandoned. He suggested that the neighbors be allowed to collectively prepare a plan for use of that portion of property if the board approves the abandonment.

Mr. Larry Davis and Mr. Doodle Harris also appeared before the Board regarding Pompano Street. Mr. Harris spoke about the importance of rebuilding the road. Mr. Davis showed a plat map showing the property and the washed area. He stated that traffic is using private residents to turn around. Mr. Harris stated that the county has not applied for a permit and therefore requested to be allowed to do so. He stated that they are willing to pay for the permit if necessary. Commissioner Pauls felt that a permit could be obtained. Mr. Harris agreed to travel to Tallahassee to assist in obtaining the necessary permit.

One member of the audience addressed the commissioners stating that he previously restored the damaged area after Hurricane Georges. He stated that he made a

verbal agreement with some of the neighbors to repair the damage. He said that he has enough sand to repair the damaged area. One concern Ms. Parker has is that the property is currently too small and she cannot rebuild her home. If the property were to be abandoned then it would revert back to Ms. Parker. Mr. Goldberg stated that the portion of road is not that portion in front of Ms. Parker's home. He stated that the neighbors did meet with Ms. Parker and she would not agree to give them a deeded beach access. Commissioner Pauls stated that the road is needed with the amount of ongoing development.

Motion by Commissioner Rees, second by Commissioner Pridgen for Mr. Arner to proceed with applying for the permit and shoring, use outside assistance, and report back to the board. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Arner addressed the Board regarding Holiday Shores. He stated that storm water remains to be a problem in this area. He advised that the flooding is causing problems in other neighboring areas. He requested the Board proceed with a master storm water plan for the Holiday Shore area. His recommendation was for a budget increase and to allow the engineering study to be contracted allowing for some improvements to be budgeted in the next budget cycle. The engineering department also recommended approval of the Preble-Rish proposal in the amount of \$67,350.00. There is funding in the public works budget to cover this issue. Commissioner Pauls spoke about how essential it is that this issue be taken care of. He recommended also including Geronimo and Ponce De Leon Streets as part of the study.

Motion by Commissioner Pauls, second by Commissioner Rees to approve the recommendation including Geronimo and Ponce De Leon Streets and approve for funding to come from the Public Works budget. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Mattison was not present due to illness.

Mr. Herman Chrishon appeared before the Board regarding repair of driveways for handicap individuals. Mr. Don Crim stated that the ADA Committee discussed the issue with Mr. Barry. The committee agreed to review each circumstance and if approved, the work could be performed at half price. Mr. Barry stated that he has not had any requests for work.

Mr. Robert Davenport, Freeport Cubscout/Boyscouts, appeared before the Board requesting funding from the Recreation Board's budget. He stated that they were told they did not fall under the Recreation Department to receive funding. Ms. Tammy Lexton stated that clarification needs to be given as to what programs do fall under the recreation program in order to receive funding. They requested \$1,000.00 for each group.

Dr. Chuck Stevenson stated that the Recreation Board voted to donate \$500.00 to the cub scouts. However, they requested several documents before granting the funding. He stated that they again voted in February to proceed with giving them \$500.00. Mr. Stevenson stated that they use their budget as a guideline to determine the amount of donations to any organization. They are also concerned with the possibility of numerous organizations requesting money. Chairman Jones stated that direction is needed from Legal Services regarding the cub scouts status as a private organization.

Commissioner Rees commented on the need of these organizations becoming self sufficient. Ms. Lexton stated that the funding is for start-up costs for equipment.

Pauls requested that the new Recreational Director review this issue and present a recommendation back to the Board. Commissioner Cuchens asked that they meet with Mr. Imfeld to determine if there are any available funds. Commissioner Pauls commented on the need to define policy. Commissioner Rees commented on the need to designate the appropriate funding in the budget to cover related costs for those teams reaching the playoffs.

Mr. Bell stated that he would be asking to move the recreation department staff to the Teen Center at the Wee Care Park. He asked for Mr. Stevenson's recommendation regarding this issue. Mr. Stevenson felt this would allow for easier sign up. It would also provide someone to oversee the park. He commented on the number of students participating in the various programs. There were approximately 500 involved in basketball and nearly 1,500 in little leagues.

Mr. Scott Smith appeared before the Board regarding litter. He read an email he previously wrote to Commissioner Pauls. He voiced concern regarding the amount of litter in the county. He felt that the county does not give enough effort to provide for clean-up. He presented several recommendations to help with the problem. Mr. Bell stated that another inmate crew will be added in the near future that could assist. Mr. Barry stated that they will assist with maintenance. The crew will be added in March pending the use of available vehicles. Mr. Bell spoke about attempting to implement the "Adopt-A-Highway" Program. The commissioners felt that it would be beneficial if the

program could be implemented. Commissioner Pauls stated that the county is attempting to create a recycling center. He also felt that education is an important factor.

Mr. Dan Tomasak and Maria Sassano addressed the Board requesting a uniform Recreational Watercraft Beach Ordinance. Ms. Sassano stated that she is not opposed to vending, but is opposed to watercraft and parasailing in her area. Commissioner Pauls stated that the board voted for Preble-Rish to perform a study on Scenic Gulf Drive. Mr. Tomasak thanked Commissioner Pauls for his concerns. However, he spoke about the use of personal watercraft and asked that the ordinance allowing watercrafts be rescinded.

Mr. Mike Meyer spoke about the wording of the ordinance and the changes that have occurred over the years. He stated that it is an industry that brings a great amount of money into the county and is thoroughly regulated.

Ms. Barbara Grimaldi stated that she deeded the property to Mr. Meyers. She stated that she is opposed to jet skis and parasails.

Mr. John Krooger, owner of a jet ski business, spoke about the jet ski business and the money it brings into the county. Mr. Krooger spoke in favor of jet skis.

Mr. Jay Nettle, Manager of Seascape Resort, spoke about the importance of visitors having a good time on the beach while visiting Walton County.

Attorney Vorbeck presented the proposed ordinance regarding the setback requirements for the sale of alcoholic beverages. The proposed ordinance will be advertised and discussed at a later meeting.

The commissioners recessed briefly.

Mr. Bell presented information regarding garbage pick-up for multi-family dwellings. He presented information regarding the 7th cent and the availability of funding.

Commissioner Pauls commented that ordinance 94-16 states that the proceeds from the Small County Surtax can be used to pay for solid waste, which he feels is the main purpose of the ordinance. Although it may not specifically consider condominiums, he felt they should be considered as part of the pick up. Commissioner Rees agreed that a condominium is a home and should be included. Mr. Bell stated that “residential” was originally considered as a single-family residence. Commissioner Cuchens felt that the intent of the ordinance was for residential pick-up only, not condominiums. Brief discussion was held regarding the number of condo owners paying homestead exemption.

Mr. Shelton stated that half of the condominiums are non-rental, but only a small portion of those are homesteaded. He spoke about other rental properties who receive the service. Commissioner Pauls stated that the original intent of the ordinance was to collect solid waste and if it generates sufficient income to cover the costs. He stated that it does generate sufficient income. Mr. Imfeld addressed the costs presented by Waste Management for garbage pick-up. Commissioner Pauls spoke about possibly getting a reduction from Waste Management after the Recycling Center is constructed.

Commissioner Cuchens spoke about the revenues from the one-cent sales tax and the flexibility of using the money to help in other needed areas. Commissioner Pauls stated that there is some flexibility. Chairman Jones asked that Mr. Bell be allowed to discuss this issue with Mr. Cassidy. He felt that the Board needs to see what impact the recycling center will have.

Commissioner Pauls stated that “residential” also needs to be defined. Commissioner Cuchens asked Mr. Bell to clarify if duplexes and short term rentals get free garbage pick-up. Mr. Shelton stated that the properties he manages do receive free

pick-up. The Board asked Mr. Bell to talk with Mr. Cassidy and to define commercial and residential.

Mr. Bell presented a resolution from Manatee County regarding local sources first, which promotes water transfers. He asked if the Board would like to adopt a similar resolution.

Motion by Commissioner Pridgen, second by Commissioner Rees to adopt a resolution (2004-18) regarding local sources first. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Motion by Commissioner Pridgen, second by Commissioner Pauls to approve for the Recreational Board staff to relocate and be housed at the Teen Center at the Wee Care Park. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell announced that the Florida DEP will conduct a public workshop for Deer Lake on Wednesday, March 24, 2004 at 7:00 p.m. The meeting will be held at the Coastal Branch Library.

Mr. Bell presented a request from the City of Paxton to enter into an Interlocal agreement implementing a MSBU charge for outside the city limits of Paxton. This information will be presented back to the Board at a later date.

Mr. Bell requested to transfer the Grounds Keeping Crew to the parks and Recreation Department.

Motion by Commissioner Pauls, second by Commissioner Cuchens to approve transferring the Grounds Keeping crew to Parks & Recreation. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Imfeld requested approval to transfer the funding for Grounds Keeping from County Transportation Trust to the General Fund.

Motion by Commissioner Rees, second by Commissioner Cuchens to approve the transfer of funds to the appropriate account for the Grounds Keeping Crew. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell presented a request by the Department of Transportation regarding right of way improvements at Yankee Bridge Road, Joe Campbell Road and Blue Ridge Parkway.

Motion by Commissioner Cuchens, second by Commissioner Rees to approve the request by DOT regarding the right of way. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell advised that Mr. Doodle Harris is donating the \$2,000.00 to the Freeport Boy Scouts with the hopes the Board will consider this funding in next year's budget.

Mr. Bell presented a change order request for the EMS facility in the amount of \$29,500.00 and one for the EOC facility in the amount of \$7,800.00. The funding would be paid out of General Fund Contingencies.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to approve both change orders as requested. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell explained that Chief Day of the Argyle VFD is asking for a letter of support creating them as a special district. Mr. Bell recommended approval. Commissioner Pauls asked if this would solidify their boundaries. Boundaries would not change without approval by legislators.

Motion by Commissioner Pridgen, second by Commissioner Rees to provide the Argyle Volunteer Fire Department with a letter of support. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Commissioner Pridgen disclosed a conflict of interest in writing. He noted for the record that he has family members living in the area where the CDBG grant improvements are taking place in the Paxton area, District 2. Commissioner Pridgen left for a scheduled meeting.

Mr. Bell presented a request for the paving of Moll Drive, which leads into Helen McCall park. Mr. Barry stated that the estimated paving costs are \$198,676.32. There are sufficient funds in the Local Option Gas Tax to pay for the paving. Mr. Barry recommended approval and allow purchasing to amend the contract with North Florida Construction, Inc., to perform the work. Commissioner Pauls stated that this is a well traveled area.

Motion by Commissioner Pauls, second by Commissioner Rees to approve the amendment with North Florida Construction allowing Moll Drive to be paved. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Commissioner Rees recognized Mr. Brad Alford, Parks and Recreation, who was present to discuss proposed projects to be paid from the recreational plat fees. Commissioner Rees welcomed Mr. Alford and Monteé Posey, Recreational Director, to the staff.

Mr. Alford requested an extension of the bike path from the corner of 30-A and Lakewood Drive to the Dunes of Seagrove for approximately ¼ mile. Mr. Bell stated Mr. Doodle Harris is working on plans for a bike path and the county may not need to spend

the funds for this. Commissioner Rees stated that this project could be put on hold until further notice.

Mr. Alford presented information regarding Oak Street, which has never been developed. He advised that the neighbors would like to see a minimal amount of gravel parking near the road, a trail leading to the water, a boardwalk, and a scenic viewing deck. He recommended working with the TDC for the costs and design. Commissioner Pauls felt that the TDC has no jurisdiction over this issue. This issue can be addressed by Public Works, but can communicate with the TDC for advice.

The third issue that Mr. Alford addressed referred to the Eucheeanna Community Center. He stated that they are in need of funding to improve their playground area and basketball court. Mr. Alford recommended donating \$5,000.00 for those improvements. Commissioner Pauls felt that the funding for this should be provided by the Recreation Board, not the Recreational Plat Fee funds. He stated that the Recreational Plat Fee funds should be spent where it is collected.

Motion by Commissioner Rees, second by Commissioner Cuchens to approve the request to provide \$5,000.00 in funding to the Eucheeanna Community Center and \$20,000.00 in funding to the Douglass Crossroads Park from the Recreational Plat Fee funds, and to put the bike path extension on hold. Ayes 4, Nays 0. Rees Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Commissioner Rees announced that Britt Green has been promoted to the position of President of Arvida and he therefore requested to appoint Mary Rosenheim to serve on the Coastal Dune Lake Advisory Board in place of Mr. Green.

Motion by Commissioner Rees, second by Commissioner Pauls to approve the appointment of Ms. Mary Rosenheim to serve on the Coastal Dune Lake Advisory Board in place of Mr. Green. Ayes 4, Nays 0. Rees Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Commissioner Cuchens did not present any items for discussion.

Commissioner Pauls asked that the Board place an announcement in the paper apologizing to the public for their long waits at the planning department. He wants to make the public aware that the Board is concerned and doing everything they can to correct the situation. Mr. Mike Lane, Planning Director, stated that he has been cross-training staff to help alleviate some of the problems. They are also looking at hiring additional help.

There were no public comments from the audience.

There being no further business, the meeting was adjourned at 7:20 p.m.

APPROVED: _____
Larry D. Jones, Chair

ATTEST: _____
Martha Ingle, Clerk of Court