

MAY 11, 2004 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, May 11, 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. He then called the meeting to order.

The consent agenda, consisting of the following items, was presented for approval.

1. EAL Approval	
General Fund	\$ 483,977.67
County Transportation	\$ 169,090.89
SHIP	\$ 25,530.00
Fine & Forfeiture	\$ 836,119.22
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 15,680.50
Tourist Dev. Council	\$ 277,035.72
N.W. Mosquito Control	\$ 3,231.95
W. Co. Library	\$ 11,836.60
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 19,057.20
Solid Waste Enterprise	\$ 131,642.24
Mossy Head VFD	\$ 1,458.84
Glendale VFD	\$ 484.82

Darlington VFD	\$	804.57
Red Bay VFD	\$	160.77
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	11,319.63
Capital Projects Fund	\$	3,132.02
Imperial Lakes MSBU	\$	-
Totals	\$	1,990,562.64

2. Approve Minutes of April 6, 2004-Land Use Hearing
April 8, 2004-Special Meeting
April 13, 2004-Regular Meeting
April 22, 2004-Town Hall Meeting
April 27, 2004-Joint Workshop
April 27, 2004-Regular Meeting
April 29, 2004-Workshop
3. Records Disposition Request
4. Resolution (2004-36) to Accept into the Budget Additional Monies from an Insurance Settlement Involving an Animal Control Truck
5. Resolution (2004-37) to Accept into the Budget Additional Monies from the Reimbursement for the Paving Costs Associated with the Industrial Park Road
6. Resolution (2004-38) to Accept into the Budget Additional Monies from the Fire Prevention and Safety Program for the Mossy Head/Oakwood Hills Volunteer Fire Department
7. Resolution (2004-39) to Accept into the budget Additional Monies from the Fire Prevention and Safety Program for the Walton County Fireboard

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

Mr. Mike Lane, Planning Director, addressed the Board and announced that the transmittal hearings for the Comprehensive Plan had been postponed due to notification errors.

Chairman Jones called to order the advertised public hearing to consider adoption of an ordinance establishing a franchise with Bright House Network. Mrs. Kira Coley, Staff Attorney, presented and reviewed the proposed ordinance. (Commissioner Rees entered the meeting) Mr. Bell submitted a letter of opposition that had been received.

Mr. Bruce Burgess, General Manager for Bright House, appeared before the Board. He read and submitted a letter addressing the constituents' concern over the relocation of "The Weather Channel" (TWC) from the Basic level of service to Standard service.

Commissioner Pridgen asked if the rate for the Basic level of service was decreased when The Weather Channel was omitted from the package. Mr. Burgess stated that the price of the Basic level of service had actually risen. Further discussion was held regarding the matter.

Motion by Commissioner Pauls to approve the ordinance (2004-21). He spoke of the importance of a right of way policy that dictates where utilities can be located within the right of way. Commissioner Rees second the motion.

Chairman Jones noted that TWC is very important to a number of the citizens and the Board would appreciate any consideration they would have towards transferring the channel back to the Basic service level.

A vote was called for the motion on the floor. Ayes 3, Nays 2. Jones Aye, Rees Aye, Pauls Aye, Cuchens Naye, and Pridgen Naye.

Mr. Russ Barry, Public works Director, addressed the Board regarding the Morrow Tract Appraisal. He stated that the value of this 40 acre parcel had been

established at \$2,000/acre (\$80,000) including timber and \$1,500/acre (\$60,000) excluding timber. It was the recommendation of Public Works to offer Mr. Bob Morrow, property owner, \$2,000 per acre for the land and its timber.

Motion by Commissioner Pauls, second by Commissioner Pridgen, to authorize Public Works to contact Mr. Morrow and make an offer of \$2,000 per acre for the land. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry presented a map and legal description that Public Works was requesting be accepted for Dr. Roberts Drive. During the design for paving of Dr. Roberts Drive, Public Works discovered that there was no continuous county ownership of the road, even though Dr. Roberts Drive was constructed by Walton County and has been maintained continuously and uninterruptedly in excess of four years. Mr. Barry recommended that the Board approve the filing of the map and legal description of Dr. Roberts Drive in accordance with FS 95-361.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the filing of the map and legal description of Dr. Roberts Drive. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mrs. Kris Titus, Tourist Development Council, requested that the Board approve a single lane road closure for the National Clean Beaches Council's 2nd Annual Trek for the Coast Event. The request was that the east bound lane from the post office at Seaside along 30-A west for 3 miles be closed from 7:30 a.m. to 10:00 a.m.

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

Mrs. Titus requested that the Board direct staff to advertise for RFP for lending institutions in Walton and Okaloosa Counties to secure \$7.5 million for project costs for the Western Walton County Beach Nourishment Project. The borrowed money will be repaid using tourist occupancy tax dollars collected for beach nourishment.

Attorney Vorbeck requested that Mr. David Tucker, Bond Council, review all documents before they are approved.

Motion by Commissioner Pauls, second by Commissioner Rees, to approve the request to direct staff to move forward with the RFP process with the caveat that Mr. Tucker will review the lending entity. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Ms. Kathy Harrah, Cultural Plan Advisory Committee, appeared before the Board in regards to the Walton County Cultural Plan Advisory Committee. She gave a brief description of the Cultural Plan and introduced the members of the committee that were present at the meeting. Chairman Jones, on behalf of the Board, expressed appreciation to the committee for their hard work and dedication.

Mr. Graham, Co-Chair, requested that the Cultural Plan be incorporated into the updated Comprehensive Plan. He also requested that the Board allow for the current Cultural Plan Advisory Committee to remain in tact to complete the inventory and exploration phases of the plan. The Board informed Mr. Graham that there was a process of amending the Comprehensive Plan.

The President of Grit & Grace stated that several members of their board would like additional information regarding the Cultural Plan before endorsing the plan.

Motion by Commissioner Rees, second by Commissioner Cuchens, to allow the current Cultural Plan Advisory Committee to remain in tack to address issues that other organizations may have. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

The Board announced that the next item on the agenda, Information Resources/GIS Proposal, had been removed.

Mr. Brad Alford, Parks & Recreation Department, addressed the Board regarding after hour closing of Helen McCall & Wee Care Parks. He suggested that Helen McCall Park be closed between the hours of 10:00 p.m. and 8:00 a.m. and Wee Care Park be closed between sunset and 8:00 a.m. Mr. Alford stated that vandalism is the main reason for wanting the parks to be closed after hours. He further stated that he has contacted the Sheriff's Department and City Police and both have agreed to assist Public Works with the security of the county parks. Commissioner Cuchens requested that signage be posted informing the public of an effective date for the closing hours of the parks.

Motion by Commissioner Cuchens, second by Commissioner Pauls, to approve the after hour closing of Helen McCall & Wee Care Parks with the effective date being June 7th. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Kevin Smith, Chairman of the Walton County Contractor Competency Board, submitted and reviewed a letter addressed to the Board. The letter was in regards to a request from the Contractor's Board for assistance with the services of a part time investigator to aid in determining the legal sufficiency and merits of complaints. Mr. Smith stated that one of the members of the Contractor's Board is a retired FBI agent and

attorney and has expressed a willingness to serve for \$25.00 an hour for the service. The Board informed Mr. Smith that the individual could serve on an interim basis, but the county would have to advertise for RFP for the service.

Motion by Commissioner Rees, to allow the Contractor's Board to contract with the individual on an emergency basis at an hourly rate of \$25.00 an hour, not to exceed \$10,000.00. Also, to direct staff to prepare a RFP for the service on a permanent basis. The individual will be required to resign from the Walton County Contractor Competency Board. Second by Commissioner Cuchens. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Ms. Bonnie McQuiston, President of the Walton County Taxpayers Association, read and submitted a letter requesting the appointment of a citizen redistricting committee to begin study on the latest demographics for a 2005 Walton County redistricting plan.

It was the general consensus of the Board to direct Mr. Ken Little, Citizens Services Director, to gather additional information and bring back recommendations to the Board.

Mr. Joel Paul, Tri-County Community Council, addressed the Board and presented, on behalf of the Tri-County Board of Director, an appreciation plaque for being a community partner and supporting the Head Start program.

Mr. Paul mentioned the various grants that the council is involved with in Northwest Florida and spoke briefly about one grant that they have recently lost, the USDA Food Commodity Program. He stated that the USDA had decided to advertise for bids for storage and transport of the food products, but no community had been awarded the contract. However, the council is trying to partner with and become a member of the

food bank in Pace, which had been awarded Escambia, Okaloosa, Santa Rosa, and Walton Counties. He introduced Ms. Cindy Lee, Community Service Director, and turned the presentation over to Ms. Pat Senkow from the Bay Area Food Bank. Ms. Senkow presented and reviewed information relating to the Florida USDA. The Board requested that Mr. Joel work with Mr. Little to determine the cost of providing the previous level of service to the public.

Pastor Ray Angerman, Hope Lutheran Church, addressed the Board to request a waiver of the 500-foot setback requirement from a church for the sale of alcoholic beverages (Ordinance 2004-14). He explained that the church was fully aware that there were restaurants and ongoing festivals at Gulf Place that served alcohol when they moved to the area. He stated that they are not opposed to or concerned with the sale of alcohol in the surrounding area, but that compliance with the ordinance has been affected by their presence. Attorney Vorbeck advised the Board that there was nothing in the ordinance that would allow them to grant this waiver. Discussion was held regarding amending the ordinance to add a provision to allow a preventing party to waive the 500-foot setback requirement. It was the general consensus of the Board to direct staff to draft language that would provide a waiver.

Mr. Phillip Ellis, Choctawhatchee Basin Alliance, addressed the Board to present a power-point presentation regarding the Hogtown Bayou stormwater infrastructure. The presentation gave a brief summary of the current conditions of the stormwater infrastructure for the Hogtown Bayou Drainage Basin. The presentation also identified projects that Choctawhatchee Basin Alliance felt would improve the infrastructure. The

Board expressed the importance of a cooperative effort from all of the various entities to improve current conditions and provide future stormwater treatment.

Mr. Bell presented a request from Mr. Jack Arthur, PE, AICP, with Baskerville-Donovan, Inc., representing the Blackstone Development and Bob Bonezzi, for the Board to establish a 20 ft easement along the eastern boundary of the 40-acre tract in Mossy Head on which the new EMS station is located. The easement would be for the purpose of utilities, pedestrian access, etc. It was further requested that the Blackstone Development then be permitted to use that easement for:

- 1.) An 8" waterline to provide a distribution loop for the Blackstone residential component, and
- 2.) A sidewalk connection from Blackstone to the future elementary school.

Chairman Jones suggested allowing Mr. Author to determine if a 20' easement would be sufficient before drafting an easement document to present to the Board. The Board had no objection and agreed to allow Blackstone to begin installing the waterline while the document is being drafted.

Mr. Bell presented a letter from the Bureau of Public Land Administration granting interim management authority to Walton County for the enclosed parcel identified as Morrison Springs in Walton County. He also presented concerns expressed by Legal Services regarding the letter. Mr. Bell stated that if the Board was not comfortable with the letter, another letter could be drafted.

Motion by Commissioner Rees, second by Commissioner Pridgen, to allow staff to proceed and draft a letter accepting interim management of Morrison Springs upon completion of a management plan. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell presented for informational purposes the estimates and an expected timeline for a Walton County office building on Moll Drive. The building was projected to cost approximately 1.3 million and would be completed in September 2006. Commissioner Pauls suggested that the Board schedule a specific meeting to discuss the needs of the county and the best use for the Moll Drive property. Mr. Bell stated that he would schedule a date for the Board to hold a meeting to discuss the issue.

Mr. Bell presented the Animal Control Committee's preliminary recommendations to the BCC:

- 1.) The Board would surplus the Lang property and earmark the proceeds from the sale for the construction of a new animal control shelter facility.
- 2.) The BCC would place the proposal from Superior Reality (the D&D Pet Motel) on hold until there has been sufficient time for evaluation of the proposal.

Further discussion was held regarding the value and previous appraisals of the Lang property. Mr. Bell stated that staff would bring back additional information.

Mr. Bell presented for approval a resolution declaring May 16-22, 2004 as "Emergency Medical Services Week" in Walton County.

Motion by Commissioner Pauls, second by Commissioner Pridgen, to adopt a resolution (2004-40) declaring May 16-22, 2004 as Emergency Medical Services Week. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell recommended that the BCC meeting scheduled for June 22nd be rescheduled to June 29th.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve rescheduling the June 22nd BCC meeting to June 29th. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Commissioner Rees presented a handout regarding the 2004-2009 Strategic Plan for Economic Development titled "Roadmap to Florida's Future". He encouraged the public and the Board to read the handout. Commissioner Pauls spoke about several issues he felt were important for Walton County to concentrate on in order to continue to prosper.

Chairman Jones brought to the Board's attention that there was a request received from Adrian Campbell for the Board to reconsider a Code Enforcement issue that was previously brought before the Board. It was the general consensus of the Board that reconsideration would need to be based upon new information.

Commissioner Cuchens asked Mr. Lane, Planning Director, to address the issue of Functional Agriculture Related Non-Residential Uses. Mr. Lane requested direction from the Board as to whether or not an ordinance should be drafted that would permit additional types of uses, such as fishing and hunting camps and boat storage, in the primary use category. Commissioner Pauls felt like those types of uses could be considered under conditional uses.

Mr. Jody Johnson addressed the Board and spoke briefly about his shed assembly business. He stated that he uses every day equipment and machinery to assemble the sheds, but is in violation for manufacturing.

It was the general consensus of the Board to allow the Planning Department to move forward and draft language to insert additional uses in the primary use category.

Commissioner Cuchens spoke briefly about Freeport's first Relay for Life event. He stated that it was a wonderful occasion that raised approximately \$10,000.00. He thanked the members of the Board who shared in the event.

Commissioner Pauls requested a comparison of private verses public costs of road paving. He stated that this was an important topic for the Board to have information on. Mr. Barry stated that the data that Public Works has regarding this matter would be submitted with the budget submission.

Commissioner Pauls addressed his next issue, review of job descriptions for County Administrator and Assistant County Administrator. Discussion was held regarding various names that are used for the positions. Mr. Bell clarified that Ms. Williams' position was not interim.

Commissioner Pauls presented a letter written by the Grayton Beach Neighborhood Association addressed to Mr. Dale Shingler, Park Manager, regarding beach access.

Motion by Commissioner Pauls, second by Commissioner Cuchens, to endorse the letter and support the Grayton Beach Neighborhood Association. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Commissioner Pauls' next item on the agenda was in regards to the EAR project and progress. He requested that the BCC direct the Planning Department regarding the EAR and the specific issues that were not addressed during the Kimley Horn Comprehensive Plan and LDC process. Mr. Pauls felt that if this was to be done in house, then individuals would need to be specifically assigned to the task and given the time to do it. Mr. Lane stated that he had anticipated asking for two additional staff members during the budget process to work full time on this project. He further discussed the estimated timeline for the EAR process. Commissioner Pauls requested that Mr. Lane bring back proposals regarding the EAR process on June 8th.

Commissioner Pauls proposed a process where applicants would have the option of having an outside engineering company perform building and engineering reviews for the county on an expedited basis for a fee. The company must meet the qualifications and criteria set forth by the county.

Motion by Commissioner Pauls, second by Commissioner Cuchens, to move forward with the process. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Chairman Jones opened the floor to public comments.

Ms. Beverly Kraska, President of South Walton Community Council, urged the Board to consider including funding in the proposed budget for a special master to hear quasi-judicial cases.

Mr. Bill McRae, Paxton Councilman, thanked the Board and staff who attended the Paxton Town Hall Meeting.

There being no further business, the meeting was adjourned at 7:05 p.m.

APPROVED: _____
Larry D. Jones, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court