

NOVEMBER 09, 2004– REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, November 09, 2004 at 4:00 p.m. in Courtroom B of the Walton County Courthouse.

The following Board members were present: Larry Jones, Chairman, Commissioner Lane Rees, Commissioner Kenneth Pridgen, and Commissioner Rosier Cuchens. Mr. Ronnie Bell, County Administrator, Gary Vorbeck, Director of Legal Services, and Mrs. Rhonda Skipper, Administrative Supervisor to the Clerk of Courts, were also present.

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

Motion by Commissioner Rees, second by Commissioner Cuchens, to approve the consent agenda consisting of the following items. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

1) EAL Approval	
General Fund	\$ 838,279.46
County Transportation	\$ 336,251.06
SHIP	\$ -
Fine & Forfeiture	\$ 1,343,591.94
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 15,850.65
Tourist Dev. Council	\$ 335,052.50
N.W. Mosquito Control	\$ 550.73
W. Co. Library	\$ 6,308.95
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 14,354.59
Solid Waste Enterprise	\$ 111,929.46
Mossy Head VFD	\$ 609.90

Glendale VFD	\$	409.31
Darlington VFD	\$	6,172.23
Red Bay VFD	\$	3,374.18
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	1,353.45
Capital Projects Fund	\$	124,254.93
Imperial Lakes MSBU	\$	-
Totals	\$	3,138,343.34

- 2) Approve Minutes of October 26, 2004 – Regular Meeting
- 3) Disaster Relief Funding Agreement for Hurricane Frances
- 4) Local State of Emergency Resolution (2004-81)
- 5) Records Disposition Request

Mr. Mike Lane, Planning Director, presented the final plat for Shadow Pines for approval. The proposed project consists of a 30-lot single-family subdivision. Staff recommended approval. There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the final plat for Shadow Pines for recording. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Lane presented the final plat for Park Place at Inlet Beach for approval. The proposed project consists of a 10-lot single-family subdivision. Staff recommended approval. There were no public comments.

Motion by Commissioner Rees, second by Commissioner Pridgen, to approve the final plat for Park Place at Inlet Beach for recording. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Lane presented the final plat for Village at Grayton Beach for approval. The proposed project consists of a 47-lot single-family subdivision. Staff recommended approval. There were no public comments.

Motion by Cuchens, second by Commissioner Pridgen, to approve the final plat for Village at Grayton Beach for recording. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Russ Barry, Public Works Director, presented a request for a 4-way stop on CR 393 at Chat Holley. He explained that the Engineering Department had conducted a traffic engineering study that included traffic counts on CR 393, Chat Holley, and Churchill Bayou after Churchill Bayou was re-aligned and paved. The Public Works Department and the Engineering Department both concurred that the safest solution was to put four-way stop signs at the intersection. The traffic counts at the intersection also meet FDOT warrants for the stop signs. Mr. Barry's recommendation was that the BCC direct the Public Works Department to change the traffic pattern on CR 393, Chat Holley, and Churchill Bayou by making the intersection a 4-way stop.

Commissioner Cuchens questioned what factors are considered to warrant a 4-way stop. Mr. Barry stated that it is the volume of traffic.

Mr. Dan Arner, County Engineer, stated that the warrants, volume and speed were met when the traffic counts were performed.

Motion by Commissioner Rees to approve the request for a 4-way stop on CR 393 at Chat Holley. The motion died for lack of a second.

Commissioner Cuchens suggested that the request be continued for further review until a later date.

Mr. Barry presented a request from Draper Lake to design, engineer, install, and maintain a gabled cedar shingle roof on the existing bike path bridge in the vicinity of Draper Lake. Public Works recommended that the BCC approve the request with the stipulation that a right of way agreement is completed prior to the initiation of the project. The right of way agreement should clearly stipulate that the improvements and maintenance are the sole responsibility of Draper Lake and Walton County is not to incur any costs associated with this request now or in the future.

Motion by Cuchens, second by Commissioner Rees, to consider the concept subject to a right of way agreement and approval by the Board. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry presented a request from Sugarwood Beach for a right-of-way agreement. The Sugarwood Beach Homeowners Association has been working with Dan Arner, County Engineer, to develop an agreement and plan to landscape their subdivision. Public Works and the County Engineer have both looked at the landscaping plan and recommend that it be approved by the Board of County Commissioners.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve a right-of-way agreement between Walton County and Sugar Beach Homeowners' Association. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry presented a recommendation that the BCC approve the filing of a map and legal description of Senterfitt Road in accordance with FS 95-361. Mr. Barry explained that during the design for paving Senterfitt Road, Public Works discovered that there was no continuous county ownership of the road, even though Walton County has

continually and uninterruptedly maintained this road in excess of seven years as prescribed by FS 95.361.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the filing of a map and legal description of Senterfitt Road in accordance with FS 95-363. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry presented the background information on the status of the roads in Juniper Lake Estates at the Board's request. Public Works presented the following records that pertain to the issue:

- The roads were originally platted as private. This substantiated at a meeting of the Board of County Commissioners on December 8, 1987.
- On November 10, 1992, Commissioner Holley stated that his road district has performed emergency maintenance on the roads within the subdivision.
- Public Works records from 1991 to 1998 do not show routine maintenance on either Beethoven Circle or Tchaikovsky Circle. The records maintained by Marilyn Wasson, Engineering Administrative Assistant, contain lists of all roads maintained on a routine basis and do not contain either of these roads.
- The roads being requested for maintenance are narrow, deeply rutted, and contain no stormwater structures. Assuming maintenance responsibility for these two roads will require a large, expensive road repair project to bring them up to county standards.

Mr. Barry recommended that the Board not accept these two roads for county maintenance until they are brought up to county standards.

Mr. Bell presented a portion of a set of minutes pertaining to the issue from a meeting in December 1974. The portion of the minutes read, "Mr. Charles Carlan presented Juniper Estates, Unit VI, to the Board for formal approval. A motion was made by Commissioner Weeks, seconded by Commissioner Martin and approved in a 5-0 vote

to approve the Plat provided the Roads and Streets are not accepted by the Board for maintenance and that Lot #38 is deeded to the County as a public park”.

No action was taken due to the lack of evidence.

Mr. Barry presented a request for the BCC to approve the purchase of two rollers previously approved within the budget. Mr. Barry explained that Public Works has been leasing a roller from Joe Money Machinery, and a roller from Thompson Caterpillar. Both companies have agreed to allow the County to apply all of the lease payments to the purchase price of the rollers. The purchase price for the equipment from Joe Money thus reduced from \$74,850.00 to \$34,536.87 after the lease payment is applied. The Caterpillar roller price would be reduced from \$93,723 to \$89,923. Both of the rollers were approved by the Board under the Public Works budget for this year.

Motion by Commissioner Rees, second by Commissioner Cuchens, to approve the purchase of the two rollers without bidding them out due to the lease amount being applied. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Dan O’Rork addressed the Board representing Mr. David Kramer, Isle of View Realty, Inc., regarding a petition to correct scrivener’s error in Sec. 19 Township 2 So., Range 20 West. Mr. O’Rork turned the floor over to Mr. Kramer. Mr. Kramer read from the Land Development Code regarding residential preservation areas. He described the property surrounding his parcel of property. Mr. Kramer also read from the Comprehensive Plan. He advised the Board that the property was designated by the map as Residential Preservation Area and does not meet any of the criteria stated in the Comprehensive Plan. He stated that he would be happy to allow the Board additional time to get more public input if needed. The Board agreed to review this issue further.

Mr. Lane updated the Board on the upcoming transmittal hearings and explained how it related to this scrivener's error. He stated that it could be done as part of the map amendment. He also explained an alternative method for correcting the problem. Mr. Kramer agreed. Chairman Jones directed Mr. Lane to look at the issue further.

Mr. Carl Rush, Abbott Resort Quest, addressed the Board regarding a request for a temporary permit for an office trailer to be located on CR 30A. It will be approximately 2-3 months to complete their project.

Motion by Commissioner Rees, second by Commissioner Cuchens, to approve the request for a 120 day temporary permit. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. John Gray, Cultural Plan Advisory Committee, addressed the Board regarding three vacancies on the committee. The Cultural Plan Advisory Committee members and alternate member list was approved by the Board in June 2003. Ben Ramey (beach-bay representative), Rick Thomason (beach-bay representative) and Kathy Harrah (lake-bay representative) have resigned. The committee requested that the Board review alternates and appoint members to fill the vacancies on the Cultural Plan Advisory Committee. Mr. Gray recommended the following alternative members be appointed to fill the three vacant seats: Clair Bannerman, Cindy Rhoem, and Phyllis Bliwiess.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the recommendation to appoint Clair Bannerman, Phyllis Bliwiess, and Cindy Roehm to fill the three vacant seats on the Cultural Plan Advisory Committee. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Gary Mattison, Human Resources Director, updated the Commissioners on the status of the Group Health Insurance Plan.

Mr. Mattison presented a recommendation for a salary increase for the County Administrator's position. The recommendation was to increase the salary from \$86,349 to \$92,393.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the recommendation to increase the salary for the County Administrator's position from \$86,349 to \$92,393. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Ms. Shirl Williams presented information regarding the State 9-1-1 Plan. The Board of County Commissioners is required to designate a knowledgeable individual to act as 9-1-1 Coordinator and to act as a single point of contact for STO regarding all 9-1-1 issues.

Motion by Commissioner Cuchens, second by Pridgen, to appoint Donald Nicholson as the 9-1-1 Coordinator. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Tom Powell, Economic Development Council, addressed the Board to present a request for the Board to adopt a resolution regarding the proposed Enterprise Zone and to initiate action to adopt an ordinance creating an Enterprise Zone Development Agency. Mr. Powell handed out and reviewed a map of the proposed Mossy Head Enterprise Zone.

Commissioner Pridgen asked what the effects would be on the property owners in that area. Mr. Powell stated that there would be no negative effects on the property owners; in fact they could receive tax benefits.

Motion by Commissioner Cuchens, second by Commissioner Rees, to adopt a resolution (2004-82) regarding the proposed Enterprise Zone. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Powell explained that the application has to be completed by December of this year. He requested action be taken today to adopt an ordinance creating an Enterprise Zone Development Agency.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to advertise for a public hearing and direct staff to draft an ordinance creating an Enterprise Zone Development Agency. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Commissioner Cuchens questioned the size of the Enterprise Zone. Mr. Powell stated that it is approximately four square miles. He explained that the nominated area must show a certain amount of distress as related to population.

Staff Attorney Kira Coley addressed the Board to update them on recent mediation regarding the Giorango case. She advised that a settlement in the amount of \$100,000.00 was agreed upon. The county's deductible is \$25,000.00. She requested the Board finalize the agreement.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the final settlement agreement. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Attorney Vorbeck advised the commissioners that he has been reviewing the use of funds from a charge on criminal cases. He stated that Okaloosa County and the Walton County Circuit Judge recommended that the funds go to Legal Services. Attorney Vorbeck advised that they had composed a contract, but the contract had not yet been finalized.

Mr. Vorbeck also advised the commissioners that a hearing was held regarding the Department of Juvenile Justice. He stated that the judge should rule this week.

Mr. Bell presented the Mosquito Control Agreement between the City of DeFuniak Springs and Walton County for a one year extension.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the one year extension with the City of DeFuniak Springs for mosquito control. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell stated that lots 10, 11, and 12 located at the corner of 7th Street and Toledo Avenue are for sale. Block A, lot 879 and 878 are owned by the county. Mr. Moore asked if the County was interested in purchasing the lots. Mr. Bell advised that the next step would be to have an appraisal done on them if the county is interested in purchasing them.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to proceed with an appraisal. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell presented information regarding the Blue Mountain Water Facility. He stated that he spoke with Mr. Dewey Wilson, Regional Utilities, regarding laying the

water lines on one side of the road and sewer lines on the opposite side in an attempt to minimize the disturbance to the vegetation. Mr. Bell recommended proceeding.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the recommendation for laying the water and sewer lines. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell presented a request from the Taxpayers Association regarding the appointment of a Redistricting Committee. He suggested that Mr. Little prepare the advertising and names be submitted of those who would be interested in serving on the committee. The committee could proceed with developing some scenarios for the Board to consider should they decide to redistrict in 2005.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve for Ken Little, Citizens Services Director, to advertise and accept applications for individuals interested in serving on the Redistricting Committee. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell stated that Mr. Ken Moneghan, FACT, has notified him that he would be leaving the FACT Board and asked for a replacement to the Board.

Motion by Commissioner Rees, second by Commissioner Cuchens, to appoint Commissioner Pridgen to the FACT Board. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Bell presented information regarding property on Highway 1883. He advised that the individuals attempting to purchase the property contacted him regarding the property being land locked. He stated that there is a one-acre parcel deeded to the county whereby they could access it. They were requesting an easement for access to their

property. Mr. Bell stated that they have drafted an easement for the Board's consideration granting them 30 feet along the west side of the one acre parcel.

Motion by Commissioner Pridgen, second by Commissioner Rees, to approve the 30-foot easement allowing access to the property. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell recommended approval of the contract with the Department of Corrections for the work squad for Parks and Recreation.

Motion Commissioner Pridgen, second by Commissioner Cuchens, to approve the contract with the Department of Correction for the work squad. Ayes 4, Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Mr. Bell informed the Board that he had received a permit from Department of Environmental Protection to continue on the beach scraping program. The permit that was issued was more of an open ended permit than the previous permit. The permit allows multiple scrapings until January 30, 2005. He stated that there were three options that could be considered. He stated that the bids could be extended, they could be bid out again or they could consider identifying a set feet per cubic yard for a breach and request proposals.

Motion by Commissioner Cuchens to go forward with the third option of identifying a set feet per cubic yard and requesting for proposals.

Mr. Bell stated that he would develop an RFP for further review and to possibly set a cubic yard price.

Mr. Brad Pickel addressed the Board and spoke about the reimbursement aspect. He stated that the two categories cover emergency activities and constructed engineering

work. He stated that they were now working on getting credit on engineer structure in addition to emergency activities. He stated that they had received credit for a certain amount of sand to be placed on the beach for protection for emergency only. He recommended continuing with the beach scraping for emergency but look to FEMA to bring in more sand. He stated that the Governor was going to call an emergency session in the middle of December. Chairman Jones asked if they could wait until special session. Mr. Pickel said yes and he recommended waiting until the special session. Commissioner Cuchens spoke about being in favor of sand scraping.

Commissioner Cuchens withdrew his motion on the floor.

Mr. Pickel said they would start putting some sort of program together to look for sand sources and design work with guidance from the State. Chairman Jones encouraged them to begin looking for sources. Mr. Pickle spoke about the Miramar project and the problems bidding the project out.

Motion by Commissioner Rees, second by Commissioner Cuchens, to approve to allow them to bid out the project. Ayes 3, Nays 0. Jones Aye, Rees Aye, and Cuchens Aye.

Mr. Bell advised the Board that he met with Mr. Glidewell, Mr. Milliard, and Mr. Imfeld regarding the jail issues previously presented. He stated that they were still researching four different options. He stated that they were looking at relocating some inmates to other counties. Another option would be to erect additional tents holding 120-140 inmates. Consideration has been given to utilizing the Lane property for additional housing. Mr. Bell stated that another idea presented was to consider leasing the old Wal-Mart building. He stated that they would gather the costs and come back to the Board.

Commissioner Cuchens stated that he would like the option to purchase the old Wal-Mart and consider using it for some type of recreational facility in the future.

Commissioner Rees asked if there had been any discussion about the noise ordinance referendum. Mr. Bell stated that this will be placed on the agenda for discussion at a later date.

Commissioner Rees showed a draft of the book written by a local author, Dari Bradley, "The Politics of Angels".

Commissioner Pridgen stated that he would like for the Board to direct the County Administrator to look at the organizational structure under the Board and see if there are areas that could be consolidated. He felt that everyone should work together and evaluate the county operations periodically to see that the best service possible is being provided to the citizens of Walton County.

Motion by Pridgen, second by Commissioner Cuchens, to direct the County Administrator to work with the constitutional officers to see if similar tasks or services are being provided that could be combined. Ayes 4 Nays 0. Jones Aye, Rees Aye, Cuchens Aye, and Pridgen Aye.

Commissioner Cuchens stated that he had spoken with several people regarding the rebuilding of dune walkovers. He stated that DEP originally granted approval to rebuild existing walkovers. However, DEP has now stopped the rebuilding process. Ms. Williams said that Administration has not been notified if DEP has stopped issuing permits.

Commissioner Cuchens addressed the shortage of flu shots. Mr. Little said that the Health Department has been notified and they are going to receive their total order of

flu shots. They should receive about 2000 shots within the next couple weeks. Mr. Little stated that the shots are \$12 each. The Board directed Mr. Little to follow up on the issue.

Commissioner Cuchens stated that the median cuts on Highway 98 did not look like they were finished. He asked Mr. Bell to contact the Department of Transportation to find out further information regarding their completion.

Commissioner Cuchens asked about the State picking up debris on highways. He stated that there were certain areas that nothing had been done. Mr. Bell said he would get a hold of Mr. Prescott. Mr. Barry said there were also local people in Niceville who have the contract and he would contact them.

Commissioner Cuchens advised the Board that the bike path along Highway 395 has been completed. He advised that the realty office has offered some property for the bike path so it could be continued without destroying the parking.

The floor was opened to public comments. There were no public comments.

Chairman Jones presented Commissioner Rees with a plaque on behalf of the county and the Board.

There being no further business, the meeting adjourned at 5:27 p.m.

APPROVED: _____
Larry D. Jones, Chair

ATTEST: _____
Martha Ingle, Clerk of Court