

NOVEMBER 23, 2004 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, November 23, 2004 at 8:00 a.m. at the South Walton Courthouse Annex.

The following Board members were present: Commissioner Larry Jones, Commissioner Cindy Meadows, Chairman Kenneth Pridgen, Commissioner Rosier Cuchens, and Commissioner Scott Brannon. Mr. Ronnie Bell, County Administrator, Mr. Gary Vorbeck, Director of Legal Services, and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Jones led with prayer followed by the pledge of allegiance to the American Flag.

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

a. EAL Approval	
General Fund	\$ 935,607.07
County Transportation	\$ 703,375.66
SHIP	\$ 4,092.00
Fine & Forfeiture	\$ 62,302.24
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 285.27
Tourist Dev. Council	\$ 493,122.74
N.W. Mosquito Control	\$ 639.82
W. Co. Library	\$ 14,940.30
Recreation Plat Fee	\$ 15,802.26
Public Safety- 911	\$ 3,222.34
Solid Waste Enterprise	\$ 267,178.83
Mossy Head VFD	\$ 1,744.59
Glendale VFD	\$ 2,392.58

Darlington VFD	\$	354.38
Red Bay VFD	\$	1,113.01
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	466.94
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	1,239.26
Capital Projects Fund	\$	28,985.13
Imperial Lakes MSBU	\$	680.69
Totals	\$	2,537,545.11

- b. Approve Minutes of November 08, 2004-LandUse Hearing
November 09, 2004-Regular Meeting
November 16, 2004-Regular Meeting
- c. Resolution for Additional Monies to Hazmat Grant
Revenues and Expenditures
- d. Resolution for Additional Monies to Firefighters Grant
Awarded to the Darlington/Gaskin Volunteer Fire
Department Fund

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the consent agenda as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

The investment report was presented for review

The Division Activity Updates were presented for review. Commissioner Jones commented on the Coastal Dune Lakes no-notice permit project. He stated that there are still difficulties with DEP, but they are continuing to work on the issue.

Mr. Rick Millard, Construction Supervisor, advised that the commissioners accepted the base bid only and did not accept any of the three alternates for the Zone 3 facility. He advised that the utilities were included in the alternate bid. The paving will be performed by the public works department. Mr. Millard stated that the contractor has reworked the prices, which now total \$41,395. He requested a change order to the contract and further stated that the county's electrical crew will do the electrical work.

The contractor will install the sewage lift station, water and sewer, and connect to the system. The original bid was \$210,000 thereby reflecting a large decrease.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve the change order to the Zone 3 facility. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mrs. Jennifer Christensen, Planning Department, presented Sweet Bay Subdivision final plat for approval. The plat consists of a 21-lot single-family subdivision. Staff recommended approval. There were no public comments voiced.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve Sweet Bay Subdivision final plat for recording. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mrs. Christensen presented Bungalos at Sandestin final plat for approval. The plat consists of 24-lot single-family subdivision. Staff recommended approval. There were no public comments voiced.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve Bungalos at Sandestin final plat for recording. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mrs. Christensen presented the Cypress Dunes Replat. The project consists of 164-lot single-family residential subdivision. Staff recommended approval subject to verification and approval of the dedication and the joinder and consent information on the plat. She stated that the developer was able to transfer lots resulting in 50 plus owners with mortgages associated on the various lots. She stated that they will be required to review the tax rolls to ensure that each owner is on the plat along with each mortgage.

Jennifer displayed the plat map showing the specific changes. There were no public comments.

Motion by Commissioner Cuchens, Second by Commissioner Jones, to approve Cypress Dunes Replat subject to the stipulations stated. Ayes 5, Naves 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye. The chairman will not sign off on the plat until all corrections have been made.

Mr. Russ Barry, Public Works Director, presented his request for a 4-way stop at CR 393 and Chat Holley. He stated that he has not received any public comments. Commissioner Cuchens stated that he appreciates Mr. Barry bringing it back and allowing time for the public's input.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the 4-way stop sign at CR 393 and Chat Holley. Ayes 5, Naves 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Barry presented a request to purchase two LED electronic signs, which could be purchased for \$36,000. The signs could also be used for citizen information in addition to road maintenance awareness. Mr. Barry stated that he has the money in his budget.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the purchase of the electronic signs. Ayes 5, Naves 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Barry presented the Sugarwood Beach right of way agreement. He stated that Mr. Arner has been working with them to develop an agreement and a plan to landscape the entrance to their sub-division. Mr. Barry recommended approval.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the right-of-way agreement with Sugarwood Beach Subdivision. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Gary Mattison, Human Resource Director, presented an update on the group health insurance plan. He presented his recommendation in addition to comments regarding previous changes to worker's compensation insurance and the rising costs. He stated that the committee would like to look at services, such as wellness programs, that can be provided that would reduce the claims experience. Mr. Mattison stated that they would like to come up with a plan, negotiating with the providers for a reduced rate, that the board would pay for directly.

Mr. Mattison stated that currently there is the HMO and a PPO Plan. He gave an overview of the two plans and the options covered under each plan. HMO is becoming obsolete. In order to retain the current plan, there would be a 20% increase to the county. BC/BS has countered with retaining two plans in order to keep the current PPO. He explained that physicians are concerned with the HMO network and have opted out. He stated that the committee would like to come back to the board with how many doctors have opted into the new plan. Mr. Mattison spoke about the co-pay and the attempt to reduce the out of pocket expenses for employees. The committee recommended that the board absorb the \$44 per month until October 1, 2005 for those with family coverage.

Commissioner Jones questioned about the HMO option. Mr. Mattison stated that it is not a viable option due to rising costs. Mr. Mattison stated that the problem is that the doctors are not available. He stated that they need to speak with all of the employees to

educate them on the changes. Commissioner Meadows questioned if the county has any wellness programs offered to employees. There are some available at cost. Mr. Mattison stated that insurance rates are looked at in terms of frequencies and the amount of claims. Mr. Brannon questioned how many local doctors and hospitals are participating. He stated that there are many who are dropping out, but they are electing to opt in on the new plan. He recommended offering the employees option 1 or option 2 and for the board to pick up the additional costs for family coverage until October 1, 2005. He also wants the board to buy into the wellness program. Commissioner Meadows felt this is a good price.

Motion by Commissioner Meadows, Second by Commissioner Jones, to accept Option 1 - BlueChoice Family Physician Copay Plan 317, and Option 2 - BlueOptions Physician Copayment Plan 1559, and to pay for the additional costs for family coverage until October 2005. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Edwin Baltzley, Emergency Management Director, presented the Gulf Coast Community College Ride-along Contract for approval.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the contract with Gulf Coast Community College. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley presented the Community Emergency Response Team Grant Contract for approval. The program provides necessary training for volunteers who serve the county during emergencies.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the Community Emergency Response Team Grant Contract. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Walter Medley, Moore Bass Consulting, Destin, representing Steve Del Gallo, appeared before the commissioners requesting a right-of-way easement across county property. The property is located within the City of Freeport. The easement is needed for utilities for single-family housing development. He stated that they would also ask the county to dedicate the easement to the city. Commissioner Cuchens stated that Mr. Barry recommended approval, but asked if there are additional purchases that will follow. Mr. Medley stated that there are ongoing negotiations for additional properties. Commissioner Cuchens stated that he would like to make a deal with them to assist in solving the flooding problems at the end of Bourbon Street. Mr. Barry stated that if the easement is granted then the permitting would be at the expense of Moore Bass. Commissioner Brannon asked if the City of Freeport has been contacted regarding the utility issue. He stated that he would like to keep them informed. Mr. Barry stated that he will communicate with the necessary parties. Mr. Medley stated that he has spoke with the city and Mr. Charles Peters, Engineer for the City of Freeport. Commissioner Meadows questioned if the easement could be moved to the south edge of the property since this is city surplus property. Mr. Medley said that is the plan and the rest of the land would still belong to the county.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve the right-of-way-easement with the stipulation that all of the details are worked out with the City of Freeport. Commissioner Cuchens amended the motion to include the

recommendation that the easement would revert back to the county if the development is not constructed. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mrs. Kris Titus, Executive Director of the Tourist Development Council, presented the bids for the Hurricane Ivan walkover construction. Four bids were received with Shippers Marine Construction presenting the low bid in the amount of \$134,832.50. Mrs. Titus stated that they are going to repair the walkovers and take them over for maintenance.

Motion by Commissioner Meadows, second by Commissioner Brannon, to award the unit quotes for the dune walkover construction to Shipper's Marine Construction, low bid, for Group 1 and Group 2. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mrs. Titus presented information from the Southern Restaurant Group at Miramar. She stated that the reconstruction does not include the boardwalk at Miramar. The bid only includes the parking lot, sand, and the storm water. Two bids were presented. The recommendation was to award the bid to Anderson-Fleshman, low bidder. She further explained the previous process used by the Restaurant Group who paid for the repairs and was then reimbursed. Mr. Don Crim questioned how many accesses are handicap accessible. She stated that there will be 5 total.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to award the low bid to Anderson Fleshman. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mrs. Titus advised that a workshop has been set up for January 12, 2005 at 9:00 a.m. between the Board of County Commissioners and the Tourist Development Council Board to discuss economic issues. The Board concurred.

Commissioner Meadows asked about the debris that still remains along the roadways. Mr. Barry will look into the situation.

Mr. Ed Goodwin questioned about the debris in the Gulf of Mexico. He said that there is a large cement block in the water at Ft. Panic and is a hazard to the public. Mrs. Titus stated that they are cleaning up, but this one is further out than they can reach. Mr. Bell stated that maybe some of the vendors can pull it out. Mr. Goodwin asked that it be marked with a float for safety.

The commissioners recessed briefly.

Ms. Alicia Butler, Cornerstone Construction of NW Florida, appeared before the Board and stated that she recently purchased property and needs to place a temporary trailer on the job site. She requested a variance for seven months.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve a temporary permit for seven (7) months. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Mike Lane addressed the commissioners regarding the fence ordinance. He recommended that no further action be taken.

Mr. Lane advised the commissioners that a Probable Cause Board needs to be established as part of the Competency Board requirements. He presented the names of those individuals recommended to serve on the board.

Motion by Commissioner Jones, second by Commissioner Cuchens, to appoint Joseph Garrett, General Contractor; Danny Taylor, Electrical, Plumbing, Mechanical & General Contractor; and Robert Barley, Specialty Contractor, to serve on the Probable Cause Board. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Attorney Gary Vorbeck, Legal Services, did not present any items for discussion.

Mr. Bell advised that the judges have requested that a vulnerability study be performed for security at the new courthouse. Mr. Bell recommended advertising for RFQ's. Commissioner Brannon asked if there was sufficient time to implement the changes. Mr. Bell stated that some changes could still be made.

Motion by Commissioner Jones, second by Commissioner Brannon, to advertise for RFQ's for a vulnerability study. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell spoke about the Morrow property, which is surrounded by county owned property near the landfill. He reminded the commissioners that the Board previously requested that Mr. Morrow pay to have a Phase I Environmental Study performed as well as a survey. The selling price is \$2,500 per acre. Mr. Morrow's attorney sent a letter stating that they feel the environmental study is not necessary and that Mr. Morrow is willing to share in the costs of the title insurance. He also felt that the county can do the survey. Mr. Bell stated that the county has not bought any property without having a Phase I Study in the past. Commissioner Brannon asked about entering into a contract with stipulations. Mr. Bell explained that the reason for the purchase is for future expansion of the landfill. Mr. Barry recommended the county perform the survey

and Mr. Morrow conduct the Phase I Study. Commissioner Cuchens also felt that the property owner should provide the Phase I Study.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve for staff to send a letter to Mr. Morrow that the county will perform the survey and Mr. Morrow would be responsible for the Phase I Study and the title insurance. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented a request to adopt a resolution accepting funds in the amount of approximately \$14,999 for the Community Emergency Response Team Grant Program.

Motion by Commissioner Brannon, second by Commissioner Cuchens, to adopt a resolution (2004-84) accepting funds into the budget in the amount of \$14,999 for the Community Emergency Response Team Grant. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Barry advised that two bids were received for the coastal dune lake clean up. Tarheel Specialties submitted a bid in the amount of \$77,000 and Great Southern Dredging Inc. submitted a bid in the amount of \$341,000. Mr. Barry recommended Tarheel Specialties, low bidder, for the removal of debris from the 11 coastal dune lakes. Commissioner Cuchens stated that Draper Lake and Old Florida Lake has been cleaned up. Mr. Imfeld stated that aerial photos were taken in early October and not reflective of the recent clean up. FEMA stated that they will pay one-half of the clean up costs even though the lakes are located on private property. Mr. Bell stated that this will allow the county to clean up the remaining lakes.

Motion by Commissioner Meadows, second by Commissioner Jones, to award the bid to Tarheel Specialties, low bidder, for the clean up of the coastal dune lakes. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell stated that he spoke with Ms. Carlene Anderson, newly elected Superintendent of Schools, about building a relationship with the school board. She expressed her willingness to work with the board. Commissioner Jones started the process and recommended appointing a commissioner as a liaison between the cities and the school board and possibly other constitutional officers to keep communications open. He spoke about how the county's lobbyist could be a benefit and the need for intergovernmental coordination. Commissioner Cuchens asked about a meeting with the City of DeFuniak. Commissioner Brannon spoke in favor of building communications and offered to serve in that capacity. He spoke about building a coalition between the school board, city governments, and the county.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve for Commissioner Brannon and Commissioner Meadows to serve as liaisons. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Meadows spoke about the need to clean up areas in Miramar. She stated that it is not storm related and she will speak with code enforcement regarding the issue. She also advised that Code Enforcement is looking into an issue relating to brown sand being placed on the beach.

Commissioner Cuchens questioned if the beach scraping is ongoing. Mr. Bell stated that the firms doing the work have begun.

Commissioner Cuchens stated that there are some areas that have not yet been cleaned up. He also asked about the Bunker and Steel Field area. Mr. Bell will contact DOT regarding these areas.

Commissioner Cuchens commented on the commissioner's meal allowance being too low. He asked that this issue be researched. Mr. Bell stated that the amounts are set by the State. He asked Mr. Imfeld to look into the established rates to determine if the federal rates could be adopted for the county. Mrs. Kira Coley, Staff Attorney, stated that legislators approved for counties to move away from the State rate. Mr. Imfeld and Mrs. Coley will research this matter.

Commissioner Cuchens asked if any further consideration had been given to reconsolidation. Mr. Bell stated that it is being looked at and a task force is being developed to address the issue. He stated that they also want an opportunity to discuss the issues with other constitutional officers.

Commissioner Jones presented an issue to the Board regarding a previous agreement with Mr. Cordell Harrison. In 1996 Mr. Harrison requested a land use and density determination from the planning department. A determination was made for one-single family dwelling per acre. The determination was later corrected to two units per acre. He continued working with the county to obtain six units per acre, which was later rescinded. He requested that Mr. Harrison be allowed to work with the planning department to resolve the matter. He recommended directing staff to work with Mr. Harrison for a land use change that would come back to a density close to what he was previously awarded. Mr. Vorbeck stated that the county previously declared it void because it was in violation of the comprehensive plan.

Mr. Cordell Harrison stated that he purchased the land with the understanding from staff that the property had a certain density. Mr. Lane will work with Mr. Harrison regarding this issue. The county will sponsor this amendment. Mr. Lane stated that it can possibly be made part of the second submittal.

Commissioner Brannon commented that he is honored to be serving on the Board and serving the community.

There being no public comments, the meeting was adjourned at 9:55 a.m.

APPROVED: _____
Kenneth Pridgen, Chair

ATTEST: _____
Martha Ingle, Clerk of Court