

DECEMBER 14, 2004 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, December 14, 2004 at 4:00 p.m. in Courtroom B of the Walton County Courthouse.

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. Chairman Jones called the meeting to order.

Mr. Gary Vorbeck spoke about pending litigation relating to the Paladini case and the Governmental Education Center. He stated that Commissioner Pauls was previously involved with the ongoing litigation. A settlement has been reached subject to approval of the Board and the Paladini's. Commissioner Cuchens thanked those involved in the process.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the settlement agreement subject to the installation of specified pathways/walkways in the Governmental Education Center upon receiving permits from DEP. Commissioner Brannon commented on the school board's involvement. Attorney David Theriaque stated that the school board will also vote on the agreement. The commissioners recognized Commissioner Pauls for his efforts in reaching this agreement. Ayes 4, Nayes 0. Jones Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

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

1. EAL Approval	
General Fund	\$ 1,061,099.56
County Transportation	\$ 1,238,054.12
SHIP	\$ 46,533.20
Fine & Forfeiture	\$ 884,381.85
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 132,502.01
Tourist Dev. Council	\$ 380,009.00
N.W. Mosquito Control	\$ 171.25
W. Co. Library	\$ 8,438.59
Recreation Plat Fee	\$ 10,670.62
Public Safety- 911	\$ 16,006.88
Solid Waste Enterprise	\$ 244,342.77
Mossy Head VFD	\$ 973.35
Glendale VFD	\$ 66.65
Darlington VFD	\$ 631.40
Red Bay VFD	\$ 1,702.50
Local Option Gas Tax	\$ -
Special Law Enf. Trust	\$ -
Driftwood Debt Service	\$ -
Criminal Justice Ed Fund	\$ -
Bldg Dept/Enterp. Fund	\$ 1,152.66
Capital Projects Fund	\$ 79,472.27
Imperial Lakes MSBU	\$ -
Totals	\$ 4,106,208.68

2. Approve Minutes of November 22, 2004-Comprehensive Plan Transmittal Hearing.
3. Approve Minutes of November 23, 2004-Regular Meeting.
4. Resolution to Bring into the Budget Monies Received from the Sale of a Surplus Fire Truck for Darlington-Gaskin Volunteer Fire Department. (2004-88)
5. Resolution to Roll Forward Unspent Monies for the Supervisor of Elections to Complete the Touch Screen Voting Machine Purchase. (2004-89)

6. FEMA Public Assistance Grant on Behalf of Darlington-Gaskin Volunteer Fire Department.

Chairman Pridgen called the advertised public hearing to order to consider a resolution to use the Uniform Method of Collecting Non-Ad Valorem Assessments for storm water Services. Mr. Bell explained that the resolution would provide the enabling legislation to proceed with collection in the upcoming year.

Ms. Camille Tharpe, Government Services Group, explained that it is like the MSBU and allows for an opportunity to use the tax bill collection method. There were no public comments voiced.

Motion by Commissioner Cuchens, second by Commissioner Jones, to adopt a resolution (2004-91) to use the Uniform Method of Collecting Non-Ad Valorem Assessments for Storm water services. Ayes 4, Nays 0. Jones Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye. (Commissioner Meadows arrived.)

Mr. Bell presented a request for an extension of a grant from DOT relating to the Mac Bayou study area. The grant is a 65/35 matching grant and the monies already expended for this project can be applied to this match.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the request for an extension of the grant. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Russ Barry, Public Works Director, presented a right of way agreement for Sally Lane. He explained that a fence had been erected in the county's right of way. The Napier family agreed with the agreement drafted by the county and Mr. Barry therefore recommended approval. Commissioner Brannon questioned if the agreement goes with the property. Mr. Vorbeck stated that the fence must be removed if they sell the property.

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

Mr. Barry requested approval for the filing of a map and legal description of Quietwater Trail, District 5, in accordance with FS 95-361. Commissioner Meadows questioned the width of that portion being claimed by the county. Mr. Barry stated that the width varies. Mr. Vorbeck stated that because the county has maintained it for seven years they can accept it as a county maintained road. Commissioner Cuchens asked if the additional area, originally deemed as the right of way, could be requested for future use.

Mr. and Mrs. Sid Braunstein, Quietwater Trail, stated that the road has been maintained for about 10 years and stated that there are concerns. Mrs. Braunstein stated that property has been taken from some of the property owners on the south side. However, owners on the north side face a different challenge. She stated that if the road is moved then their septic tank would be impacted and have to be relocated. Commissioner Cuchens stated that the road should not be moved that far. Mr. Braunstein stated that the road is only a one lane road and should be left as it is. He further advised that the road is not being maintained past lots 11 and 12 and additional homes are being built beyond there.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the filing of the map and legal description for QuietTrail Road. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Barry presented information relating to the paving of Hammock Point Road. He advised that the county received a grant from the Northwest Florida Water

Management District in the amount of \$259,032.00 to assist with the project. The county's portion is \$749,727.80. Coastal Materials presented the low bid in the amount of \$1,008,759.80. Mr. Barry recommended approval of the low bid and asked to roll forward the necessary funding from the reserve account.

Motion by Commissioner Cuchens, second by Commissioner Jones, to award the low bid to Coastal Materials in the amount of \$1,008,759.80 and to roll forward the necessary funds into the Public Works budget. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Barry presented information regarding the paving of Collinsworth Road. He advised that the permits have been obtained and four bids were received. He recommended approving the low bid from Gum Creek Farms in the amount of \$1,502,092.00 and to roll forward the funding into the Public Works budget from Reserves.

Motion by Commissioner Jones, second by Commissioner Brannon, to award the low bid to Gum Creek Farms in the amount of \$1,502,092.00 for the paving of Collinsworth Road and other roadway improvements for an approximate distance of 3.83 miles. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Barry advised the Board that the unpaved portion, approximately one mile, of Corbin Gainey Road is on their in-house paving schedule. He explained that the entire road needs to be overlaid, which is estimated at \$135,000.00. He requested the Board approve to overlay the paved portion of Corbin Gainey Road at the same time that they pave the dirt portion. This road has been on the schedule since 2000.

Motion by Commissioner Cuchens, second by Commissioner Jones to approve to roll forward funds from the reserve account to pay for the overlay of 2.63 miles of pavement on Corbin Gainey Road. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Barry advised that one bid was received for the paving and other roadway improvements to the Beach Highlands Subdivision including Hilltop Drive, North Bishop Road, Crescent Road, Dune Drive, Baird Road, and Sunrise Circle, totaling 1.75 miles. He stated that the bid is well over the projected amount and requested to re-advertise for bids. He stated that he would also like to meet with the county engineer to discuss the possibility of performing the work in-house, and substituting other roads.

Mr. Don Boyce, Bishop Road resident, appeared before the Board regarding Beach Highlands Subdivision. He stated that the area is about 50% built out and more lots for sale. He said they are year round tax payers and very few of the homeowners are seasonal residents. He stated that the road has been on the paving list since 1999 and continues to be delayed each year. He stated that there are 58 homes and spoke about the culverts and utilities that have to be installed for each home. He stated that they would like to see more than a single bid and wants to see it re-advertised for price comparison. However, if the costs are still too high, he would like to see the scope of services reduced. He stated that the neighbors voted 80% in favor of paving the road. He asked the county to consider Beach Highlands as a priority for paving in 2005.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to reject the bid from CW Roberts. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye. Mr. Barry will re-advertise for bids.

Commissioner Brannon questioned the cost per mile for paving. Mr. Barry stated that average in-house cost per mile is \$200,000.00. Mr. Barry stated that the paving companies are busy and therefore raising the costs to the county.

Mr. Larry Davis, Davis Properties, addressed the commissioners regarding property that he and Mr. Peter Stoddard own. They have been working with Environmental Services, DEP, and the Army Corps of Engineers to identify mitigation required to permit the building of homes on the Canal Street lots. Mr. Davis stated that DEP is satisfied with a proposed development and mitigation plan, as long as the Corps of Engineer's requirements are met. He stated that they have not yet found the land to mitigate to make the lots buildable. Mr. Davis asked for the county's approval to be allowed to work with Mr. Barry to draft an agreement in order to participate with the in-kind services for the Oyster Lake restoration project in exchange for mitigation credits.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve Mr. Davis' request to work with the county on drafting an agreement. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Chairman Pridgen called to order the advertised public hearing regarding the TEFRA hearing for Sacred Heart Hospital. Mr. David Tucker appeared before the Board requesting adoption of a resolution approving the issuance of the above bonds by the Indiana Authority to constitute the approval of the financing for the purposes of Section 147 (f) of the Internal Revenue Code. He explained that the previous bonds issued were done so at low interest rates as part of the Escambia County Health Facilities Authority. These bonds will be issued by the State of Indiana as part of nation wide bond issue for Ascension Health.

Mr. Robert Grainger, Chief Financial Officer of Sacred Heart Health Systems, appeared before the Board to answer questions relating to the bond. Attorney Vorbeck questioned Mr. Grainger about the purpose of the issue and how will the bond proceeds be used. The purpose is to finance and refinance the construction, renovation and equipment. Mr. Vorbeck questioned the public purpose of the bond issue, who would be the financial obligor and what the maximum amount of the bonds would be. He also asked how the bonds would be repaid and if there are any circumstances that might interfere with repayment, and if Walton County will have any obligations under the bonds. Mr. Grainger answered Mr. Vorbeck's questions and presented a handout detailing the answers. There were no public comments voiced.

Motion by Commissioner Meadows, second by Commissioner Jones, to adopt a resolution (2004-90) approving a tax exempt bond financing to be undertaken by the Indiana Health Facility Financing Authority not to exceed \$15,000,000 with respect to the Walton property. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye. Mr. Imfeld stated that this does not hinder the county from other bonding.

Mr. Ken Little, Citizen Services, presented the SHIP contracts for approval. Two agreements are with USDA Rural Development and one with Tri-County Community Council for the SHIP Program.

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

Mr. Little also presented the SHIP Annual Report for FY 2002-2004 for acceptance.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the SHIP Annual Report. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Tom Powell, Walton County Economic Development Council, appeared before the Board requesting adoption of an ordinance regarding the creation of a Mossy Head Enterprise Zone. Chairman Pridgen called the public hearing to order to take public comment regarding the ordinance. There was no public comment voiced. Chairman Pridgen closed the public hearing.

Motion by Commissioner Jones, second by Commissioner Meadows, to adopt an Ordinance (2004-34) creating the Mossy Head Enterprise Zone. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Tom Powell, Economic Development Council, also requested to appoint the following members to the Enterprise Zone Development Agency: Pam Tedesco, Wayne Montgomery, Bobby Rains, Hansel Geohagen, Tom Terrell, and Danny Glidewell will serve as the Local Law Enforcement Agency Representative.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the individuals appointed to serve on the Enterprise Zone Committee and the designated term of office, including Danny Glidewell from the Sheriff's Department who will serve as the Local Law Enforcement Officer. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Jones, second by Commissioner Meadows, to appoint Shirl Williams and Tina Wilder to also serve on the Enterprise Zone Committee. Ayes 5, Naves 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Powell also requested the Board accept the Enterprise Zone Development Plan. He stated that the plan lists certain goals, some relating to the county.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the Enterprise Zone Development Plan. Ayes 5, Naves 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Powell presented a proposed resolution setting forth incentives for businesses in an enterprise zone. The incentives include ad-valorem tax exemptions to selected businesses and another incentive being low interest loans for industrial revenue bonds. A third recommendation would be to allow for giving priority for permitting of businesses within the enterprise zone.

Motion by Commissioner Jones, second by Commissioner Meadows to approve the resolution (2004-93) setting forth incentives for businesses in an enterprise zone. Ayes 5, Naves 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Edwin Baltzley, Emergency Management Director, presented the Emergency Medical Services County Award Grant Resolution for adoption. The grant award will not exceed \$21,196.37 with the EMS portion being \$12,112.21.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to adopt the Emergency Medical Services County Award Grant Resolution (2004-94).

Mr. Baltzley requested to surplus an old ambulance and transfer it to the Argyle Fire Department.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve to surplus an old ambulance (BCC 2437) and transfer it to Argyle Fire Department. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Brad Pickle, Tourist Development Council, presented the emergency bids for Hurricane Ivan Miramar Beach Regional Access Repairs. Chandler Construction, low bidder, was the recommended firm to perform the labor. Mr. Pickle explained that FEMA had concerns with reimbursement of funding. Restaurant Group is ready to sign the agreement and will pay their portion \$155,657.37 of the total \$1,439,009.00. Mr. Pickle explained that items 14-16 are only related to the TDC's restroom facilities and not cost shared.

Motion by Commissioner Meadows, second by Commissioner Brannon, to award the bid to Chandler Construction for the Miramar Beach Regional Access. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Meadows, and Commissioner Brannon, to approve the Memorandum of Understanding. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Valinda Buckles appeared before the Board regarding the Davis/Buckles code violation. She stated that Mr. Davis' property was brought up in 1999 for violation. The property was then brought into compliance. She stated that the judgment should not have been brought.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve for the administrative fees to be paid and the county waive the rest of the fees not to exceed \$300.00. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Staff Attorney, Kira Coley, presented a proposed resolution for reimbursement for travel and per diem. They are proposing the use of the federal rate. Ms. Coley explained that the rates vary for each city. She explained that the 2003 legislative decision allowed for changes for local governments to choose this method of reimbursement. The current rates being used are more than 20 years old. When the federal rates change our rates will change to be reflective. The mileage rates will also change. Mr. Imfeld explained that the rate would be assessed from the point where you spend the night.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the resolution (2004-92) adopting the new meal allowance. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye. Mr. Imfeld stated that this should have a minor impact on the budget.

Attorney Gary Vorbeck, Legal Services, advised that the Department of Juvenile Justice is proposing a new statute in another attempt to pass along the costs to the counties. Mr. Vorbeck will continue to research this matter.

Motion by Commissioner Jones, second by Commissioner Cuchens, to draft a resolution opposing the assessment of these costs to the counties. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Vorbeck stated that legislation was previously passed to add on fees to civil and criminal cases, which could be used for hiring of legal services. Judge Wells wants

these services paid by Walton County and recommended entering into contract with Legal Services of NW Florida. Mr. Vorbeck stated that the fees will pay from the first day of the budget year. There is about \$3,000.00 per month being collected.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve to move forward with the agreement for legal services. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Ronnie Bell, County Administrator, presented information regarding the restructuring of organizational operations for the public works department. He felt that there is a need for an Operations Manager and requested approval of the position. There is funding in the budget for the salary. Commissioner Cuchens stated that this will streamline the functions of public works. Commissioner Brannon agreed and felt that this is a step in being more proactive with the public. He thanked Mr. Barry for his cooperation.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the position of Operations Manager in public works. Commissioner Meadows voiced her support of the position and felt that this would allow Mr. Barry to provide better service. Mr. Bob Hudson questioned the reorganization and asked why another position is being added. He asked if the structure as a whole is being considered. The commissioners agreed that the organization as a whole, as well as the procedures, need to be considered. They spoke about the need to enhance the performance of public works. Commissioner Jones stated that the review has been ongoing for making the organization work better. He also stated that adding this position is still less in our head count and will not result in additional costs due to attrition of other positions. Commissioner Cuchens asked Mr.

Hudson to wait and look at the entire changes that will occur. Commissioner Brannon spoke about the concerns with head counts, but also those concerned with efficiency. This position will allow Mr. Barry time to communicate better with the board and the public.

Chairman Pridgen called for a vote on the motion. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented the garbage franchise agreement with Dayco Disposal, LTD for renewal.

Motion by Cuchens, second by Commissioner Jones, to renew the Dayco Franchise Agreement. Mr. Vorbeck will redraft the contract for clarification. Mr. Don Crim questioned why there isn't a uniform rate between the two different waste haulers. Mr. Bell stated that the current franchises were in place and negotiations had been made. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented a request to allow the Sheriff's Department to use the Lane property as previously discussed. He stated that the Sheriff has developed a utilization plan for the property. He recommended they be allowed to use the property.

Motion by Commissioner Jones, second by Commissioner Meadows, to allow the Sheriff's Department to use the Lang property as stated. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Jones stepped out.

Mr. Bell presented an offer by Mr. Garner for property he wants to sell. The property is located along 6<sup>th</sup> Street and Chaffin. Mr. Bell stated that if the county is interested an appraisal would be needed.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve to have an appraisal conducted on the property offered by Mr. Garner. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented recommendations from the Beeman Study relating to the South Walton Annex Renovation Plan. The plan is for the layout of personnel and spacing allocations. Mr. Bell requested to advertise for bids. He explained the process to redesign the facility, which is estimated at \$200,000.00. The funding could be taken from the Building Department. Commissioner Brannon spoke about the overcrowding at the South Walton Annex. He is willing to relocate his office providing he can find a location to lease. Commissioner Jones stated that these moves were part of the original scheme of the building.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve to advertise for bids for renovations. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell requested the Board's approval to cancel the December 28, 2004 Regular Meeting and schedule a meeting on December 21, 2004 to approve the Expenditure Approval List. The meeting will be held at the South Walton Annex.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve rescheduling the December 28<sup>th</sup> meeting to the 21st. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented a letter from Mr. Jacob Spaid of Choctaw Beach requesting the Board consider a by-pass road for sections of SR 20 West. He explained that portions of Highway 20 were washed out during the hurricane. Commissioner Cuchens would like to see an alternate road constructed. Mr. Bell will work further with Mr. Spaid.

Mr. Bell requested the Board appoint a commissioner to serve on the Medical Examiners Commission. Commissioner Cuchens stated that he would be willing to serve.

Motion by Commissioner Brannon, second by Commissioner Meadows, to nominate Commissioner Cuchens to serve on the Medical Examiners Commission. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented information relating to the Coastal Dune Lake Clean-up. Commissioner Jones Edmunds and Associates, Inc. provided an assessment on the amount of storm debris in the bayous. The estimated total is 120 yards of debris. Mr. Bell advised that the contract could be amended to add this.

Motion by Commissioner Cuchens, second by Commissioner Jones, to amend the contract to include the additional debris. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell advised that the EMS station on Burdick Avenue has been at that location for approximately 22 year. He recommended surplus the trailer, demolish it, and haul it to the landfill.

Motion by Commissioner Brannon, second by Commissioner Cuchens, to approve to surplus and demolish the old EMS facility located on Burdick Avenue. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented a request by the Church of Jesus Christ of Latter Day Saints. He stated that Mr. Rick Olsen has development orders on two properties located on South Geronimo Street. Mr. Olsen requested temporary use of two 8,000 square foot buildings on that property for a period of two years. Commissioner Meadows questioned the use of the building and if there is adequate parking. The Board requested additional information. Mike Lane will report back to the Board.

Mr. Bell advised that Mr. Bell Peter Brown contacted him regarding construction at the jail. He explained that they are relocating the existing fuel tanks and there is the possibility of leakage and contaminated soil. The contractor has estimated a cost of \$28,732.37 for removal of the tanks and contaminated soil. The cost is contingent upon the amount of contaminated soil. He recommended approval to allow construction to proceed.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the request for the contractor to proceed with the removal of the tanks and the contaminated soil. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell requested approval of the Chairman's signature on Sheriff Johnson's Surety Bond.

Motion by Commissioner Cuchens, second by Commissioner Brannon, for the Chair to sign the Sheriff's Surety Bond. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell reminded the Board that it was previously approved to apply for the Small County Outreach Program Grant. He explained that small counties are eligible for

funding from the State. The Board had previously agreed to use the funding for 8.4 miles of resurfacing on Bay Loop Road. He advised that confirmation was received that the county had been approved for the grant. The amount of the grant is \$2,520,000.00. DOT approved the county's portion in the amount of \$1,478,842.00 or \$75,000.00 per lane mile. Mr. Bell commended Commissioner Cuchens and Mr. Barry for the work in obtaining the grant funding.

Commissioner Brannon questioned Mr. Bell regarding the use of the old Wal-Mart Building. Mr. Bell will report back on this issue at the next meeting.

Commissioner Brannon stated that he received a call from Healthmark Hospital regarding a traffic signal on Highway 331 at the entrance to the hospital. He requested that Mr. Barry contact Mr. Jerry Beard at the hospital to discuss the issue further.

Commissioner Jones presented information regarding Oakridge Road in Juniper Lake Estates. There was a development, which included an agreement to grant the county a deed to a certain lot for a park. The agreement contained a reverter clause that it would revert back to the developer if the park was not constructed within a certain period of time. Commissioner Jones stated that the park was not developed and the county deeded the property back to the developer, but failed to reserve any right for drainage structure that had been installed. A new owner now wants to build a home and cannot due to the drainage structure being located on the property. He stated that the drains are critical to the property. He asked if the board wants to obtain an easement for professional maintenance. The Board agreed.

Commissioner Cuchens stated that he would like to instruct the Planning Department to consolidate all small-scale amendment proposals into one large scale map

transmittal. He stated that staff could also review areas around DeFuniak Springs and Freeport to provide a more proactive classification. This would increase the densities to discourage the property owners from annexing into the cities to obtain a more attractive zone. He would like to see this become part of the 2005 transmittal hearing efforts. Commissioner Brannon explained that there are certain limitations and felt a map amendment would alleviate the pressure on developers. Mike Lane stated that the 80 acre issue contains the small scale amendments. This issue will be brought back for further discussions.

Commissioner Meadows asked for an update on the enforcement of the Noise Ordinance. She questioned how many pieces of equipment there were to measure the decibel level and who was responsible for enforcing the ordinance. Mr. Mike Lane stated that two radar guns had been purchased, one by Code Enforcement and one by the Sheriff's Department, and staff from both departments had been trained and certified to measure the noise decibel levels. Mr. Bell stated that there were two staff members from Code Enforcement and three staff members from the Sheriff's Department who were certified to read the radar guns.

Captain Danny Glidewell addressed the Board and spoke about the action that is taken when a complaint is received by the Sheriff's Department. Further discussion was held regarding training additional officers. Mr. Lane stated that they had intended on beginning training in January.

Mr. Steve Ravenport addressed the Board and spoke about experiences he had regarding noise complaints and the decibel level measurements. He expressed

disappointment in the action that had been taken by deputies who had responded to his complaints.

Captain Glidewell responded by saying that there has to be probable cause before action can be taken by the Sheriff's Department. He also explained that weather factors, such as wind, can affect the accuracy of the decibel level measurement. Commissioner Meadows asked if it would be considered probable cause if complaints are repeatedly received from the same neighborhood. He stated that if the instrument doesn't measure a decibel level that exceeds the ordinance, it is not a violation of the law. It was the general consensus of the Board to ask Mike Lane to meet with a representative from the Sheriff's Department to further discuss ways to address the issue of enforcing the ordinance and bring back information to the Board.

Commissioner Meadows spoke about the alternative of creating a neighborhood ordinance for the neighborhood similar to the Grayton Beach Ordinance. Mr. Bell asked Captain Glidewell to work with Mr. Ravenport to see if they could help him with the noise problem in his neighborhood.

Commissioner Meadows' next item concerned a parking situation on CR 30-A. She said that the workers of a large condominium project on CR 30-A were parking on the right of way and workers crossing 30-A created a safety hazard. She requested that the owner of Nick's Restaurant be contacted to see if arrangements for parking could be made since the restaurant had recently burned. Mr. Bell suggested that Mike Lane contact Billy Bearden, Building Inspector, since the Building Department will be inspecting that site, and see if he could speak to someone and try to make arrangements.

Commissioner Meadows asked if the hurricane debris that is being held on Blue Mountain Beach Road would be removed. Mr. Russ Barry stated that he was arranging to lease a grinder to grind the material so that it could be removed. He stated that the process would begin in January.

There being no further business, the meeting was adjourned at 6:56 p.m.

APPROVED: \_\_\_\_\_  
Kenneth Pridgen, Chair

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