

JANUARY 25, 2005-REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, January 25, 2005 at 8:00 a.m. in Courtroom B of the Walton County Courthouse.

The following Board members were present: Commissioner Kenneth Pridgen, Chairman, Commissioner Scott Brannon, Vice-Chairman, Commissioner Larry Jones, Commissioner Cindy Meadows, and Commissioner Rosier Cuchens. Mr. Ronnie Bell, County Administrator, Attorney Gary Vorbeck, Legal Services Director, 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 Pridgen called the meeting to order.

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

1. EAL Approval

General Fund	\$ 244,925.09
County Transportation	\$ 233,452.43
SHIP	\$ 29,362.00
Fine & Forfeiture	\$ -
Debt Service Hospital	\$ 30,290.00
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 100.13
Tourist Dev. Council	\$ 773,178.51
N.W. Mosquito Control	\$ 565.32
W. Co. Library	\$ 6,500.71
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 15,629.53
Solid Waste Enterprise	\$ 14,603.62

credit on file and the plat had been signed by all pertinent parties. Staff recommended approval. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to approve the final plat for Tresca Place for recording. Ayes 4, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, and Pridgen Aye.

(Commissioner Meadows entered the meeting)

R. Poole--Robert W. Higgins proposed a replat of Lot 1, Pinecrest at Inlet Beach Subdivision located off CR 30-A. Ms. Finney stated that water and sewer was available and the plat had been signed by all pertinent parties. Staff recommended approval. There were no public comments.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the final plat for R. Poole for recording. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Turtle Ridge--St. Joe proposed a 28-lot single family subdivision located near WaterColor. Ms. Finney stated that the plat had been signed by all pertinent parties. Staff recommended approval. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the final plat for Turtle Ridge for recording. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Finney requested that the two last plats, Laurel Grove Phase III and Shoppes of Miramar/Miramar Beach Villas, be continued to a later date. There was no opposition voiced.

Mr. Johnny Padgent addressed the Board to request recognition of Emergency Services Professionals of Walton County. Due to there being no information presented regarding the request, the Board requested additional information and time to review the issue.

Mr. Michael Downham addressed the Board to voice a complaint about DDJ Motocross Track, located on Forest Oak Road in Woodlawn. Mr. Mike Lane, Planning Director, stated that the issue was currently being investigated by Code Enforcement. Commissioner Cuchens recalled that there was a previous agreement with the owner to allow only family members and friends to utilize the track. The following adjacent property owners also addressed the Board to speak in opposition to the Motocross Track: Ms. Pat Rice and Mr. Bob McGill. Ms. Rice presented several photographs that showed the track being used for recreational purposes. The Board directed staff to try and resolve the issue as quickly as possible.

Ms. Robin Tail addressed the Board and read a statement of opposition to amendments to the Comp Plan regarding the new V-Zone and Flood Plain that were recently submitted to the Department of Community Affairs.

Mr. Russ Barry, Public Works Director, addressed the Board and gave an update on the Beach Highlands paving recommendations. He informed that the project was re-bid by Purchasing and was scheduled to close on February 7, 2005. He stated that Public Works would have the results ready for the board meeting scheduled for February 8th.

Mr. Barry, due to Public Works' concern with the lack of progress and general disregard to the contractual requirement for the paving of Bayou Forest Roads (East and West), requested that the Board of County Commissioners:

1. Terminate the contract, for cause, with Advance Construction for the construction and paving of Bayou Forest according to Article 21 of their contract.
2. Instruct Public Works and Purchasing to notify Advance Construction's bonding company that we are placing a lien against their bond for the completion of the project.
3. Instruct Purchasing to add Advance Construction to their de-barred list.
4. Direct Public Works to temporarily suspend their paving schedule and to immediately start work to complete this project to pave Bayou Forest as rapidly as possibly.

Mr. Leigh Najor, owner of Advance Construction, addressed the Board to contest the claims made by Mr. Barry and asked for the opportunity to complete the project.

A representative from Preble Rish stated that meetings with the contractor had been held on two separate occasions at which timeframes were discussed in detail.

Motion by Commissioner Cuchens, second by Commissioner Brannon, to accept the requests made by Public Works as listed above. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry presented a Contribution Agreement for the Oyster Lake Restoration Project for which Mr. Larry Davis and his partner, Mr. Peter Stoddard, desire to contribute money to help the County offset the cost of restoring this dune lake to its historical levels. Public Works recommended that the BCC approve the agreement as written and accept the contribution to this project.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the agreement as written and accept the contribution to the Oyster Lake Restoration Project. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Meadows Aye, Cuchens Aye, and Pridgen Aye.

Mr. Imfeld requested that the Board allow the budget to be amended to accept the contribution made by Mr. Davis and Mr. Stoddard.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve to allow the budget to be amended to accept the contribution. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mayor Mickey Marse, City of Freeport, requested assistance from the County for funding for expansion of a sewer system in the bay area.

Commissioner Brannon expressed his support of moving forward with the request and also an interest in meeting with the mayor and a utility company to discuss a comprehensive approach for further expanding the sewer system.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve to assist the City of Freeport with funding for expansion of a sewer system in the bay area. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Ken Little, Citizens Services Director, addressed the Board and requested approval of a list of recommendations for appointments/reappointments to vacancies on various boards and committees. Commissioner Meadows recommended that Tom Patton be appointed to the District 5 Planning Commission seat although the present term has not yet expired. Commissioner Cuchens opposed the recommendation made by Commissioner Meadows.

Motion by Commissioner Jones, second by Commissioner Brannon, to accept the recommended appointments/reappointments to the various boards and committees. Ayes 4, Nays 1. Jones Aye, Meadows Aye, Brannon Aye, Cuchens Naye, and Pridgen Aye.

Commissioner Meadows recommended David Lovell and Bo Rutledge be appointed to replace Larry Towne and Gus Andrews on the Recreation Board when the present term expires.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the recommendation to appoint David Lovell and Bo Rutledge to the Recreation Board. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Meadows Aye, Cuchens Aye, and Pridgen Aye.

Mr. Little asked for each commissioner's recommended appointees to serve on the Redistricting Committee. They were as follows:

Commissioner Pridgen--Jerry Alford and James Hagan

Commissioner Brannon--Robert Nelson and Lee Perry

Commissioner Meadows--Jim White and Barbara Olsen

Commissioner Jones--Tom Terrell and John Saltsman

Commissioner Cuchens--Ronnie Brannon and Ricky Rookies

Motion by Commissioner Jones, second by Commissioner Brannon, to appoint those listed above to serve on the Redistricting Committee. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, Cuchens Aye, and Pridgen Aye.

Mr. Little presented a proposed resolution to declare February 2005 as "Library Appreciation Month".

Motion by Commissioner Cuchens, second by Commissioner Meadows, to adopt a resolution (2005-06) declaring February 2005 as "Library Appreciation Month". Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Little presented a request for the Board to appoint a representative to serve on the Health Department Director Interview Panel. Commissioner Meadows volunteered to serve on the panel.

Motion by Commissioner Brannon, second by Commissioner Jones, to appoint Commissioner Meadows to serve on the Health Department Director Interview Panel. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Barry introduced and turned the floor over to Ms. Debbie Danton, Senior Vice-President of Genesis Engineering, to give an update on the CR 30-A Traffic Study and Concurrencies Study. Ms. Danton turned the floor over to Mr. Ben Chandler, Genesis Engineering, to discuss the schedule and the goals of the Concurrencies Study. Ms. Danton concluded the presentation by reviewing the goals in more detail and the expected time frames for completion of both studies.

Ms. Kriss Titus, Executive Director of the TDC, presented a request for the BCC to approve lump sum bid of \$239,511.00 by Floridian Construction for Phase III emergency dune walkover construction. Phase III rebuilds include beach accesses that sustained major damages and substantial dune erosion due to Hurricane Ivan. Phase III completes all beach access rebuilds except for Miramar Beach Regional Beach Access.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the lump sum bid of \$239,511.00 by Floridian Construction for Phase III emergency dune walkover construction. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, Cuchens Aye, and Pridgen Aye.

Ms. Titus presented a request for the Board's approval of the purchase of a 2005 pickup truck to replace a truck purchased in 2000, which is being retired from beach maintenance inventory due to the increased usage from Hurricane Ivan.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the request for the purchase of a 2005 pickup truck to replace the truck purchased in 2000. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, Cuchens Aye, and Pridgen Aye.

Ms. Titus announced that the Walton County beach scraping permit had been extended until April 15th.

The Board recessed briefly.

Mr. Don Crim addressed the Board representing the ADA Committee (American Disability Act). He gave a brief history of when the act was formed and when the act was established in Walton County. He stated that there were several amendments to the ADA rules and regulations that needed to be incorporated into the Walton County Comp Plan and county ordinances. He stated that he would like a meeting to be set up between the Board and the ADA to discuss the needs of those handicapped in Walton County. Mr. Crim turned the floor over to Ms. Martha Heller, also a member of the ADA Committee, to speak on the issue of vacation rental homes being places of public accommodation. She requested that the issue be reviewed by Legal Services. The Board directed Legal Services to review the issue and bring back information at the next Board meeting. The Board also suggested that a meeting be arranged with the ADA Committee and each Division Director to discuss specific areas within each division that need to be resolved. The issues can then be brought back before the Board.

Mr. Gary Mattison, Human Resources Director, introduced Mr. Ken Moneghan, representing Florida Association Counties Trust, to give a presentation on the FACT program. Mr. Moneghan presented the Commissioners with an appreciation plaque from the Florida Association Counties Trust.

Mr. Mattison presented for its first reading additional language to amend Personnel Policies and Procedures Policy 5, Condition of Employment Subsection: 5.5 Travel Reimbursement.

Mr. Mattison announced that Human Resources had accepted the resignation of Attorney Gary Vorbeck, Director of Legal Services. He requested direction from the Board. The Board directed Human Resources to proceed forward with the advertising process.

Mr. Ronnie Bell, for informational purposes, presented a request from Mrs. Carlene Anderson, Walton County School Board, to arrange a meeting to discuss a site located in the Industrial Park in Mossy Head that could be made available to the Walton County School District for future use. The Board directed Mr. Bell to arrange a meeting with Ms. Anderson to discuss the issue.

Mr. Bell presented recommendations from a meeting that was held on January 13 with the Animal Control Advisory Committee. The Committee made the following recommendations: 1.) That the county hire a third animal control officer and 2.) That the county explore the D&D Pet Motel site as a temporary housing facility for animals.

Discussion was held regarding estimated costs and timeframes. The floor was opened to public comments. Mr. Jerry Flator spoke in favor of bringing the service back into Walton County on a permanent basis. Mr. Don Crim spoke in favor of penalizing

cat and dog owners who continue to allow their animals to breed and then turn the animals loose in society. Mrs. Casey Cuchens spoke in favor of bringing the service back into the County.

After lengthy discussion, the Board requested that Mr. Bell work with Human Resources to review issues involved with operating a temporary facility and present their information at the next scheduled BCC meeting. Commissioner Cuchens requested that Mr. Johnny Irvin, Chairman of the Animal Control Advisory Committee, be involved in reviewing the issues. Commissioner Meadows requested that they review the costs for incorporating spay and neuter programs and also education programs to inform children on how to care for their animals. She also spoke in favor of the recommendation to hire a third or even fourth animal control officer. The majority of the other Board members were in favor of waiting until the issue was further looked into.

Mr. Bell gave an update on Helen McCall Park and asked for the Board's approval to pay the bid amount of \$7,460.00 for upgrading the well site from the District 5 Recreational Plat Fee.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the bid amount of \$7,460.00 to come from the District 5 Recreational Plat Fee for upgrades to the well site. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, Cuchens Aye, and Pridgen Aye.

Commissioner Brannon addressed the issue of a proposed ordinance regarding building procedures. He spoke about exploring the option of requiring contractors to have a dumpster on all work sites. Discussion was held regarding alternatives to an ordinance.

Commissioner Brannon presented a letter he had received from a constituent requesting that DOT conduct a traffic study on SR 81 near the intersection of CR 183 and Club 81. The letter also requested that the speed limit at the intersection of CR 183 and SR 81 be reduced from 55 to 45 mph. Mr. Barry stated that he would contact the DOT regarding the request.

A member from the attendance requested that a sign be placed on Hwy 331, south of Coy Burgess Loop, warning the traffic that there is a school bus stop ahead. Mr. Barry stated he would take care of the issue.

Commissioner Jones presented a request for the Board's approval authorizing the writing of a letter of intent to a specific entity within the industrial park that will be located in Mossy Head.

Motion by Commissioner Jones, by Commissioner Cuchens, to authorize the writing of a letter of intent. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Meadows Aye, Cuchens Aye, and Pridgen Aye.

Commissioner Meadows addressed the issue of door-to-door and roadway solicitation. She stated that it has been suggested to her that permits be issued for this type of activity. Attorney Vorbeck stated that they would review similar ordinances in neighboring counties and bring back information to Commissioner Meadows.

Commissioner Meadows requested the Board's consideration of code language that would require parking and traffic safety plans to be reviewed with the development plan for construction projects of a certain size. The plan would include traffic safety signage, parking plans, and other related items and would be submitted with the development approval application. The Board directed Mr. Lane to look into the issue.

Commissioner Meadows voiced for the record that she disapproved of the recommendation made by Commissioner Cuchens to appoint Ronnie Brannon to serve on the Redistricting Committee. She felt that because Mr. Brannon was Commissioner Brannon's father it would be an ethics violation of the Florida Nepotism Law. Attorney Vorbeck stated that he would look into the issue.

There being no further business, the meeting adjourned at 10:46 a.m.

APPROVED: _____
Kenneth Pridgen, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court