

June 14, 2005 – Regular Meeting

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, June 14, 2005 at 4:00 p.m. at the Walton County Court House.

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, and Attorney David Hallman, Legal Services Director, 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 Cuchens, second by Commissioner Brannon, to approve the consent agenda consisting of the following items. Ayes 5, Nays 0. Pridgen Aye, Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

1. EAL Approval

General Fund	\$ 249,043.74
County Transportation	\$ 910,196.90
SHIP	\$ 315,990.00
Fine & Forfeiture	\$ -
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 133,343.26
Tourist Dev. Council	\$ 366,790.89
N.W. Mosquito Control	\$ (136.57)
W. Co. Library	\$ 8,958.37
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 12,637.69
Solid Waste Enterprise	\$ 349,934.60
Mossy Head VFD	\$ 851.75
Glendale VFD	\$ 116.69
Darlington VFD	\$ 2,116.63
Red Bay VFD	\$ -

Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Criminal Justice Ed Fund	\$	10,000.00
Bldg Dept/Enterp. Fund	\$	2,700.14
Capital Projects Fund	\$	172,175.79
Imperial Lakes MSBU	\$	-
Totals	\$	2,534,719.88

2. Approve Minutes of May 24, 2005 – Regular Meeting
3. SHIP Records Disposition Request
4. Records Disposition Request from Clerk’s Office
5. Request to Surplus Various Items from the Offices of the Tax Collector, Soil Conservation and Citizen Services
6. Approve Resolution to Amend the Budget for the Local Law Enforcement Block Grant
7. Approve Resolution to Amend the Budget for the Florida Boating Improvement Grant for the Alaqua Creek Boardwalk
8. Approve Resolution to Amend the Budget for the Division Forestry for the Volunteer Fire Departments
9. Request for the Chairman to sign an Amendment to the Workfare Grant Contract
10. Approve Public Works Re-organization
11. Approve to Purchase a New Sweeper from Tennant Sales & Services for the Landfill
12. Approve a Change Order for Bullard Excavating for the CR 30A Bike path Improvements
13. Approve Resolution Amending the Budget for the Bay Loop Road JPA Grant Program

Ms. Kris Titus, Executive Director of the Tourist Development Council, came before the Board to discuss the impact of Tropical Storm Arlene on Walton County. Mr. Brad Pickle, Director of Beach Management, presented the Board with an update on the impact of Tropical Storm Arlene in regards to beach erosion and turtle nesting. He stated that fifteen (15) out of fifty-six (56) beach access walkovers were lost or damaged during the storm. Mr. Pickle discussed the damage that was sustained at Miramar Beach in regards to the lost walkovers and severe beach erosion. He stated that currently no official determination had been made regarding private boardwalks. He also stated that the level of damage is being evaluated across the county to determine whether an emergency order will be issued. He stated that there is a high

probability that an emergency order will not be issued; therefore the private permitting will be on a case by case basis. Mr. Pickle informed the Board that the dune restoration project will be able to continue for the areas that have previously been permitted. He stated that beach scraping will not be a viable option at this time regarding beach and dune restoration. Commissioner Cuchens requested discussion from Mr. Pickle regarding beach scraping and dredging. Mr. Pickle discussed the difficulty of locating beach quality sand to reinforce our beaches.

Discussion was held regarding the impact of Tropical Storm Arlene on turtle nests. Mr. Pickle stated that three (3) out of four (4) turtle nests survived the storm. Commissioner Meadows asked about the status of the homes and condos on Miramar Beach that were previously damaged during Hurricane Ivan. Mr. Pickle stated that Tropical Storm Arlene caused additional beach erosion in the Miramar Beach area. Commissioner Brannon discussed the possibility of including a permit request for a private dune walkover in the emergency permit because it affects the public's safety. Discussion was held regarding the clean-up of debris from the storm.

Ms. Kris Titus presented the Board with the following requests: 1) the authority to move forward with an emergency bid for debris removal, 2) to allow the issuance of a change order for the reconstruction of fifteen (15) walkovers that were damaged to be completed by Schippers Marine, 3) to allow the issuance of a change order for the reconstruction of items on Miramar Beach such as sand restoration, the parking sidewalk located at the western end of the beach access by Chandler Construction, 4) the approval of a contract with the South Walton Turtle Watch Group in the amount of \$50,000.00. Ms. Titus stated that the costs for the activities included in her requests totaled approximately \$3,000,000.00. She stated that after discussion with Mr. Imfeld it was determined that contingency funds were available in the TDC budget to

finance the activities included in the requests. Mr. Imfeld also stated that as funds are received from FEMA a readjustment in the budget could be made to help fund these activities. Discussion was held regarding the funds that had been received from FEMA for the damages that occurred during Hurricane Ivan. Attorney Hallman questioned Ms. Titus about the need for a new contract for the debris removal. Ms. Titus stated that a new contract was needed because the previous contract could not be amended.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the following requests: 1) to move forward with an emergency bid for debris removal, 2) to allow the issuance of a change order for the reconstruction of fifteen (15) walkover accesses by Schippers Marine , 3) to allow the issuance of a change order for the reconstruction at Miramar Beach for sand restoration, the parking sidewalk located at the western part of the beach access, and the restroom by Chandler Construction, 4) to approve a contract with the South Walton Turtle Watch Group in the amount of \$50,000.00. Ayes 5, Nays 0. Pridgen Aye, Brannon Aye, Jones Aye, Cuchens Aye, Meadows Aye.

Ms. Pat Blackshear, Planning Director, requested clarification from the Board regarding the procedure of issuing permits for repairs and reconstruction from Tropical Storm Arlene. She requested that the Board authorize the issuance of permits for the reconstruction of pre-existing structures, prior to the storm, according to certified building plans as submitted to the county. She also requested approval to waive the permitting fees for these structures for ninety (90) days from today's date.

Motion by Commissioner Cuchens, second by Commissioner Jones, to allow the issuance of permits for the reconstruction of pre-existing structures that were damaged during Tropical

Storm Arlene, and to waive the permitting fees for ninety (90) days from today's date. Ayes 5, Nays 0. Pridgen Aye, Brannon Aye, Cuchens Aye, Jones Aye, Meadows Aye.

Chairman Pridgen called to order the public hearing to discuss the proposed Ordinance that would create the Walton County Law Enforcement Municipal Service Taxing Unit (MSTU) for the Sheriff's department.

Commissioner Jones addressed the comments and rumors that had been expressed regarding this MSTU being a method to raise taxes, lower wages, and eliminate jobs. He stated that the Board's intention in considering the MSTU was to produce a more clean and understandable budget for public citizens and the Sheriff's Department.

Ms. Bonnie McQuiston, Walton County Taxpayers Association, approached the Board to comment on the proposed MSTU. She presented the Board with comments that she had received via phone calls and e-mails speaking in favor and against the proposed MSTU. Ms. McQuiston submitted a list of reasons to not approve the proposed MSTU, along with a list of recommendations from the Taxpayers Association regarding the budget for the Sheriff's Department. She informed the Board that the Taxpayers Association has formed a committee comprised of law enforcement professionals and jail administrators to review the Sheriff's budget request and to draft a list of questions to be submitted to Mr. Imfeld and Sheriff Ralph Johnson for their review and comments.

Motion by Commissioner Brannon, second by Commissioner Cuchens, to deny the proposed Ordinance that would create the Walton County Law Enforcement Municipal Service Taxing Unit (MSTU). Ayes 5, 0 Nays. Pridgen Aye, Brannon Aye, Jones Aye, Cuchens Aye, Meadows Aye. Mr. J.B. Hillard also spoke in opposition to the MSTU.

Commissioner Jones discussed the need to review the Sheriff's Department budget in order to move forward with a clearer and more understandable budget. Attorney Hallman discussed the ability that the sheriff's department has to appeal the Board's decision regarding matters dealing with the department's budget. Commissioner Meadows discussed the need to update the data that is submitted by the sheriff's department regarding population projections for Walton County. Captain Glidewell informed the Board that at the present time an update was being done, and that Sheriff Johnson would be willing to supply the Board with any requested information. Mr. Bell suggested scheduling a budget workshop to discuss the issues brought forth. The Board spoke in favor of Mr. Bell scheduling a budget workshop.

Mr. Rick Millard, Construction Manager, requested the Board's permission to install a temporary modular facility for the Planning, Building, and Code Enforcement Offices at the South Walton Annex and to utilize a surplus structure (brick house) on Sloss Avenue for accommodation of the Building and Planning personnel in DeFuniak Springs. He stated that the purpose of this request is to replace the current code enforcement trailer with a larger facility to provide office space for the building, code enforcement, and planning personnel. This will allow for the provision of full Planning and Development services to the public in the South Walton area and avoid disruption to current facilities and operations. Also, by utilizing the existing structure on Sloss Avenue, required additional personnel can be sufficiently accommodated. He stated that the new building will be placed at that the same location that the current code building is now occupying. Mr. Millard expressed the need to address the space issue regarding the county's future needs for larger accommodations.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the installation of a temporary modular facility for the Planning, Building, and Code Enforcement

offices at the South Walton Annex and to utilize the surplus structure (a brick house) on Sloss Avenue for accommodation of the Building and Planning personnel in DeFuniak Springs. Ayes 5, Nays 0. Pridgen Aye, Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Mr. Bell requested the Board's permission to move forward with a request for qualifications from architectural firms to begin the design on the additional building at the South Walton Complex. He stated that he would return to the Board with recommendations for the selection of an architectural firm to move forward with this project.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to allow the request for qualifications from architectural firms to begin the design on the additional building at the South Walton Complex. Ayes 5, Nays 0. Pridgen Aye, Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Ms. Sarah Bleakley, Nabors, Giblin & Nickerson, P.A., presented the Board with the Walton County Post Session Legislation. She began by discussing the issues that were approved. Ms. Bleakley stated that 394 bills were passed out of the 2400 that were filed. She stated that as of June 10, 2005, the Governor had vetoed fourteen (14) of those that he had received. Ms. Bleakley discussed the three proposed constitutional amendments that were approved and stated that they would appear on the November 2006 ballot. She discussed the Northwest Florida Expressway authority stating that the primary purpose is to improve mobility along US 98 through the construction of other roads. Ms. Bleakley discussed the Walton County appropriations stating that \$1.5 Million was approved for South Walton Sewer Improvements, and \$1.5 Million was approved for the Bay Loop storm water restoration project. She discussed the Glendale Fire District in regards to becoming an independent district, stating that it was subject to referendum approval. She stated that the highway designations were approved in

regards to Veteran's Memorial Boulevard, and Henry Koerber Parkway. Ms. Bleakley discussed Homestead Property Value Limitation in regards to the homes that were destroyed by the 2004 hurricane season. Ms. Bleakley discussed Medicaid reform, water supply, and the tourist safety act. She also discussed Growth Management, Growth Management funding, and the Growth Management Studies regarding impact fees, school concurrency, and century commission on going growth management.

Ms. Bleakley discussed the following issues that were not approved: relief from the Department of Juvenile Justice Cost shift to counties, Gaskin Park and the Walton County Fair renovations, and no new taxes, including no new tourist development tax for Walton County or the City of Destin. She listed the following issues that will be discussed in 2006: Growth Management glitch, impact fee restrictions, internet sales tax bills, and Medicaid reform.

Chairman Pridgen informed the Board that he had to step out due to a prior engagement with the Canvassing Board. He therefore passed the Chair to Commissioner Brannon.

Ms. Rosemary Woods, PBS & J, came before the Board regarding the Mack Bayou Corridor Study. She informed the Board that a public meeting was scheduled for 6:30 p.m., on June 16, 2005. She gave a brief overview of the presentation that would be presented at Thursday's public meeting regarding the new access road west from Mack Bayou Road east to US 331 and the new access road east from US 331 east to CR 395. She stated that the information that will be presented at Thursday's meeting will consist of maps, drawings, and comparative data about the alternative alignments that have been developed by the study team. Ms. Woods discussed the project description and project phases. She also discussed the Project Development and Environment studies regarding data collection, problem and need identification, alternative analysis, public involvement, environmental considerations, and

alternative selection. Ms. Woods explained that the project purpose is to help manage rapid growth within Walton County. She informed the Board that a Preliminary Engineering Report will be submitted at the end of this month that will provide a summary of all the information that was collected. Ms. Woods stated that a State Environmental Impact Report would be submitted to the Board as well as the Department of Transportation (DOT) for their approval in October 2005.

Mr. Matthew Parker and Mr. Scott Spies requested that the Board release the Certificates of Occupancy for the final buildings for the Palacio Grande Project due to environmental permitting hardships and the letter of credit as provided by the Developer. Mr. Parker informed the Board that there is an existing commercial apartment complex that is ninety percent (90%) built out. He informed the Board that as a contingency of the development order, the developer was required to improve Hunters road up to county standards. Mr. Parker stated that the developer is planning to improve the road, but is hoping to receive leniency regarding the certificate of occupancy. He stated that the road has not been improved due to delays regarding DEP permits. Mr. Parker stated that the issues regarding the wetlands and the need for an amendment to the DEP paperwork and permits has delayed the improvements on the road, but that a letter of credit had been issued for 110% of costs to assure the Board that the road will be improved. Attorney Hallman questioned Mr. Parker on whether he was in a position as a representative of the developer regarding the road improvements, to issue the letter of credit to remain effective for ninety days from the engineers estimated date of completion. Mr. Parker informed the Board that the letter of credit has already been submitted, along with the engineers cost estimate. Discussion was held regarding extending the letter of credit for ninety days (90). Mr. Parker stated that the date on the letter of credit would be extended to ninety days (90).

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the release the Certificate of Occupancy for the final buildings due to environmental permitting hardships subject to Legal Services being satisfied with the letter of credit. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Ms. Crystal Steel requested that the Board appoint Mr. James Jones to serve as the Administrator of the Walton County Health Department. She explained that Mr. Jones had been nominated by the Florida Department of Health to the position of Administrator of the Walton County Health Department. She also stated that Mr. Jones would replace Dr. Susan Turner who previously served as the Director of the Walton County Health Department.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the appointment of Mr. James Jones to serve as the Administrator of the Walton County Health Department. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Commissioner Meadows questioned Ms. Steel about the Lighting Committee. She requested to move forward with the appointment of the selected individuals for the committee. Mr. Bell suggested that the Board forward their two selections to the Administrative Department, who would in turn schedule an organizational meeting.

Motion by Commissioner Meadows, second by Commissioner Jones, to direct each Commissioner to select two individuals to serve on the Lighting Committee, and identify their names to the Administrative Department, who is being directed to schedule an organizational meeting. Ayes 4, Nays 0. Brannon Aye, r Jones Aye, Cuchens Aye, Meadows Aye.

Mr. Paul Stevens presented the Board with a request to be granted a nonexclusive cable television franchise. Mr. Stevens was not present at the meeting. Attorney Hallman stated that

Mr. Stevens is requesting the Board's approval to begin discussions with Legal Services for the preparation of a proposed nonexclusive cable television franchise.

Motion by Commissioner Jones, second by Commissioner Meadows, to grant Legal Services the authorization to work with Mr. Stevens to draft a franchise agreement to be presented to the Board of their review. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Ms. Erica Teets, GIS Manager, requested the Board's approval on three (3) Interlocal Agreements between Walton County and the Cities of DeFuniak Springs, Freeport, and Paxton to share GIS Data. She stated that the agreement is worded the same for each city. Attorney Hallman stated that the Interlocal Agreements have been reviewed by Legal Services and that they are recommending approval.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve three (3) Interlocal Agreements between Walton County and the Cities of DeFuniak Springs, Freeport, and Paxton for the purpose of sharing GIS Data. Ayes 4, Nays 0. Commissioner Brannon Aye, Commissioner Jones Aye, Commissioner Meadows Aye, Commissioner Cuchens Aye.

Mr. Ed Baltzley, Emergency Response Director, requested the Board's approval for the adoption of a Fire Service Resolution making the BOCC the authority having jurisdiction for fire services excluding independent tax districts and municipalities. He stated that this would allow the county to move forward with planning for a unified fire service in Walton County. Discussion was held regarding this resolution not affecting the incorporated areas.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve Resolution 2005-39 regarding fire service, making the BOCC the authority having jurisdiction

for fire services excluding independent tax districts and municipalities. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Cuchens Aye, Meadows Aye.

Mr. Baltzley presented the Board with the first review of the Walton County Fire Rescue six year plan. He stated that this would be the initial review of the six year plan for Walton County Fire Rescue, and that the plan would be considered for approval at the June 28, 2005 Board meeting.

Mr. Eddie Rivers, Fire Manager, presented the Board with a brief synopsis of the Walton County Fire Rescue six year plan. He requested that the Board submit their recommendations and comments so that changes could be made to the plan before being submitted for final approval. Mr. Bell informed the Board that this plan would be scheduled for the June 28, 2005 meeting for consideration and approval.

Mr. Baltzley requested the Board's approval of a Grant Agreement between the State of Florida, State Technology Office and the Walton County Emergency Operation Center for equipment for the Florida Strategy. He stated that this was a network paid for by the state that would connect and patch dispatch centers, units, and agencies from different areas and different radio systems.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the grant agreement between the State of Florida, State Technology Office and the Walton County Emergency Operation Center. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Mr. Baltzley presented the Board with an update from PBS & J regarding the Walton County Hurricane Evacuation Abbreviated Transportation Model. He requested that the Board adopt this study as the current Hurricane Evacuation Transportation Model.

Motion by Commissioner Meadows, second by Commissioner Jones, to adopt the Walton County Hurricane Evacuation Abbreviated Transportation Model as the current Hurricane Evacuation Transportation Model. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Mr. Gary Mattison, Human Resource Director, presented the Board with a proposed change to be made to the BCC Policy and Procedures Manual regarding annual leave for twenty-four (24) employees. He discussed the shift schedule changes made previously for Emergency Response personnel. Mr. Mattison stated that the Emergency Response Division and Human Resources is presenting the Board with a proposed change to the annual leave regarding twenty-four (24) hour shift employees. He stated that the purpose of the change is to roll the holidays into an annual leave equity and earnings package. Mr. Mattison requested the Board's approval of this matter.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the language change in the BCC Policy and Procedures Manual regarding annual leave equity and earnings, to be put into affect July 1, 2005. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

The Board recessed briefly.

Attorney David Hallman, Legal Services Director, requested the Board's approval of a settlement agreement between Fireman's Fund Insurance Company, surety on the various construction projects awarded to Watkins Engineering, and Walton County. He stated that Watkins Engineering was awarded a contract as engineer on a variety of projects for Walton County; subsequently, Watkins filed for Chapter 11 bankruptcy. As the various projects with the County were bonded, the finalization of the remaining issues concerning payment of

subcontractors and corrective work required were negotiated between the surety and the county. Attorney Hallman stated the Watkins Engineering is claiming that the county owes them approximately \$170,000.00, in fees under the contract; however, there were numerous deficiency items in the projects which County staff determined were inadequate and needed correction. He stated that negotiations were entered into and ultimately it was determined that Watkins Engineering would be paid \$75,701.30 in full satisfaction of any and all work performed under the contract. He recommended approval of the settlement agreement in the amount of \$75,701.30.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the settlement agreement between Fireman's Fund Insurance Company and Walton County in the amount of \$75,701.30. Ayes 3, Naves 1. Brannon Aye, Meadows Aye, Cuchens Aye, Jones Nay.

Attorney Hallman requested the Board's authorization to initiate legal action against Ingram Signalization. He explained that the signal mast arms at Poinciana Boulevard were installed by Walton County's contractor, Ingram Signalization. The paint on these mast arms has failed repeatedly, and Ingram's response has been inadequate. Attorney Hallman stated that mast arms can not be repaired, but would have to be replaced. He requested that the Board allow him to move forward with litigation with Ingram Signalization. He also requested that the Board allow him to direct the Administration and Engineering Departments to obtain estimate amounts on the cost of installing mast arms at Poinciana Boulevard.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve Attorney Hallman's pursuance of litigation against Ingram Signalization. Ayes 4, Naves 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Attorney Hallman discussed the Department of Juvenile Justice-Detention Cost Sharing. He stated that legal services had received an invoice to Walton County for period 7/1/05 through 7/31/05 for the amount of \$27,622.02. Attorney Hallman stated that in 2004 the Florida Legislature passed legislation which required counties to share in the funding of the department's detention care. He stated that several counties and the Florida Association of Counties (FAC) have filed suit to have the law declared unconstitutional on the basis that, among other things, it was an unfunded mandate and did not pass the legislature with a two-thirds vote. Attorney Hallman stated that the court ultimately ruled in favor of the plaintiffs, and the 2004 Special Session passed a ruling remedying the court challenge and delayed the implementation until July 1, 2005. He informed the Board of the issues regarding this matter in terms of the unresolved constitutional question and trying to receive a fair estimate of the cost. Attorney Hallman assured the Board that the Financial Department and legal services would be investigating these issues. Discussion was held regarding the availability of funds being available to pay this bill from budgeting that had been done previously.

Attorney Hallman requested the Board's approval to purchase a Ford Taurus for Legal Services. He stated that funds are available within his budget.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the purchase of a Ford Taurus for Legal Services. Ayes 4, Nays 0. Commissioner Brannon Aye, Commissioner Jones Aye, Commissioner Cuchens Aye, Commissioner Meadows Aye.

Mr. Ronnie Bell, County Administrator, presented the Board with a memo explaining the proposed reorganization of the county commissioner meetings. He recommended that the Board approve the change in meeting dates and times, and approve the transition to take place with the July and August meetings. Mr. Bell stated that the proposed change is to schedule evening

meetings on the second and fourth Tuesday of each month. He also stated that the two meetings would start at 4:00 p.m. and alternate between DeFuniak Springs and South Walton County. The meetings would begin with the regular commission agenda items followed by the Land Use items.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the reorganization of the county commissioner meetings. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Commissioner Meadows suggested beginning the meetings before 4:00 p.m. to allow ample time for both meetings to take place. Ms. Blackshear stated that she would be willing to work with the Board regarding when to begin the meetings.

Mr. Bell informed the Board that the City of DeFuniak Springs had approved the drafting of an Interlocal Agreement regarding Gene Hurley Park between the City of DeFuniak Springs and Walton County.

Mr. Bell requested that the Board allow him to request proposals for the maintenance of the bike paths in South Walton, GEC grounds, Coastal Branch Library, Health Department, and the entirety of the South Walton complex.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to allow Mr. Bell to request proposals for the maintenance of the bike paths in South Walton, GEC grounds, Coastal Branch Library, Health Department, and the entirety of the South Walton complex. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Mr. Dan Arner came before the Board to request the approval of a change order for Hammond Point regarding the addition of driveways in the amount of \$43,417.12.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the change order for Hammond Point regarding the addition of driveways in the amount of \$43,417.12. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Mr. Arner requested the Boards approval on the replacement of the bridge located on Bay Loop near the concrete plant, as part of the grant for Bay Loop, in the amount of \$37,920.00. Commissioner Cuchens clarified that the excess grant money from Bay Loop would fund the construction to replace the bridge. Commissioner Cuchens requested to have the bridge on Bear Creek included in this project. Discussion was held regarding the need to have the bridge on Bear Creek restructured.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve changing the scope of work for Jenkins, Stanford and Associates to include the replacement of the bridge located on Bay Loop Road near the concrete plant for the amount of \$37,920.00. Ayes 4, Nays 0. Brannon Aye, Jones Aye, Meadows Aye, Cuchens Aye.

Commissioner Brannon updated the Board on the current issues being addressed by the Walton County Coalition Board regarding transportation systems. He requested that the Board direct Staff to draft an Interlocal agreement between all the municipalities in the county for the purpose of developing a common traffic concurrency methodology system, to be brought back before the Board in the future. Commissioner Brannon discussed the importance of traffic concurrency, as well as the need for the creation of a task force.

Mr. Bell requested postponing the submittal of the Interlocal Agreement to the Board until the first meeting in July. Commissioner Brannon agreed. Ms. Blackshear stated that it would be helpful to include water supply issues and school concurrency in the same Interlocal Agreement. Discussion was held regarding transportation impact fees. Additional discussion was

held regarding the information being collected via the Genesis Study being done on county roads at the present time. Attorney Hallman stated that the concurrency issue is becoming more complicated regarding resource issues and school concurrencies. The Board agreed to move forward with the Interlocal Agreement, to be brought back before the Board in July 2005.

Commissioner Brannon discussed the damage assessment training and the Interlocal Post Emergency Plan, expressing the need for the county and the cities within the county to have the same plans regarding evacuations and emergency planning. The Board agreed to look into this matter.

Commissioner Cuchens expressed his concern regarding the signal lights being erected at the crosswalk in Rosemary Beach. He stated that he did not believe that the traffic signals were warranted for that intersection. Mr. Arner stated that at the current time the bid had been awarded, materials had been ordered, and the installation of the signal lights is soon coming. Discussion was held regarding three surveys being completed, all stating that the traffic signals were not warranted. Commissioner Meadows questioned the legality of reversing the decision regarding the traffic signals. Commissioner Brannon questioned the County currently being under contract regarding the traffic signals. Mr. Arner stated that the county is currently under contract, and would be financially responsible if the decision was reversed. Attorney Hallman stated that he did not believe that the decision could be reversed, and recommended against it.

Commissioner Meadows discussed the issue of debris removal from the Coastal Dune Lakes caused by Hurricane Ivan. She presented the Board with photos of debris that were uncovered by Tropical Storm Arlene. She stated that the county entered into a contract with Tarheel Specialties Inc., although they were never paid for the debris removal from the Coastal Dune Lakes, and that the job had not been completed. Commissioner Meadows recommended

for safety reasons that the county have the debris removed from the lakes, and negotiate with Tarheel regarding their incomplete work.

Mr. Bell suggested including the Coastal Dune Lakes in the emergency bid for debris removal. The Board stated that they would be in favor of including the Coastal Dune Lakes in the emergency bid for debris removal. Attorney Hallman requested that photos be taken of the debris, before removal, to have the status of the lakes on record in the event any litigation occurs. Commissioner Brannon questioned if there were any additional dune lakes that contained debris from Hurricane Ivan. The Board agreed to have all Coastal Dune Lakes inspected for storm debris.

Mr. Allen Osborne came before the Board regarding the order that was issued in the May 24, 2005 regular meeting to discontinue the issuance of building permits regarding construction in Driftwood Estates. He informed the Board that before the discontinuance was ordered, Adams Construction had been issued eighty (80) building permits, which allowed thirty-four (34) additional foundations to be constructed. He submitted photos to the Board that illustrated the flooding and drainage issues that were occurring, along with explanations for each photo. Mr. Osborne stated that Chairman Pridgen had come out to the site to see first hand the problems that were occurring. He requested that the Board move to cease all construction in Driftwood Estates subject to resolving the concurrency, road egress, funding for the damaged road, density, and the mapping notification issues.

Motion by Commissioner Cuchens, to cease and desist any further construction and tree removal subject to resolving the concurrency, road egress, funding for the damaged road, density, and mapping notification issues. Commissioner Meadows requested additional discussion regarding this matter. Commissioner Cuchens withdrew his motion.

Commissioner Meadows discussed the issue of non-involved homeowners being affected by the order to halt the issuance of building permits and requested additional discussion before deciding on this matter. Attorney Hallman stated that he had directed planning, public works, and additional departments to investigate the issues raised by Mr. Osborne in the previous meeting to submit their assessments of the situation to him. He stated that Mr. Arner and Mr. Harman had gone to Driftwood Estates to investigate and photograph the ditch bottoms and drainage problems that were occurring. Attorney Hallman requested that Mr. Arner and Mr. Harman report their findings and recommendations to the Board. Mr. Harman stated that many issues had previously been addressed through an earlier email regarding the alcove structures and elevation levels of the ponds. Mr. Arner informed the Board that the storm water plan that was approved by the county is being investigated. Mr. Arner stated that it was his opinion that the issues regarding standing water were occurring due to the current construction, but that he believed that issue would remedy itself when the construction of the alcove was finished.

Commissioner Brannon requested clarification on the issues that were being presented regarding the construction taking place within Driftwood Estates. Attorney Hallman submitted the following issues that have been presented to the Board regarding Driftwood Estates: 1) whether the county's procedures were followed regarding the planning stage, 2) was the storm water plan approved by the County, and 3) did Adam's Construction abide by the approved storm water plans during previous and current construction. Attorney Hallman stated that in regards to the storm water plan, an approved copy did exist and was approved by David Campbell.

Discussion was held regarding whether the approved storm water drainage plan included Phase I and Phase II of Driftwood Estates, or whether it was drafted exclusively for Phase II. Mr.

Arner stated that the storm water plan included both Phase I and Phase II of Driftwood Estates. Commissioner Brannon questioned Mr. Arner if Walton County deviated from the original storm water DRI plan to the existing plan. Discussion was held regarding whether the storm water plan meets Walton County requirements. Mr. Arner stated that the approved storm water plan meets Walton County requirements. Discussion was held regarding standing water in surrounding homeowner properties. Mr. Arner stated that this issue is an ongoing construction issue. Attorney Hallman explained to the Board that the dam constructed on the Edmund's property is a significant factor in the flooding issue regarding Driftwood Estates. He also stated that a previous letter had been drafted to the Edmunds regarding this issue. Mr. Arner stated that it was his opinion that the biggest issue regarding the drainage system was the dam that was erected on the Edmunds property.

Commissioner Meadows expressed the need to review all the information presented during this meeting before moving forward with a decision. She stated that she would like to see the order to halt the issuance of any additional building permits continued. Commissioner Brannon stated that there has not been a sufficient amount of information submitted to warrant a stop work order to cease and desist all construction inside Driftwood Estates. Commissioner Brannon closed the floor to any additional public comment.

There being no other business, the meeting adjourned.

APPROVED: _____

Kenneth Pridgen, Chair

ATTEST: _____

Martha Ingle, Clerk of Court