

October 11, 2005 – REGULAR MEETING/LAND USE HEARING

The Board of County Commissioners, Walton County, Florida, held their regular scheduled meeting at 4:00 p.m. on October 11, 2005, in courtroom B of the Walton County Courthouse.

The following Board members were present: Kenneth Pridgen, Chairman, Commissioner Larry Jones, Commissioner Cindy Meadows, and Commissioner Rosier Cuchens. Mr. Ronnie Bell, County Administrator, Attorney David Hallman, Legal Services Director, and Ms. Martha Ingle, Clerk of Courts, were also present. Commissioner Brannon was unable to attend due to a conflict in schedule.

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 Meadows, to approve the consent agenda consisting of the items below. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

1. EAL Approval	
SHIP	\$ 64,137.75
Fine & Forfeiture	\$ 560,859.00
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 677.22
Tourist Dev. Council	\$ 228,973.69
N.W. Mosquito Control	\$ 17,963.57
W. Co. Library	\$ 3,547.02
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 19,430.42
Solid Waste Enterprise	\$ 137,523.52
Mossy Head VFD	\$ 7,994.48
Glendale VFD	\$ 3,024.66
Darlington VFD	\$ 3,650.50

Red Bay VFD	\$	706.90
Sidewalk Fund	\$	-
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	8,366.07
Capital Projects Fund	\$	133,690.13
Imperial Lakes MSBU	\$	-
Totals	\$	4,000,209.37

2. Approve Minutes of September 13, 2005-Regular Meeting  
September 26, 2005-Special Meeting  
September 26, 2005-Budget Hearing  
September 27, 2005-Regular Meeting
3. H.O.P.E. Resolution
4. Surplus Equipment Request
5. Mossyhead Enterprise Zone Re-designation Resolution (2005-93)

Ms. Lisa Spear, Community Liaison for Project Hope, was present and gave a brief overview of the recovery services offered by the organization. Mr. Bell read the H.O.P.E. Resolution into the record (2005-88). The Board expressed their appreciation for the efforts of Project Hope.

Mr. Bell announced Mr. Howard LaPorte, General Magistrate, as Governor Bush's choice for Walton County Circuit Court Judge. Mr. LaPorte expressed gratitude over the appointment and recognition.

Mr. Bell then introduced Ms. Kim Presnell, City Manager of DeFuniak Springs. Ms. Presnell stated that she had enjoyed working with the County thus far and looked forward to continuing the relationship.

Mr. Bell asked Mr. Buster Woodruff to speak on behalf of the volunteer group, South Walton Hurricane Helpers (SWHH), who has been assisting in the Hurricane Katrina recovery. Mr. Woodruff gave a brief overview of the services the group provides to the evacuees, as well as, residents still in Mississippi. He proposed that Walton County adopt Hancock County,

Mississippi and aid in their recovery efforts. He stated that the SWHH are working in conjunction with New Hope, an organization that builds homes through Habitat for Humanity, to provide housing for some residents of Hancock County. He added that many private and public sector donations have been received to assist in funding this effort. Mr. Woodruff recognized the volunteers and partners who were present.

Mr. Ronnie McGray, Executive Director, Walton County Habitat for Humanity, presented a request for a resolution to adopt Hancock County Mississippi as sister community to assist in their storm restoration. He read the proposed resolution into the record and overviewed a demographic comparison of Walton and Hancock Counties. Mr. Gray explained that this would be a partnership-relationship between South Walton Hurricane Helpers, Seaside Community Foundation, Habitat for Humanity of Walton County, and Walton County. Mr. Bell discussed the reports of need and added that the cities of Milton and Fort Walton Beach have both adopted a city. He stated that many county employees have expressed a desire to help. Mr. Woodruff stated that SWHH can provide temporary housing to volunteers who wish to travel to Mississippi and help. He added that the needs are beyond the scope of what a small group of volunteers can undertake and that outside involvement is needed to make a larger impact.

Motion by Commissioner Meadows, second by Commissioner Jones, to direct Legal Services to draft a resolution to adopt Hancock County as a sister county and assist in their Hurricane Katrina rebuilding efforts. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Gray presented a request from Habitat for Humanity to Walton County for \$250,000.00, 75% as a grant and 25% as a loan, to provide immediate housing in Hancock County. He read the terms and conditions into the record and discussed the benefits to Walton

County. Commissioner Meadows felt that the Board should take time to review the proposal, meet with Attorney Hallman, and revisit the issue at the October 25<sup>th</sup> Regular Board Meeting. Commissioner Cuchens asked Mr. Bill Imfeld, Finance Director, to comment on the request. Mr. Imfeld stated that he had no prior knowledge of the request and would like to confer with Attorney Hallman and Mr. Bell and report back to the Board.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the request for \$250,000.00, with the terms specified, to be used to provide immediate housing for qualified residents of Hancock County, pending the review and approval by Mr. Imfeld, Attorney Hallman, and Mr. Bell.

Commissioner Meadows questioned the legality of Walton County granting money to an outside organization. She added that she would prefer to wait until the Board had a better understanding of the proposal before making a decision. Mr. Grayer stated that he understood the hesitation and added that the existing partnership was ready to move forward with ten housing units at this time.

Commissioner Meadows withdrew her second to the motion.

Commissioner Cuchens acknowledged that \$250,000.00 was a large sum of money but felt that the County should help because it may one day be in need of reciprocation.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the request for \$250,000.00, with the specified terms, to be used to provide immediate housing for qualified residents of Hancock County, pending the review and approval by Mr. Imfeld, Attorney Hallman, and Mr. Bell. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Commissioner Jones added that he would like to see the private sector match the

County's contribution.

Mr. Imfeld, Finance Director, presented a request to implement the IRS Mileage Rate, increasing the reimbursement to 48.5 cents per mile for all county employees and Commissioners. He stated that the change would be in effect until December 31, 2005.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the increase in mileage reimbursement to 48.5 cents per mile until December 31, 2005. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Imfeld reported that the requested detailed documentation had been received for an outstanding bill submitted by the Department of Juvenile Justice. He added that the invoice had been forwarded to the Clerk of Court's office for payment and that the issue had been resolved.

Mr. Bell addressed a proposed resolution for the annual rollover of the incomplete Capital Projects grants. He presented the proposed resolution and reviewed it for the record.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the resolution for the Rollover of Capital Projects grant (2005-89). Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Imfeld requested the Board approve a transfer of \$30,000.00 from the Sheriff's Fine & Forfeiture Fund into the General Fund to allow Mr. Rick Millard, Construction Manager, to oversee jail maintenance.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the \$30,000.00 funds transfer from the Fine & Forfeiture Fund into General Funds as detailed by Mr. Imfeld. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Imfeld stated that two checks for \$60,000.00 each have been received, one each from Adams Homes and Olson & Associates, for storm water utility expenses at Driftwood Estates.

He requested that the Board approve a resolution to amend and receive those funds into the budget.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the resolution and accept the \$120,000.00 for storm water utility expenses at Driftwood Estates (2005-90). Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Pat Blackshear, Growth Management Director, discussed the revised Flood Damage Prevention Ordinance proposal. She submitted the technical corrections into the record and reviewed the ordinance language and revisions. There were no public comments.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the revised Flood Damage Prevention Ordinance as submitted by Ms. Blackshear (2005-27). Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear presented a proposal for a National and Standard Codes Ordinance and fee schedule resolution. She reviewed the revisions and the proposed fee schedule, which represents an increase of approximately 50% to go into effect January 1, 2006. Commissioner Meadows questioned the DRI fees and felt that, due to complexity variations, a fee range should be implemented. She added that the variance fee and that the fee should be \$500.00 or left as is. Commissioner Cuchens requested that the abandonment fees have a variance scale as well. Ms. Blackshear replied that a revision was submitted that indicates a variance for the abandonment fees. She stated that staff will make the final revisions and present those at the time of the second reading. The floor was opened to public comments.

Mr. David Kramer questioned the land clearing permits for south Walton and the fee for non-binding land use determinations. His opinion was that there should be no charge for non-binding land use determinations and questioned how the public could get those determinations

without paying the fee. Ms. Blackshear clarified that the fee does not apply to someone submitting an application as a land use determination is included in the application fee. She added that there is a database located in the Planning Department at the South Walton Annex for public use. Mr. Kramer suggested that the Board make the Land Use Determinations binding. Commissioner Meadows agreed that there should be no charge for a non-binding document.

Mr. Ken Shannon, Walton County Property Owners Association, requested the opportunity to meet with Ms. Blackshear and discuss the fee schedule revisions.

Mr. Jack Walton, St. Joe Company, was in support of a fee increase if a higher level of service was offered. There were no further public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to table the discussion on the proposal for a National and Standard Codes Ordinance and fee schedule resolution until the October 25, 2005 Regular Meeting. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Giles Yokel, Hatch Mott McDonald, gave an update on the animal shelter project. He discussed revisions to the design and submitted a diagram illustrating the square footage and layout.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the Waton County Animal Shelter project as submitted by Mr. Yokel. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Ken Little, Citizen Services Director, asked that Mr. Jim Jones, Administrator, Walton County Health Department, address the 2005-2006 core contract. Mr. Jones discussed the contract changes and services to be offered under the 2005-2006 proposed contract resolution. He stated that the Health Department would like to move from population based

services to a direct services facility with limited primary care, pre-natal, wellness and environmental health services. He requested a 15% budget increase of \$104,082.00, to increase county appropriations from \$693,879.00 to \$797,961.00. Mr. Imfeld stated that using the contingency funds was an option for funding the budget increase.

Motion by Commissioner Jones, second by Commissioner Meadows, to adopt the proposed resolution approving the 15% health department budget increase to be funded from Contingency funds. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Commissioner Meadows clarified that the primary care services would be geared toward indigent residents of Walton County. Mr. Jones stated that this is a starting point for implementing these services.

Mr. Roger Hall, CEO and President of Sacred Heart Hospital on the Emerald Coast, discussed the Proposed Health Care Strategy for Uninsured Residents. He discussed the number of employers in Walton County offering health insurance to their employees and gave a brief overview of the uninsured and underinsured patients treated in the emergency room at Sacred Heart. Mr. Hall stated that there was a need for a comprehensive analysis of health care needs within Walton County. He added that Sacred Heart is willing to use \$60,000.00 of their operational funds to pay for the study. He requested that the County endorse the project and allow Sacred Heart to work with county healthcare providers. Ms. Karen Praverse, a consultant contracted by Sacred Heart to do the analysis, discussed the contents of the study and the information that will be gathered.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the County's endorsement of Sacred Heart's Proposed Health Care Strategy for Uninsured Residents. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. William Bard addressed the water and sewage tap fees and incentives assessed by Regional Utilities in the Gulf Trace area. He felt the County should negotiate the same arrangement regarding fees so that any county resident could connect to sewage and water as it becomes available in their area. He questioned the relationship between the county and regional utilities. Mr. Dewey Wilson, President and General Manager of Florida Community Services, addressed Mr. Bard's concerns. He gave a breakdown of the price structure, discussed the connection incentives and bond issues. He added that an amnesty may be offered in the future to those areas that were not included in the previous bond issues. Commissioner Meadows felt that a program should be implemented to give incentives to those in environmentally sensitive areas, particularly waterways. Mr. Bard clarified that he was referring to well-established homes in environmentally sensitive areas and homeowners who cannot afford to pay the connection fees. Commissioner Cuchens questioned whether Mr. Bard was given a connection incentive. Mr. Bard replied that he was given the incentive to connect his home on Church Street to sewer and water, but did not receive the incentive for his rental property on 21<sup>st</sup> Street. Mr. Wilson stated that he would check into Mr. Bard's situation and report back. Mr. Bell clarified that the county loaned Regional Utilities \$400,000.00 to assist with connection fees in Gulf Trace, but would not have done so had Regional Utilities not had the bond issues. Mr. Wilson added that the state will not allow grants to be used for tap fees.

Ms. Lynda Robinson, Human Resource Coordinator, reported on the county physician proposal and discussed the budget proposal and job descriptions. Mr. Bell requested the Board review the information and then take action at the October 25<sup>th</sup> Regular Meeting.

Ms. Robinson presented a request to adopt a deductible change for the 2005/06 PGIT Workers Compensation policy. The suggested deductible was \$25,000.00 per incident, which

would save the County \$150,000.00 in annual premiums. Mr. Albert Milton, Milton Insurance Agency, stated that the proposed change was a result of a reduction in the County's job related accidents. He gave a brief comparison and review of the claims that were filed in the past.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to adopt the change to a \$25,000.00 per incident PGIT Workers Compensation deductible. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Brady Bearden, BCC Training Coordinator, discussed the efforts to implement employee training sessions and to appoint a Training Committee. He briefly discussed plans for future training in areas such as phone etiquette, leadership, management, diversity, and drug-free workplace. Mr. Bell commented on the new employee orientation program to familiarize new employees with county government. Commissioner Meadows requested a schedule of classes, employees to be involved, and the committee members.

Ms. Robinson presented the new language for the BCC Sick Leave Donation Policy 16 for a first reading. She stated that there have been complaints regarding new employees receiving donated sick leave hours. She requested that the proposed revision be reviewed and that action be taken at the October 25<sup>th</sup> Regular Meeting.

The Commissioners recessed briefly at 6:45 p.m.

Ms. Kriss Titus, Executive Director, TDC, presented a proposed resolution supporting the Florida Beach Management Program for grant funding efforts. She stated that it is required for local municipalities to submit a resolution in support of the Beach Program when applying for grants.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the

Florida Beach Management Program Resolution (2005-91). Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Titus discussed conceptual approval for the Cessna Park stormwater and parking enhancements. She requested that the Board approve staff working with Choctawhatchee Basin Alliance to move forward with the design and engineering of the conceptual plans at 100% cost to CBA. Commissioner Meadows stated that she is working with the Recreation Board to add playground equipment and replace the basketball court.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve staff working with CBA to move forward with the Cessna Park stormwater and parking enhancements. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Bell asked Ms. Titus to report on the expiration of the Beach Scraping Permit. Ms. Titus stated that sand volume is low and that scraping will undermine the quantity of sand currently on the beach. She stated the Mr. Brad Pickel, Director of Beach Management, had recommended not extending the Beach Scraping Permit.

Attorney Dana Matthews requested a modification to the language of LDC provision 11.03.06, which prohibits landowners from selling, agreeing to sell or negotiating the sell of a subdivision plat or condominium prior to plat recordation. He felt that the provision language defies a land owner's constitutionally protected right to contract or negotiate the sell of land. He requested that action be taken to amend the ordinance.

Attorney Hallman advised that the Planning Commission would review any proposed change to the LDC before action would be taken. Commissioner Meadows felt that the language was included to protect the consumer. She felt that the purchaser should not be held to a binding contract based on a preliminary site plan. Attorney Hallman stated that he did not agree that the

language was unconstitutional, but that the Board could choose to alter the language of the ordinance as a policy decision. He explained that the County currently has laws that prohibit the sale of plats not yet recorded and that the current ordinance could be seen as a mechanism to protect consumers from unseen changes and/or restrictions. Commissioner Jones stated that the ordinance is violated regularly as these contracts are commonly entered into within Walton County, but felt that the majority were legitimate. He added that individual buyers should obtain legal advice before entering into those agreements to protect themselves. Commissioner Meadows stated that known violations of the ordinance were not grounds to make changes to the ordinance and that it was the County's responsibility to protect the citizens. Attorney Hallman stated that the ordinance requires sellers to wait until later in the platting process before contracting sells and that violation of the ordinance is a crime. Mr. David Kramer asked who should enforce the ordinance. Attorney Matthews replied that the Sheriff's Department is responsible for enforcing the County's laws. Commissioner Meadows stated that the legal community should not encourage their clients to violate any law. Attorney Hallman asked Attorney Matthews to clarify who was responsible when a contract endured a significant change from time of signature to closing. Attorney Matthews replied that, in this instance, the responsibility would shift to the buyer. Commissioner Meadows felt that the ordinance protects the small investor. Commissioner Jones felt that the responsibility lies in the hands of the buyer.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve allowing staff to prepare an ordinance, with the language revisions recommended by Attorney Matthews, to be presented to the Planning Commission. Ayes 3, Nays 1. Jones Aye, Meadows Nay, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear presented a request to withdraw the Kimly-Horn amendment with the

exclusion of the policies regarding the borrow pits, the general agriculture land use category, and the language relating to the flood insurance program. She stated that it was submitted without the proper data analysis and was met with objections by the Department of Community Affairs. The floor was opened to public comments.

Mr. Kramer spoke in opposition of withdrawing the amendments and felt it was a waste of time and money to do so. He felt that the Conservation Residential 2:1 changes should be kept in addition to the items mentioned by Ms. Blackshear. Ms. Blackshear stated that it would cost as much to bring the ORC report in compliance as to compile the report. She added that the time was not wasted as the valid points from the amendment will be used when composing the EAR.

Commissioner Cuchens asked if the withdrawal would slow the affordable housing initiative. Ms. Blackshear responded that it should accelerate that process. Commissioner Cuchens asked who was responsible for the lack of data contained in the Kimbly-Horn amendment. Ms. Blackshear responded that the information should have been included upon compilation by the preparer.

Commissioner Meadows reminded the Board that she was not in support of transmitting the Kimbly-Horn Amendment without the data analysis and felt it should be withdrawn. Ms. Blackshear clarified that her suggestion to withdraw the amendment with the afore-mentioned exceptions and work on improving the balance of the analysis.

Commissioner Jones asked what would happen if the amendment was not withdrawn. Ms. Blackshear replied that the amendment has been transmitted and reviewed and that the County must respond within 60 days, but, to her knowledge, the time frame was not enforced. She stated that she will discuss, with DCA, the possibility of delaying the response.

Motion by Commissioner Cuchens, to request a stay of the Kimbly-Horn amendment with the exception of policies regarding the borrow pits, the general agriculture land use category, the language relating to the flood insurance program, and the Conservation Residential 2:1 language mentioned by Mr. Kramer and continue working on the other plan amendments.

Commissioner Meadows stated that it was not fair to decide to keep certain elements of the amendment without first having a public hearing.

Commissioner Cuchens withdrew his motion.

Motion by Commissioner Jones, second by Commissioner Cuchens, to have Ms. Blackshear contact DCA and request that they table the Kimbly-Horn amendment, continue on with the other plan amendments, and then readdress to the Kimbly-Horn amendment. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear addressed the Habitat Conservation Planning Grant and Incidental Take Permit Application. She gave a brief description of the County Habitat Plan and stated that it would require a coastal engineer on board with the County. She stated that the plan could cost \$150,000.00-\$200,000.00 and could be matched in a 75%-25% fashion. She added that DEP may have funds to match the 25% contribution. She requested a joint workshop with the TDC and the County Commissioners to discuss the issues. Commissioner Cuchens questioned why the County needed a taking permit since a natural disaster was responsible for the taking. He added that the County had taken considerable measures to re-establish the natural resources. Ms. Blackshear stated that DEP would not allow land owners to apply for an individual taking permit. Attorney Hallman stated that the County will be the applicant due to the Board's allowance of temporary shoring-up measures, which facilitated the taking of natural resources. He added that the alternative was for individual owners to spend \$100,000.00 to hire a consultant

and file an application. He stated that there was no determination of the County's legal responsibility to be the applicant and that it was a policy decision. Commissioner Cuchens felt that applying for a taking permit was an admission of guilt. Mr. Bell stated that he would coordinate the joint partnership meeting requested by Ms. Blackshear. No action was required.

Ms. Blackshear reported on the Pilot Communities School Concurrency Model Element. She gave a brief overview of the program and the proposed contract. She recommended approval of the contract and use of the consulting firm designated in the contract. Mr. Bell asked if the consulting firm was solicited using a bid process. Ms. Blackshear verified that a bid process was used and added that the firm was approved by DCA. Mr. Bell requested that Mr. Imfeld review the bid information.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the Pilot Communities School Concurrency Model Element Contract. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear requested a workshop to discuss CR 30-A and the development of capital improvements projects. Mr. Bell stated that he would schedule this meeting at 2:00 p.m. before the October 25<sup>th</sup> Regular Meeting. Chairman Pridgen agreed. Attorney

Hallman presented a request for approval of two (2) right of way acquisition agreements between Walton County and David and Misty Herring and Mr. and Mrs. Ronald Herring. He explained that the acquisition process began in order to save a bridge on Brown Road and to acquire the right-of-way to pave that road. He requested authorization for the Chair to sign the agreements allowing the Herrings to deed the right of way to the county in exchange for the county to re-fence that area and perform repairs to the driveway. Mr. Hallman recommended approval of the agreements in addition to reimbursement of \$1150.00 in legal fees paid by the Herrings.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve for the Chairman to sign the agreement and allow the county to reimburse the Herrings in the amount of \$1150.00 for their legal fees. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Attorney Hallman addressed the five-year plan to unify the fire districts within the County. He stated the Liberty Fire Department had expressed resistance to some of the proposals. He wanted to clarify that the negotiations are ongoing and deferred to Mr. Eddie Rivers, Emergency Management Coordinator, for further explanation. Mr. Rivers stated that fire services would not be withheld from any Walton County citizen. Mr. Rivers expanded upon the unification efforts and discussed a letter from Liberty Fire Department. He gave assurance that the citizens of Walton County would be served.

Mr. Bell requested approval of the Imperial Lakes Continuing Services Agreement, which is the MSBU for Imperial Lakes.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the MSBU for Imperial Lakes. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Bell requested approval of the Fire Protection Continuing Services Agreement with the Governmental Services Group (GSG) for dependant districts that fall under Mr. Rivers and Mr. Baltzey.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the Fire Protection Continuing Services Agreement. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Bell requested approval of the Driftwood Estates MSBU Continuing Services Agreement administered by GSG.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the Driftwood Estates MSBU Continuing Services Agreement resolution (2005-92). Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Bell presented a proposed resolution requesting the repeal of the Florida Motor Fuel Marketing Practices Act. He explained that the resolution was designed to help small business gas stations stay in business and avoid the negative ramifications of increased gas prices.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve drafting a resolution to repeal the Florida Motor Fuel Marketing Practices Act. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens.

Mr. Bell requested approval of the settlement agreement regarding the pedestrian walkways along the South Walton GEC. He stated that a proposal was submitted by Pebble Rish to complete those walkways for a total of \$46,500.00.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the settlement agreement regarding the pedestrian walkways along the South Walton GEC. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Commissioner Jones expressed appreciation to the volunteers from Walton County who traveled to Mississippi to assist in the Hurricane Katrina recovery effort. He recognized those employees who volunteered their time.

Commissioner Cuchens discussed the closing of McCollough Road. He stated that he did not disagree that it should be closed but questioned if it should go through the abandonment process. Attorney Hallman clarified that the County has no legally deeded entitlement to that

claim. He stated that, in the past, Walton County had graded the road that had since been closed by the property owner. He added that the County has the legal right under Florida Statutes to make a claim on the property if it is determined that it constructed and continuously maintained that roadway. Attorney Hallman stated that the question was whether the County continuously maintained the road. His opinion was that the formal abandonment process would alleviate the controversy surrounding the roadway, but was not legally required.

Ms. Blackshear presented three developments for final plat approval. Water Oaks Subdivision consists of 45 single-family residences and 24 condominiums located on +/- 9.85 acres on the west side of Mussett Bayou Road, north of U.S. Highway 98. Robola Bluffs, a replat of the Bayview Harbor plat, located on +/- 4 acres north of Choctawhatchee Bay, south of Red Barn Road. Capri Court consists of a 4 lot single-family subdivision on 2.15 acres located on the north side of LaGrange Road approximately 500' east of George Ellis Pt. She stated that all three plats met the minimum technical requirements and recommended final plat approval with Water Oaks Subdivision and Capri Court pending Legal Services approval. There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the final plats of Water Oaks Subdivision, Robola Bluffs, and Capri Court for recordation with the conditions set forth by staff. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Mr. Don Crim requested a workshop with the school board, DeFuniak City Council and County Commission to discuss the ADA needs within Walton County. Chairman Pridgen stated that he will ask Mr. Bell to schedule that workshop.

There being no further business to discuss, the meeting adjourned at 8:08 p.m.

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

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