

MARCH 27, 2006 – SPECIAL/REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Public Hearing at 3:00 p.m., on March 27, 2006, in Courtroom B of the Walton County Courthouse in DeFuniak Springs. The purpose of the hearing was to hear the Genesis Group's final recommendations regarding the CR 30A traffic study.

The following Board members were present: Scott Brannon, Chairman, Kenneth Pridgen, Vice-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.

Chairman Brannon called the meeting to order.

Ms. Debbie Dantin, Genesis Group, presented a power point presentation entitled *County Road 30-A Traffic Study, Final Report Plan Adoption*. She briefly discussed the methods by which public input was gained throughout the course of the study. The recommended short term improvements included the following: safety and capacity, Capital Improvement Projects, LDC modifications and design standards, and new traffic concurrency procedures. The recommended long term improvements included: scenic corridor vision and mobility, Comprehensive Plan modifications, and planning for county wide improvements. Ms. Dantin briefly expanded upon and gave examples of the recommended improvements. A copy of the report was submitted.

Ms. Anita Page expressed concerns regarding street lighting and parking. She also felt that the county should integrate golf cart paths as the carts are more environmentally sound than conventional vehicles.

Ms. Bonnie McQuiston, Walton County Tax Payers Association, asked if the suggested roundabouts would infringe upon private property. Ms. Blackshear stated that staff has been

working with property owners to secure easements. Ms. Dantin added that additional funds were budgeted and could be used for such negotiations.

The Board took a brief recess at 4:00 p.m. and reconvened at 4:10 p.m. into the Regular Meeting. Commissioner Cuchens led with prayer followed by the Pledge of Allegiance to the American Flag. Chairman Brannon called the meeting to order.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the Consent Agenda consisting of the items below. Ayes 5, Nays 0.

1. EAL Approval

General Fund	\$ 917,420.80
County Transportation	\$ 849,228.73
SHIP	\$ 8,783.00
Fine & Forfeiture	\$ 88,264.07
Debt Service Hospital	\$ -
Mosq. Control State	\$ 801.00
Mott Sign Grant	\$ -
Section 8 Housing	\$ 132,357.84
Tourist Dev. Council	\$ 392,639.43
N.W. Mosquito Control	\$ 768.66
W. Co. Library	\$ 8,206.33
Tax Deed Surplus Trust	\$ 2,857.24
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 51,313.73
Solid Waste Enterprise	\$ 124,205.64
Mossy Head VFD	\$ 1,148.00
Glendale VFD	\$ 25,576.90
Darlington VFD	\$ -
Red Bay VFD	\$ -
Preservation	\$ -
Sidewalk Fund	\$ -
Local Option Gas Tax	\$ -
Special Law Enf. Trust	\$ -
Driftwood Debt Service	\$ 317,000.00
Criminal Justice Ed Fund	\$ -
Bldg Dept/Enterp. Fund	\$ 5,796.11
Capital Projects Fund	\$ (8,519.69)
Imperial Lakes MSBU	\$ 750.00
Totals	\$2,918,597.79

2. Approve Minutes of March 14, 2006 –Regular Meeting
3. Surplus an Ambulance to the Gritney Volunteer Fire Department
4. Approve Resolution to Amend the Budget due to an Unanticipated Donation Made to the Capital Projects Fund –Jail Expansion (2006-25)
5. Approval to Surplus a Computer

6. Approve Resolution to Amend the Budget for an Unanticipated Federal Forestry Grant for the Glendale Volunteer Fire Department **(2005-26)**
7. Approve Resolution to Amend the Budget for an Unanticipated Volunteer Fire Assistance Grant for the Glendale Volunteer Fire Department **(2005-28)**
8. Approve Records Disposition Request from Administration
9. Approve Transfer of Funds to the EOC for Flooring Replacement

Mr. Bell presented Commissioner Jones and Commissioner Pridgen with a plaque on behalf of the DeFuniak Springs Little League 2006. Mr. Bell read the plaque into the record.

Mr. John Johnson, Public Works Director, presented a request to approve an overtime request and budget transfer request for the paving crews. The request was to allow working hours to extend beyond 4:30 p.m. and on Saturdays.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve Mr. Johnson's overtime and budget requests. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Ryan Douglass, Staff Engineer, stated that two bids had been submitted for the Rock Hill Road and US Highway 331 Intersection Improvement Contract; one from APAC for \$502,879.90 and one from CW Roberts for \$675,226.00. He requested that the Board award the bid to APAC.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to award the bid to APAC as presented by Mr. Douglass. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Douglass requested that the discussion regarding the CR 3280 and US Highway 331 Intersection Improvements Contract be continued as the received bids were higher than expected.

Mr. Bob Edwards gave an overview of the Children's Volunteer Health Network, Inc., program in Walton County. The program is a faith based organization which works to provide health and dental care to under/uninsured children in Walton County. He stated that 73 children

have been serviced since the program began its work in August 2005. Mr. Edwards asked that any children in need of medical services be referred and that the office be contacted for volunteer and/or donation information.

Mr. Ed Baltzley, Emergency Response Director, requested that the Board award the Disaster Response Services and Debris Removal to Pre and Post Disaster Event Contract to Crowder-Gulf, which scored highest in the review process. He explained that the county would only incur costs upon activation of the contract. Mr. Imfeld added that Crowder Gulf was contracted for debris removal after three storms in 2005 and that the county was satisfied with the services provided.

Commissioner Cuchens asked why no local contractors submitted bids. Mr. Imfeld explained that the scope of work required the assemblage of large amounts of resources in a short time period and that larger companies were generally able to accommodate those needs. He stated that staff encourages outside companies to give “priority hiring” to local contractors. He added that the normal procedures for soliciting bids, including advertising, were followed.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to award the debris removal pre-/post-contract to Crowder-Gulf as presented by Mr. Baltzley. Ayes 4, Nays 1. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Nay.

Mr. Baltzley requested that the Board draft a resolution recognizing April 10th through April 16th as National Telecommunicator Week. Communicators are described as those who take emergency calls, such as dispatchers.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to have staff draft a resolution as presented by Mr. Baltzley. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley requested that the Board draft a resolution to allow staff to apply for the Emergency Medical Services Grant. The county's portion of the \$16,400.00 grant, which comes from the collection of traffic fines, is \$9371.00. The balance of the grant will go to the South Walton Fire District.

Motion by Commissioner Jones, second by Commissioner Cuchens, to draft a resolution allowing staff to apply for the EMS grant as presented by Mr. Baltzley (2006-27). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Kevin Hargett, Code Enforcement, presented a revised Emergency On-Call Officers Policy for approval. He discussed the situations which would require emergency attention and the protocol for fielding and responding to such calls. He also requested that on-call officers be assigned a county vehicle, which he explained would shorten response times, and that two officers be available to respond to nighttime calls due to safety concerns. Mr. Hargett briefly discussed concerns with current understaffing conditions.

Mr. Bell suggested the implementation of a rotating schedule similar to that of Mr. Baltzley's department.

Commissioner Meadows asked if the department could use an additional full or part-time Code Enforcement Officer. Mr. Hargett stated that Mr. Gary Mattison, Human Resource Director, is currently looking to fill the department's vacant position.

Commissioner Pridgen suggested having the department work full-time on weekends using a rotating schedule.

Mr. Bell stated that he will work with Mr. Hargett to find a solution to the scheduling issue and report back to the Board at the next BCC Meeting. Mr. Hargett suggested that the Board consider having all Code Enforcement Officers on-call 24 hours a day and allowing the

department staff to work out the response schedule.

Mr. Mattison presented the second reading of the proposed revision to Policy 17 of the Personnel Policies and Procedures Manual for approval. He stated that the policy addresses military leave, specifically armed forces reserves.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the proposed revision to Policy 17 as presented by Mr. Mattison. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Attorney Peter Harvetine, representative for Mr. Robert Babcock and San Destin Resort, requested that Section 22-60 D8 of the Walton County Ordinance, which relates to beach vendors, be amended to include the following language: “subject to any existing easements, licenses or agreements which grant or authorize persons or entities to operate vending on the beach”. He felt that the current language impedes the rights of vendors with pre-existing easement agreements.

Commissioner Jones felt that the additional language was clear and that the suggested change would cause confusion. Commissioner Meadows agreed that the language should not be amended. She asked if the issue was the result of the additional beach created by the beach re-nourishment. Mr. Harvertine replied that it was.

Mr. Babcock felt that the easement granted to him gave him the right to vend on the beach without the permission of the upland beach owner.

Attorney Gary Vorbeck, representative for Beachside II, stated that it was not the intention of his client to prohibit vending, only to make it reasonable. He stated that at times vending impedes public access to the beach. He requested that the county oppose the proposed ordinance amendment as presented by Attorney Harvetine. Attorney Vorbeck submitted

information regarding Beachside II's objection and photos of vending on the beach. He added that this is a civil matter between Beachside II and Mr. Babcock.

Attorney Hallman questioned the current agreement between Beachside II and San Destin resort. Mr. Vorbeck stated that Beachside II had not granted San Destin Resort permission to vend on the beach. He stated that there are private rights between both parties, but no authorization as is mandated by the current ordinance. Attorney Harvertine felt that the county should not interfere with easement rights.

After further discussion the Board concurred that the current language is concise; therefore, no action was taken. Commissioner Jones further clarified that the Board was not affirming San Destin Resort's right to vend on said property.

Ms. Titus requested that the Board award the TDC Cleaning Services contract to Blackwell Cleaning. The amount of the bid was \$8,100.00 per year.

Motion by Commissioner Jones, second by Commissioner Pridgen, to award the TDC Cleaning Services contract to Blackwell Cleaning as presented by Ms. Titus. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Titus requested that a Public Hearing be scheduled to consider adoption of a proposed ordinance to approve the TDC's Plan for Tourist Development.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to allow Ms. Titus to work with staff to schedule a Public Hearing as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Brad Pickel, Director of Beach Management, discussed the issues regarding the upcoming Western Walton County Beach Restoration Project. He stated that the project is going well and moving 300-400 feet per day. He requested the Board's direction regarding three

property owners who requested that the area of beach in front of their homes not be renourished. Mr. Pickel explained that the county's options are to restore the entire beach or to bypass those homes. He explained that bypassing that area would create a low-lying area which would be prone to future damage. Attorney Hallman felt that the county would be subject to litigation regardless of the chosen action. He explained that the Board has the inherent police power to restore the entire beach, including those where owners are in objection. Mr. Pickel felt that it is in the county's best interest to restore the entire span of beach.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to continue the restoration project including the areas where the property owners are in opposition. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Pickel presented the Phase 2 Emergency Beach Access Repair Bids, which includes the construction of 18 dune walkovers to be constructed by Memorial Day. He explained that the new design requires 8 inch pilings which are more difficult to install. Mr. Pickel added that the county must use the new design in order to receive future FEMA reimbursement. The project was divided into three sections of six walkovers each and the only bid received was from Schippers Marine. The total cost of the project is approximately \$2.5 million, with 87.5% to be cost shared by the State and FEMA. The county's share of \$256,546.25 will come from Walton County TDC Bed Taxes.

Commissioner Cuchens asked Attorney Hallman if he should abstain from the vote. Attorney Hallman felt that Commissioner Cuchens had no conflict of interest which would prohibit his voting on this item.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to award the bid for the western portion of Phase II to Schippers Marine as presented by Mr. Pickel. Ayes 5, Nays

0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to award the bid for the central portion of Phase II to Schippers Marine as presented by Mr. Pickel. Ayes 5, Nays

0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye

Motion by Commissioner Meadows, second by Commissioner Jones, to award the bid for the eastern portion of Phase II to Schippers Marine as presented by Mr. Pickel. Ayes 5, Nays 0.

Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye

Mr. Pickel presented a request for the Board to send a letter to FDEP to secure funds for post project monitoring funds for the western Walton County project and the Federal Feasibility Study. He stated that the letter had to be submitted before the March 31st deadline. A copy of the letter from FDEP to Mr. Bell was submitted.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to allow staff to draft a letter of response to FDEP in order to secure the funds as requested by Mr. Pickels. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Pickel gave a brief report on the beach renourishment project. He stated that a more in depth report would be given at the April 25th BCC Regular Meeting.

Mr. Gary D'Andrea, South Walton Mosquito Control, requested an amendment to the Land Development Code to allow access onto private properties for mosquito treatment. He briefly discussed the two types of mosquitoes and their associated risk of spreading West Nile Virus.

Ms. Blackshear explained that the issue stems from the lack of access to side and rear yard swells, which are often fenced. Commissioner Meadows proposed the elimination of side and rear yard swell drainage in all areas other than the beach.

The Board directed Ms. Blackshear to work with Mr. D'Andrea to draft an ordinance to amend the LDC and advertise it to be heard during a Public Hearing. No further action was taken.

Ms. Blackshear presented a request for direction from the Planning Commission regarding preservation of rear and side yards for single family homes, tandem parking, ex-filtration systems under roadways and/or in small subdivisions, and septic tanks in close proximity to existing sanitary sewer. She submitted the list of the issues along with staff recommendations. Ms. Blackshear requested that the Board give direction at the April 11th BCC Regular Meeting.

Ms. Blackshear stated that the Walton County School District has moved forward with the implementation of review fees and has adopted a fee schedule. Ms. Carlene Anderson, Superintendent, asked that the county collect those fees and forward them to the WCSD.

Motion by Commissioner Jones, second by Commissioner Cuchens, to allow staff to collect the review fees and forward those to the WCSD. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Attorney Hallman requested that a closed session with the Board be placed on the agenda for the end of the April 11, 2006, BCC Regular Meeting. The purpose of the meeting is to discuss the Board's position regarding the labor negotiations with the fire and EMS workers.

Attorney Hallman reported that the First District Court of Appeals denied the county's request for a rehearing in the case regarding the Sunseekers beach access. He requested direction regarding an appeal to the Florida Supreme Court. Attorney Hallman felt that the position taken by the First District Court of Appeals was inconsistent with that of other districts. The approximate cost of the appeal is \$15,000.00.

Commissioner Meadows felt that the board should proceed with the appeal process. Commissioner Cuchens questioned the location of the access and requested that the issue be continued until the April 11 Regular Meeting to allow the Board time to review a map of the access.

Attorney Hallman reported that a bill is going before the Florida Senate regarding sewage treatment. Senate Bill 1874 is being supported by proponents of the septic tank industry and would make it difficult to bond or require sewage hook-up. He asked that the Board authorize Chairman Brannon to sign a letter in opposition to the bill. A copy of the proposed letter along with a quick reference regarding the bill was submitted.

Motion by Commissioner Jones, second by Commissioner Meadows, to authorize Chairman Brannon to sign a letter on behalf of the Board in opposition to Senate Bill 1874. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Attorney Hallman also reported that there is a disagreement between the Florida League of Cities and the Florida Association of Counties regarding House Bill 949. If passed, the bill will restrict a county's ability to enact an ordinance that has application within municipal boundaries. He requested that the board authorize Chairman Brannon to sign a letter in opposition to the bill. A copy of the proposed letter was submitted.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to authorize Chairman Brannon to sign a letter in opposition to House Bill 949 on behalf of the Board. Ayes 3, Nays 2. Jones Nay, Meadows Aye, Pridgen Nay, Brannon Aye, and Cuchens Aye.

Commissioner Cuchens requested an update on the needs assessment for the EAR report. Ms. Blackshear stated that due to the work load being handled by the Planning Department, outside assistance would be needed to complete the needs assessment. Commissioner Cuchens

suggested that staff open the bid process for the assistance requested. Mr. Bell stated that he would open the bids once Ms. Blackshear develops the scope of services. Ms. Blackshear also requested a dedicated staff person to handle ads.

Commissioner Meadows stated that the proposed north/south connector from US Highway 98 to Walton Way had fallen through and was removed from the agenda.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to move forward with process to survey Pines of Blue Mountain Beach for the establishment of an MSBU. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Chairman Brannon, on behalf of the Board, directed Mr. Bell to discuss the process for adding street lights to dangerous rural roads and intersections with Mr. Richards at Chelco. He is to report those findings back to the Board.

The floor was opened to public comments.

Mr. David Kramer stated that the Boys and Girls Club had requested use of a temporary site until their permanent site is available in approximately one year. He reported that Ms. Blackshear informed him that a Temporary Use Permit would be needed. They are requesting at least 2 acres in the south Walton area. Mr. Bell stated that he would explore possible sites around the South Walton Annex and report back.

Mr. Kramer added that he has a 50,000 gallon water tank that he would like to donate to anyone in the community. He also requested the application date for small scale amendments and the date of the next EAR workshop.

Ms. McQuiston, Walton County Tax Payers Association, spoke in opposition to the Board's recent vote regarding street lights; which were not on the agenda and were unbudgeted. Ms. McQuiston felt that the county should opt to use universal signs.

Mr. Cliff Knauer, Prebble Rish, demonstrated the lights in question and gave a brief description of their use and functions. He submitted two studies regarding the effectiveness of warning lights at crosswalks.

Mr. Bob Hudson stated that he had also reviewed several studies regarding lighting and felt that a study by university professors was the most accurate. He deducted from the studies that the lighting would not contribute to the safety of Walton County pedestrians due to the tourist population.

Mr. Knauer stated that the lights should be installed beginning August of 2006. Commissioner Meadows felt that the Board should consider all options prior to installation of the lights.

There were no further public comments.

The Board recessed briefly and reconvened at 6:40 p.m. into a Public Hearing to discuss final plats and major development proposals. (Chairman Brannon left at 6:30 p.m.)

Ms. Blackshear requested that final plat approval of Whispering Lake Subdivision be removed from the agenda and re-advertised for a later time. The plat was not received in time to be reviewed by staff.

Motion by Commissioner Cuchens, second by Commissioner Jones, to remove Whispering Lake Subdivision from the agenda. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear stated that the applicant, Mr. John Somer, had requested that his petition for the abandonment of a portion of Waters Street at the south end of 6th Street, be removed from the agenda. She submitted the applicant's request for removal into the record.

Motion by Commissioner Meadows, second by Commissioner Jones, to remove the

Somer petition for abandonment from the agenda. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear presented a petition by Noventa Ocho, LLC., for the abandonment of all right-of-ways within Frangista Beach, Second Addition Subdivision. The right-of-ways are located north of Daytona Street and east of South Holiday Road. She reported that the Planning Commission's recommendation was to approve; however, staff had reported citizen concern regarding use of the road for access to US Highway 98. Ms. Blackshear stated that the project was consistent with the LDC and Comp Plan; however, staff would like approval to be contingent upon an alternative north/south connection to US Highway 98.

Mr. Chris Cadenhead spoke on behalf of the developer, Noventa Ocho, LLC. He stated that the road, currently covered with limestone rock, could be paved at any time without the condition of a connector. The request for abandonment was due to a desire to use brick pavers in lieu of asphalt and to gate and privatize the road. He stated that attempts are being made to secure an additional access to US Highway 98.

Commissioner Meadows asked if staff had documentation regarding the number of property owners in support of the abandonment. Staff could not verify that 4/5 of the property owners were in agreement as is the legal requirement. Mr. Cadenhead stated that the issue regarding property owner agreements had been settled before the item was put on the agenda.

Motion by Commissioner Meadows, second by Commissioner Jones, to continue the Noventa Ocho, LLC., petition for abandonment until the April 11, 2006 BCC Meeting to be held at 5:00 p.m. or later at the South Walton Annex. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Attorney Hallman administered the oath to all who intended to present testimony

regarding the quasi-judicial items. He asked that the Commissioners complete an ex parte communications form if they had received such communication regarding any of the quasi judicial items.

Ms. Blackshear presented Watersound North PUD Amendment. The request, from St. Joe Timberland Company of Delaware, LLC., includes amending the Watersound North PUD to incorporate the entire Watersound North DRI boundary of 2.245 acres which includes 1,432 dwelling units, 457,380 sq. ft. of retail/office commercial space, 38 holes of golf, and a 40,000 sq. ft. temporary office. The proposed site is located in southeastern Walton County at the intersection of US Highway 98 and Watersound Park. Ms. Blackshear stated that she had received an email from Attorney Dana Matthews, representative for Mr. David Kramer, requesting that this item be continued due to his client's concern regarding the condition of Side Camp Road. Staff found the project consistent with the LDC and Comp Plan contingent upon resolution of the issues regarding mosquito control and a request from the Walton County School District for assistance locating a school site for south Walton County. Ms. Blackshear read St. Joe Company's response to the WCSD into the record. Ms. Blackshear added that Mr. Kramer had complained that he was not notified of the change in hearing date; however, she stated that staff had evidence to the contrary. A staff report and email from Mr. Kramer to Mr. Brian Martinez, Planner, were submitted into the record (**Exhibit #1 & #2**).

Ms. Lisa Purul, Engineer and Director of Development for the St. Joe Company, gave a brief history of issues regarding Side Camp Road. She referred to an aerial map which later was submitted into the record (**Exhibit #5**). She stated that hydraulic studies revealed that larger pipes are needed to alleviate the water retention issues on that road. Ms. Purul stated that residents had expressed concerns that fire vehicles could not travel under the guy wires which

span from power poles beside the road. She explained that the wires have since been moved and submitted a letter and photos from the South Walton Fire District demonstrating their ability to travel Side Camp Road (**Exhibit #3 & #4**). Ms. Purul briefly discussed the purpose of the PUD amendment and their agreement with the WCSD to assist in locating a school site. The floor was opened to public comments.

Mr. David Kramer felt that the St. Joe Company had not constructed the road as agreed upon and described the conditions of the road. He submitted two sets of photos which detailed the proximity of the guy wires in comparison to a car (**Exhibit #6**). He requested that the project be continued pending the St. Joe Company improving the road to the county's standards and making it safe to travel. Mr. Kramer estimated that there were 5 guy wires spanning the road.

Commissioner Jones asked Mr. Greg Graham, Engineering Manager, to comment on the guy wires. Mr. Graham stated that he was not aware of a guy wire standard, but that the clearance on state highways for bridge crossings and overpasses is 14 ft. He added that he did visit the road and felt the location of the guy wires did not create a safety concern. Mr. Graham added that he was not aware of a commitment between the St. Joe Company and residents and briefly described the road. Mr. Kramer asked Mr. Graham if two vehicles can pass one another under the guy wires. Mr. Graham replied that there were areas on the road where they could not.

Ms. Emily Ellis, resident of Rattlesnake Trail, requested that a county engineer inspect the road to ensure that all requirements were met for a safe road. She submitted two letters signed by three residents regarding the road conditions and read the letters into the record (**Exhibit #10**).

Mr. David Phelps, resident of Rattlesnake Trail, stated that the St. Joe Company had addressed his concern regarding the pipe size. He also requested that a county engineer inspect

the final road.

Ms. Anderson, Superintendent of Schools, and Mr. Wayne Miller, Supervisor of Administration and Operations, discussed the need for an additional school site in south Walton County and St. Joe's agreement to work with the WCSD.

Commissioner Cuchens stated that he did not understand why the road was built between the power pole and the guy wires. Ms. Purul explained that the road was built within the 100 ft. Gulf Power right-of-way. She submitted a letter from the St. Joe Company to Mr. Kramer dated August 28, 2003 regarding the agreement to construct Side Camp Road (**Exhibit #7**). She also submitted photos of the original Side Camp Road (**Exhibit #8**). Mr. Phelps stated that the photos submitted were not of the original Side Camp Road but of the Gulf Power easement. Ms. Ellis submitted map sheet 2 by CCL Consultants, Inc. (**Exhibit # 9**). Ms. Purul stated that the map was Exhibit #3 from the October 7, 2003, Land Use Hearing and read a portion of those minutes into the record.

Commissioner Pridgen submitted an ex parte communication disclosure form and copies of emails from Mr. Kramer and Attorney Matthews regarding the Watersound North PUD Amendment.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the Watersound North PUD amendment as presented with the contingencies indicated by Ms. Blackshear and the following conditions: the guy wires left as are, inspection of the by Mr. Graham, and replacement of the pipes by the St. Joe Company. Ayes 3, Nays 1. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Nay.

Ms. Blackshear presented Lighthouse Pointe, a major development proposal consisting of an 18-lot single-family subdivision and a 943 sq. ft. swimming pool on 2.5 acres with a future

land use designation of Neighborhood Planning Area/Infill. The proposed site is located at the southwestern corner of Chat Holley and US Highway 331 South. Staff found the project consistent with the LDC and Comp Plan. Ms. Blackshear stated that the developer agreed to work with the county should the county have the opportunity to make improvements to the intersection of US Highway 331 and Chat Holley Road. A staff report was submitted into the record (**Exhibit #1**).

Attorney Lisa Minshew, representative for the applicant, Bay Oaks Estates Limited, Inc., submitted a planned lot purchase agreement, a copy of the covenants and restrictions, and design plan into the record (**Exhibit #2**). She verified the developers' agreement to work with the county regarding the right-of-way discussed by Ms. Blackshear.

Commissioner Meadows was opposed to the preservation area being included as part of the platted lots and felt that homeowners would not comply with the covenants and restrictions. Ms. Minshew replied that the developer had included the requirements as a contractual requirement and was approved by the county as part of the Plan; therefore, making it easier to enforce.

Commissioner Meadows questioned an open code violation on the property. Ms. Minshew explained that the applicant had cleared debris and subsequently removed vegetation. Ms. Blackshear verified that the applicant had agreed to correct the issue regarding the code violation by re-planting the area with larger plants species and natural vegetation.

Commissioner Meadows requested that the preservation area be included as a common area and not part of the platted lots as a condition of approval. Ms. Minshew stated that the project plan is complete and the request would not be feasible. She added that the county's LDC does not require the preservation area to be included in a common area. Mr. Billy McKee,

Environmental Planner, concurred with Ms. Minshew.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve major development proposal Lighthouse Pointe as presented by staff. Ayes 3, Nays 1. Jones Aye, Meadows Nay, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear presented Seacroft Preserve PUD, a major development proposal consisting of a 17-lot single-family residential subdivision on 2.519 acres with a future land use designation of Neighborhood Planning Area/Infill. The proposed site is located along the south side of Seacroft Drive, approximately 300' east of the intersection of Seacroft Drive and CR 393. She stated that four developers with projects on the agenda would work together to pave Seacroft Drive. She asked that the representative for all four developers, Mr. Darrell Barnhill of Barnhill, Barnhill, and Barnhill, explain the paving plan. Staff found the project consistent with the LDC and Comp Plan contingent upon the paving agreement. A staff report was submitted into the record (**Exhibit #1**).

Mr. Barnhill was present to represent the applicant Crystal Clear Properties, LLC. He spoke regarding the paving plan on behalf of the four developers and stated that the developers planned to coordinate their efforts to build the road from CR 393 to Satinwood Drive to county standards. A copy of the conceptual paving design was submitted (**Exhibit #2**). He asked that the Board approve each of the four projects (Seacroft Preserve PUD, Seacroft Heights PUD, Cypress Cottages PUD and Sunset Woods Subdivision PUD) with one of the following conditions: the developer paves the road in accordance with county standards prior to the DO or the developer issues a letter of credit of 110% of the cost of construction for Seacroft Drive prior to the DO. Mr. Barnhill briefly discussed the planning Commission's recommendations for Seacroft Preserve. Attorney Hallman clarified that Mr. Barnhill's engineer is to provide the engineering

estimate to be approved by Mr. Graham and that the LOC is to be approved by Legal Services. There were no public comments.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve major development proposal Seacroft Preserve PUD as presented contingent upon the paving agreement as indicated by Ms. Blackshear and Mr. Barnhill. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye. 4/0

Ms. Blackshear presented Seacroft Heights PUD, a major development proposal consisting of 20 single family subdivision on 2.51 acres with a future land use designation of Neighborhood Planning Area/Infill. The proposed site is located along the north side of Seacroft Drive, approximately 350' west of the Seacroft Drive and Satinwood Drive intersection. Staff found the project consistent with the LDC and Comp Plan contingent upon the Seacroft Drive paving agreement. A staff report and map were submitted into the record (**Exhibit #1 & #2**).

Commissioner Meadows asked if turn lanes would be provided on CR 393. Ms. Blackshear stated that it would depend on the amount of trips generated by the developments. Mr. Barnhill, representative for the applicant Seacroft heights, LLC., stated that an operational study would be done to determine if right or center turn lanes would be needed. There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve major development Seacroft Heights PUD as presented by Ms. Blackshear contingent upon Seacroft Drive paving agreement and the operational study as agreed to by Mr. Barnhill. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear requested a continuance for proposed major development Pinewood Preserve until the April 11, 2006, Regular BCC Meeting.

Motion by Commissioner Jones, second by Commissioner Meadows, to continue proposed major development Pinewood Preserve until the April 11, 2006, Regular BCC Meeting to be held at the South Walton Annex at or after 5:00 p.m. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.4/0

Ms. Blackshear requested a continuance for proposed major development The Cottages at Bayou Forest until the April 25, 2006, Regular BCC Meeting.

Motion by Commissioner Jones, second by Commissioner Meadows, to continue proposed major development The Cottages at Bayou Forest until the April 25, 2006, Regular BCC Meeting to be held at the Walton County Courthouse at or after 5:00 p.m. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear requested a continuance for proposed major development Downtown Seagrove until the April 25, 2006, Regular BCC Meeting.

Motion by Commissioner Jones, second by Commissioner Meadows, to continue proposed major development Downtown Seagrove until the April 25, 2006, Regular BCC Meeting to be held at the Walton County Courthouse at or after 5:00 p.m. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear presented Cypress Cottages PUD, a major development proposal consisting of a 30-lot single-family residential conceptual PUD on 4.02 acres with a future land use designation of Neighborhood Planning Area/Infill. The proposed site is located on the north side of Sea Croft Drive, west of Satinwood Drive and east of CR 393. Staff found the project consistent with the LDC and Comp Plan contingent upon the construction of 5ft. sidewalks and the Seacroft Drive paving agreement. A staff report was submitted into the record (**Exhibit #1**).

Mr. Barnhill was present to represent the applicant, Mr. Randy Visser. He reminded the

Board that the CR 30A impact concurrency payment for major developments Seacroft Preserve PUD, Seacroft heights PUD, Cypress Cottages PUD, and Sunset Woods Subdivision PUD was due before issuance of the DO. There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve major development Cypress Cottages PUD as presented contingent upon the Seacroft Drive paving agreement and construction of 5 ft. sidewalks. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear presented Sunset Woods Subdivision PUD, a major development proposal consisting of a 31-lot single-family residential conceptual PUD on 4.193 acres of land with a future land use designation of Neighborhood Planning Area/Infill. The proposed site is located on the south side of Sea Croft Drive, west of Satinwood Drive. Staff found the project consistent with the LDC and Comp Plan contingent upon the Seacroft Drive paving agreement and the construction of 5 ft. sidewalks. A staff report was submitted into the record (**Exhibit #1**).

Mr. Barnhill was present to represent the applicant, DMF Development Corporation. There were no public comments.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve major development Sunset Woods Subdivision PUD as presented contingent upon the Seacroft Drive paving agreement and the construction of 5 ft. sidewalks. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear explained that the following projects had a notice issue due to a staff error. A memo from Ms. Melissa Ward, Planning Technician III, was submitted which explained the error and her attempts to rectify the situation. Ms. Blackshear explained that each of the developers had requested to be heard in lieu of the notice error and were prepared to accept the

risks.

The Board concurred that developers could be heard if they expressed their awareness of the notice issue and willingness to proceed for the record.

Ms. Blackshear presented The Courtyard at Seagrove PUD, a major development proposal consisting of a 35- lot single-family subdivision, 13 townhome unit, 7 live/work unit, and 7,875 sq. ft. of retail space conceptual PUD on 4.743 acres with a future land use designation of Village Mixed Use. The proposed site is located on the north side of CR 30A, east of Cypress Grove Lane and west of May Drive. Staff found the project consistent with the LDC and Comp Plan; however, there was concern regarding the parking plan which includes tandem parking and 18 parking spaces located in the CR 30A right-of-way. She explained that a right-of-way agreement would be needed. A staff report was submitted into the record (**Exhibit #1**).

Mr. Tim Brown, Permitting Technician, reviewed the exceptions requested by the applicant and stated that some would not be permissible under the Building and/or Fire Code. He recommended that the parking spaces located in the CR 30A right-of-way be designated as public parking. Ms. Blackshear further explained that the county LDC does not address tandem parking.

Mr. Johnny Earles was present to represent the applicant, Zohouri Development of South Walton, LLC, and stated his willingness to proceed in lieu of the notice issue. He submitted an architectural rendering of the project and a site plan (**Exhibit #2 & 3**). Mr. Earles discussed the design aspects of the project along with the concerns of staff and the Planning Commission.

Commissioner Meadows asked if a designated loading area would be included for the commercial area. Mr. Earles replied yes. There were no public comments.

Attorney Hallman asked if the design included brick pavers in the right-of-way.

Discussion ensued as to whether the county LDC allows the use of brick pavers in the right-of-way. Attorney Hallman clarified that the policy against brick pavers was an internal policy by Public Works due to maintenance issues and was not addressed through the LDC.

Ms. Lois La-Seur, Planner, added that the developer was informed that the Planning Commission had expressed reservations regarding the tandem parking.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve major development Courtyard at Seagrove as presented by staff contingent upon making the parking in the CR 30A right-of-way public. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Ms. Blackshear presented Magnolia at DeFuniak Springs, a major development proposal consisting of a 43-lot single-family subdivision on 32.49 acres with a future land use designation of Rural Village. The proposed site is located on the east side of CR 280 E, south of Bay Street and north of Hickory Lane. Staff found the project consistent with the LDC and Comp Plan; however, the Planning Commission was concerned that some of the lots would not qualify for septic service. She stated that sewer service is available within 1200-1500 ft. from the proposed site; although, the developer requested that approval be granted based on use of septic tanks. Ms. Blackshear clarified that the Walton County Health Department would determine which lots qualify for septic tanks. A staff report was submitted into the record (**Exhibit #1**).

Mr. Mark Weiss, Gustin, Cothorn, & Tucker, Inc., was present to represent the applicant, Magnolia at DeFuniak Springs, Inc. He submitted a photo to demonstrate that this project was not affected by the notice issue described by Ms. Blackshear (**Exhibit #2**). Mr. Weiss stated that geotechnical analysis had shown that the soil and water table are suitable and that the lots met the minimum lot size requirement for septic tank. He stated that the report was submitted to the

WCHD.

Commissioner Jones asked if the developer would sell the lots with a guarantee that they qualify for septic tank use. Mr. Weiss replied that it will be the individual lot owners' responsibility to determine if their home will fit on the lot with a septic tank. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve major development Magnolia at DeFuniak Springs as presented with the use of septic tanks.

Commissioner Cuchens amended his motion and Commissioner Jones amended his second to approve major development Magnolia at DeFuniak Springs as presented with the use of septic tanks and the understanding that the Board gives no assurance that septic tanks will fit on any of the lots. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

Attorney Hallman stated that he will include a note on the plat which will state that a platting does not guarantee use of a septic tank. He stated that conversations with other county attorneys revealed that some counties require the health department to review the Mylar.

Ms. Blackshear presented Valdare Village, a major development proposal consisting of a 46-lot single-family subdivision on 6.11 acres of land with a future land use designation of Neighborhood Planning Area/Infill. The proposed site is located on the west side of North Orange Street, west of Walton Palm Road and north of Irish Way. This project was subject to the notice issue previously discussed. Staff found the project consistent with the LDC and Comp Plan contingent upon the Planning Commission's recommendations. A staff report was submitted into the record (**Exhibit #1**).

Mr. Ed Jenkins, Jenkins, Sanford, and Associates, Inc., was present to represent the applicant, Ms. Valerie Simmons. He stated that the developer will meet the Planning

Commission's recommendations. Mr. Jenkins stated that the applicant was aware of the notice issue and wished to proceed in lieu of the possible risks.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve major development Valdare Village as presented by Ms. Blackshear contingent upon the Planning Commission's recommendations. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Cuchens Aye.

There being no further business to come before the Board, the meeting adjourned at 9:00 p.m.

APPROVED: _____
Scott Brannon, Chair

ATTEST: _____
Martha Ingle, Clerk of Court