

MAY 9, 2006-REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, May 9, 2006, at 4:00 p.m. at the South Walton Courthouse Annex.

The following Board members were present: Vice-Chairman Kenneth Pridgen, 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 Cuchens led with prayer followed by the Pledge of Allegiance to the American flag.

Vice-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 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

1. EAL Approval	
General Fund	\$1,044,895.81
County Transportation	\$ 591,977.86
SHIP	\$ 30.00
Fine & Forfeiture	\$1,139,967.00
Debt Service Hospital	\$ -
Mosq. Control State	\$ 146.25
Mott Sign Grant	\$ -
Section 8 Housing	\$ (534.73)
Tourist Dev. Council	\$5,850,755.49
N.W. Mosquito Control	\$ 1,083.02
W. Co. Library	\$ 17,600.42
Tax Deed Surplus Trust	\$ -
Recreation Plat Fee	\$ 300.00
Public Safety- 911	\$ 41,196.86
Solid Waste Enterprise	\$ 534,130.91
Mossy Head VFD	\$ 7,620.00
Glendale VFD	\$ 6,764.90
Darlington VFD	\$ -
Red Bay VFD	\$ -

Preservation	\$	-
Sidewalk Fund	\$	-
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	1,038.41
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	17,464.55
Capital Projects Fund	\$	20,853.14
Imperial Lakes MSBU	\$	-
Totals		\$9,275,289.89

2. Approve Minutes of April 25, 2006
3. Approval to Surplus Various Computers and Vehicles
4. Approve Resolution to Amend the budget for the Fine and Forfeiture Fund due to a Justice Assistance Grant from the FDLE (2006-46)
5. FBIP Grant – Alaqua Creek Boat Dock Project

Mr. Bill Robinson with the United Way presented a photocopy of a disaster response trailer that was being donated to the Board of County Commissioners and Health Department for public health response.

Vice-Chairman Pridgen called to order the advertised Public Hearing to consider a proposed resolution to amend the budget to roll forward monies for architectural services for the Red Bay Fire Department building.

Mr. Bill Infeld, Finance Director, presented the proposed resolution to roll forward \$60,548 in the General Fund that was earmarked for architectural services for the Red Bay Fire Department building.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to adopt a resolution to amend the budget to roll forward monies for architectural services for the Red Bay Fire Department building (2006-47). Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Vice-Chairman Pridgen called to order the advertised Public Hearing to consider an ordinance establishing a cable television franchise agreement between Walton County and Bright House Networks, L.L.C.

Attorney Hallman presented the proposed resolution to grant a cable television franchise to Bright House to construct, operate and maintain a cable communications system in Walton County.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to adopt an ordinance establishing a franchise agreement with Bright House Networks, L.L.C, for a cable television franchise (2006-04). Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Imfeld presented a request for approval to submit Florida Boating Improvement Program application(s) to the FWCC for the following suggested projects:

- Removal of invasive/exotic plants for the coastal dune lakes;
- Removal of wrecks and debris from Hogtown Bayou and channel markers in Hogtown Bayou;
- Boat ramp to be constructed at Morrison Springs;
- Construction of a boat ramp at SR 20, at the Cowford property acquired through FEMA;
- Construction of a boat ramp on the river at Cedar Log Lake property acquired through FEMA.

The County is permitted to submit as many applications as they would like for consideration, but the projects must be ranked by priority. Mr. Imfeld handed out ballots to each commissioner and asked that they prioritize the proposed projects using 1-5, with 1 being their first choice.

Commissioner Cuchens mentioned that there have been attempts to purchase the property adjacent to the Point Washington boat ramp for parking. He requested that Mr. Imfeld continue to correspond with the property owner concerning the matter.

Once the commissioners completed ranking the projects, the ballots were submitted to Mr. Imfeld to determine the results.

Vice-Chairman Pridgen called to order the advertised Public Hearing for consideration of a proposed ordinance adopting the Tourist Development Council's Plan.

Ms. Kriss Titus, Executive Director of the Tourist Development Council, addressed the Board and presented the proposed ordinance.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to adopt an ordinance approving the TDC's Plan for Tourist Development for the 24 months beginning October 1, 2006 (2006-05). Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Vice-Chairman Pridgen announced that the items placed on the agenda by Mr. David Kramer, Mr. Gary Mattison, Human Resource Director, and Ms. Kriss Titus had been pulled.

Mr. Bell stated that Mr. Mattison requested that the discussion concerning BCC employees wearing short pants to work be continued until the next regularly scheduled BCC meeting.

Commissioner Meadows submitted a petition signed by county employees requesting that they be allowed to wear shorts as part of their uniform.

Attorney Hallman reported on the information he obtained concerning a possible opportunity for a sewer utility for the Mossy Head area. He requested authorization from

the Board to move forward with a financial feasibility analysis using the existing water provider. He also requested authorization to correspond with Mr. Brian Armstrong with Nabors, Giblin & Nickerson to review the current utility regulation ordinance, and to work with Mr. David Campbell, Civil Engineer with Bonezzi Development Company, to develop a set of specifications for a sewer system that could conceivably provide service to the industrial park. Mr. Hallman stated that he would bring back information regarding the Board's options to support the infrastructure and the cost to build or acquire facilities.

Mr. Brian Armstrong, Nabors, Giblin & Nickerson, and Mr. Tom Terrell with Mossy Head Water Works were present to answer any questions.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to authorize Attorney Hallman to proceed with a feasibility analysis, to correspond with Mr. Brian Armstrong to review the current utility regulation ordinance, and to work with Mr. David Campbell to develop a set of specifications. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Titus updated the Board on the Beach Restoration Project. She informed the commissioners that a second Kemp's Ridley Sea Turtle had been taken by Liberty Ireland Dredge, which resulted in the project being suspended until October 1. She stated that they intended to negotiate with the US Army Corp of Engineers to borrow a take from another district to allow the project to continue.

Mr. Brad Pickel, Director of Beach Management, stated that he anticipated receiving an official notification from the Corp of Engineers within the next couple of days. He said that after they receive the notification, they could work with Legal Services to begin the appeal process.

Mr. Kenneth Plante with Roetzel & Andress, outside council for the City of Destin and Walton County on the Beach Renourishment Project, reviewed an opinion filed by the First District Court of Appeal on April 28, 2006. Mr. Plante explained that the Court reversed the final order issued by the Florida Department of Environmental Protection and found the permit to be invalid because “constitutionally protected riparian rights have been deprived without just compensation for the property taken”. He advised the Board that the opinion is not final until time expires to file a motion for rehearing. He stated that he was in the process of filing for a rehearing en banc and certification on certain issues of public concern. He stated that the Destin City of Council voted to proceed with the request for a rehearing and for the Mayor of Destin to prepare a letter to send to the Attorney General requesting that he intervene in the matter.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to authorize Mr. Plante to proceed with the request for a rehearing en banc and certification. Also, to prepare a letter to send to the Attorney General requesting his intervention in the matter. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman presented a request to change the name of Walton County Legal Services to “Office of the County Attorney”. In its report on the January 18, 2006, review of the Division of Legal Services, the Florida Bar Law Office Management Assistance Service (LOMAS) recommended changing the name of the office to “Office of the County Attorney” with Mr. Hallman’s title changed from “Director” to “County Attorney for Walton County, Florida”. Mr. Hallman felt that the changes will reduce public confusion and frequent telephone calls seeking assistance from Legal Services of North Florida, an entity that provides legal representation for indigent citizens.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to authorize changing the name of Walton County Legal Services to the “Office of the County Attorney” and Mr. Hallman’s title from “Director” to “County Attorney for Walton County, Florida”. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Imfeld presented the results for the projects that were ranked by the commissioners, they were as follows:

- 1st Boat ramp to be constructed at Morrison Springs.
- 2nd Removal of wrecks & debris from Hogtown Bayou and channel markers in Hogtown Bayou.
- 3rd Removal of invasive/exotic plants from the coastal dune lakes.
- 4th Construction of a boat ramp at SR 20 at the Cowford property acquired through FEMA near Ebro.
- 5th Construction of a boat ramp on the river at Cedar Log Lake property acquired through FEMA.

Mr. Imfeld requested direction whether to develop a new request for proposals for auctioneer services or renew the existing five-year contract, which will expire at the end of the current fiscal year.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to authorize advertising for request for proposals for auctioneer services. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Ronnie Bell requested that the Board adopt a resolution declaring May 14-20, 2006, as Emergency Medical Services Week.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to adopt a resolution declaring May 14-20, 2006, as Emergency Medical Services Week (2006-48). Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell presented a request from Mr. John Makar for a twenty foot easement to access his property near Deer Trail.

Mr. Allen Brown, Interim Public Works Director, was present to answer questions.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to direct the County Attorney to draft a right-of-way agreement between Walton County and Mr. Makar for use of the easement. The agreement will be brought back to the Board for final consideration. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell advised that he had been contacted in regards to a parcel of property for sale at 112 North 7th Street in DeFuniak Springs. He requested approval to proceed with an appraisal if the commissioners were interested in the property.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to allow staff to proceed with an appraisal of the subject property. Ayes 3, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell advised that he had also been contacted concerning another parcel of property owned by the West Florida Farmers Co-op that is for sale. He stated that if the Board was interested in obtaining the property an appraisal would need to be performed.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to allow staff to proceed with an appraisal of the property. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell mentioned that the Florida Association of Counties' conference was scheduled to be held June 27-30. He pointed out that a regular BCC meeting was scheduled for June 27 and at least three commissioners must be present in order for the Board to conduct business. He said that Commissioner Jones had advised him that he would not be attending the conference and would be present at the June 27 meeting.

Commissioner Meadows and Vice-Chairman Pridgen confirmed that they would also be present at the June 27 meeting.

Commissioner Cuchens pointed out that Ms. Elaine Tucker, Chairman of the Okaloosa County Board of County Commissioners, was running for Second Vice-President of the Florida Association of Counties. He stated that it had been several years since a representative from this area served on the committee and it was important for the commissioners that could attend the conference to vote. He agreed to find out the exact date and time that the voting would occur and convey that information to the other commissioners.

Mr. Bell presented a request from Ms. Tammy Crutchfield to utilize the South Walton GEC Annex parking lot and lobby on June 24 for Community Awareness Day to bring awareness to the need for childcare services in South Walton.

Motion by Commissioner Meadows, second by Commissioner Cuchens, approve the request and authorize the use of the South Walton GEC Annex parking lot and lobby on June 24. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell turned the floor over to Mr. Rick Millard, Construction Manager, who requested that the Board approve to reallocate money that was budgeted for a new boom truck to the purchase of a new van for the custodial staff and a truck for the construction

crew. Mr. Millard explained that the boom truck was being rebuilt and a new one was no longer necessary. He emphasized that no additional funding was required, only that the money budgeted be allocated to the purchase of a new van and truck.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the request to shift the money that was budgeted for a new boom truck to the purchase of a new van and truck. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

There were no further public comments.

Mr. Bell announced that Mr. David Johnson with DOT was on his way to discuss a permit that requires local government approval for the road closure of CR 30-A. He stated that the request was to close the road to provide parking for the upcoming Boeing Championship.

Mr. Billy McKee explained that the request was to close the westbound turn lane at the intersection of CR 30-A and Highway 98.

Commissioner Meadows expressed concern about closing the road because of the expected turnout for the event. She mentioned that the Arts Quest was also being held the same weekend.

The Board recessed briefly and reconvened into the land use portion of the meeting.

Vice-Chairman Pridgen called to order the advertised public hearings to consider final plat approval for Serenity at Dune Allen and Upchurch Landing.

Ms. Blackshear presented a request for final plat approval of Serenity at Dune Allen, an 87-lot subdivision located on the east side of Woodward Drive, north of CR 30-

A in the Allen Lake area. Staff recommended approval of the final plat contingent upon the County Attorney reviewing and approving the letter of credit.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the final plat of Serenity at Dune Allen for recordation, subject to the condition as recommended by staff. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request from the applicant for Upchurch Landing to continue the request for final plat approval until June 13, 2006, at 5:00 p.m. or as soon thereafter as may be heard, at the South Walton Courthouse Annex.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve to continue the request for final plat approval for Upchurch Landing. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear requested that Bay Breeze Cottages be removed from the agenda in order to be re-advertised.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the request to remove Bay Breeze Cottages from the agenda. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request from the applicant for Waterfalls By the Bay that the item to be continued until May 23, 2006, at 5:00 p.m. or as soon thereafter as may be heard, at the Courthouse in DeFuniak Springs, to allow for the redesign of the project.

Mr. Scott Jenkins, representative of the applicant, was present to answer any questions.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the request to continue Waterfall By the Bay. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

Commissioner Meadows entered an ex parte communications disclosure form concerning the above mentioned project into the record.

Mr. David Johnson addressed Board and handed out MOT plans for the Boeing PGA event. He explained that the request was to close the westbound outside lane on CR 30-A between the hours of 8 a.m. to 6 p.m. on May 11 to May 14. He advised the commissioners that there would be variable message signs located throughout the area.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve Mr. Johnson's request for local government approval of the road closure permit. Ayes 3, Nays 0. Cuchens Aye, Pridgen Aye, and Meadows Aye.

There being no further business, the meeting was adjourned at 5:15 p.m.

APPROVED: _____
Scott Brannon, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court