

JUNE 13, 2006 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on June 13, 2006, at 4:00 p.m., at the South Walton Courthouse Annex.

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, Mr. David Hallman, County Attorney, and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Jones led with prayer followed by the Pledge of Allegiance to the American Flag. Chairman Brannon called the meeting to order.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the consent agenda consisting of the items below. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

1.	EAL Approval	
	General Fund	\$ 1,328,208.44
	County Transportation	\$ 1,529,351.98
	SHIP	\$ 15,833.61
	Fine & Forfeiture	\$ 1,186,738.12
	Debt Service Hospital	\$ -
	Mosq. Control State	\$ -
	Mott Sign Grant	\$ -
	Section 8 Housing	\$ 123,784.83
	Tourist Dev. Council	\$ 4,216,687.39
	N.W. Mosquito Control	\$ 2,600.69
	W. Co. Library	\$ 25,111.31
	Tax Deed Surplus Trust	\$ -
	Recreation Plat Fee	\$ 156,494.00
	Public Safety- 911	\$ 20,050.70
	Solid Waste Enterprise	\$ 295,004.63
	Mossy Head VFD	\$ -
	Glendale VFD	\$ 3,419.10
	Darlington VFD	\$ -
	Red Bay VFD	\$ -
	Preservation	\$ -
	Sidewalk Fund	\$ -

Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Criminal Justice Ed		
Fund	\$	-
Bldg Dept/Enterp. Fund	\$	7,255.67
Capital Projects Fund	\$	1,001,138.08
Imperial Lakes MSBU	\$	-
Totals	\$	9,911,678.55

2. Approve Minutes of May 23, 2006 - Regular Meeting
May 25, 2006 - Special Meeting
3. Approval to surplus various computers and other equipment from the Tax Collector's Office
4. Approval to surplus two laptop computers from the Clerk's Office
5. Approve Resolution to amend the budget for the award of Administrative Revenue from FEMA for hurricane reimbursements (**2006-55**)
6. Approve request from the North Okaloosa County Fire & Rescue Organization for a surplus ambulance when one becomes available

Ms. Ann Robinson, President, Florida Chautauqua Assembly, requested that the Commissioners make an appearance at the Florida Chautauqua Assembly February 8-11, 2007.

Ms. Camille Tharpe, Sr. Vice President, Government Services Group, Inc., discussed the MSBU survey ballots for Pines of Blue Mountain Beach and Creekside Subdivision. She provided an overview of the project costs and ballot results.

Motion by Commissioner Jones, second by Commissioner Pridgen, to cease the MSBU assessment for Creekside Subdivision until the residents express an interest in proceeding. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Chairman Brannon explained that other options for paving the roads of Creekside Subdivision would be considered.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to allow Ms. Tharpe to gather the cost information and send out a second survey with the cost analysis regarding the MSBU for Blue Mountain Beach. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

The following agenda items proposed by Ms. Geri Dragos, resident of Louva Lane, were pulled from the agenda.

- I. Maintenance of the new landscaping by Gulf Reflections and Shadow Pines
2. Maintenance of the bike path on County Road 393 South

The request by Mr. Dewey Wilson, Regional Utilities, for approval of surplus land from Florida Community Services Corporation was pulled from the agenda.

Mr. Joel Paul, Tri-County Community Council, Inc., requested that Tri-County be able to purchase 3,500 gallons of fuel per month through the county for transporting riders with the Walton Transportation Program.

Motion by Commissioner Cuchens, second Commissioner Meadows, to allow the Tri-County Community Council to purchase fuel through the county. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Wanda Smith, Budget Analyst, stated that the county had received grants to construct a boat ramp at Alaqua Creek Park and US Highway 331 Wayside Park, on the east side of US Hwy 331. She stated that requests for bids were advertised twice with no responses. The state then allowed the county to accept quotes for which Decks N Such Marine was the only respondent. Ms. Smith explained that state requires that the quotes be accepted by resolution. The quotes were \$24,000.00 for the Alaqua Creek ramp and \$35,715.26 for the US Highway 331 Wayside Park ramp.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the resolution awarding the Alaqua Creek boat ramp construction contract to Decks N Such in the amount of \$24,000.00 (**2006-56**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the resolution to award the US Highway 331 Wayside Park boat ramp construction contract to Decks N Such in the amount of \$35,715.26 (2006-57). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Allen Brown, Right-of-Way Specialist, presented a request to approve a one year extension of contract WS 167 for the Florida State Department of Corrections inmate work crew assigned to the landfill. The amount of the contract is \$52,330.00.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the one year extension of contract WS 167 as presented by Mr. Brown. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Brown presented bids to replace components of Williams Bridge over Turkey Creek. Bids were received from Hanson Pipe & Precast, Inc., and Conecuit Bridge & Engineering, LLC. Hanson Pipe and Precast, Inc., submitted the lowest bid at \$60,493.00.

Motion by Commissioner Jones, second by Commissioner Cuchens, to award the contract to Hanson Pipe and Precast, Inc., as presented by Mr. Brown. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Jones thanked Mr. Granger Bruner for contributing a generous amount of right-of-way for the project and recommended that the bridge be named in his honor.

Motion by Commissioner Jones, second by Commissioner Pridgen, to name the previously approved bridge in honor of Mr. Granger Bruner. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Aaron Warren, Assistant County Engineer, requested that the Board award a 24-month continuing services guardrail contract to Jones Construction, the lowest bidder. A draft of

the contract was submitted.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to award the Guardrail Installation and Removal Contract to Jones Construction as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Warren requested that \$500,000.00 in funds be re-allocated temporarily from Punch Bowl Road in order to secure matching grant funds to pave Ivy Lane and Cabbage Rose. He stated that the paving schedule will not be affected.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to re-allocate \$500,000.00 from Punch Bowl Road to Ivy Lane as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Warren announced that the FDOT is organizing an additional JPA on Rockhill Road to fund the traffic control.

Mr. Gary Mattison, Human Resources Director, requested that Public Works be allowed to work with the County Attorney to draft an ordinance which would specify a \$250.00 fine for illegally parking in a handicapped parking space.

Motion by Commissioner Meadows, second by Commissioner Jones, to adopt the \$250.00 fine and to direct staff to draft the necessary ordinance and schedule the Public Hearing. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell requested approval of the Certification of Compliance for the 2006 Public Housing Agency Plan for HUD/Section 8 Annual and Five Year Plan.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the 2006 Public Housing Agency Plan for HUD/Section 8 Annual and Five Year Plan. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell announced that Mrs. Ingrid Burmeister, Executive Director of Section 8 Housing, will be retiring at the end of June 2006.

Motion by Commissioner Cuchens, second by Commissioner Jones, to adopt a resolution in recognition of Ms. Burmeister's years of service with Walton County **(2006-58)**. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Ed Baltzley, Emergency Response Director, presented a request to renew the Emergency Medical Services Certificate of Public Convenience and Necessity with Sacred Heart Hospital for Advanced Life Support Air Medical Transport.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the Emergency Medical Services Certificate of Public Convenience and Necessity with Sacred Heart Hospital for Advanced Life Support Air Medical Transport as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley stated that the current contract with the South Walton Fire District (SWFD) for EMS operations south of the bay is up for renewal. The additional costs for the county to provide those services would be \$110,290.00.

Motion by Commissioner Jones, second by Commissioner Cuchens, to renew the contract with the SWFD for EMS operations south of the bay.

Commissioner Jones amended his motion and Commissioner Cuchens amended his second to include a 5-year renewal of the contract. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley requested that the Shelter Retrofit Bid be awarded to the lowest bidder, Cane Manufacturing.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to award the

Shelter Retrofit Contract to Cane Manufacturing for \$318,487.00. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley requested that the Board approve an ordinance to ban open burning in Walton County for 90 days. The proposed ordinance does not address Fourth of July Fireworks, but could be amended to include those at a later date.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve the ordinance banning open burning as presented (**2006-06**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Mattison gave an update regarding the petition signed by employees of various departments requesting to wear shorts or short pants to work. He discussed the pros and cons and the recommendations from Mr. Albert T. Milton, Milton Insurance Agency. Mr. Mattison felt that the request would open the county to liability. The Board directed staff to develop a policy and bring it before the Board for further discussion.

Mr. Mattison presented a revision to Policy 4, Types of Appointment, for a first reading. The change entails use of the word “regular” in lieu of “permanent” when referencing employment status.

Mr. Rick Millard, Construction Manager, discussed the negotiations regarding the constitutional officers’ changes to the courthouse addition. He distributed change order # 046 to be considered in addition to the information provided in the Board packet. The price for the changes is \$1,479,798.00, bringing the new total contract amount to \$11,856,036.54.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the change order as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Millard explained that the contract would be extended by eight months making March 1st 2007 the estimated date of completion.

Mr. Bell presented a proposed resolution designating June 29th & 30th as Walton County Chamber of Commerce Member Appreciation Days. Ms. Dawn Moliterno was present to represent the Chamber of Commerce.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the resolution as presented (**2006-54**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Moliterno spoke briefly regarding the revisions to the Leadership Walton Program.

Mr. Bell requested that a Public Hearing be scheduled for July 25th 2006, at 4:00 p.m., to discuss the Escambia County First Time Homebuyers Program.

Motion by Commissioner Cuchens, Commissioner Pridgen, to schedule the Public Hearing as requested by Mr. Bell. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell presented a proposed resolution requesting acreage from the State of Florida for a recreational facility in south Walton County. Mr. Bell requested that the Board delay approval of the resolution and allow him and Commissioner Meadows to meet with the concerned parties.

Motion by Commissioner Cuchens, second by Commissioner Jones, to allow Mr. Bell and Commissioner Meadows to schedule the meeting and report their findings back to the Board. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell submitted a revised interlocal agreement adopted by the DeFuniak Springs City Council on June 13th 2006, to continue the operation of the DeFuniak Springs Recreation Center at Harbeson Field.

Commissioner Meadows questioned the county's costs and budget from which the cost would be paid. Mr. Bell replied that the cost would come from the Parks and Recreation budget. He stated that the costs are unknown at this time.

Chairman Brannon questioned the contract termination date. Attorney Hallman explained that the contract has a termination clause. He added that the agreement submitted to the Board lacked an aerial photo of the facility and a copy of the building lease which will be attached to the official record.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the interlocal agreement as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell announced that a meeting has been scheduled on June 27th at 3:00 p.m. so that Ms. Sara Blakely, Nabors, Giblin, and Nickerson, may update the Board on the past legislative session.

Mr. Bell presented an interlocal agreement adopted by the DeFuniak Springs City Council to provide sewer services to the Walton County Jail. This contract will supersede the contract previously adopted by the Board.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to adopt the interlocal agreement with DeFuniak Springs as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Chairman Brannon called to order a Public Hearing to hear the following issues: a proposed ordinance amendment relating to dogs on the beach, a petition for an abandonment of McCullough Road, and a proposed amendment to ordinance 2005-29.

Attorney Hallman announced that Mr. Cortez Thompson, represented by Attorney

William Jennings, and Mr. Steve Herring, represented by Attorney Mark Davis, agreed to have him request that Judge Laporte direct the parties to mediate the issue within the next 45 days. Per the agreement, the closed section of McCullough Road is to be opened by the property owner who closed it by noon on Friday, June 16th. If the parties cannot reach an agreement within 45 days, the Board may opt to re-advertise the abandonment or take other action. Attorney Hallman stated that both parties requested that the Board consider paying the cost of the mediation and associated legal expenses.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to take no action regarding the McCullough Road Petition for Abandonment and to direct Attorney Hallman to move the court for mediation within the next 45 days. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Leslie Campbell, Beach Activities Director, presented a proposed ordinance to amend Ordinance 2005-10, section 5-32 (A) relating to dogs on the beach. The ordinance would make all dog permits valid for one year; expiring on August 1st with a 15 day grace period and a \$30.00 fee. Mr. Bell asked that he be allowed to work with Mr. Cory Godwin, Chief Deputy Tax Collector, to work out administrative details.

Mr. Bell submitted an email from Ms. Mary Neilson expressing concern regarding authority on private property, the August 1st deadline, and the grace period. Ms. Campbell stated that the expiration date was chosen because no other tax deadlines fall on that date.

The floor was opened to public comments.

Mr. David Kramer requested clarification on determinations of full-time residency. Mr. Godwin stated that utility bills, voter registration cards, lease agreements, and drivers' licenses are acceptable forms of residency verification. Attorney Hallman added that specific questions

should be directed to the Tax Collector's Office.

Mr. Bob Hudson spoke on behalf of Ms. Neilson and stated that her request for a December 31st deadline should be considered. He felt that the December date would not burden the Tax Collector's Office and that citizen convenience should impact the Board's decision.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to adopt the proposed ordinance to amend ordinance 2005-10; making all permits valid for one year with an August 1st deadline and a 15-day grace period (**2006-08**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Gary Demers presented a proposed ordinance to amend Attachment "D" of Ordinance 2005-29 relating to Residential Electrical Fee Schedule. The amendment clarifies an erroneous fee calculation.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve ordinance as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Pat Blackshear, Growth Management Director, presented an interlocal agreement for governmental services regarding traffic concurrency. The agreement will allow Walton County staff to provide traffic concurrency reviews and proportionate fair share mitigation for the City of DeFuniak.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the interlocal agreement with the City of DeFuniak Springs as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Jones asked if the fees charged for the reviews would cover the county's

cost. Ms. Blackshear stated that it would not, but that the reviews will provide much needed concurrency.

Commissioner Meadows questioned the other cities positions regarding use of the same procedures for counting traffic concurrency. Mr. Greg Graham explained that an updated agreement is needed with Paxton, but no agreement has been made with Freeport.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to pass a resolution requesting that the City of Freeport participate in this concurrency management system.

Commissioner Meadows amended her motion and Commissioner Pridgen amended his second to approve having staff draft a resolution for the Board's review requesting that the City of Freeport participate in this traffic concurrency management system. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented a request for an extension to the Department of Community Affairs' submission deadline for the School Concurrency Pilot Program.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the extension subject to legal review. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear requested that the county apply for a permit from DEP to clean the beaches of debris which may be hazardous to life or property during a storm.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the request to apply for the DEP permit as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Meadows felt that homeowners should be made aware that debris should

be cleaned-up prior to the beginning of turtle season.

Commissioner Pridgen requested that the grant application for Lake Jackson Bike Paths on the Florida side of Lake Jackson be submitted for the Governor's approval.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to submit the grant application as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Chairman Brannon presented a request from Mr. George Carter to draft an ordinance and schedule a Public Hearing to establish a No Wake Zone at Rook's Bluff. Attorney Hallman stated that more information is needed and asked that the Public Hearing be scheduled after that information is compiled.

The floor was opened to public comments.

Mr. Alan Osborne stated that there is a state law in effect regarding No Wake Zones.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to have staff draft an ordinance and to schedule a Public Hearing regarding No Wake Zones at Rook's Bluff.

Mr. David Kramer requested that Bozeman's Landing and State Road 20 bridge, as well as the remainder of the boat ramps on the Choctawhatchee River, be included.

Ms. Christie Cauldaway, East Hewitt Road, asked that the Board investigate the guidelines for jet skis in the shallow and swimming areas of the bay. Mr. Bell stated that a county ordinance regarding this issue is in effect and that he will ask the appropriate entities to enforce the ordinance.

Motion by Commissioner Cuchens, seconded by Commissioner Jones, to amend his motion to include the boat ramps at Rook's Bluff, Bozeman's Landing, and State Road 20 in the ordinance draft and Public Hearing Notice for the establishment of No-Wake Zones. Ayes 5,

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

Mr. Sean McBride, resident of Driftwood Estates, requested that the county provide a course of action and timeline for the corrective measures needed to address the exposed gas line in a drainage ditch on Driftwood Point Road. He requested that county staff investigate the matter and all issues which need to be corrected before drainage repairs begin. Mr. McBride complained that Attorney Hallman had not responded to his communication.

Attorney Hallman explained that the correspondence received from Mr. McBride's attorney were threats of litigation and requests for defense strategies.

Mr. Warren stated that the utilities inspector had investigated and determined that there is an exposed gas line. He added that Okaloosa Gas has been contacted and will respond to the issue.

Mr. Osborne, resident of Driftwood Estates, discussed the drainage issues within Driftwood Estates.

Chairman Brannon asked if Tetra Tech should map the utilities within the development. Commissioner Meadows felt that the utility companies should provide information regarding the location of the utilities. Mr. Warren stated that it would be a mammoth task to retroactively map the utilities.

Commissioner Cuchens questioned the start date for repairs to the ditches in driftwood. Mr. Warren gave no specific date, but stated that the discussions are underway.

There were no additional public comments.

The Board recessed briefly at 6:10 and reconvened at 6:35 into a Public Hearing to discuss final plats, major developments, small scale, large scale, and text amendments. Attorney Hallman administered the oath to all who intended to present testimony regarding the quasi-

judicial items. (Commissioner Jones did not return after the recess).

Ms. Blackshear requested that the following agenda items be continued or withdrawn and gave the continuation dates for each:

Final Plats

- Osprey Creek – June 27th 2006
- Bungalow Beach – June 27th 2006
- Royal Palms Subdivision – June 27th 2006
- Windsor Court – June 27th 2006
- Lot 54 Inlet Beach and Rosemary – June 27th 2006
- Whispering Lake Subdivision – June 27th 2006

Ordinances

- Amending LDC 2.01.03 N (B) - July 25th 2006
- Amending code LDC 2.03.02 – July 25th 2006

Major Development

- Bay Breeze Cottages- July 25th 2006

County Sponsored Small Scale Amendments

- SSA-06-5 – July 25th 2006
- SSA 06-8 – Withdrawn
- SSA 06-9 – July 25th 2006
- SSA 06-10 – July 25th 2006

Ms. Blackshear requested that all of the following County Sponsored Large Scale Amendments and Text Amendments be continued until the June 27th 2006 meeting with the exception of LSA 06-01.4 which was withdrawn: LSA 06-01.1, 06-01.3, 06-01.5, 06-01.6, 06-01.7, 06-01.8, 06-01.10, 06-01.11, 06-01.12, 06-01.13, 06-01.14, 06-01.15, 06-01.16, and 06-01.17. The June 27th and July 25th Public Hearings will be held at the DeFuniak Springs Courthouse at or after 5:00 p.m.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the requests for continuances and withdrawals to the times and dates certain as presented by Ms. Blackshear. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Lois La-Seur, Planning Manager, presented a request for final plat approval of Upchurch Landing, which consists of a replat of one lot to correct the wetland buffer line. The

site is located in Phase II of Seagrove Village, 7th addition on Suzanne Drive. Staff found the project consistent with the LDC and Comprehensive Plan.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the final plat of Upchurch Landing for recording. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. La-Seur presented a request for final plat approval of Gulfview Heights Business Center, which consists of a replat of Emerald Ridge Town Homes, Phase 2. The site is located south of County Road 30A to the west of Gulfview Heights Subdivision. Staff found the project consistent with the LDC and Comprehensive Plan.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the final plat of Gulfview Heights Business Center for recording. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. La-Seur stated that the final plat approval of Gulfview Heights Business Center should have been subject to an agreement between the developer and the homeowners' association for the remainder of the subdivision for the maintenance of the storm water master plan prior to recordation of the plat.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to reconsider final plat approval of Gulfview Heights Business Center and approve the final plat subject to the condition stated by staff. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. La-Seur presented a request for final plat approval of Windsor Estates, which consists of a 39-lot single-family subdivision. The site is located on the west side of Don Bishop Road, north of U.S. Highway 98. Staff found the project consistent with the LDC and Comprehensive Plan.

Attorney Dana Matthews was present to represent the applicant, Windmere Estates, LLC.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the final plat of Windsor Estates as presented. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented a proposed ordinance to amend the Walton County Land Development Code Section 5.00.06, Height Limitation, Exceptions and Measurement Methodology. The proposed amendment will establish a height limitation for all of Walton County; establishing exceptions for agriculture and industrial land uses. The Planning Commission recommended denial. Ms. Blackshear requested that the Board allow staff to work with Eglin AFB to determine the areas where the military would prefer height restrictions and to draft an ordinance which delineates different height restrictions for different areas of the county.

Commissioner Meadows questioned the exemptions for industrial and agricultural and felt that the ordinance proposed by staff was not specific. Ms. Blackshear stated that the restrictions were added to protect areas which are truly agricultural or industrial. She added that the public wants south Walton County to be treated differently in regards to the height limitations. Commissioner Meadows felt that the exceptions should be based on the restrictions determined by the future land use map. Ms. Blackshear stated that staff can assess the different development needs for the county and draft an ordinance in accordance with those needs.

Mr. Ed Bradley, Choctaw Beach, spoke in opposition to the 50 ft. height limit for north of the bay. Chairman Brannon asked if he was against height restriction for all of north of the bay or just Choctaw Beach. Mr. Bradley replied that he is concerned about the affect of the height restriction on the value of his property.

Mr. Wayland Davis, Choctaw Beach, spoke in opposition to the height restriction; however, he believed that only certain areas can support high rise buildings. He felt that those who would profit most would be those who benefit from sprawling developments. Mr. Davis agreed that the county should look into areas which can support high rise construction and those which cannot.

Mr. David Kramer stated that the height restriction conflicts with other areas of the LDC and that the ordinance should be site specific.

Mr. Bob Dobes spoke in support of the height restriction and objected to developments which obstruct the view of the bay.

Mr. Alan Ficarra suggested that neighborhoods develop neighborhood plans to determine how future development will occur in their communities.

Mr. Bradley discussed Eglin's recommended height restriction for Niceville and Bluewater Bay.

Ms. Blackshear stated that a development cannot be denied based on height because there is currently no language in the LDC to address height specifications. She recommended that staff be allowed to revise the proposed ordinance once the Joint Land Use Study with Okaloosa County is complete.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve Ms. Blackshear's recommendations regarding revisions to the proposed height restriction ordinance.

Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented Egret's Watch, a major development proposal which consists of an 8-lot single-family subdivision on 7.36 (+/-) acres with a land use designation of Neighbor Planning Area/Infill. The site is located on Dick Saltzman Road. Staff found the project consistent with the LDC and Comprehensive Plan subject to the Planning Commission's recommendations. A staff report was submitted into the record (**Exhibit #1**).

Mr. Dean Burgis, Emerald Coast Associates, was present to represent the applicant, Mini-Storage Partners. He submitted a draft copy of an Access Easement Agreement Letter of Understanding into the record (**Exhibit #2**).

The floor was opened to public comments.

Mr. Shelton Stone, resident of the Shallows, spoke in support of the development. He stated that at the recent Planning Commission meeting, he understood that Ms. Blackshear recommended that a portion of the road be paved by the developer. He was opposed to such action. Ms. Blackshear stated that she did not make that recommendation.

Attorney Hallman reminded the Board that per prior Board action, every development is subject to the condition regarding school board concurrency.

Mr. Chris Kent, resident of the Shallows, asked that the deed restrictions be recorded into documentation of the subdivision.

Mr. Burgis stated that the developer will adhere to all existing deed restrictions.

Mr. Jim Paxton, developer, spoke in regards to the resolution of the issues.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve Egret's Watch subject to the conditions set forth by the Planning Commission. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Meadows stated that she would check into the paving issue brought forth by Mr. Shleton.

Ms. La-Seur presented a request by Mr. William F. Clay, Developer, for an extension of the Development Order for major development, Crest Bay Cottages. The project consists of a 10-lot single-family subdivision known as Phase I of the 14-lot subdivision issued on November 16, 2004. The site is located off Crest Drive, approximately 495' east of Ponce de Leon Street. Staff found the project consistent with the LDC and Comprehensive Plan. A staff report was submitted into the record (**Exhibit #1**).

Attorney Matthews was present to represent the applicant, Crest Bay Cottages.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the Development Order extension for Crest Bay Cottages. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. La-Seur presented Rose Haven Town Homes, a major development proposal which consists of 49 town homes with pool amenities on 4.68 acres with a land use category of Village Mixed Use. This site is located at the corner of US Highway 98 and Apostle Way. Staff found the project consistent with the LDC and Comprehensive Plan subject to the recommendations from the Planning Commission and abandonment of an east/west portion of McKinney. A staff report was submitted into the record (**Exhibit #1**).

The applicant, Mr. Onno Horn of Aquarian Development II, LLC, was present. He stated all of the recommendations from the Planning Commission were resolved and that his staff is working on the abandonment. Mr. Horn stated that all agreements would be submitted to county staff.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve Rose Haven Town Homes subject to the Planning Commissions recommendations, the abandonment, and review of the agreements by staff. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. La-Seur presented Waterfalls by the Bay, a major development proposal which consists of 54 single-family lots on a 54.54 acre parcel of property with a future land use designation of Conservation Residential (2 units/acre) and Conservation Residential (1 unit/2.5 acres). This site is located approximately ¼ mile east of the end of the East Hewitt Road, on the Choctawhatchee Bay. Staff found the project consistent with the LDC and Comprehensive Plan subject to the Planning Commission's recommendations. A staff report was submitted into the record (**Exhibit #1**).

Attorney Matthews was present to represent the applicant, J & L Eagle Cove, LLC. He stated that the developer accepts the conditions and has made progress in their resolutions.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve Waterfalls by the Bay subject to the Planning Commissions recommendations. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented the following county sponsored small scale amendments for a first public hearing; no action was taken:

SSA 06-2 was requested by Walton County to change 9.75 +/- acres in south Walton County on a parcel identified as 34-2S-20-33270-012-000 from State Lands to Parks and Recreation. The property is known as Helen McCall Park and is located south of US Highway

98, approximately ½ mile. The Planning Commission recommended approval.

There were no public comments.

SSA 06-3 was requested by Cottages at Seagrove to change .50 +/- acre in south Walton County on a parcel identified as 24-3S-19-25000-019-0001 from Residential Preservation Area to Infill. The property is located approximately 1/2 mile north of CR 30-A on Robert Ellis Street. The Planning Commission recommended approval.

There were no public comments.

SSA 06-4 was requested by Elba Isle to change 1.17 +/- acres in south Walton County a parcel identified as 29-2S-21-42000-006-0012 from Residential Preservation Area to Coastal Center. The property is located approximately 1/8th mile north of Forest Shore Drive on New Elba. The Planning Commission recommended denial. Staff referred to the area using a GIS map presentation. Ms. Blackshear explained that this parcel has two land use designations, Coastal Center on the large scale road map and Residential Preservation on the neighborhood planning map. The allowable uses for Coaster Center were read into the record. A staff report, petition from those in opposition, and copy of the Planning Commission's final recommendations were submitted into the record (**Exhibit #1-3**).

Mr. Darrell Barnhill of Barnhill and Barnhill, was present to represent the applicant, Elba Isle. He submitted a land use determination and a memo from the Engineering Department into the record (**Exhibit #4 & #5**). Mr. Barnhill stated that the error in the land use determination was found on or about March 24th 2006.

Chairman Brannon asked if the minutes from the planning Commission meeting where this project was heard were available. Ms. La-Seur stated that this was a minor project and therefore was not heard by the Planning Commission or the Board.

Mr. Barnhill suggested that the developer be allowed to meet with the residents and that those results be reported to the Board at the second reading.

Ms. Blackshear stated that she will facilitate the meeting with the developer and the residents.

The floor was opened to public comments.

Mr. Ficarra, Mr. James Taylor, Mr. John Adams, Mr. David Brown, and Mr. Mark Manley spoke in opposition to the small scale amendment.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to direct staff to hold a community meeting with the developer and residents and report their findings at the second reading. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to schedule the second reading for SSA 06-4 on July 11th 2006, at the South Walton Annex at or after 5 p.m. Ayes 4, Nays 0. Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

SSA 06-6 was requested by Ward McDonald to change 5.60 +/- acres in north Walton County on parcels identified as 23-3N-19-19000-005-0000 and 0010 from Urban Residential to Industrial. The property is located on east side of State Highway 83 across from Walton Road. The Planning Commission recommended approval.

There were no public comments.

SSA 06-7 was requested by Seacrest Beach, Inc. to change 1.10 +/- acres in south Walton County on parcel identified as 15-3S19-25000-002-0030; 0031 and 15-3S-19-25000-011-0000 from Neighborhood Planning Area/Residential Preservation Area to Neighborhood Planning Area/Infill. The property is located on the south side of CR 30-A approximately 3/4 of a mile west of CR 395. Approval was recommended subject to the Planning Commission's final

recommendations. A staff report and emails between Ms. Blackshear and Ms. Jo Ann McCalister were submitted into the record (**Exhibit #1 & #2**).

Mr. Burgis was present to represent the applicant. He stated that the applicant is willing to place deed restrictions on the property not to exceed four single-family lots.

Commissioner Cuchens questioned the gulf frontage for the three lots of record. Mr. Burgis stated that these lots are approximately 180 ft. combined. Mr. Doodle Harris, owner, added that the width on CR 30-A is 220 ft.

Ms. Blackshear clarified that the staff report indicates that the applicant wants five lots but that the request was changed to four. Mr. Burgis stated that the developer had agreed to the change in the staff report.

The floor was opened to public comments.

Attorney Gary Vorbeck was present to represent Ms. Gail Culling, Ms. Jane Comer, Mr. Charles Sward, Ms. Linda Sward, Mr. Jim Stephens, Mr. Dixon Brooke, and Ms. Dell Brooke. He submitted a letter regarding his clients' position into the record (**Exhibit # 3**). He stated that agreements with the applicants are underway and that his clients will reserve their right to speak until the second reading. (Commissioner Pridgen stepped out at 8:35 p.m.)

Attorney Hallman stated that he has spoken with Mr. Harris's attorney, Mr. George Ralph Miller, regarding recordable deed restrictions. (Commissioner Pridgen returned at 8:43 p.m.)

Mr. Jim Pedegrew, Seagrove Beach, felt that this is a matter of zoning and not deed restrictions. He was opposed to the change to Infill due to the higher density allowances.

Ms. Pacen Howard questioned the platted, unrecorded plats and submitted a map which demonstrated the lots in question (**Exhibit #4**). Ms. Blackshear recommended that the owners of those plats meet with staff. Ms. Howard also questioned the view corridor and the enforceability

of deed restrictions.

Attorney Vorbeck stated that the GIS map provided by staff was inaccurate. He submitted an alternate map (**Exhibit #5**).

Commissioner Meadows requested that information regarding a possible abandoned beach access from Roberts Way be available at the second reading. She submitted a map demonstrating the area in question which was provided to her by a citizen at the meeting (**Exhibit #6**).

Mr. Dobes commented on the enforceability of deed restrictions.

Ms. Blackshear stated that the Infill Ordinance will address the compatibility concerns; however, the residents want something more definitive.

Mr. Burgis felt that the attorney's for both parties should come to an agreement regarding the deed restrictions and have the county and residents of Seagrove listed as beneficiaries.

Mr. Harris stated that the parcel was never three lots, but one meets and bounds parcel. (Commissioner Cuchens stepped out at 9:00 p.m.)

Motion by Commissioner Pridgen, second by Commissioner Meadows, to schedule the second reading of SSA 06-7 for July 11th at the South Walton Annex at 5 p.m. or after. Ayes 3, Nays 0. Meadows Aye, Pridgen Aye, and Brannon Aye.

SSA 06-11 was requested by Regional Utilities to change 1.54+/- acres in south Walton County on a parcel identified as 05-3S-18-16000-001-0000 from Large Scale Agriculture to Coastal Center. The property is located on the north side of US Highway 98, approximately 6.5 miles east of US Highway 331.

Mr. Lloyd Blue and Ms. Jennifer Christensen were present to represent Regional Utilities, BEP, Inc., and the St. Joe Company.

There were no public comments. (Commissioner Cuchens returned 9:20 p.m.)

SSA 06-12 was requested by Mr. Rex Chambless to change 3.79 +/- on parcel identified as 19-2S-19-24090-000-0080 from Residential Preservation Area to Infill. The parcel is located on the west side of Pisces Drive, approximately 1/8 mile north of Chat Holley Road. A staff report and email correspondence with Ms. Vivian Shamel, Executive Assistant, were submitted into the record (**Exhibit #1 & #2**).

Mr. Klaus Driscoll was present to represent the applicant. He stated that the request is to correct a scrivener's error and that this parcel is not in a subdivision but is instead a meets and bounds parcel.

The floor was opened to public comments.

Mr. James Vesailles, Mr. Bill Lane, Ms. Carolyn Lane, and Mr. Scott Smith, on behalf of the Bay Pines Shores Homeowners Association, spoke in opposition to the change in the land use determination.

Commissioner Meadows suggested a text amendment to allow 0-4 units per acre for land use determinations of Residential Preservation Area.

Mr. Kramer felt that the land use determination of Residential Preservation Area was incorrect.

Mr. Ficarra discussed the Infill Ordinance and compatibility analysis.

There being no further business to come before the Board, the meeting adjourned at 9:30 p.m.

Commissioner Meadows and Commissioner Pridgen submitted ex parte communication forms regarding SSA 06-7 and SSA 06-8.

APPROVED: _____
Scott Brannon, Chair

ATTEST: _____
Martha Ingle, Clerk of Court