

JULY 11, 2006 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting at the South Walton Courthouse Annex on Tuesday, July 11, 2006, at 4:00 p.m.

The following Board members were present: Scott Brannon, Chairman, Kenneth Pridgen, Vice-Chairman, Commissioner Larry Jones, Commissioner Cindy Meadows, and Commissioner Rosier Cuchens. Ms. Shirl Williams, Assistant County Administrator, Mr. David Hallman, County Attorney, and Ms. Martha Ingle, Clerk of Courts, were also present.

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

Commissioner Cuchens stated that the resolution draft provided in the Board packet for item #3 of the consent agenda erroneously named CR 180 instead of CR 280 as the road affected by the Small County Outreach Program Joint Participation Agreement.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the consent agenda consisting of the items below with the change to the resolution draft for item #3 as indicated by Commissioner Cuchens. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

1. EAL Approval	
General Fund	\$ 697,507.19
County Transportation	\$1,466,862.47
SHIP	\$ 12,232.43
Fine & Forfeiture	\$1,144,534.00
Debt Service Hospital	\$ 221,150.00
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 1,774.09
Tourist Dev. Council	\$2,191,477.69
N.W. Mosquito Control	\$ 778.30
W. Co. Library	\$ 16,539.74
Tax Deed Surplus Trust	\$ -
Recreation Plat Fee	\$ -
Public Safety- 911	\$ 17,890.96
Solid Waste Enterprise	\$ 167,598.01

Mossy Head VFD	\$	1,735.00
Glendale VFD	\$	79.20
Darlington VFD	\$	-
Red Bay VFD	\$	-
Preservation	\$	-
Sidewalk Fund	\$	-
Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	3,614.73
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	9,334.97
Capital Projects Fund	\$	2,129.66
Imperial Lakes MSBU	\$	750.00
Totals		\$5,955,988.44

2. Approve a Resolution to amend the budget for unanticipated grant revenues for the CTT Fund **(2006-65)**
3. Approve a Resolution to authorize the execution of the Small County Outreach Program Agreement with the FDOT for the Bob Sikes Road Project **(2006-67)**
4. Approve the Small County Outreach Program Agreement for the Bob Sikes Road Project
5. Approve Amendment 1 to the FDEP Grant H5WL1 (Beach and Dune Restoration)

Mr. Michael Bomar, Tetra Tech, updated the Board on the Joint Coastal Permit application for the Coastal Dune Lakes including Eastern, Western, and Alligator Lake. He stated that the Joint Coastal Permit would eliminate the need for individual emergency permits when dredging of the outfalls is necessary. Mr. Bomar reported that the FDEP advertised a notice to issue the permit in the DeFuniak Springs Herald. He briefly reviewed the pre-, post-, miscellaneous, and annual conditions in regards to the permit. Mr. Bomar stated that he will report back to the Board when the permits are issued from FDEP and the Army Corp of Engineers. A power-point summary of the presentation and list of the permit conditions was submitted.

Commissioner Cuchens questioned the possible costs of the monitoring required in the pre-opening conditions. Mr. Bomar stated that he did not have an exact cost, but that

organizations such as the South Walton Turtle Watch Group could be utilized to conduct some of the studies. Mr. Bomar stated that each emergency permit is \$10,000.00-\$15,000.00.

Commissioner Meadows suggested that \$50,000.00 be budgeted to cover the cost of the conditional requirements and rolled into the next year's budget if not used.

Mr. Bomar asked for the Board's concurrence regarding the conditional requirements of the Joint Coastal Permit and authorization to move forward with the application process.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to proceed with the Joint Coastal Permit application process. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Cuchens and Commissioner Jones discussed the need for water markers on affected Coastal Dune Lakes.

Mr. Doug Liles, Good Samaritan Institute, presented a request for a waiver of the fees, financial assistance with Phase I, and assistance with maintenance for a community park and cancer research lab the organization plans to build. The Good Samaritan Institute is a 501 C(3) nonprofit organization. He submitted a copy of the request and preliminary information regarding site location and recreational uses.

Due to the lack of pertinent information about the organizations plans and outstanding issues regarding access from Boda Lane, the Board directed staff to meet with Mr. Liles and report their findings to the Board at a future meeting.

Mr. Ken Little, Citizens Services Director, presented a request for approval of amendments to the Housing Assistance Program. The SHIP committee recommended the following changes: increase the maximum award for the First-Time Homebuyer Strategy to \$7,500.00, increase the maximum award for the Emergency Repair Strategy to \$8,000.00, and

allocate the 2004/2005 Program Interest amount of \$11,328.59 and Moderate Rehabilitation carry-over amount of \$778.05 to the Emergency Repair Strategy.

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

Attorney Hallman requested that the Board approve the Chairman's signature of a draft Letter of Intent to Mr. Tom Terrell, President, Mossy Head Water Works regarding an agreement to provide consolidated water and wastewater services in Mossy Head. He stated that the letter will allow negotiations to begin and briefly explained the agreement and negotiation process.

Motion by Commissioner Pridgen, second by Commissioner Jones, to allow the Chairman to sign the letter of intent on behalf of the Board as presented by Attorney Hallman. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Williams presented a proposal from the Walton County Association of Retarded Citizens, Inc. (WCARC) to deed the Board a portion of 18 acres within Walton County. She recommended that staff be allowed to work with the WCARC.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to direct staff to work with Mr. Kermit Wright, Executive Director, WCARC, and report back to the Board. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Williams reported that the City of Freeport will begin work on the sewer expansion project on Jolly Bay Road and may need to "cut" the road. She requested that the Board allow staff to draft an interlocal agreement with the City of Freeport regarding conditions if the road is damaged during the course of the project

Motion by Commissioner Cuchens, second by Commissioner Meadows, to have staff draft an interlocal agreement with the City of Freeport as presented by Ms. Williams. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Williams stated the Planning Department is currently working on a request by Mr. Mike Standley, General Manager, Regional Utilities, to consider adoption of an Irrigation Efficiency and Xeriscape Ordinance. She added that the City of Freeport had also requested the ordinance.

Ms. Williams stated that Mr. Mike Standley, General Manager, Regional Utilities, had requested that the Board adopt an ordinance which would require plumbing fixtures that exceed the present Southern Building Code standards. She added that Mr. Gary Demers, Deputy Building Official, stated that the Southern Building Code is no longer in existence. Ms. Williams added that the staff will look into the request and report back to the Board at a later time.

Ms. Williams presented copies of the corrected invoices for engineering services for the extension of the sewer system at the Walton County Jail site. She requested the Board's direction regarding payment of the invoices.

Motion by Commissioner Cuchens, second by Commissioner Jones, to pay the invoices as presented by Ms. Williams. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Williams stated that Governor Bush passed an executive order to create a Committee for a Sustainable Emerald Coast. She stated that the Governor requested that governmental officials, citizens, and business members be appointed to the committee. An email from Ms. Sarah Bleakley, Nabors, Giblin, and Nash, was submitted.

Ms. Williams reported that Mr. Howard Driver offered to sell the County property adjacent to the Public Works office. She requested that the board allow the property to be appraised. An aerial photo, GIS map, and real estate listing for the property was submitted.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the request to have the property appraised as presented by Ms. Williams. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Meadows requested that Mr. Billy McKee, Environmental Planner, evaluate the property as well.

Mr. Bill Imfeld, Finance Director, requested that the RFP for auditing services be awarded to Carr, Riggs, and Ingram for a three-year contract length. He briefly explained the RFP and review process. He stated that bids were also received from O'Sullivan Creel, which ranked second, and Salt, Marsh, Cleveland, and Gunn, which ranked third. The next audit from Carr, Riggs, and Ingram will be \$97,600.00 with an annual increase based on the Consumer Pricing Index, not to exceed 5% annually.

Motion by Commissioner Cuchens, second by Commissioner Jones, to award the RFP to Carr, Riggs, and Ingram as presented by Mr. Imfeld. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Cuchens asked that an off-duty Sheriff's deputy be hired to monitor activity at Morrison Springs. Both Commissioner Cuchens and Chairman Brannon discussed citizen complaints regarding illegal and offensive activities at the park.

Commissioner Pridgen and Commissioner Meadows discussed the added costs to tax payers to hire an off-duty officer when tax monies fund the Walton County Sheriff's Department. They were both concerned about setting precedence and felt that Sheriff Johnson

should be contacted and asked to heighten patrol of the area. Commissioner Brannon stated that he had requested more patrol, but had not received a formal response.

Commissioner Jones stated that the Board needs to take action to correct the behavior until other arrangements can be made.

Motion by Commissioner Jones, second by Commissioner Meadows, to hire an off-duty officer to monitor Morrison Springs on Saturdays and Sundays through the Labor Day Holiday and to contact Sheriff Johnson regarding additional patrol. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Cuchens requested an update on the status of repairs to the boat ramps on US Highway 331. Ms. Williams replied that the contracts are being prepared.

Ms. Camille Parks, Governmental Services Group, was present to discuss the Imperial Lakes Assessment Program. She gave a brief history and stated that the homeowners had originally chosen a “pay as you go” system in lieu of financing. Due to their inability to keep up with the rising costs, the homeowners requested that financing be reconsidered. Ms. Parks stated that a survey cannot be completed in enough time to add a rate to the tax bill, which is due in September. She discussed the available options and submitted a copy of a power point presentation and information regarding projected increases.

Mr. Imfeld stated that he had contacted Amsouth Bank regarding financing.

Mr. Tim Roberts, President, Imperial Lakes Homeowners Association, stated that he will meet with the homeowners, present the options, and report back to the Board at the July 25th BCC Meeting.

Chairman Brannon gave a brief update regarding Morrison Springs. He stated that the state has requested an archeological survey.

Motion by Commissioner Jones, second by Commissioner Meadows, to open an RFP for the archeological survey as presented by Chairman Brannon. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Chairman Brannon requested that the Board approve a resolution draft for the Florida Fish and Wildlife Conservation Commission (FFWCC) Boat Ramp Improvement Fund grant application. The affected ramps are located at Cedar Log Lake, Morrison Springs, and Cowford Park. Copies of emails from Susanna Stephens, FFWCC, and Angie Biddle, Grants Coordinator and a draft of the resolution were submitted.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the resolution draft as presented by Chairman Brannon (**2006-68**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Alan Ficarra asked that the Board apply for a grant to remove sunken vessels at Hogtown Bayou. Commissioner Meadows replied that the application was submitted but had not been selected. She added that it will be re-submitted next year.

Mr. David Kramer asked if the Board had approved the Walton County School District's request regarding the assessment and collection of fees for plan reviews. Commissioner Jones explained that the fees were assessed by the WCSD, but that the Board had agreed to collect them.

Mr. Larry Anchors discussed the payment of proportionate fair share amounts. He asked that he be allowed to sign a waiver agreeing to pay an additional amount if the original calculation was too low in order to get a Development Order.

After lengthy discussion, the Board concurred that a workshop should be scheduled to discuss the issue. The Board directed Attorney Hallman to meet with the Planning Department,

OMB, and members of the development community prior to that meeting. (Commissioner Pridgen exited briefly and returned at 6:10 p.m.)

There were no additional public comments.

The Board recessed briefly at 6:15 and reconvened at 6:25 into a Public Hearing to discuss final plats, major developments, and county sponsored small scale map amendments. Attorney Hallman administered the oath to all who intended to present testimony regarding the quasi-judicial items.

Ms. Blackshear requested that the following final plats be removed from the agenda: Royal Palms Subdivision, Windsor Court, Osprey Creek, and Bungalow Beach.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to remove the final plats from the agenda as requested by Ms. Blackshear. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Brannon Aye.

Ms. Blackshear requested that final plats of Lot 54 Inlet Beach and Rosemary and Whispering Lake Subdivision be continued until the July 25th 2006, meeting to be held at or after 5:00 at the DeFuniak Springs Courthouse.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to continue the final plats as presented by Ms. Blackshear. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Brannon Aye.

Ms. Blackshear requested that proposed major development, Tranquil Forest, be removed from the agenda.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to remove Tranquil Forest from the agenda as presented by Ms. Blackshear. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Brannon Aye.

Ms. Blackshear presented the second reading of the following county sponsored small scale map amendments: SSA 06-4, SSA 06-7, and SSA 06-12. (Commissioner Cuchens returned.)

SSA 06-7 was requested by Seacrest Beach, Inc. to change 1.10+/- acres in south Walton County on a 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.

Attorney George Ralph Miller was present to represent Seacrest Beach, Inc. He stated that both his client and the surrounding homeowners who were in opposition had reached an agreement and requested that the Board approve the small-scale amendment subject to the Property Restriction Agreement.

Attorney Gary Vorbeck was present to represent the opposing homeowners, Ms. Gale Culling, Ms. Jane Comer, Mr. Charles Sward, Ms. Linda Sward, Mr. J.T. Stephens, Mr. Dixon Brooke, and Mr. Dell Brooke. He expanded upon the terms of the agreement and submitted a draft of the proposed agreement into the record.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve SSA 06-7 as presented with the agreement submitted by Attorney Vorbeck. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

SSA 06-4 was requested by Elba Isle to change 1.17 +/- acres in south Walton County on a parcel identified as 29-2S-21-42000-006-0012 from Residential Preservation Area to Coastal Center. The property is located approximately 1/8 mile north of Forest Shore Drive on New

Elba. The Planning Commission recommended denial. Ms. Blackshear briefly discussed the outstanding concerns of the residents and staff. She stated that staff will continue to work with the residents to resolve the issues. Staff submitted an email which listed the concerns.

Mr. Darrell Barnhill of Barnhill, Barnhill, and Barnhill was present to represent the developer, Mr. Chris Russler. He stated that he had not been authorized to make any compromises and asked that the Board render a decision based on the information submitted in the Board packet.

Mr. Richard Hughes and Mr. James Taylor spoke in opposition to the change in land use designation.

Ms. Anita Page, South Walton Community Council, felt that Coastal Center was an inappropriate land use determination. She asked that the Board deny the request for change to Coastal Center and consider a change to Infill.

Mr. Larry Humble spoke in opposition and inquired as to the abandonment of Penny Lane. Chairman Brannon clarified that the road and drainage issues will be addressed through the D.O. process.

Commissioner Meadows stated that she will support a change to Infill with four units to the acre. Ms. Blackshear agreed that Infill was a more appropriate land use designation.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Jones, to deny the change of SSA 06-4 from to Residential Preservation Area to Coastal Center. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

There were no public comments.

Ms. Blackshear felt that the county should work with the applicant regarding the cost of re-applying for a change to Infill due to the erroneous land use determination given by staff.

Motion by Commissioner Meadows, second by Commissioner Jones, for the county to bear the cost of re-applying for a small scale amendment to Infill.

Upon further discussion the Board concurred that no concession would be made since the developer was not present at the meeting.

Commissioner Meadows withdrew her motion and Commissioner Jones withdrew his second.

Ms. Blackshear requested that the Board authorize staff to work with the necessary entities to improve the drainage issues in that neighborhood.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve Ms. Blackshear's request regarding the drainage issues. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

SSA 06-12 was requested by Mr. Rex Chambless to change 3.79 +/- on a 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. Staff submitted a parcel map and copies of deed information into the record on behalf of the applicant.

Commissioner Meadows questioned the compatibility analysis.

Commissioner Cuchens asked if the on-site pond was of any significance. Mr. Graham replied that the pond was man-made and not connected to any other bodies of water.

Commissioner Meadows felt that this parcel should be limited to four units to the acre.

Commissioner Jones suggested that staff apply a density restriction to the parcel.

Motion by Commissioner Jones, second by Commissioner Pridgen, to continue SSA 06-12 to the August 8th meeting to be heard at or after 5:00 p.m. and to have staff analyze the compatibility and report their findings back to the Board at that time. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

There were no public comments.

Ms. Blackshear reported that the EAR based amendments will be submitted after the August 1st deadline. She briefly discussed the penalty for submission after August 1st.

Commissioner Pridgen submitted ex parte disclosure forms and emails regarding SSA 06-12. Commissioner Meadows submitted several emails but did not attach an ex parte disclosure form.

There being no further business to come before the Board, the meeting adjourned at 7:30 p.m.

APPROVED: _____
Scott Brannon, Chair

ATTEST: _____
Martha Ingle, Clerk of Court