

FEBRUARY 13, 2007 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, February 13, 2007, at 4:00 p.m. in courtroom A of the Walton County Courthouse.

The following Board members were present: Kenneth Pridgen, Chair, Cindy Meadows Vice-Chair, Commissioner Scott Brannon, Commissioner Larry Jones, and Commissioner Sara Comander. Mr. Ronnie Bell, County Administrator, Mr. Mike Burke, Interim County Attorney, and Ms. Martha Ingle, Clerk of Courts, were also present.

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

Motion by Commissioner Jones, 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 Comander Aye.

1. EAL Approval

General Fund	\$1,498,901.13
County Transportation	\$ 525,143.82
SHIP	\$ 88.25
Fine & Forfeiture	\$1,105,824.25
Debt Service Hospital	\$ -
Mosq. Control State	\$ 500.00
Mott Sign Grant	\$ -
Section 8 Housing	\$ 114,300.89
Tourist Dev. Council	\$2,178,434.71
N.W. Mosquito Control	\$ 4,920.75
W. Co. Library	\$ 23,294.56
Tax Deed Surplus	
Trust	\$ -
Recreation Plat Fee	\$ 76,774.77
Public Safety- 911	\$ 79,587.31
Solid Waste Enterprise	\$ 320,725.54
Mossy Head VFD	\$ -
Glendale VFD	\$ 2,467.73
Darlington VFD	\$ -
Red Bay VFD	\$ -
Preservation	\$ -
Sidewalk Fund	\$ 28,758.15
Local Option Gas Tax	\$ -

Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	4,084.27
Capital Projects Fund	\$	2,726,456.25
Imperial Lakes MSBU	\$	2,765.91
Totals		\$8,693,028.29

2. Approve Minutes of November 28, 2006 –Regular Meeting; January 23, 2007 –Special Meeting; January 23, 2007 –Special Meeting; January 23, 2007 –Regular Meeting
3. Approve a Resolution to amend the budget for the increase in the loan proceeds in the Tourist Development Funds **(2007-11)**
4. Approve to surplus two computers
5. Approve to surplus a copy machine
6. Accept three vehicles donated by the Florida Department of Corrections for the prison work crews
7. Amendment to the Florida Forever Grant Contract – NFWFMD Choctawhatchee Bay Stormwater Improvements Project

Mr. A. J. Fulcher, Walton Middle School, Mr. Harry “Bubba” David, Walton Middle School, Ms. Laura Hayhurst, Freeport Middle School, Mr. Jacob Baur, Maude Saunders Elementary, and Mr. Sage Roberts, Van R. Butler Elementary, were present to discuss their upcoming trips to Washington D.C. and The Yosemite Adventure as People to People Ambassadors. The students requested that the Board contribute funds toward their trips.

Motion by Commissioner Meadows, second by Commissioner Brannon, to award each of the Walton County People to People Ambassadors \$1000 to offset the costs associated with their trips. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Shirl Williams, Assistant County Administrator, recommended that the Board temporarily suspend driving on the county owned 600 ft. eastward corridor at the end of the 66 ft. easement on Lake Shore Drive until the Beach Activities Committee can make a formal recommendation. She stated that the dunes are eroded and that staff has received complaints

about reckless driving on the beach, which can exacerbate the erosion.

Mr. David Kramer felt that suspending driving privileges unfairly penalizes citizens who responsibly drive on the corridor.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve Ms. Williams's recommendation. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye

Commissioner Brannon requested that the Committee report to the Board at the BCC meeting following their meeting on March 1, 2007.

Chairman Pridgen called to order the public hearing to discuss the proposed amendment to the Handicap Parking Fine Ordinance. Mr. Ryan Douglass, Staff Engineer, presented a request to revise the fines in the ordinance from \$100 to \$250 as recommended by the ADA Committee. He explained that 1/3 of the fine will be designated for administrative fees and 2/3 will be used to fund further improvement for the disabled.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the revised ordinance as presented (**2007-01**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Dorcas Beckstrum, Ms. Sharon Cruit, and Attorney Kenneth Revell, all of Indian Woman Road, were present to request that the County abandon a 66-ft easement on Indian Woman Road. Mr. Revell gave a brief history of the easement and the easement agreement reached with the developers. He submitted correspondence between he and the staff and a copy of the minutes from the June 7, 2005 Land Use Hearing.

Mr. Greg Graham, Staff Engineer, explained that the existence of the easement surfaced during a project review when the developer was asked to center a roadway. He submitted copies

of a 1959 resolution, partial plat map, and Notice of Revocation of Offer to Dedicate dated April 19, 1990. Mr. Graham stated that a copy of Ms. Beckstrum's building permit is still needed. He stated that staff did not feel that the Notice of Revocation was a valid document and that the County was not privy to any agreement reached between the aforementioned property owners and the developer. Mr. Graham added that legal questions regarding whether the right-of-way is public should be deferred to the County Attorney. He stated that staff will follow the Board's direction regarding the abandonment if it is determined that it is a public right-of-way.

Mr. Burke advised the Board to have staff advertise for a public hearing to consider the request for abandonment. He stated that he will review the documents submitted by staff and Mr. Revell and make a legal determination.

Mr. Graham requested that he be able to work with the property owners to designate an access for staff to attend to drainage needs. He referred to an aerial map to demonstrate drainage connections to the bay.

Motion by Commissioner Brannon, second by Commissioner Jones, to direct staff to advertise for a public hearing to consider the request for abandonment of the 66-ft.easement on Indian Woman Road. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Ken Little, Citizens Service Director, presented a recommendation from the SHIP Committee for the Board to allocate \$125,000 of the SHIP Substantial Rehabilitation funds as a local match for the CDBG grant.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the request as submitted by Mr. Little. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Little presented a recommendation by the Beach Education and Safety Committee that the committee be allowed to continue their service as an appointed oversight committee.

(Commissioner Brannon exited briefly at 4:45 p.m.)

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the request as submitted by Mr. Little. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Comander Aye.

Mr. Little presented a recommendation to designate committee appointments as positional rather than by name and to establish a three-year term-limit. Mr. Bell added that the same should apply to the Walton County Health Department appointee. The Board concurred with Mr. Little's request.

Mr. Little requested that the Board schedule a workshop prior to the March 13, 2007 Regular Meeting to consider the renewal of the Housing Assistance Plan.

Motion by Commissioner Brannon, second by Commissioner Meadows, to schedule the workshop as requested by Mr. Little. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Comander Aye.

(Commissioner Brannon returned 4:52 p.m.)

Mr. Rick Millard, Construction Manager, gave a brief update regarding the Walton County Animal Shelter. He asked that the Board approve an increase in architectural fees from Hatch Mott McDonald bringing the total to \$71,385. Mr. Millard explained that the increase is due to costs associated with the re-drawing, soil testing, and civil engineering.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the fee increase as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Millard requested that the Board approve the Speegle Construction change orders and remodeling plans for the 2nd floor of the original courthouse. He explained that the change order includes the removal of \$70,453 for remodeling of the old courthouse. He added that Ms. Ingle requested additional remodeling of the Management Information System Department all of which will exceed the \$100,000 originally budgeted. Mr. Millard explained that the credit will be used to fund other items on the change order and that the renovations to the old courthouse will be done in the future without the involvement of Speegle Construction. The change order reflects an overall reduction in the costs of by \$13,968.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the change order as submitted by Mr. Millard. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Millard gave a brief update on the renovations planned for the Governmental Education Center. He stated that he would like to meet with the Commissioners regarding a Board meeting room.

Mr. Millard presented a quote of \$128,875 for an air conditioning system for the old courthouse. He anticipated that the price would be reduced by \$50,000 if he could use a new cooling tower which was recently released onto the market. Mr. Millard stated that the monies are in the budget.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the budget item as presented by Mr. Millard. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Gary Mattison, Human Resource Director, presented a first-reading of a proposed revision to policy 6.4, Use of Government Property, regarding the use of Personal Digital

Assistants (PDA's).

Commissioner Comander questioned the number of PDA's currently in use. Mr. Imfeld replied twenty-four, with one request still pending. He explained that these can be used to access the Internet, but not Naviline.

Mr. Mattison discussed the vacant County Attorney position and the interview process. He stated that, of the 24 responders, only four were selected to continue in the interviewing process. Mr. Mattison added that those four have since accepted other positions or withdrawn their applications.

Commissioner Pridgen suggested that Mr. Mattison and Mr. Bell draft a contract with the firm Burke and Blue, which currently serves as the County's legal representative, to provide services for the remainder of the fiscal year. Commissioner Meadows concurred.

Commissioner Jones stated that he would like to see the terms and conditions of the contract prior to making a decision.

Commissioner Brannon requested clarification of the duties to be performed under the contract for Staff Attorney. Mr. Mattison explained that the interviews for the Staff and Land Use Attorney positions were postponed until a decision regarding the County Attorney could be made. He stated that there are applicants remaining for both of those positions.

Commissioner Meadows suggested the possibility of contracting with a legal firm in lieu of having legal representatives as full-time employees. She requested an analysis of costs using both scenarios.

The Board directed Mr. Mattison and Mr. Imfeld to look into all of the scenarios for obtaining legal representation and to report those finds back to the Board.

Commissioner Comander requested that the applicants for the Staff and Land Use

Attorney positions be notified of the postponement. She also requested that staff's analysis include measures to alleviate the work burden of the County's legal staff.

Mr. Burke discussed the current contract between the Board and Burke and Blue. He stated that he will bring information to the Board regarding options for legal representation.

Ms. Blackshear stated that the Planning Department has been working with Mr. Burke; as well as, Attorney Ken Goldberg, and Nabors, Giblin, and Nash when additional help is needed or regarding issues which were under review before Attorney David Hallman resigned.

Major Danny Glidewell, Department of Corrections Director, discussed the Inmate Work Crew Trustee Policy. He submitted a correction to the policy regarding work crews.

Commissioner Jones questioned the inclusion of information regarding gain time, of which he felt the Board has no discretion. Mr. Glidewell explained that the policy outlines how gain time is currently being handled.

Mr. Bell suggested adding the following statement to the section regarding gain time, "In concurrence with the administrative judge of Walton County".

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the policy with the additional language suggested by Mr. Bell. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Major Glidewell stated that there is currently an opening for one Inmate Work Crew Foreman. He requested that he be allowed to change a position vacancy from a Corrections Officer to an Inmate Work Crew Foreman, allowing for two additional work crew foremen. Mr. Glidewell stated that the positions are in the budget.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the request as presented by Major Glidewell. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen

Aye, Brannon Aye, and Comander Aye.

The agenda item regarding a request by Mr. Jason Mauro, a Tallahassee Boy Scout, to construct a Scuba Prep Center at Morrison Springs was removed from the agenda until the February 27, 2007 meeting.

Ms. Blackshear stated that discussion regarding a set fee schedule for photocopying charges would be removed from the agenda pending additional research.

Ms. Blackshear presented a request for a one-year extension of the Wilderness at Black Creek PUD Development Order. She added that she planned to present the proposed policy regarding Final Order extensions in March or April 2007.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the one-year extension of the Wilderness at Black Creek PUD Development Order as presented by Ms. Blackshear.

Mr. David Kramer spoke in opposition to the Board granting this project a one-year extension. He thought that the Board had motioned to grant six-month extensions to projects at a previous meeting. He was also in objection to the item being heard outside of a public hearing.

Ms. Blackshear explained that the Land Development Code provides for one-year extensions of DO's and that the previous action taken by the Board was in regards to Final Orders.

Mr. Lloyd Blue, BEP Investments, LLC, read from the LDC regarding DO extensions. He discussed the measures taken to accommodate the Walton County School District regarding school concurrency and issues with water and sewer which delayed efforts to move forward with the development.

Ms. Blackshear stated that the LDC does not address Final Orders which is why staff is

drafting the policy.

Ms. Valerie Simmons spoke in opposition to the six-month Final Order extension she was granted at the previous meeting and to the item being heard prior to her arrival.

Commissioner Jones directed staff to review Ms. Simmons project and the information pertaining to the extension she was granted by the Board.

Ms. Blackshear reiterated that the LDC provides for a one-year extension of DO's. She added that the policy being drafted by staff is to amend the LDC to delineate specific timeframes for Final Order extensions.

Commissioner Meadows felt that extensions should be one-year due to the current state of the real-estate market.

Commissioner Comander discussed Final Order extensions in relationship to Proportionate Fair Share.

Ms. Blackshear announced that the Evaluation and Appraisal Report was found sufficient and that the FDOT agreed to enter into an interim agreement with the County. She stated that staff will work with Representative Samson's office regarding changes to the law which will be necessary to make the agreement successful.

A vote was called for the motion on the floor.

Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Attorney Burke presented a request by Attorney Susan Kelsey, Anchors, Smith, Grimsley, for a conflict waiver to allow ASG to represent Mr. John Bosworth concerning a zoning request which will be heard by the Board of Adjustment. Ms. Kelsey currently represents Walton County in an appellate case, *Walton County, J. Howard Carr, Cassine Development, ect., v. Sugar Cliff's Owner's Association Inc.*, which is pending in the First District Court of Appeal.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the conflict waiver as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Burke asked that the Board make a motion to either accept or reject property deeded them by the Children's Home Community Center. He explained that the deed has a stipulation that the property will revert back to the Children's Home Community Center if not used as a community center or maintained for six-months.

Motion by Commissioner Jones, second by Commissioner Brannon, to accept the deed with the stipulations stated by Mr. Burke. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell requested that the Board approve a continuing services contract with Governmental Services Group, Inc., for the Fire Protection Assessment Program. The cost is \$18,880.

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

Mr. Bell stated that MSBU rate schedules should be analyzed every four years. He asked that the Board approve allowing GSG to conduct the analysis at a cost of \$39,500.

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

Mr. Bell requested that the Board allow him to present a proposal to the State offering property adjacent to the Walton Correctional Institute for purchase as a possible prison site.

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

Mr. Bell recommended that the Board reschedule the March 27th Regular Board Meeting to Monday, March 26th due to Florida Association of Counties Legislative Day in Tallahassee, Florida.

Motion by Commissioner Jones, second by Commissioner Brannon, to reschedule the meeting as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Imfeld discussed the costs associated with extraditing prisoners whether by the Sheriff's Department or external companies. He submitted a cost comparison and described what information the comparison contained and how it was compiled. Additional information was submitted including copies of a letter from the Board to Mr. James R. Murray, Cadenhead Law Firm; another table comparing extradition costs; a letter to the Board from Mr. Murray; and a summary of the Walton County Sheriff's Office Committee Meeting.

Ms. Marjorie Adams stated that there are liabilities associated with using external companies and that litigation costs can offset the low estimates contained in the comparison submitted by Mr. Imfeld. She stated that they may investigate those companies and use them more in the future, but will not rely on them as the primary source for extraditions. Mr. Imfeld commented that surrounding counties had reported their satisfaction with the companies.

Commissioner Meadows recommended that any outstanding law suits be investigated. She questioned the process when prisoners are not picked up for extradition within the timeframe allotted by the municipality or county in which the fugitive is being held.

Sheriff Johnson felt that external extradition companies are not the most reliable method of transport. He stated that they will work with the Board regarding out-of-state extraditions, but that two dependable officers, whose primary responsibilities are prisoner transports, are needed.

Commissioner Comander questioned the timeframe given on most extradition orders. Mr. Infeld stated that Judge Wells advised him that most of his extradition orders have a ten to 60 day timeframe.

Mr. Bell discussed the letter to the Board from Mr. Murray. He stated that the letter was correct with the exception of a statement which says, "The BOCC will approve funding for two transport officer positions and the funding of those positions will relate back to January, 1st 2007." He explained that the letter was drafted after staff met with representatives from the Sheriff's Office to discuss the options and that he told them at that time that the issues would be brought before the Board for their consideration.

Mr. Bell stated that the Sheriff's Department requested \$131,000 to complete the fiscal year, but had not included costs for the beginning of the fiscal year.

Commissioner Comander questioned the number of counties with which reciprocal agreements have been made. Sheriff Johnson replied Hillsborough, Holmes, and Okaloosa Counties.

Commissioner Jones suggested that the Board budget the funds to allow Sheriff Johnson to hire two additional officers for 90 days, to specify when external companies should be used, and to review the findings after that time period. Mr. Bell discussed the limitations of hiring deputies for such a short period of time.

Commissioner Pridgen stepped down as Chair made a motion, seconded by Commissioner Comander, to exclusively contract with external transport agencies for 90 days

and for the Board to revisit the issue at the end of that time frame.

Commissioner Meadows felt that budgeting for the two additional deputies and allowing the Sheriff's Department to utilize external agencies at their discretion would be less disruptive to the daily duties of the Sheriff's Department than would contracting solely with an external agency for 90 days.

Commissioner Brannon stated that he is not comfortable making decisions regarding prisoner extraditions. He questioned the necessary amount should the Board decide to budget for two additional deputies. Sheriff Johnson replied that the budget information would be available after 90-days once all the costs were tracked. He added that he is currently utilizing deputies from the narcotics division to extradite prisoners and that two additional deputies will be hired regardless of the Board's decision.

Chairman Brannon felt that the deputies should be hired for a one-year timeframe in lieu of the suggested 90 days.

Commissioner Pridgen rescinded his motion and Commissioner Comander rescinded her second.

Motion by Commissioner Meadows, second by Commissioner Brannon, to bring forth a budget amendment to fund two additional deputies at the necessary hourly rate; costs of operating the vehicle; and an additional \$15,000 to cover the costs of using external transport companies for the remainder of the 2007 budget year. The necessary public hearing is to be scheduled for February 27th, 2007, with any action to be retroacted back to February 13th, 2007. After 90 days, the costs are to be evaluated to determine future budget needs. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Commissioner Jones encouraged the Sheriff's Office to recoup any possible expenses

from the prisoners.

Mr. Dave Sell, Beach Maintenance Manager, advised the Board that the low bidder for Phase 3 Boardwalk re-builds, Red Fish Marine, was not able to secure a performance bond or letter of credit as delineated in the contract. Red Fish Marine was awarded the bid for both the eastern and western projects at a total cost of \$233,817. He requested that the award be rescinded and that the bid for the western portion be awarded to the second place bidder, Floridian Construction, in the amount of \$254,405.20 and that the bid for the eastern portion be awarded to the second place bidder, Key Rental/Vasta Development in the amount of \$274,750. A copy of an email from Mr. Sell was submitted.

Commissioner Jones was not in favor of rescinding the award due to the additional costs.

Mr. Burke advised that making concessions to the contract to allow the lowest bidder to perform the job could bring objections from the other bidders. He stated that the project is time-sensitive due to impending turtle season; otherwise, he would suggest that the Board reject all bids and draft a revised bid package.

Commissioner Brannon questioned when performance bonds are obtained. Mr. Sell explained that you cannot obtain a bond without a contract. He stated that Red Fish Marine was unable to obtain the bond and requested to use a letter of credit instead, which is contractually required to be in place for one-year after the project's completion. Mr. Sell added that Red Fish Marine representatives did not feel that option was economically feasible and asked that the County rescind the award.

Commissioner Meadows questioned if there was time to re-bid the projects. Mr. Sell replied "no". His response was due to the mandatory May 1st completion date.

Motion by Commissioner Meadows, second by Commissioner Comander, to rescind the

award to Red Fish Marine and to award the bids to the second place bidders, Key Rental/Vasta Development and Floridian Construction.

Mr. Brance McClendon, Red Fish Marine, stated that his bond application was denied due to a contractual penalty of \$30,000 per boardwalk not completed by April 30th, which he was not aware of until the contract was awarded. He explained that the one-year letter of credit would mean that the funds would be frozen for one-year after completion, which is not feasible for his company. He expressed his desire to do the project and his regret over having to request the award be rescinded. Mr. McClendon stated that a local company guaranteed that they would bond the project, but requested until Friday, February 16th, 2007 to do so. Since that date was after the scheduled Board Meeting, he felt that the award should be rescinded.

Ms. Kriss Titus, TDC, Executive Director, stated that she was not aware of the February 16th date given by Mr. McClendon and recommended that the Board wait until that date to re-bid. Mr. Burke concurred with her recommendation.

Commissioner Meadows rescinded her motion and Commissioner Comander rescinded her second.

Motion by Commissioner Meadows, second by Commissioner Comander, to allow Red Fish Marine to submit documentation of a performance bond to Mr. Imfeld, Office of Management and Budget, by 4:00 p.m. on Friday, February 16th, 2007. If the deadline is not met, Red Fish Marine will be considered unresponsive and the bids will be awarded to the second place bidders, Key Rental/Vasta Development and Floridian Construction, for the amounts presented by Mr. Sell. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell referenced the \$30 million loan from SunTrust Bank, approved by the Board

with resolution 2006-90 at the Regular Board Meeting on September 26, 2006. He stated that one purpose of the loan was to purchase property for recreational facilities in south Walton County and Freeport Park. Mr. Bell explained that the first of three payments has been made on the ten acre parcel adjacent to Helen McCall Park purchased from Mr. Max Matthews and that the second is due in November 2007. He explained that this purchase, along with the RFP for the construction of the Freeport Park, will exceed the approved annual draw from the loan.

Mr. Imfeld explained that the Board approved an annual draw of \$10 million, with \$1.5 million allocated for recreational facilities. He added that the projects discussed by Mr. Bell exceed the \$10 million draw by approximately \$3.2 million. The options presented by Mr. Imfeld were to increase the annual draw to \$13.2 million, or to fund the other projects with reserve funds, which are currently at \$12 million. He stated that the Board is scheduled to close on the \$10 million dollar draw at the February 27th Board Meeting and asked that the Board decide whether to request the additional \$3.2 million from SunTrust Bank or to schedule a public hearing to discuss a budget amendment to transfer the \$3.2 million from reserves. He recommended requesting an annual draw from SunTrust of \$13.2 million and to draw less than the \$10 million at a future draw. Mr. Imfeld stated that the Clerk of Courts Finance Director has been successful in obtaining a high rate of return on investments and that there would be a minimal difference in the interest costs and interest gained should all of the money not be used. He explained that the net cost would be \$8,000 if the money was not used for an entire year.

Motion by Commissioner Meadows, second by Commissioner Brannon, to request an annual draw from SunTrust bank of \$13.2 million. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Imfeld stated that the loan will be closed at the February 27th Board Meeting.

Mr. Bell presented a request to advertise a RFP for the Freeport Park project plans and specifications.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the request as presented by Mr. Bell. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell presented a request from the Mayor of the City of Freeport, Mr. Mickey Marse, for the County's assistance in providing temporary practice fields for the City of Freeport Little League. He stated that Freeport 860, LLC, has agreed to lease property to the City of Freeport and asked that the Board approve allowing staff to prepare the fields contingent on review of the lease agreement. Mr. Bell explained that the preparation includes Public Works clearing and grubbing an area now covered with planted pines. A letter from Mayor Marse was submitted.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the request as presented subject to review of the lease agreement. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Allen Brown, Deputy Public Works Administrator, explained that a machine which met the specifications in the bid for a grinder was mistakenly disallowed because staff felt it was too small; therefore, the bid of \$342,148.40 by Vermeer of Alabama, Inc., was not the lowest bid. He recommended that the Board rescind the award, reject all bids, and to allow staff to re-advertise for the re-bid after the specifications are corrected. A letter from Mr. Brown was submitted.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the request as presented by Mr. Brown. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell presented a request from Ready Mix USA, who purchased a parcel adjacent to the Mossy Head Industrial Park, for an easement across county owned property to harvest timber. He recommended that the Board authorize Mr. Burke to draft an agreement with an approximate termination date of April 1, 2007. A letter from Ready Mix USA, LLC, and parcel map were submitted.

Commissioner Meadows stated that she would like the County to charge for the easement and to stipulate that the property is to be returned to the state in which it was found upon termination of the easement agreement.

Motion by Commissioner Meadows, second by Commissioner Comander, to allow Mr. Bell and Mr. Burke to negotiate an easement agreement with Ready Mix USA with the conditions set forth by the Board. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell presented a request by Mr. Harold Carpenter, Mayor of the City of DeFuniak Springs, for a \$600,000 grant to expand the City's wastewater treatment plant facility. In exchange, the City will grant the County capacity credit in the same amount. Mayor Carpenter also requested that the Board waive the material costs of \$48,296.10, which was used to increase the line size as agreed upon in an interlocal agreement between the City of DeFuniak Springs and Walton County. He stated that, at the Board's direction, he will work with Mr. Burke and the legal staff of the City of DeFuniak Springs to draft an interlocal agreement and a schedule of when the funds will be distributed.

Commissioner Meadows asked if the funds are in the current budget. Mr. Bell replied that he will work with Mr. Imfeld regarding the funding. He further explained that the project is scheduled to begin in the 2007 fiscal year and completed in the 2008 fiscal year.

Commissioner Meadows asked if the County will use the \$600,000 credit. Mr. Bell felt that the capacity should be used due to the location of the correctional facility and the future animal shelter.

Commissioner Jones questioned the request to waive the \$48,296.10 in material costs.

Mr. Bell briefly explained the Interlocal Agreement dated June 13, 2006 and the material costs.

Commissioner Brannon questioned if the County will be locked in at the current tap fees. Mr. Bell replied that the tap fees will be locked in.

Commissioner Meadows requested more time to make decisions such as these. Mr. Bell stated that this item was approved at the February 12th, 2007, DeFuniak Springs City Council Meeting pending the Board's approval.

Commissioner Comander felt that the County would not use the \$600,000 in capacity credit.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the \$600,000 grant and to request that the City of DeFuniak Springs give capacity credit for the \$600,000; as well as, the \$48,296.10 in material costs. Ayes 4, Nays 1. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Nay.

Commissioner Comander requested that a policy be developed to address granting monies to children, such as the People to People Ambassadors, and what is expected in return. She suggested requiring community service hours. Commissioner Comander added that the Walton County School District has a policy against making such appropriations.

Commissioner Meadows requested an Americans with Disabilities Act Committee update. Mr. Mark Griffin briefly discussed the duties of the ADA Committee and applauded the

efforts of the late Mr. Don Crim. He stated that there are open positions on the ADA Committee. Mr. Griffin added that they are working on measures to educate the public and business owners on ADA compliance and accessibility issues. He announced that he personally purchased 60 disabled parking signs and 60 \$250 fine signs to be donated to the first 60 businesses to comply with the ADA parking standards. Mr. Griffin stated that he will give quarterly reports on the committee's activities.

Commissioner Meadows requested a traffic study to determine the need of an eastbound turn-lane on U.S. Highway 98, at the Miramar Beach Drive intersection. A proposal was submitted in the Board packet.

Motion by Commissioner Meadows, second by Commissioner Jones, to support the request and to allow the proposal to be submitted to the FDOT for consideration. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Commissioner Meadows requested that the Board approve the resubmission of the Florida Forever Grant application for the purchase of seven acres in the Town Center for a community park.

Mr. Bell suggested that the Board consider allocating a percentage of the purchase price in order to increase the point standing with the Florida Trust for Public Lands. He explained that many of the projects, which scored above Walton County, had matched funds.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve re-applying for the grant and to request notification if a contribution from the County is needed. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Chairman Brannon reported that the Northwest Florida Water Management District awarded \$500,000 to the Morrison Springs Project. He stated that he, along with other members

of County staff, will travel to Tallahassee to present the County's Land Management Plan.

There were no additional public comments.

The Board recessed briefly at 7:10 p.m. and reconvened at 7:23 p.m. into a Public Hearing to discuss final plats and major developments. Attorney Burke administered the oath to all who intended to present testimony regarding the quasi-judicial items.

Ms. Blackshear presented a request for final plat approval of Treasure Sands, which consists of nine lots on 1.25 acres with future land use designation of Neighborhood Planning Area/Infill. The site is located on the south side of Payne Street, just west of Driftwood Drive. Staff found the project consistent with the Land Development Code and Comprehensive Plan.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Jones, to approve the final plat of Treasure Sands for recordation as presented. Ayes 4, Nays 0. Jones Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

(Commissioner Meadows returned from the recess at 7:30 p.m.)

Ms. Blackshear presented a request for final plat approval of Hotal Saba at Rosemary Beach, which consists of a replat from three lots in Block 22, Rosemary Beach Phase 4 into one lot. The site is located with the Rosemary Beach Planned Unit Development at the intersection of East Water Street and Main Street. She stated that the building was constructed over an easement and that the homeowners association granted an easement through the breezeway. Staff found the project consistent with the Land Development Code and Comprehensive Plan. A revised staff report was submitted (**Hotal Saba at Rosemary Beach Exhibit #1**).

Mr. Burke stated that the easement agreement was acceptable as long as the purpose of the easement was not affected.

There were no public comments.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve the final plat of Hotal Saba at Rosemary Beach as presented contingent upon the conditions set forth in the revised staff report. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Blackshear presented a request for final plat approval of Costa Carina, which consists of eight single-family units on 1.27+/- acres with a land use designation of Neighborhood Planning Area/Infill. The site is located on the east side of North Winston Lane, approximately 300 feet north of CR 30A. Staff found the project consistent with the Land Development Code and Comprehensive Plan.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the final plat of Costa Carina for recordation as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Blackshear presented Abacos II, a major development proposal which consists of a 69,528 sq. ft. mixed use building to include 9,155 sq. ft. of retail space and 19 condominiums on 1.63 acres. The site is located at the northeast corner of CR 393 and CR 30A and has a future land use designation of Village Mixed Use. She stated that this is a redevelopment of a corner lot which was originally Capos; therefore, the 50% preservation requirement was not applicable. Staff found the project consistent with the Land Development Code and Comprehensive Plan. A staff report was submitted into the record (**Abacos II Exhibit #1**).

Mr. Dean Burgis, Emerald Coast Associates, was present to represent the applicant Axiom Capital Group, LLC.

Commissioner Meadows questioned the location of the driveway on CR 393. Mr. Burgis stated that the drive is further south than the Gulf Place driveway. He added that the spacing requirements were met.

Ms. Blackshear asked that the motion include the Planning Commission's recommendation regarding the applicant working with the County to contribute to the proposed 8 ft. bike path/sidewalk on the west side of CR 393 in lieu of installing a 5 ft. sidewalk on the east side of CR 393.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve Abacos II as presented contingent upon the recommendations by staff and the Planning Commission contained in the staff report, including the bike path/sidewalk condition. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Blackshear presented a request by applicant Axiom Capital Group, LLC., for a one-year extension of the DO issued by the Board on January 10, 2006. The major development proposal, Residences of Walton Way, consists of a 20-lot single-family subdivision on 5.59 +/- acres of land with a future land use designation of Neighborhood Planning Area/Infill. Staff found the project consistent with the Land Development Code and Comprehensive Plan. A staff report was submitted into the record (**Residences of Walton Way Exhibit #1**).

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the one-year extension order of the Residences of Walton Way Development Order. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

There being no further business to come before the Board, the meeting adjourned at 7:35

p.m.

APPROVED _____
Kenneth Pridgen, Chair

ATTEST: _____
Martha Ingle, Clerk of Court