

FEBRUARY 26, 2008 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, February 26, 2008, at 4:00 p.m., at the Walton County Courthouse in DeFuniak Springs, Florida.

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

Commissioner Pridgen led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Jones called the meeting to order.

Ms. Martha Ingle, Clerk of Court, presented to the Board the Comprehensive Annual Financial Report (CAFR) Award a certificate of achievement for excellence in financial reporting. She recognized Mr. William Pennington, Clerk Finance Director; Ms. Melissa Thomason, Finance Manager; and Mr. William Imfeld, County Finance Director for all of their hard work.

Mr. Bear Henley, President and CEO of the Boys and Girls Club of the Emerald Coast, and Mr. Cory Godwin, Walton County Boys and Girls Club Advisory Chairperson, came to thank the Board for the cooperation in establishing a Boys and Girls Club in North Walton County. Mr. Henley stated that the grand opening would be held on March 1, 2008 at the Boys and Girls Teen Center (the old armory).

Mr. Ronnie Bell, County Administrator, stated that the source of funding was inadvertently left off of Item 7 in the Consent Agenda. He requested that “Out of the

Board of County Commissioners' Professional Services Account" be added following the monetary amount.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the consent agenda as follows with changes as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

1. Approve Expenditure Approval List (EAL)

General Fund	\$	515,257.08
County Transportation	\$	811,525.86
SHIP	\$	6,384.00
Fine & Forfeiture	\$	14,193.48
Mosq. Control State	\$	579.19
Section 8 Housing	\$	133,756.45
Tourist Dev. Council	\$	198,991.36
N.W. Mosquito Control	\$	829.81
W. Co. Library	\$	8,155.37
Tax Deed Surplus Trust	\$	4,309.29
Recreation Plat Fee	\$	32,458.32
Public Safety- 911	\$	1,337.47
Solid Waste Enterprise	\$	166,577.91
Driftwood Debt Service	\$	3,000.00
Bldg Dept/Enterp. Fund	\$	2,706.65
Capital Projects Fund	\$	42,786.51
Imperial Lakes MSBU	\$	937.50
Totals	\$	1,943,786.25

2. Approve Minutes: February 12, 2007-Regular Meeting
3. Approve to surplus a Baxter IV Pump from the Walton County Emergency Response Division
4. Approve to surplus a Dell Computer from the Walton County Coastal Annex
5. Approve to surplus a computer from the Walton County Public Information Office to be donated to the New Life Enrichment Senior Center Manager
6. Approve Amendment to the NFWFMD Contract 04-055 for the Oyster Lake Restoration Project
7. Approve proposal from Preble-Rish, Inc. for Morrison Springs Construction inspection and Contract Administration in the amount of \$56,500.00 (**Out of the Board of County Commissioners' Professional Services Account**)

Commissioner Meadows exited the meeting at 4:08 p.m.

Ms. Rosemary Woods, PBS&J/Preble Rish, gave a presentation for Engineering Services for the PD&E Study for SR 20, SR 81 and CR3280 (RFQ 08-007). She stated that the team members dedicated to this project all live in northwest Florida and are familiar with the needs and concerns of this area. She briefly discussed the issues of this project and stated that their team is aware of the requirements of the Nokuse Plantation and the Muscogee Nation of Florida Tribal Property. She feels that PBS&J/Preble-Rish is the best team because of their previous projects in Walton County and their work on TRIP funded projects.

Mr. Paul McIlree, P.E., Bowyer-Singleton & Associates, Inc., gave a presentation for Engineering Services for the PD&E Study for SR 20, SR 81 and CR3280 (RFQ 08-007). He stated that Bowyer-Singleton has 35 years of civil engineering experience. He said that the company has conducted over 30 PD&E studies for the Florida Department of Transportation, Expressway Authorities, counties and cities throughout the state. He briefly discussed the project and stated that there would be minimal impacts to the Muscogee Creek Nation, community, and ecology.

Mr. John Meadows, DRMP, gave a presentation for Engineering Services for the PD&E Study for SR 20, SR 81 and CR3280 (RFQ 08-007). He stated that DRMP has been operational for 30 years and is well represented in the panhandle area. Mr. Ben Faust, DRMP Vice President, briefly discussed the staff and the project, and stated that having a local staff would be beneficial to the county. He said that DRMP could do the project for less money with a completion date by December 2009.

Commissioner Meadows returned at 4:46 p.m.

Chairman Jones called to order the Public Hearing to discuss Budget Amendment #3 to the Sheriff's Department Fund.

Captain Eddie Farris, Walton County Sheriff's Office, on behalf of Sheriff Ralph Johnson, requested that \$311,000 be rolled forward from the 2007 Fiscal Year Budget to the 2008 Fiscal Year Budget to cover the upgrade costs of the Motorola 911 System. Captain Farris stated that equipment delays pushed the completion date from the 2007 FY into the 2008 FY. He said that the system is now in operation.

Commissioner Brannon asked the amount that was encumbered. Captain Farris stated that nothing had been paid on the costs.

Chairman Jones stated that during a discussion with the Sheriff last year, the Sheriff indicated that the funds were not available to cover the 911 System. He stated that during the budget process for the 2008 FY, the Sheriff stated that funds were not available for salary increases and the Board voted to fund those increases in addition to the complete budget of 2007. However, at the end of the budget year, there was several hundred thousand dollars left over in the Sheriff's budget. Chairman Jones stated that the Sheriff recently returned \$692,510 to the Clerk's Office. He feels that there is reasonable assumption that the Sheriff's 2008 Budget can amply fund the costs of the 911 System considering that both the 2007 and 2008 budgets were funded at the same level by the Board. Captain Farris stated that he was unsure whether the budget would be able to cover those costs.

Commissioner Comander voiced concern that there is an unaccounted amount of \$48,000. She asked that the audit by Carr, Riggs, and Ingram be completed before expending more funds to the Sheriff's Department.

Commissioner Meadows asked if the system currently being used was in compliance. Captain Farris stated that it was not. Commissioner Meadows stated that the Sheriff's budget varies from year to year and that extra funds could be used to fund projects such as the 911 system. There is no guarantee that there would be money left over in this year's budget to cover the system costs and she feels that the Board should approve the request.

Commissioner Comander asked if the equipment had been installed. Captain Farris stated that it had been. Commissioner Comander asked if the system was working. Mr. Mike Bruchard, Motorola, stated that it would be running by March 10.

Commissioner Pridgen feels that Sheriff Johnson needs to present solid, consistent information as to why he cannot fund the projects that he is requesting. He voiced concern that the Sheriff was not present to give this information.

Commissioner Meadows stated that the Board does not line item the Sheriff's budget and that allows him to spend the funds in a manner best suited for the department.

Commissioner Comander asked if a copy of the contract between the Sheriff's department and Motorola was available. Mr. Bruchard stated that there was. Captain Farris stated that Sheriff Johnson assumed that the equipment would be installed before the new budget year. Commissioner Comander stated that there should be supporting documents stating the cost amount. Commissioner Brannon asked when the audit of the Sheriff's office would be completed. Ms. Martha Ingle, Clerk of Court, stated that the audit is required to be completed by March 31. Commissioner Brannon concurred with Chairman Jones that the Sheriff's 2008 Budget should be able to fund the costs.

Mr. Bob Hudson, resident, asked if a bid was advertised on the 911 system. Captain Farris stated that bids are not placed on equipment upgrades. Mr. Hudson understood that if a cost was over a threshold, then a competitive bid would have to be placed. Mr. Hudson encouraged the Board to deny the request.

Chairman Jones asked Attorney Mike Burke, Interim County Attorney, if bids should have been placed on this project. Attorney Burke stated that this particular project was for goods and services and there is no statutory requirement that bids be placed. The threshold amount referred to by Mr. Hudson only applies to capital projects. He stated that constitutional officers are unable to bid out for capital projects.

Mr. David Adams, resident, voiced concern that the Sheriff was unavailable for the meeting. He is also concerned that the Commissioners are being accused of meeting with Sheriff Johnson outside a Board meeting to discuss capital projects. Chairman Jones stated that he had not met individually with Sheriff Johnson. Commissioner Pridgen also stated that he had not met with Sheriff Johnson. Mr. Adams encouraged the Board to further investigate the issue before making a decision.

Commissioner Meadows stated that she had met with Sheriff Johnson to tour the facilities. Mr. Adams stated that Sheriff Johnson said that he had been given approval in an independent meeting. Commissioner Meadows said that one commissioner cannot give approval. Approval must be obtained during a scheduled Board meeting.

Commissioner Comander stated that she had not met with Sheriff Johnson.

Mr. Sonny Heath, resident, encouraged the Board to deny the request and to set more strict rules on how Board approved funds are spent.

Mr. Tom Terrell, resident, voiced concern over Sheriff Johnson's unavailability and encouraged the Board to deny the request.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to deny the budget amendment as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented the scores ranking of the firms for the PD&E Study: 1. PBS&J/Preble-Rish, Inc. 2. DRMP and 3. Bowyer-Singleton. He recommended that the Board approve negotiations with PBS&J/Preble-Rish, Inc.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the ranking of the firms and to begin negotiations with PBS&J/Preble-Rish, Inc. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Tina Rushing and Ms. Robin Bridges, Blue Lake/Blue Cypress Estates Homeowners Association, presented road issues regarding improvement and maintenance of Blue Pond Lane and Blue Pond Circle. The traffic has increased on these two roads and county support is being requested. They presented Resolution 1991-19 which accepted Cap Mooney Drive into county maintenance. Cap Mooney Drive is now known as Blue Pond Lane and Blue Pond Circle. Ms. Rushing requested the county resume the maintenance of these two roads. Ms. Rushing provided maps to indicate the area in question. She stated that a small portion of the area is in Holmes County.

Chairman Jones asked Mr. Bell and Attorney Burke to set up a meeting with Ms. Rushing and Ms. Bridges, and to obtain more background information.

Mr. Sonny Mares, Interim Tourist Development Council Director, requested that Miles Media be awarded RFP 08-008: 2008-09 Official Visitors Guide for Walton

County in the amount of \$125,000. He also requested approval to transfer funds from the promotions account to the printing account.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to award RFP 08-008 to Miles Media in the amount of \$125,000 and approve the transfer of funds. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested approval of a selection panel to evaluate applicants for the position of Executive Director of the TDC. The persons selected to form the panel are Mr. John Gillis, Trustmark Bank; Ms. Mary Brown, Beach Rental of South Walton; and Mr. Mike Stange, Intrawest Hospitality Management (Sandestin Golf & Beach Resort). Mr. Mares stated that Performance Management, Inc. has been hired to conduct the search and submit a short list of qualified applicants.

Mr. Gary Mattison, HR Director, recommended that these be accepted and that three additional individuals be appointed by the Board. The Board concurred to appoint Commissioner Cindy Meadows, Mr. Mattison and Ms. Shirl Williams, Assistant County Administrator.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the selection panel and including the three individuals appointed by Board. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Ronnie Bell, County Administrator, presented a letter from Mayor Wanda Smith, City of Paxton, requesting County assistance to improve the water service to more than 500 households outside the city limits currently using the City of Paxton water utilities. Mayor Smith requested that the county apply for a 2008 Community Development Block Grant (CDBG) to construct new water lines for these customers.

Commissioner Meadows asked if any matching funds were needed. Mr. Bob Jones, Jones-Phillips, stated that CDBG grants are competitive and to have a greater opportunity of being awarded the grant, certain costs, such as design, would need to be covered. The amount needed to cover the design costs would be \$33,100. Mr. Bell questioned how the amount would be funded. Mayor Smith clarified that the matching funds were not a requirement but would help aid in the awarding process. Mr. Jones stated that a reimbursement is not included in the grant. Chairman Jones questioned whether Mayor Smith was only requesting application by the county not matching funds. Mayor Smith confirmed that she was only requesting application. Discussion ensued regarding the funding of the design costs.

Mr. Bell stated that he understood the Mayor's letter to be a request for funding for the engineering design study, approval to allow Mr. Jones to complete the CDBG Grant application and Walton County apply for the grant since the area is outside the City of Paxton.

Mr. Charles Peters, EMA, stated that the design had to be completed prior to grant application. He also said that he had been working with the City of Paxton for several years on this problem which has now become a health issue.

Commissioner Meadows asked when the grant application was due. Mr. Jones stated that it was due sometime around the first of July.

Commissioner Comander asked if the Board could loan the money to the City of Paxton with an agreement for repayment. Commissioner Meadows suggested proceeding with the grant application and in the interim discuss possible funding for the design plans.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the application of the CDBG Grant. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Brannon questioned whether the design could be resubmitted. Mr. Peters stated that the design would be good for five years.

Mr. Bell presented a letter from Pastor Russell Hughes of Everlasting Word Church regarding County owned property located at the corner of 5<sup>th</sup> and Toledo Streets. The church is asking to utilize the property to house a Family/Teen Center which will assist students and their families in areas such as tutoring, transportation, job search, etc. Rev. Hughes stated that the church has the largest youth group in the city and the church wants to help these youth and their families.

Chairman Jones stated that he would support this effort however it would need to be approached from a legal standpoint. Attorney Burke stated that a bidding process would need to be initiated to sell or lease as a highest and best use for the property.

Commissioner Brannon asked when the property was purchased by the county. Mr. Bell stated that it was around 2003 or 2004.

Commissioner Comander asked what were the original plans for the property. Mr. Bell stated that it was for the jail expansion which is no longer required.

Chairman Jones stated that the appropriate action would be to draw up a bid for the highest and best use scenario and offer for lease or sale. Rev. Hughes stated that the church wanted to lease the property.

Commissioners Brannon and Comander asked for more information on the property including size, and purchase price.

Commissioner Meadows asked if the building was in need of repair. Mr. Bell stated that the church had been using the property prior to the county's purchase. He stated that the church had maintained the building. The county has not utilized the building since its purchase.

Attorney Burke will present an advertising package for approval with the requested information included.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to bid out the property at the highest and best use for lease. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested approval of two change orders for Freeport Park. He stated that it is a change in the original scope. The first change order is for baseball equipment: ten foul poles (two per field), wind screens at each backstop and one 20' section in each outfield behind the pitchers' mounds, two portable pitchers' mounds, breakaway bases at all fields and add a safety cap to the 6' high fencing at all fields. This change will increase the contract sum to approximately \$30,000.

Commissioner Meadows asked for clarification of the funding. Mr. Bell stated that \$5.4 million was the total available funding with \$5 million funded by the Board and \$400,000 funded through grants received by the City of Freeport. Both requested change orders are within the funding limits.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the change order for baseball equipment in the amount of \$30,000. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested the second change order to furnish both concession stands at Freeport Park. The amount of the change is \$65,000.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the change order to furnish two concession stands in the amount of \$65,000. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented for adoption a resolution (**2008-24**) as a Campaign Against Sexual Exploitation (C.A.S.E). This resolution is being encouraged by the National Association of Counties and the National Center for Missing and Exploited Children.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to adopt Resolution 2008-24. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented the following board and committee appointments: Ms. Susan Paladini to the Coastal Dune Lake Advisory Board, and Mr. Jeff Mason, Recreation Board; Mr. Robert Agerton, Competency Board (2 year term); Mr. John Dalton, Competency Board (4 year term); Mr. Johnny Smith, Competency Board (4 year term); Mr. Greg Griffith, Design Review Board; Mr. Kenneth C. Vogel, Zoning Board of Adjustments; Dr. Chuck Stevenson, Recreation Board; Mr. Randall Infinger, Recreation Board, and Mr. Jean Arrant, Recreation Board.

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

Mr. Bell requested adoption of a resolution (**2008-25**) establishing a Walton County Pandemic Flu Plan. The Florida Department of Emergency Management has

requested that each county develop a Pandemic Flu Plan. A plan has been completed and coordinated with the appropriate agencies.

Commissioner Meadows asked if there is any control over the amount of antiviral drugs through our health department. Mr. Ed Baltzley, Emergency Response Director, said that would need to be addressed by the Health Department. This plan does not replace that of the Health Department. He said that the State will strategically locate stocks.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt Resolution 2008-25. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that the Emergency Response Administration requested approval of a contingency account transfer for the Emergency Services Administration Reserve in the amount of \$6,650. The additional \$4,000 needed to meet the \$10,650 will be taken out of other Emergency Response Division accounts. This transfer will pay one half of a traffic study for hurricane evacuation purposes in the amount of \$21,300.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve an account transfer in the amount of \$6,650. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a proposal from Allen Rescue Foundation, Inc. (ARF). The foundation has asked to house the animals that have passed their seven day minimum hold time from the Walton County Animal Shelter before they are shipped to the animal shelter in Chipley. He stated that ARF would not be able to handle all of the animals, but the agreement would be for the amount of vacancies. ARF will provide services and

agrees to comply with guidelines set forth in the current agreement with Animal Control of West Florida.

Commissioner Comander asked how this contract would affect the caretaker in Freeport. Mr. Bell stated that both agencies would work together.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to draw up a contract with the Allen Rescue Foundation (ARF). Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented the Department of Corrections Manual for second reading and approval.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve The Department of Corrections Manual as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested that ITB 08-006 Driftwood Estates Drainage Retrofit Part A be awarded to Hayes Construction, as lowest bidder, in the amount of \$250,142.27.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to award ITB 08-006 to Hayes Construction, as lowest bidder, in the amount of \$250,142.27. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that the FDOT Maintenance Agreement for Waterway Identification Signs had been pulled from the agenda.

Mr. Bell presented FDOT resolutions (**2008-26, 2008-27, 2008-28**), deeds and perpetual easement for the widening of Highway 331. This is for the right of way from north of the Choctawhatchee Bridge to Highway 20.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt Resolutions 2008-26, 2008-27, and 2008-28 and approve the deeds and perpetual easements for the widening of Highway 331. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested that Deal Circle in Whispering Pines Subdivision be added to the roads maintained by the county. Deal Circle is the only road not maintained by the county within the subdivision. Mr. Bell stated that this road was inadvertently left off of the county maintained road list.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the addition of Deal Circle to the county maintained roads. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested that the Scenic Gulf Drive Phase II Bid (**ITB 08-004**) be awarded to Gum Creek Farms in the amount of \$1,331,476.67. Mr. Perry Bell, Gum Creek Farms, stated that he has spoken with suppliers and sub-contractors and they will honor the price if there is not a significant change. He requested to return to the Board should changes occur.

Commissioner Meadows suggested re-bidding the project closer to August 15 which is when it would start. Mr. Perry Bell stated that prices could be documented now and then reviewed again in six months. He feels that the prices will be unchanged. Chairman Jones suggested establishing a base line price. Commissioner Comander voiced concern that the prices will change due to the increasing fuel prices. Mr. Perry Bell stated that it would be unfair to the contractors to re-bid. Commissioner Meadows voiced concern over the bottom line amount.

Commissioner Brannon asked if the obstacles that are prohibiting the project to start earlier could be worked around. Commissioner Meadows stated that the construction would begin during the height of tourist season and would create an economic impact.

Attorney Burke stated he would present to the Board on March 11, the base line amount established by Mr. Perry Bell along with a proposal for a significant change in costs.

Mr. Bell presented a resolution adopting the Walton County Purchasing Policies and Procedures Manual. Commissioner Comander stated that several department heads submitted suggestions and she questioned whether those changes had been incorporated. Mr. Bell stated that all the changes have made. He said that the questions and changes raised by Commissioner Meadows still needed to be addressed. Mr. Bell recommended continuing the issue until the March 25 meeting.

Motion by Commissioner Comander, second by Commissioner Pridgen, to continue the public hearing of a resolution and ordinance adopting the Walton County Purchasing Policies and Procedures Manual until March 25, 2008. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a request from the DeFuniak Springs Police Department to apply for three E911 Rural County Grants. The first is in the amount of \$3,278.83 for a 30% call taker ratio cost of console furniture. The second is in the amount of \$7,284.00 for Netclock to synchronize 911 and CAD to correct time. The third is in the amount of \$12,740 for E911 recoding equipment.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve all grant application requests. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that he met with the Juniper Lake Estate Community to discuss the maintenance of roads within the Oakwood Hills Subdivision, Unit 6. The community voted to request the Board to send a ballot to everyone in the subdivision to determine the desires of the area regarding a MSBU.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve to allow GSG to conduct the ballot. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that he would bring information to the March 11 meeting regarding the purchase of Mr. William Wilson's Seagrove Property.

Mr. Bell said that grant opportunities are being reviewed regarding the Angelos Property which was offered to the County in the amount of \$10 million.

Commissioner Meadows had no items to present.

Commissioner Comander stated that she had been receiving emails regarding borrow pits and the county's responsibility. She requested that county staff gather the information necessary to show how many borrow pits were in the county. Commissioner Brannon stated that Ms. Pat Blackshear, Growth Management Director, has been gathering information on borrow pits. Ms. Blackshear stated that there were several pits in the county and she and her staff are working to see which ones are permitted. She stated that Mr. Jim Harmon, Development Order Inspector, had compiled a list several years ago. She said that they will use that list and the current GIS

capabilities to determine the location of all borrow pits. With more time to investigate, the data would be provided. Ms. Blackshear stated that they are also working with Commissioner Brannon's office and public works.

Commissioner Brannon stated that a procedural way to correctly establish a borrow pit had been created. The existing pit issues are the main focus. Commissioner Comander suggested that staff visit all of the pits to determine if they are operational and up to code.

Mr. Bell asked Ms. Blackshear what amount of time would be needed to compile all the information necessary to set up a public workshop. Ms. Blackshear stated 60 days.

Chairman Jones presented a letter from Ms. Callie Bruner requesting authority to work with the Grants Department in obtaining funding through grants to preserve the history of the families of The Eglin Air Force Base Reservation which is now the New Home and Alice Creek Communities. He asked that Ms. Angie Biddle, Grants Coordinator, be allowed to work with Ms. Bruner in obtaining needed grants.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to allow Ms. Angie Biddle to work with Ms. Callie Bruner on grant research. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioners Brannon and Pridgen had no items to present.

Attorney Burke stated that the revised draft of the Animal Control Ordinance has been modified to show the requested changes. He requested that a public hearing be set to consider the adoption of the ordinance. Mr. Bell stated that his office would schedule the hearing.

Motion by Commissioner Pridgen, second by Commissioner Comander, to set a Public Hearing to consider adoption of the Animal Control Ordinance. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Burke presented for approval and Chairman's signature, the Alys Beach Agreement accepting the conservation easement granted by EBSCO. This agreement dedicates 20.2 acres of land in a conservation easement for public recreation purposes. Attorney Burke read the changes into the record. He recommended approval of the agreement.

Commissioner Meadows stated that she wanted the agreement to state a completion date; to specify that it is an 8' wooden boardwalk; and require the easement through Alys Beach to Highway 30A be clearly marked with signage consistent with the Timpooshee Trail and paid for by EBSCO. She questioned if there was a release of liability for the county. Attorney Burke stated that the land would be public property and would belong to the county. Commissioner Meadows feels that the 5' easement would not be sufficient and should be a minimum of 8'.

Commissioner Brannon asked Attorney Gary Vorbeck, Alys Beach representative, to explain the portion referred to by Commissioner Meadows. Mr. Jim Martello, Moore Bass, distributed a map showing the trail to be constructed and represents a 5' ingress/egress easement that could be changed to 8'. Commissioner Meadows asked if it designed as a 5' paved surface with 3' side walk.

Commissioner Brannon stated that the signage is important and must be clearly marked. He feels that the walkway meets the code.

Discussion continued regarding the size of the sidewalk as it relates to the code.

Motion by Commissioner Brannon, second by Commissioner Pridgen to approve the easement as presented.

Commissioner Meadows stated that the changes she specified need to be added to the agreement.

Commissioner Brannon asked Attorney Burke if the agreement had an exhibit showing the parameters of the property with the size of the boardwalk. Attorney Burke stated that a conservation easement is included. It has already been recorded into public record but it has not been accepted by the county. The reason for the agreement is to accept the easement and to show that the requirements have been met.

Commissioner Brannon withdrew his motion. He feels that it is necessary to have an exhibit attached that shows the area and dimensions.

Chairman Jones asked if there was an option to accept or not accept the 5% required by the code. Attorney Burke stated that the code requires 5% land or cash. Chairman Jones asked Mr. Vorbeck if the developer would do 8' boardwalks. Mr. Vorbeck said that it would not be a problem.

Commissioner Meadows voiced concern that there would not be adequate access for the public. She feels that the contract needs to be more clear on the public access to the property. She also stated that a liability clause should be included. Attorney Burke stated that it would be county property therefore the county would be held responsible. Attorney Vorbeck stated that there will be two sides owning the easement and that both would be held responsible.

Commissioner Meadows asked that changes be made to the contract to provide for 8' boardwalks, appropriate signage, and attach a drawing showing the boardwalk

area. Attorney Vorbeck stated that EBSCO would construct the boardwalk consistent with the DEP permit and make available for attachment to the contract a drawing and DEP permit with completion date. Attorney Burke stated that the language would be modified to show those changes discussed by Commissioner Meadows and Attorney Vorbeck.

Commissioner Meadows stated that the boardwalk should be completed before a set number of units are finished. Attorney Vorbeck suggested 50% of the units to be completed.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the agreement with changes as discussed. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney W. C. Henry, Interim County Attorney, presented a resolution waiving development order fees for non-profit organizations. He requested the Board review the resolution, note any changes, and set a public hearing date. He stated that criterion has been established within the resolution. He said that the building department fees have been excluded since these are established by ordinance. Attorney Henry stated that after all the changes and suggestions have been submitted, the modified resolution will be presented for adoption.

Attorney Lynn Hoshihara, Office of County Attorney, requested the Board's direction on the procedure to follow when enforcing civil citations previously issued by Code Enforcement. Premiere 30A LLC, has accrued approximately \$70,000 in civil citations. The company did not obtain proper permits and development order to clear native vegetation. The restoration plan submitted to the county by Premiere 30A was

not successful thereby making them currently out of compliance. Attorney Hoshihara stated that some ways to resolve this issue is to initiate civil proceedings to obtain the \$70,000 fine; forgo the fine, refer the matter to Code Enforcement who will then give the violator a specific amount of time to come into compliance; or file a lawsuit asking for an injunction requiring the owners to restore the property.

Commissioner Comander feels that a decision needs to be made to determine which is the most important, the money or the restoration. Commissioner Meadows stated that this problem has been lingering since 2005 and that the county owes it to the taxpayers to collect the amount due.

Attorney Rick Peterman, Anchors, Smith and Grimsley, stated that he represents three of the four owners of Premiere 30A. His clients were unaware of the actions of the other owner and are seeking to rectify the noncompliance through restoration of the area. Chairman Jones stated that a penalty must still be paid.

Commissioner Meadows recommended that this issue be taken to civil court. Commissioner Comander agreed and suggested that the county sue for payment of fines and restoration of the site.

Motion by Commissioner Meadows, second by Commissioner Comander, to proceed with civil proceedings and request fines be paid in full and restoration of the site. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Lloyd Blue, North American Investment representative, upon the request of Commissioner Comander presented the executed lease and survey for a temporary fire station site along with a commitment to incorporate the site within the development plan for permanent dedication on County Road 3280.

The Public Meeting was recessed at 6:41 p.m. and an Executive Session was called to order to discuss Walton County versus Charles Hugh Edmonds, Et. Al. (Case No. 07-CA001043). This meeting was not open to the public pursuant to Florida Statute 286.011(8).

The Executive Session was adjourned at 7:10 p.m. and the Public Meeting reconvened at 7:14 p.m.

It was announced that Commissioners Jones, Brannon, Comander, and Pridgen, along with Mr. Ronnie Bell, would be traveling to Washington DC to discuss with the legislative body the importance of obtaining funds for several major projects within the county.

Ms. Blackshear presented the Coastal Dune Lake Advisory Board request for approval of a grant application for the Coastal Counties Restoration Initiative which will restore marine areas that improve habitat for NOAA trust resources. Application is due by March 24, 2008.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve grant application for the Coastal Counties Restoration Initiative. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear, presented the Interim Engineering Department Procedure pertaining to the construction of county approved stormwater management systems. She requested authorization to work with the Human Resources Department to hire an additional engineer to implement the interim procedure.

Mr. Greg Graham, Engineering Manager, briefly discussed the procedures to approve the stormwater management systems. He stated that the Building Department would address the completion of these systems.

Commissioner Meadows asked if As-Built surveys are required. Mr. Graham answered by saying that requirements for As-Built surveys are located in category four. He also said that a Certificate of Completion and As-Built Surveys are required on the Development Orders.

Commissioner Meadows feels that there is not enough room to maintain vegetation on the lots after the setbacks are considered. She also feels that storm water piped and put into central holding areas would eliminate the front and rear yard swells and leave more room for vegetation.

Commissioner Brannon asked if the amount of water consumed by the vegetation was taken into consideration. Mr. Graham stated that it is included in the drainage analysis.

Mr. Blue spoke in opposition to the Interim Procedure. He feels that responsible developers will have a drainage plan that works and that vegetation is a vital source in preventing drainage and erosion. He also feels that vacant lots should not be cleared before final building plans are in place.

Commissioner Meadows stated that the problem is that people living next to the incomplete subdivisions are being flooded.

Ms. Anita Page, South Walton Community Council, spoke against clear cutting before actual development. She also spoke against the proposed stormwater

management. She suggested that all property owners within the development be notified prior to the storm water system being installed.

Mr. Ken Goldberg spoke against the interim procedure for stormwater management. He voiced concern over the clear cutting and removal of vegetation prior to set building plans.

Mr. Graham addressed the public's concerns by stating that erosion control would be established and that the Engineering Department is not promoting clear cutting. He stated that the reason for additional engineering personnel is to deal with the existing problems and to produce better design standards.

Ms. Blackshear stated that existing problems are being dealt with and that better design standards would be provided during EAR Amendments. She stated that each development is different and will need to be handled according to the needs of that development.

Commissioner Meadows asked if part of the problem was the early release from surety bonds without the development completion. Ms. Blackshear stated that it was.

Discussion ensued regarding the flexibilities and requirements of the Procedure language.

Chairman Jones questioned whether the issue could be continued for two weeks to allow for time to review the language.

Commissioner Meadows stated that Districts 1, 4 and 5 have to deal with these issues on a daily basis. She feels that a solution needs to be found.

Commissioner Comander feels that some of the drainage problems could be solved through vegetation and trees.

Ms. Blackshear recommended approval of all categories with the exception of category one.

Ms. Page feels that a best management clause needs to be added to the language.

Commissioner Meadows feels that there is still work to be done on all the categories.

Motion by Commissioner Brannon, second by Commissioner Comander, to table the issue until March 11, 2008. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested that Mr. Graham bring visuals to the next meeting.

Ms. Blackshear presented a request for permission to advertise Community Meetings for the EAR Based Amendments. The estimated amount of advertising costs for 18 meetings is \$2,268.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve advertising of Community Meetings for EAR Based Amendments. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear requested authorization to collect on the AMV&R, LLC Letter of Credit for Sundance Subdivision in the amount of \$232,177.00. The construction improvements have not been completed and the Letter of Credit is to expire on March 5, 2008.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve collection on the Letter of Credit for the Sundance Subdivision. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear requested approval of a Settlement Agreement between the Department of Community Affairs and Walton County establishing a method for delineating the coastal high hazard area. Remedial amendments will be brought back at a later date.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the Settlement Agreement with the Department of Community Affairs. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear requested the Board's direction on the Code Enforcement Existing and Proposed Procedures. Protocol would assign officers to zones and take anonymous complaints. One problem area would be the gated communities which would keep the officers from patrolling the community.

Commissioner Comander read excerpts from an email from Mr. Robert Nelson, Code Enforcement Board Member, listing suggestions for improvement to Code Enforcement. She requested more time to review the letter and consider his suggestions.

Commissioner Meadows stated that the changes being considered would allow for anonymous complaints and not be complaint driven. She feels that there should be staff available to patrol on the weekends. She also feels that 80% of the Code Enforcement complaints come from Districts 1 and 5. Ms. Blackshear stated that there are two officers patrolling that area. Commissioner Comander stated that there needs to be a Code Enforcement Officer north of the Choctawhatchee Bay.

Chairman Jones agreed with a more proactive enforcement staff for the entirety of Walton County. He suggested further review of the plan and Mr. Nelson's letter.

Ms. Blackshear feels that violations need to be taken to Code Enforcement within a specified time so that proper and timely action can be taken.

No action was taken by the Board.

Ms. Blackshear requested continuance until March 11, 2008 for the adoption of an ordinance amending Section 13.02.00 of the Walton County Land Development Code, the Route 30A Scenic Corridor. An ordinance amending Chapter 13 of the Walton County Land Development Code to add portions of CR 393, CR 83, CR 283, and CR 395 to the CR 30A Scenic Corridor; deleting the town, residential, and rural designations; establishing setbacks consistent with the Walton County Comprehensive Plan; setting standards for parking and right of way improvements; defining the terms “fence” and “wall” and establishing setbacks for fences and walls. She stated that she had received several suggested changes and briefly discussed those changes.

Commissioner Meadows said that she understood that all public comment had been submitted. Ms. Blackshear stated that there was further discussion regarding the clarification that the 65% view corridor does not apply to the north side of the road.

Commissioner Meadows suggested that the Board adopt the ordinance with the changes included.

Mr. Blue spoke against the document language. He feels that it is unclear and can be interpreted in different ways. He stated that the addition of the corridor connector roads is inappropriate. He feels that there should be more neighborhoods serving the commercial areas. He stated that there are areas that are legal but non-conforming.

Commissioner Meadows stated that with these additional roads, grant money for road improvement would be more readily available. She stated that the only standards on 30A are fences, setbacks and signage.

Commissioner Brannon voiced concerns regarding the existing businesses on the connector roads and the non-conforming issues. He requested that more information be submitted before a vote is taken.

Discussion continued on businesses on the scenic corridor and non-conforming usage as it relates to signage.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to continue until March 11, 2008 the public hearing to discuss the adoption of an ordinance amending Section 13.02.00 and to obtain more information including the affects of this ordinance on existing businesses located on the connector roads. Ayes 4, Nays 1, Jones Aye, Comander Aye, Brannon Aye, Meadows Nay, Pridgen Aye.

Mr. Vorbeck brought back a correction regarding the Alys Beach Easement Agreement. He stated that Mr. Martello had discovered that DEP would only permit 6' walkways instead of the 8' that was approved. Mr. Martello apologized for the misinformation and that this would not change the percentage of the land.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to amend the Alys Beach motion to show a change in walkway width to 6' as required by DEP. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Burke administered the oath to those intending on speaking during the Quasi-Judicial portion.

Mr. Blue, requested a one year extension of an already approved major development order for Wolf Creek Village. The project consists of a 523 unit development on approximately 400 acres with a future land use of rural village. This site is located on the west side of J. W. Hollington Road approximately 1.1 miles north of SR 20.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve Walton County Workforce Housing Corporation Development Order Extension of Wolf Creek Village for one year. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Kim Bottomy, Windcrest Development and Kimley-Horn and Associates, submitted Publix Supermarket, Santa Rosa Beach, a major development order application consisting of 56,825 square foot commercial retail building with two out parcels on 10.62 acres with a future land use of village mixed use. The site is on the north side of US 98, approximately 2000 feet east of Veterans Road. Staff found that the project meets the minimum technical requirements of the Land Development Code and is in compliance with the State approved Comprehensive Plan with conditions as stated in the Staff Report. The project does not meet the Walton County Transportation Concurrency under the Walton County Land Development Code Chapter III. **(Exhibits: Staff Report, Memo)**

Commissioner Meadows questioned whether the out parcels would be under the major development order. Ms. Blackshear stated that it depended on the size of the parcels.

Mr. Tim Brown, Assistant Planning Manager, stated that the Proportionate Fair Share changed \$1.075 million to \$519,486.85. Mr. George Newman, Plans Review Engineer, said that the reason for the lower amount was due to the decrease in the development's square footage.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve Publix Supermarket, Santa Rosa Beach with conditions. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear, on behalf of the applicant, requested a continuance of Park Place at Inlet Beach PUD until March 11, 2008. **(Exhibits: Staff Report, Continuance Memo.) (Ex parte: Brannon)**

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the continuance of Park Place at Inlet Beach PUD until March 11, 2008. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented on behalf of Beach Florida Investments, LLC, a request for a one year extension of Draper Pointe Development Order. The project consists of 12,078 square foot mixed use building with 8,078 square feet of retail and 4,000 square feet of office with a future land use of village mixed use. The site is located at the northeast corner of CR 30A and Blue Pine Boulevard.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve an extension of Draper Pointe Development Order for one year. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

There being no further business, the meeting was adjourned at 8:54 p.m.

APPROVED \_\_\_\_\_  
Larry Jones, Chair

ATTEST \_\_\_\_\_  
Martha Ingle, Clerk of Court