

MARCH 11, 2008-REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, March 11, 2008 at 4:00 p.m., at the South Walton Courthouse Annex.

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.

Commissioner Meadows presented the certificates and plaques to the people who were instrumental in obtaining the designation of County Roads 30A, 395, 283 and 83 as Florida Scenic Highways. She stated that the process was begun approximately 10 years ago by Commissioner Van Ness Butler and many people have worked together throughout the years to get this designation. She presented plaques to Mr. Butler, Ms. Claire Bannerman and Mr. Tim Pauls. The Friends of 30A also received certificates of appreciation for all their hard work.

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$	1,510,912.35
County Transportation	\$	209,934.90
SHIP	\$	12,125.00

Fine & Forfeiture	\$	1,152,296.00
Debt Service Hospital	\$	530.00
Section 8 Housing	\$	122.41
Tourist Dev. Council	\$	409,504.56
N.W. Mosquito Control	\$	1,806.67
W. Co. Library	\$	13,977.95
Tax Deed Surplus Trust	\$	4,556.16
Recreation Plat Fee	\$	1,137.02
Public Safety- 911	\$	52,501.49
Solid Waste Enterprise	\$	140,775.20
Sidewalk Fund	\$	8,960.00
Bldg Dept/Enterp. Fund	\$	6,696.16
Capital Projects Fund	\$	597,100.29
Totals	\$	4,122,936.16

2. Approve Minutes: February 26, 2008 Special and Regular Meeting
3. Approve an Agreement at the request of the State of Florida Department of Revenue, the Interlocal Agreements with DeFuniak Springs and Freeport for sharing local gas tax revenues.

Chairman Jones called to order the public hearing to discuss a resolution amending Walton County Resolution 2004-34 to exclude a portion of the right-of-way of Driftwood Drive erroneously abandoned.

Mr. W. C. Henry, Interim County Attorney, stated that the resolution and the collateral agreement were designed to correct an error in Resolution 2004-34 that abandoned a portion of Driftwood Drive. The negotiation between the parties has fallen through. The resolution (2004-34) was written to abandon “the south 1,350 feet of Driftwood Point Road” legally giving each abutting land owner to the road, ownership to the center line of the road. The Grand Cove Home Owners Association (GCHOA) understood that the right of way was conveyed to them and they agreed to maintain it. Gates and walls were erected with each gate swinging in opposite directions of the other. In 2006, Mr. Michael Reith, owner of the lot to the immediate left of the gates (J10.1), asked the county to fix the out swing of the gate. The Board directed the County attorney

at that time to work out a solution. Both the GCHOA and Mr. Reith did not agree with the solution. Mr. Henry suggested listening to public comment and continuing the public hearing to give the parties involved more time to reach an agreement.

Chairman Jones clarified that the comments made by the public would be against a resolution that could possibly be changed. He stated that the County Attorney does not recommend adoption.

Mr. Michael Reith, owner of lot J10.1, distributed a photo showing the gate. He stated that he had written a letter to alert the Board of the problems and discussed the problem with the swing of the gate. He feels that the gate is not in compliance with setback regulations and urged the Board to resolve the problem quickly.

Mr. Alex Kisch, Grand Cove Home Owners Association Vice-President, stated that gate construction was done according to county regulations. He said the county implied that a HOA would need to be established before the road could be abandoned. The reason for the Petition of Abandonment was to prevent traffic backup on county maintained property. Mr. Kisch said that the gate does not go onto the property as stated by Mr. Reith. He stated that the GCHOA is willing to take on the maintenance of the abandoned roadway.

Chairman Jones asked how many lots were affected. Mr. Kisch answered 20. Chairman Jones asked if the home owners could deed their portion to GCHOA. Mr. Kisch stated that they would be glad to do that.

Chairman Jones asked Attorney Burke whether the area was abandoned to the GCHOA or to the individual lot owners. Attorney Burke stated that it was abandoned properly. The resolution abandoned the area where a portion went to each lot owner.

Chairman Jones asked Mr. Reith to clarify his request. Mr. Reith stated that the abandonment petition did not get input from the adjacent lot owners and feels that the abandonment is illegal.

Commissioner Meadows asked if both sides of the gate could swing in. Mr. Kisch feels that to swing the gate in would possibly cause vehicle damage.

Mr. John Foster, adjacent lot owner, stated that he would be agreeable to any solution.

Chairman Jones urged Mr. Reith and the GCHOA to meet and discuss possible solutions.

Mr. Steve Emmett, GCHOA President, concurred with Mr. Kisch stating that the GCHOA followed regulations and that swinging the gate in would cause a hazard. He stated that if Mr. Reith chose to construct a drive and build a house on that lot that the GCHOA would accommodate him by swinging the gate the opposition direction.

The Board concurred to take no action.

Ms. Shirl Williams, Assistant County Administrator, presented an Interlocal Agreement with DeFuniak Springs and Tri-County for the operation of the Senior Center at the County owned Warren Building that will be available to residents of DeFuniak Springs and Walton County. She stated that the appropriation of funds, \$50,000 by the City of DeFuniak and \$300,000 by the County, is for one year and could be rolled over if there are excess funds. She requested approval.

Commissioner Comander asked if the city would provide the water. Ms. Williams stated that it would be paid for out of the funds appropriated by the city. She

said that the \$300,000 appropriated by the county would cover furnishings and renovations.

Commissioner Brannon asked who would be responsible for the monthly expenses. Ms. Williams stated it would come out of the City's allotment.

Ms. Williams stated that the City of DeFuniak Springs approved the agreement at their meeting held on March 10, 2008. She stated that Tri-County and the County Attorney have reviewed and approved the document.

Commissioner Meadows asked if this funding is for the 2007-2008 Fiscal Year. Ms. Williams stated that it was and that costs should not exceed the amount thereby having funds left over to roll forward to the 2008-2009 Fiscal Year Budget. There will be fund raisers and membership fees to supplement the city and county funding.

Mr. Bell asked that the city take into consideration funding of this center during the upcoming budgeting process.

Ms. Kim Kirby, DeFuniak Springs City Manager, stated that city funding has been earmarked to cover utilities.

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

Mr. Ken Little, Citizens Services Director, requested adoption of a resolution **(2008-30)** declaring April 13-19, 2008 as National Library Week. This week is a national observance sponsored by the American Library Association.

Mr. Little recognized Mr. Dan Owens, Walton County Library Director, and the Walton County Library Advisory Board for all the hard work put into providing county wide library services.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt Resolution 2008-30 supporting National Library Week. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested approval and Chair's signature on two Local Government Verification of Contribution forms for two Rental Housing projects applying for Florida Housing Finance Corporation Tax Credit Program assistance. The Cahaba Development is proposing two projects in the City of DeFuniak Springs for which they are requesting commitment of SHIP funds as the local match in their tax credit program application. The two projects have been approved by the city. The funds in the amount of \$40,000 will not be expended if the grant is not awarded. The SHIP Committee recommends approval.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the Chair's signature on two Local Government Verification of Contribution forms. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested that Mr. Eric McCormick, Ms. Latilda Henninger, Mr. Shelton S. Stone, Mr. Matt Douglas and Mr. Art Frizzell be appointed to the Affordable Housing Advisory Committee. He stated that the 2007 Legislature enacted new rules pertaining to the Affordable Housing Advisory Committee also known as the SHIP Committee. Due to the new rules, restructuring of the SHIP Committee is required and five additional

people are needed. He also requested that an ordinance be adopted to amend or supersede Ordinance 1993-06 to bring the committee into compliance with Florida Statute 420.9076.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to appoint the individuals as presented and to draft an ordinance restructuring the committee. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented for first reading amendments and additional language to the Board of County Commissioners Personnel Policies and procedures, Policy 5, 5.6 Educational Expenses Reimbursement and 5.7 Training Scholarship Fund.

Mr. Bell presented for first reading amended language on Employee Leave to include leave under Florida Statue 110.119 for service connected disability re-examinations and/or treatments up to six days annually.

Mr. Bell requested Scenic Gulf Drive Phase II (**ITB 08-004**) base bid, alternate 1 and alternate 3 be awarded to Gum Creek Farms as lowest bidder in the amount of \$1,331,476.67.

Mr. Perry Bell, Gum Creek Farms, distributed the base line cost as requested by the Board. Chairman Jones clarified Mr. Bell's request that if there is more than a 5% increase that the county would reimburse Gum Creek Farms that amount over 5%.

Commissioner Meadows asked if these prices would be throughout the life of the contract. Mr. Perry Bell stated that it would. He said that FDOT has a price index that takes out the 5%.

Commissioner Meadows asked for input from Mr. Cliff Knauer, Preble-Rish, Inc., Mr. Knauer confirmed that the price index is similar to FDOT and is a common method used.

Mr. Ronnie Bell asked Mr. Knauer if he would be the project manager. Mr. Knauer stated that he would.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to award ITB 08-004 to Gum Creek Farms in the amount of \$1,331,476.67. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Douglass requested approval for the Chair's signature on the FDOT Maintenance Agreement for Waterway Identification Signs. This agreement is for the installation of waterway identification signs along FDOT right-of-ways.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the Chair's signature on the FDOT Maintenance Agreement. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested approval of the 2008 Strategic Objectives. These objectives were presented during a special workshop held on February 26, 2008. The changes suggested by the commissioners have been applied.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the 2008 Strategic Objectives as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested direction on the budget packets that are sent to the different offices, constitutional officers and county departments in relation to the strategic objectives. Last year the Board requested that the departments and offices stay within a

0-7% budget. Mr. William Imfeld, County Finance Director, stated that the packets will be sent out on March 15, 2008 and will be asking for input on operational and capital outlay, and general guidance.

Chairman Jones suggested that all the divisions use the same amount of ad valorem as last year. Mr. Imfeld stated that guidance from the Department of Revenue (DOR) shows that the funding will balance out. There was a \$1.8 million reduction estimated by the Property Appraisers office and a 4% adjustment for the average increase in the personal income of Florida residents. He stated that the concern of the DOR is the current legislation which talks about reducing ad valorem taxes by 25% over a two year period and a 1 cent sales tax increase. Should this legislation pass, this will cause the county not to break even. Action regarding personnel will be taken after the State Legislation has voted.

Commissioner Comander suggested that the divisions should be given 0% increases.

Mr. Bell presented for approval and signature a lease agreement with Mr. Tyson Ritter to lease the property located at 90 Spires Lane, Unit 7A to the county for use as the District 5 Commission Office.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the Chair's signature on the Ritter Lease Agreement. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that the agreement for the sale and purchase of real property between Will & Sikes, Inc. and Walton County for the Seagrove Beach parcel has been pulled from the agenda.

Mr. Bell stated that the Interlocal Agreement for the Creation of the Northwest Florida Regional Transportation Finance Authority will be rescheduled for the April 8, 2008 Board meeting.

Mr. Bell presented for adoption a resolution **(2008-31)** opposing House Bill 683 relating to Public Construction Works. He said that the passage of this bill would eliminate in-house work for projects over \$200,000. Those projects would be required by law to be advertised for bid. Commissioner Meadows asked for the reasoning of this bill. Mr. Bell stated that a county in south central Florida purchased an asphalt company which directly put them into competition with the private sector.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve Resolution 2008-31 in opposition of House Bill 683. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a request for funding up to \$2,000 to cover expenses for a trip to Washington, D. C. with the Okaloosa County Economic Development Council. He stated that funding for the trip would come from monies budgeted for the Economic Development Council.

Ms. Dawn Moliterno, Walton County Chamber of Commerce CEO, said that this is a great opportunity for the county, one of which would be communications with defense representatives. She stated that the \$2,000 would be used for facility rental and a reception attended by legislators and participants. Walton County Chamber of Commerce representatives will be in attendance as well.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve funds in the amount up to \$2,000 to cover the EDC trip to Washington, D.C. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that during an inspection late last year the old elevator in the DeFuniak Springs Courthouse was found not up to standard. There is a contract with Kone Elevators to maintain all the elevators at the Courthouse. Repair costs would be approximately \$50,000, which has been allocated in the budget.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve repairs to the DeFuniak Springs Courthouse elevators in the amount of \$50,000. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell informed the Board that he and Commissioner Meadows met with Ms. Leigh Moore, Executive Director of the Scenic Corridor Association. Ms. Moore gave them an update on the beautification programs on Highway 98 between Mack Bayou Road and West Hewitt. Work will begin within the next month or two

Mr. Bell invited the Commissioners to attend the Little League Opening Day in DeFuniak Springs and Freeport on March 15, 2008.

Attorney Mike Burke, Interim County Attorney, presented for approval the language to advertise for lease, the property located at Toledo Avenue and 5<sup>th</sup> Street in DeFuniak Springs, FL.

Commissioner Comander asked if this lease issue would fall under the non-profit resolution discussed at the February 26, 2008 meeting. Attorney Burke stated that this is a competitive process opened up to anyone who wishes to use this property as a teen center therefore it would not fall under the non-profit resolution issue.

Commissioner Brannon asked what the term of the lease would be. Attorney Burke stated that the term would be presented by the bidders. He said that upon approval of the language, a normal RFP process will be followed.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the language to advertise for the lease of property. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows removed from the agenda her report on a second paving crew.

Commissioner Meadows presented a Commissioner's Report on Council on Aging (COA). She stated that the COA was running smoothly and there was nothing new to report.

Commissioner Meadows requested approval to provide in-house labor to stabilize, base and asphalt 1<sup>st</sup> and 2<sup>nd</sup> Streets in the amount of \$16,000 and a portion of Golf Club Drive in the amount of \$25,000. The funding would come from the Maintenance Budget of Public Works.

Mr. Ryan Douglass, Staff Engineer, verified that Public Works was aware of the amounts.

Commissioner Comander stated that this was a good example of the type of work that would fall under Additional Items as discussed during the Road Maintenance Workshop.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the request to provide in-house labor to stabilize, base and asphalt 1<sup>st</sup> and 2<sup>nd</sup>

Streets in the amount of \$16,000 and Golf Club Drive in the amount \$25,000. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested de-obligation and re-obligation of \$30,000 of funds from Seagrove Bike Paths to CR 30A Bike Path Striping of Intersections.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the re-obligation of funds in the amount of \$30,000. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows stated that she had received a call from Mr. Allen Osborne, Driftwood Estates resident, requesting to be heard on the Driftwood Plat issue.

Mr. Osborne stated that the minutes show that Driftwood Trails had never met the requirements for final inspection. He said that the Letter of Credit and the Bond had expired with the construction incomplete. He distributed an MLS listing advertising the neighborhood for sale. The MLS states that the area infrastructure and storm water system are installed and working; and that amenities are complete and operational. Mr. Osborne presented pictures showing problems with the storm water system and stated that the public areas mentioned are not in existence. He requested that the recorded plat be suspended due to administrative error.

Commissioner Meadows asked Attorney Burke if this is an option for local government to suspend a plat. Attorney Burke stated that it first needs to be determined if the plat did go through the proper process. For it to be recorded, it would have to go through a checklist first. He said that if it is a clear error, it would be allowable to suspend the plat.

Commissioner Meadows feels that the plat should be suspended based upon the information received on what has and has not been done. She suggested investigating further.

Commissioner Comander asked for clarification of the infrastructure and amenities available. Mr. Osborne stated that a pool is available but it does not belong to the neighborhood as advertised. Commissioner Comander stated that if these areas were not available, then the MLS is falsely advertising the neighborhood.

Commissioner Meadows made a motion to direct the County Attorney to investigate whether the plat met the requirements. Commissioner Pridgen stated that motion was not needed for direction. Attorney Burke will present information at the April 8, 2008 meeting.

Commissioners Comander, Pridgen and Brannon had no items to present.

Chairman Jones presented a change made to the Contract for Wayfaring Signs on 30A and Timpooshee Trail Phase 1. The Board did not take action on how Signtek would be paid. He stated that Signtek amended the agreement to receive 75% before the signs were delivered. The original agreement was for 50% before delivery.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to enforce the original contract agreement for 50%. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

There were no additional public comments.

The meeting recessed at 5:35 p.m. and reconvened at 5:50 p.m.

Ms. Pat Blackshear, Planning and Development Director, presented the Interim Engineering Department Procedure pertaining to the Construction of County Approved

Stormwater Management Systems. She stated that staff has been working with the public in getting a working draft prepared.

There was no public comment.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the Interim Engineering Procedure to address the construction and completion of County approved Storm Water Subdivision Drainage Plans. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear requested permission to establish Amended Fee Schedules to include a fee for review and processing of new DRI applications and Notice of Proposed Changes. The division has two and one half planning positions dedicated to DRIs.

Motion by Commissioner Brannon, second by Commissioner Meadows, to allow staff to work on the proposed fee structure for DRI reviews. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear removed from the agenda the request for permission to amend various provision of the Walton County Land Development Code in order to ensure consistency of these provisions with the revision of Chapter III regarding Traffic Concurrency.

Ms. Blackshear presented for adoption a Neighborhood Plan Ordinance, an ordinance amending section 2.03.02 of the Land Development Code; eliminating the requirement that neighborhood plans be adopted as comprehensive plan amendments; adding a requirement of neighborhood plans to be incorporated into the Land Development Code as overlay districts.

Mr. Mac Carpenter, County Planner, presented the draft ordinance with the changes as requested by the Commissioners and the public. He presented the Neighborhood Plan Timeline which would give neighborhoods interested in neighborhood planning a set finishing date. He stated that there was a lot of public comment regarding the language of the ordinance. Some changes suggested were a 90 day extension to the timeline; increase the percentage of the number of property owners to approve the plan; increasing the number of voting owners. He briefly discussed how the changes were implemented into the ordinance. Mr. Carpenter stated that there was public comment stating that there should be a minimum of 75% of the voting property owners to approve moving forward with the plan to the Planning Commission.

Commissioner Comander stated that the timeline is tight and that consideration needs to be taken for the volunteers who have jobs and families. She also voiced concern over the voting percentage.

Commissioner Meadows agreed that the timeline is tight. She suggested that an 18 month period would be better suited. She also suggested that requiring that all correspondence be sent as certified mail. Commissioner Meadows considered removing the Opt Out clause. She added to the changes the recognition of existing Neighborhood Planning efforts.

Chairman Jones asked for clarification of the removal of the time line. Commissioner Meadows feels that Neighborhood Planning should be able to start at any time during the year.

Discussion ensued regarding the timeline.

Commissioner Comander feels that a good plan is needed for all neighborhoods. Ms. Blackshear stated that the Comprehensive Plan Policy does not allow for an overlay district so an amendment is needed.

Commissioner Meadows feels that the “Opt Out” provision should be removed. She said a lot of work is done by the property owners to prepare a Neighborhood Plan and that 66% of the votes returned should be considered an approval. Chairman Jones said that the lesser numbers give an opportunity to opt back into the plan. Commissioner Brannon feels that the flexibility to opt out should remain.

Commissioner Brannon asked Ms. Blackshear to explain the process in which to establish a Neighborhood Plan. Ms. Blackshear stated that it is not dictated by the Planning Department but begins with an organizational meeting arranged by the homeowners in the neighborhood. Commissioner Brannon asked if there were size regulations to apply for a neighborhood plan. Ms. Blackshear stated that the neighborhood would determine what areas to delineate on a map.

Discussion ensued on the clarification of the “Opt Out” clause.

Ms. Linda Hildreth spoke against the ordinance language and opposes the voting percentage.

Ms. Cindy Morgan spoke in favor of leaving in the “Opt Out” clause.

Mr. Rodney Durand spoke in favor of leaving in the “Opt Out” clause and feels that review of the original draft is needed.

Mr. Emmett Hildreth spoke against the voting percentage.

Commissioner Brannon exited the meeting at 6:43 p.m.

Mr. Louis Serner urged the Board to adopt the ordinance.

Mr. C. D. Fitzpatrick spoke in favor of the ordinance with various language changes.

Commissioner Brannon rejoined the meeting at 6:50 p.m.

Ms. Sherry Rayborn spoke against the ordinance and the language within. She submitted her written response and read it for the record.

Mr. David Kramer spoke in favor of the language changes. He feels that the ordinance is restrictive and that the language is contradictory.

Ms. Elizabeth Corkle spoke in favor of the ordinance with language changes.

Ms. Page spoke in favor of the ordinance with suggested language changes.

Ms. Susan Lucas spoke in favor of the ordinance. She suggested minor language changes.

Mr. W. D. Chase spoke against the neighborhood plan and the ordinance.

Mr. Allen Ficarra offered suggestions for language change.

Commissioner Comander stated that she is still concerned about the voting procedures and those who do not return a ballot. After much discussion, Chairman Jones stated that a non-response is a de facto no vote.

Commissioner Meadows recommended the following changes to the ordinance: the timeline be changed to an 18 month period; add affected property owners must be notified by certified mail; remove “Between January 1<sup>st</sup> and 15<sup>th</sup>” (pg. 3 item 1a); remove “by the close of business day **on or before February 15<sup>th</sup> (or next business day if February 15<sup>th</sup> falls on a holiday)**. . .”\*\* (pg. 3 item 1c); remove “dead and may not” and replace with does not (pg. 3 item 1d); remove reference of the date February 20 and add provide notice by certified mail (pg. 3 item 1e); remove “prior to March 31<sup>st</sup> of the

calendar year neighborhood planning cycle” (pg. 4 item 2a); replace “will” with “may” (pg. 4 item 2f); add audio/video and remove tape (pg. 4 item 4b); Remove September 15 and during the calendar year (pg. 5 item 5); change 12 month period to 18 month period (pg. 5 item 6); remove “Provisions concerning the ability to apply for variances from the adopted Neighborhood Plan” (pg. 5 item D6m); add would be the same as enacting the plan (pg. 6 Item D6n); Remove by September 30 (pg. 6 item E1); Remove October 30 and “It shall be permissible to include (in the ballot) options for divisive issues to be voted on individually” (pg. 6 item E2); remove “or emailed” (pg. 6 item E3); change the votes returned percentage to 66% (pg. 6 item E4); leave out the “opt out” clause for now; remove “including the returned ballots” (pg. 6 item E5); remove Ga, Gb and Gc and replace with “Any group that has undertaken a Neighborhood Plan prior to the adoption of this ordinance may begin the process at Step E unless they desire otherwise”(pg.7).

Discussion continued on the clarification of the changes.

Attorney Burke recommended Quasi Judicial procedures be used when hearing Neighborhood Plan petitions. Ms. Blackshear stated that one hearing will be held before the Planning Commission and two before the Board of County Commissioners.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to direct staff to incorporate the recommended changes and present the ordinance for adoption on April 8, 2008. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

The meeting recessed at 7: 43 p.m. returned at 8:03 p.m.

Ms. Blackshear presented for adoption an ordinance (2008-07) adopting a remedial amendment to the Walton County Comprehensive Plan Policy C-4.2.6 to establish criteria for delineating the Coastal High Hazard Area.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve Ordinance 2008-07. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented for first public hearing the Xeriscaping Ordinance amending the Walton County Land Development Code to establish requirements for water-efficient landscaping (Xeriscaping); providing for consistency with state law and the Walton County Comprehensive Plan; providing for purpose and intent; and providing for definitions. Ms. Blackshear stated that this ordinance has been approved by the Planning Commission and legal comments by Attorney Henry have been addressed.

Ms. Page questioned if the panhandle section of the Waterwise document was the only section to be used. Ms. Blackshear stated that the reason for the entire document was to provide clarity as to the types of vegetation that is acceptable.

Mr. Jason Daniel, Eastern Lake Supply Company, spoke against the language of the ordinance stating that it could be misinterpreted. Ms. Blackshear stated that the intent would govern new projects or redevelopment projects and irrigated from a public supply system. She stated that many approved plats are vacant lots and the Board should consider whether those lots are to be included in the process.

Mr. Bill Bard asked if the ordinance would add Xeriscaping to the checklist to be submitted at the time of plan submission. Ms. Blackshear stated that upon the approval

of the Board, it would be included within the development order and in the covenant and restrictions. Mr. Bard feels that all vacant lots should be under this ordinance.

Commissioner Meadows questioned whether it would be permissible to not remove existing vegetation. Ms. Blackshear said there would not be an issue if only the foot print of the building was cleared. Commissioner Meadows stated that it is more costly to irrigate if you are not on a well-water system. Ms. Blackshear said that the intent of this ordinance is to encourage the owners not to tear out the vegetation. Ms. Blackshear stated that she would present two drafts of the ordinance at the scheduled public hearing.

Ms. Blackshear presented an ordinance amending Section 13.02.00 of the Walton County Land Development Code to add portions of County Roads 393, 83, 283 and 395 to the County Road 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 the suggested changes have been incorporated.

Ms. Jennifer Christenson stated that the language of the ordinance is confusing. She asked if the 65% would apply to the newly applied roadways on the segments south of 30A. Ms. Blackshear stated that if it pertains to structures, it is on the south side of 30 A, the fences are to be limited to no solid walls and have at least a 65% view. Ms. Christensen stated that the language needs to be made clearer on the areas affected.

Mr. Bard asked if Chat Holley, Churchhill Bayou and County Road 393 were added to the Walton County Scenic Corridor. Ms. Blackshear stated that after this ordinance is resolved the roads mentioned by Mr. Bard could be added.

Ms. Blackshear suggested that the issue be continued until April 8, 2008 to make the suggested changes to the ordinance.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue the ordinance until April 8, 2008. 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 session.

Mr. Scott Jenkins, Jenkins, Stanford and Associates, Inc. presented Park Place at Inlet Beach PUD. This is a major development order application to amend a previously approved development order for an existing platted 10 lot single family subdivision on 1.26 acres with a future land use of NPA/infill. The request for a planned unit development includes an exception to the required 7.5 foot side setbacks. The site is located north of Park Place Avenue, west of S. Orange Street and south of Pompano Street. Staff found the project inconsistent with the Land Development Code and Comprehensive Plan. Mr. Jenkins stated that the subdivision has a current Development Order and Plat in place. He said that all 10 of the homeowners are requesting the change because they feel that the lot sizes are not large enough for building houses. Commissioner Meadows asked if there was any preservation between the houses. Mr. Jenkins stated there were none.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Park Place at Inlet Beach PUD. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Ex Parte: Brannon)**

Ms. Blackshear presented a request for a continuance until March 25, 2008 of the Susan Rushing Petition for Abandonment which abandons a portion of Joseph Avenue and a portion of Crestview Street in the Town of Villa Tasso plat, as recorded at Plat Book 3, Page 28 in the Public Records of Walton County, Florida.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to continue the Susan Rushing Petition for Abandonment until March 25, 2008. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented on behalf of Mr. Flynn Morris, Bayou View Subdivision Plat, a final plat application submitted by Jenkins, Stanford and Associates, consisting of a 4 lot single family subdivision of 1.6+/- acres with a future land use of NPA/infill. The site is located off East Mack Bayou Drive, south and west of Shelter Cove Drive. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve Bayou View Subdivision Plat. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

There being no further business, the meeting adjourned at 8:38 p.m.

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

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

**\*\*This portion of the minutes was amended upon recommendation of Commissioner Meadows at the April 8, 2008 meeting.**