

MARCH 25, 2008 – REGULAR MEETING (FINAL)

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, March 25, 2008, at 4:00 p.m. in Courtroom A of the Walton County Courthouse.

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.

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	\$ 1,208,252.02
County Transportation	\$ 1,672,223.42
SHIP	\$ 22,280.00
Fine & Forfeiture	\$ 1,031,622.00
Mosq. Control State	\$ 1,516.54
Section 8 Housing	\$ 132,858.38
Tourist Dev. Council	\$ 630,047.02
N.W. Mosquito Control	\$ 4,392.75
W. Co. Library	\$ 17,556.96
Tax Deed Surplus Trust	\$ 9,085.33
Recreation Plat Fee	\$ 31,404.40
Public Safety- 911	\$ 4,048.51
Solid Waste Enterprise	\$ 215,314.49
Driftwood Debt Service	\$ 24,400.00
Bldg Dept/Enterp. Fund	\$ 4,907.46
Capital Projects Fund	\$ 348,238.23
Imperial Lakes MSBU	\$ 2,765.91
Totals	\$ 5,360,913.42

2. Approve Minutes: March 11, 2008 – Regular Meeting
3. Approve Resolution **(2008-32)** to amend the budget for unanticipated grant funds from the FY 07 Assistance to Firefighters Grant.
4. Approve Resolution **(2008-33)** to amend the budget to roll forward funds to pay for the Staples Property from the Recreation Plat Fee Fund.
5. Approve a Resolution **(2008-34)** to amend the budget to recognize deferred FBIP allocation funds from the Recreational Vessel Registration Fees
6. Replace original easement between St. Joe Company and Walton County for handicap access at Van Ness Butler Neighborhood Beach Access.
7. Surplus 2004 Chevrolet 1500 truck from TDC and donate to Argyle Volunteer Fire Department
8. Surplus 51 inmate bunk beds and 3 single inmate beds and donate to Santa Rosa County
9. Amendment to Signtek Contract regarding a performance and payment bond for Wayfinding Signs – 30A and Timpooshee Trail
10. Budget Transfer for Parks and Recreation

Miss Sassy Bogart, Miss Walton County 2007-08, expressed her appreciation towards the Commissioners and the community for their support. Chairman Jones thanked Miss Bogart for representing the county well.

Chairman Jones stated Sheriff Ralph Johnson was not present for his request to discuss funds for Motorola software for an E-911 System. He questioned Mr. Mike Burke, Interim County Attorney, if any action taken regarding the sheriff's request would have to be done in an advertised public hearing. Mr. Burke stated that a public hearing would have to be set. Chairman Jones stated this was not asked to be advertised as a public hearing so he asked the Board if they wanted discussion on this matter. No discussion was made.

Mr. Ronnie Bell, County Administrator, presented a proposed amendment to the Animal Control Ordinance for public hearing.

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Prepared by: Tina Willis

Chairman Jones commented that a nuisance animal is defined as any animal that may pose a threat to a person or passing vehicle. He stated they should add to the language to include livestock. The rabies vaccination required annually but Florida Statute now recognizes a three year vaccination. The language should state rabies vaccination is required for dogs or cats in accordance to the statute.

Commissioner Meadows stated she received concerns about puppy mills which prevents people who do not have license to breed dogs and inhumane treatment, and questioned if that was addressed in this ordinance. Commissioner Comander also questioned if puppy mills should be a separate ordinance or part of this ordinance. Mr. Matt Douglass, EMS Manager, stated there was not any language in the ordinance that pertained to puppy mills, however, there is some language regarding boarding of animals.

Commissioner Meadows stated that they should take a look at adding some puppy mills language to this ordinance. Mr. Douglass stated they would be glad to work with legal services on adding some puppy mills language.

Commissioner Meadows also questioned the language that all animals must be on a leash. Cats roam by nature and cannot be kept in restricted areas. She stated that it is not reasonable to have domestic cats part of this ordinance and if they go on someone else's property that person can deal with them.

Ms. Lois Marlow, Animal Control Supervisor, stated the main problem with the cats is while they are roaming they cause damage to personal property. She stated that domestic cats kept within limits are not the issue, but the wild ones that carry diseases.

Commissioner Meadows stated that domestic cats cannot be kept within limits if they are outside and would like domestic cats taken out of the language.

Ms. Marlow questioned how to handle personal property damage. Commissioner Meadows stated if the cat is damaging personal property the neighbor can go to the owner and ask for something to be done, if it is not taken care of then take care of it themselves.

Commissioner Comander stated most domestic cats still wonder off and there is a problem with domestic cats attacking other animals in the neighborhood.

Commissioner Brannon questioned the definition of a dangerous dog, because there was a time when it was described dangerous after it bit someone. He also questioned the procedure of dealing with this animal under the ordinance. Ms. Marlow stated that the dog can show aggression and be considered dangerous.

Chairman Jones asked for public comment.

Mr. Bill Bard stated that the animal control ordinance is working more on the nuisance function of animals and people who do not care for their animals, which in return affects other people. Due to irresponsible owners there are thousands of dollars a year spent on animal control. He stated the nuisance control ordinance needs to go further to control the breeding from the source and there should be no need for a \$2 million animal control facility.

Mr. Tom Terrell disagreed with Commissioner Meadows and stated the owner is responsible for the pet, whether a cat or dog they need to be vaccinated, kept at home, and have a collar.

Chairman Jones closed public comment, and asked the commissioners to address the comments about puppy mills and cats, and questioned what direction they would like to move in.

Commissioner Meadows stated she still opposes the cat language and would like to see some changes and information on puppy mills. She said the main issue is the reproduction and there should be a requirement of spaying and neutering of the animals and proposed a spay/neuter program as part of grant funding or other funds.

Chairman Jones suggested continuing the public hearing to the meeting on April 22, 2008.

Commissioner Comander stated she would like to see language for animals affected by storms.

Commissioner Brannon questioned if any of the issues in this ordinance or others is time sensitive. Ms. Marlow stated they do not have the capacity for the larger animals, and have no sheltering for them at this time, that is why the sheriff's department takes care of the larger animals.

Commissioner Comander stated she had a complaint recently about unfed animals and questioned if there are requirements that the animals are treated in a certain manner. Ms. Marlow stated that regulations are set for their treatment and they are currently using a nationally recognized grading system.

Commissioner Comander stated she would like for those regulations to be strengthened.

Mr. Bell stated the Animal Control Ordinance only covers dogs and cats, larger animals are excluded since there is no capability for their care at this time. There is an ordinance drafted for the larger animals and will be addressed once they have the capabilities.

Chairman Jones stated they should focus on the issues now, improve those, and address other issues at a later time through another ordinance.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the continuance of the public hearing to the meeting on April 22, 2008. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney William C. Henry, County Attorney, requested the adoption of a Resolution (2008-37) establishing a policy to evaluate requests from non-profit organizations to waive development order fees for improvements and new construction. To strengthen the resolution they added the applicant has to demonstrate a valid need for the improvements and they must show the financial situation is stable. The Florida Constitution prohibits counties from using tax payer money for the benefit of any private person or organization. Attorney Henry stated the Board has the ability to determine if a private entity has a valid public purpose and in waiving the fee or contributing money or labor. Organizations sometimes request the county donate manpower and equipment to benefit them, and the board still has to make that decision. However, two issues are the county has limited resources and organizations sometimes ask for county employees to design road or water systems when these employees do not have the certification or licensing to do so. He questioned if the Board would like a policy on this as well.

Commissioner Comander questioned if Attorney Henry would suggest the use of county employees be put into this resolution or another one. Attorney Henry stated it is a separate issue and suggested a separate resolution so there would be two policies.

Chairman Jones questioned if they are asking for no action to adopt the resolution as presented or to add provisions about labor and materials from county forces.

Attorney Henry stated they could adopt the resolution as presented if desired, and direct them to come back with another policy on use of equipment and manpower.

Motion by Commissioner Comander, second by Commissioner Brannon, to adopt Resolution (2008-37) as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bob Hudson questioned the 501C issue.

Mr. Henry stated there are a number of different categories under 501C and he chose that language as the standard because it is the standard of various Florida Statutes.

Chairman Jones clarified by adopting the resolution it gives the Board the ability to consider any request. Mr. Henry stated that it gives the planning director ability to consider any request. The board has the capability of hearing an appeal if it is denied by the planning director.

Ms. Hilda Coursey and Mr. Norman Young, Brain Disorder Support Foundation Friendship House, is requesting a waiver of planning fees. Ms. Coursey stated they are asking for the support of the Board and any assistance they can give in expediting the building process. Mr. Young stated they ran into problems with construction of the building and stated it is considered a commercial building and resulted in fee increases and more requirements. He expressed their appreciation for all the assistance the county has given.

Chairman Jones thanked Ms. Coursey and Mr. Young for the service they have provided for the county.

Mr. Sonny Mares, Interim Executive Director TDC, requested approval to enter into a time and material task order agreement for limited services with WilsonMiller to

provide construction administration during the construction of the Walton County Maintenance Facility, an estimated cost of \$42,050.00.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the time and material task order agreement with WilsonMiller. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested an amendment to the Lifeguard Services Agreement with SWFD to provide funding for lifeguard services at the eighth facility at the Blue Mountain Regional Access in the amount of \$66,860.40.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the amendment to the Lifeguard Services Agreement contract for the amount of \$66,860.40. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Ronnie E. Bell, County Administrator, presented the Citizen Services Department request for approval of a proclamation designating April 6, 2008 in Walton County as Parents and Children's Day.

Mr. Ken Little, Citizen Services Director, recognized Ms. Loria Mayo with Early Learning Coalition of Okaloosa and Walton County who made the request.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve a proclamation designating April 6, 2008 in Walton County as Parents and Children's Day. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented the second reading for the amendments and additional language to BCC Personnel Policies and Procedures, Policy 5, 5.6 Educational Expenses Reimbursement and 5.7 Training Scholarship Fund.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the amendments and additional language to the BCC Personnel Policies and Procedures. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented the second reading of amended language on Employee Leave to include leave under Florida Statute 110.119 for service connected disability reexaminations and/or treatments up to six days annually.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the amended language on Employee Leave as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested adoption of Resolution **(2008-40)** in recognition of National Public Safety Tele-communicators Week April 13-19th for all the dispatch personnel that support E911 call taking and dispatch operations throughout the County.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to adopt Resolution **(2008-40)** as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a recommendation from Public Works on a RFP for a self propelled bituminous paver. He recommended going with the lowest bidder which was Cowin Equipment at \$233,650.00 with budgeted funds.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve Public Works request for a RFP self propelled bituminous paver. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell recommended rejection for all the bids on a RFP for a Vibratory Soil Compactor and re bid the item. After discussing with the Evaluation team all agreed that the recommendation to the Board would be to reject all proposals due to not meeting the specifications and all information was not available from the vendors.

Motion by Commissioner Comander, second by Commissioner Pridgen, to reject the bids on the RFP for a Vibratory Soil Compactor. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested approval of Resolution **(2008-36)** adopting the Purchasing Manual.

Commissioner Comander confirmed all comments will be incorporated into a final document.

Motion by Commissioner Brannon, second by Commissioner Comander, to adopt Resolution **(2008-36)** as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a proposed Ordinance **(2008-08)** to allow up to 2% to be used for competitive contract award for goods and services construction for local vendors.

There was no public comment.

Motion by Commissioner Comander, second by Commissioner Pridgen, to adopt Ordinance **(2008-08)** as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested approval of Resolution **(2008-38)** supporting May as National Bicycle Month and support the First May Day Family Bike Ride at the South Walton Courthouse Annex on May 17th from 8 a.m. – 12 noon.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to adopt Resolution **(2008-38)** as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a request from Seaside to utilize the South Walton Annex parking lot for the Seaside Jazz Festival overflow parking. He clarified on May 17th it would only be from 1 p.m.-10 p.m. and will not interfere with the Family Bike Day.

Commissioner Meadows questioned if it would be after hours and on the weekends. Mr. Bell stated that it would be after hours, on weekends, and only for over flow parking. She also stated they need to clean up the parking lot after the festival is over.

Motion by Commissioner Brannon, second by Commissioner Meadow, to approve utilization of the South Walton Annex parking lot for over flow parking for the Seaside Jazz Festival. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented Resolution **(2008-35)** in support of Senate Bill 1634 which protects water quality. The resolution stated any sewer contaminants that go into a stream, creek, beach, or other water source have to be reported within 5 days of discovery to the local authority.

Motion by Commissioner Meadows, second by Commissioner Brannon, to adopt Resolution (2008-35) as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a Resolution (2008-39) from the Boys and Girls Club to designate March 30-April 5, 2008 as Boys and Girls Club Week in Walton County.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt Resolution (2008-39) as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows had no items to present.

Commissioner Comander had no items to present.

Chairman Jones had no items to present.

Commissioner Brannon briefly read a study done in 2000 and requested approval to allow Angie Biddle, Grants Coordinator, to research and apply for archaeological grants for Walton County.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the research and application of archaeological grants for Walton County by Angie Biddle. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Brannon asked for public comment on the Borrow Pit issue on Rock Hill Road.

Ms. Eileen West, resident of Rock Hill Road, spoke in opposition of the borrow pits on Rock Hill Road and stated the residents were not aware that an ordinance had been passed. According to Walton County Ordinances a borrow pit should consist of 100 cubic yards of sand or dirt removed for any given project. She stated there are reports

from the DEP on this degrading process to the environment and would like for the process to be put on hold so more damage is not caused.

Mr. Frank Jackson and Mr. Mark Madamba, residents on Rock Hill Road, also spoke in opposition of the borrow pits and recommended the Board reconsider the amendment or make some changes to the ordinance.

Ms. Anita Page, citizen, stated the comprehensive plan has policies regarding mining and it states the county shall protect and conserve native vegetative communities, natural functions of soil, and regulate mining by co-sponsorship with soil conservation service, erosion control projects, and land development regulations adopted by statutory deadline. She stated the special exception ordinance is not strong enough to meet these requirements and regulations need to be established.

Ms. Pat Blackshear, Planning and Development Director, stated she shares the concerns of the residents and the existing borrow pits are the majority of the concerns. She said since there is so much interest in the borrow pits the process needs to be rewritten and strengthened. She stated a grandfathering process needs to be established and that borrow pits and mining need to be separated.

Commissioner Brannon agreed that the existing borrow pits need to be addressed and an assessment needs to be done to get them into compliance.

Discussion continued on the safety and compliance of existing borrow pits.

Commissioner Meadows stated she would like the planning department to look at information that would let the Board know how many mines there are, what category they are in, if they have a D.O., if they are grandfathered in and what is the grandfathering criteria, which ones are abandoned, and what to do with future

applications for borrow pits. She stated there needs to be some criteria outlined if borrow pits are to belong only in general agriculture, also noncompliant mines do not need to be grandfathered in.

Chairman Jones questioned if new applications should be considered in the mean time for the information to be collected. Commissioner Comander stated that new applications should not be accepted.

Mr. Burke stated there are processes in place that will address any new borrow pits. He stated the entire process takes 2-3 months because the applicant must first go through a technical review committee, the planning director will make a recommendation, and then it goes to a board of adjustment. He recommended the Board direct staff to apply the best management practices towards any special exemption borrow pit applications.

Brief discussion continued regarding borrow pit requirements and safety issues.

Ms. Blackshear stated she would like to work with Mr. Burke on the existing language to see if another process could be established for mining outside the borrow pit exception. She has spoken with the district and they are going to exert jurisdiction over the one in process now whether it is special exception or not.

Commissioner Brannon stated his concern is that the exemption ordinance is not contradictory in definition to the bureau of mining regulations. Mr. Burke stated that the district takes jurisdiction and will make you follow their rules no matter what the ordinance says.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve directing staff to use the best management practices when looking at special

exceptions and bring back for review. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones said they need a motion stating all means and methods necessary need to be taken to get the existing borrow pits into compliance, and if they are not in compliance they need to be shut down in order to assess the situation and get it under control.

Commissioner Comander suggested getting another agency involved or doing something to speed DEP along in their process. Chairman Jones stated they have given staff direction to use whatever means is available or agency that has jurisdiction.

Ms. Page stated DEP is very slow in processing a complaint and already has violation reports of these mines. She stated the fine system is so low and fines average around \$2,000.00 for every violation. She would like for the county to look into the regulations in the land development code that have their own fines and for violations.

Mr. Roy Ross, Rock Hill Road resident, stated there are agencies that can help with this process. The U.S. Office of Surface Line set aside approximately \$274 million to help assist in the reclamation of old mines and help out on a county level. They can take this beyond a county level and get some help from the government with the old mines.

Mr. Burke stated the existing operation of mines needs to be clear as to where those facilities are and set regulations and fines on how to operate. He stated staff needs to be given direction to develop the criteria to identify those mines, establish an application process, and the rules and regulations.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve the recommendation for staff to develop criteria, application processes, and rules and regulations for existing mines. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. West stated the definitions for mining and borrow pits are not interchangeable and people need to be aware of that.

Commissioner Comander addressed the safety issue with the trucks entering the highway and asked engineering to look at and come up with some safety issues on that road and how to address that intersection and the rest of the road. Commissioner Brannon stated he has already asked them to come up with that and they have started but is not sure how far along they are.

Commissioner Pridgen was contacted by Mr. Bill McRay about Lakewood Park and the Paxton Little League Park needing some recreational items and is requesting some recreational plat fee funds.

Commissioner Comander and Commissioner Brannon stated they could spare an amount of \$5,000 of recreation plat fee money from each of their districts.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the amount of \$5,000 of recreational plat fees from Districts 1 and 4. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested \$30,000 of recreation plat fees for sod and irrigation of a new soccer field at Helen McCall Park.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the requested amount of \$30,000 of recreational plat fee funds for Helen McCall

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

Commissioner Pridgen stepped out at 5:46 p.m.

Mr. Henry requested the Board authorize the County Attorney's Office to assert cross-claims in appropriate Circuit Court foreclosure cases in which Walton County holds a SHIP mortgage or another actionable interest in the property. They believe this would enhance the county's ability to defend the county's interest in foreclosures. They need the Board's authority to sue or not sue, and to handle these claims.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve authority of the Office of County Attorney to assert cross-claims in mortgage foreclosure cases. Ayes 4, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Commissioner Pridgen returned at 5:48 p.m.

Attorney Henry requested grant authorization for execution of the original contract and addendum delaying construction start date for Scenic Gulf Drive Phase II with Gum Creek Farms. The contract with Gum Creek Farms was awarded and asked them to delay the start until August and Mr. Perry Bell from Gum Creek farms agreed to hold his bid price as long as the prices do not go up more than 5% by the proposed start time. Attorney Henry requested the Board to approve an addendum which would set the start time to August and establish that Mr. Bell will hold his price. There should be a valid figure set if the prices get above that amount then they can terminate the contract.

Commissioner Meadows questioned if a termination figure is required. Attorney Henry stated in the standard contracts there is a provision for the county to terminate at

any time for \$100.00. He stated this is a \$1.3 million contract and questioned how much is appropriate. Commissioner Meadows stated that the fee of \$100.00 should be the set amount.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve an addendum delaying the construction start date for Scenic Gulf Drive Phase II. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Henry sought the Board's direction on the Watson Road Encroachment. The Public Works Department has asked Mr. Watson to move his fence off county right of way and has yet to comply. Attorney Henry recommended the Board direct the County Attorney to send Mr. Watson a letter stating if the fence is not taken down in 2 weeks the Board will file a temporary injunction suite seeking the immediate removal of the fence and a permanent injunction stating no other structures shall be put on the county right of way. Commissioner Meadows questioned if the county could move the fence themselves. Attorney Henry stated they could but that could lead to further problems.

Commissioner Meadows stated injunctions can go on for years and the county will be spending more money. She stated a letter should be sent out to say if the fence is not removed then the county will remove it themselves. Attorney Burke stated they have done that and would like for the courts to tell Mr. Watson that the fence does not belong on the county right of way and he does not need to put one on there in the future.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the Office of County Attorney to file temporary and permanent injunction suites against Mr. Watson. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Comander questioned in the addendum if they could assess those court fees back to Mr. Watson for the county's expense. Mr. Henry said they could ask for fees to be returned to the county.

Chairman Jones asked for any additional public comments.

Mr. Bob Hudson stated he would like for the Board to make contracts available for public on-line.

Commissioner Jones stated the Board's appreciation to Mr. Chris Mitchell, Public Information Officer, for his hard work to get the information out to the public.

Mr. Bill McRay, Paxton citizen, expressed his appreciation to the Board for their support at Lakewood Park. He stated there are still some improvements needed at the park and wanted the Board to know they are making progress.

Mr. Bill Bard had concerns about last minute changes on the agenda and questioned if there is an editorial deadline to make those changes so the public can have an accurate agenda of what will be discussed in the meeting. Chairman Jones stated they put every effort to get this information accurate and in a timely manner.

Commissioner Brannon stated that he has been working with Mr. Bell regarding some type of wall mounted equipment that would display the agenda as well as other documents during the meeting for the public.

The meeting recessed at 6:00 p.m. and reconvened at 6:17 p.m.

Ms. Blackshear commented that Attorney Alan Ramey represented the county very well and did an extremely good job for the county and will be missed. Commissioner Comander stated she would like for staff to write a letter to his family so

they can have something from the county to show their appreciation to him for his years of service and contribution he made to the county.

Mr. Schofield requested direction from the Board concerning proposed changes to the Walton County Land Development Code to mirror the Airport Overlay District and Height Zoning Ordinance recently passed by DeFuniak Springs. He stated that the city adopted an update to the airport zoning ordinance they already had in place and the old ordinance adopted in 1997 was repealed to increase airport protection zones. This ordinance was in connection with the update to the airport master plan and the airport runway extension. He asked the Board to consider directing staff to prepare an ordinance to protect areas outside the city limits with height issues and to look at adopting a parallel ordinance. This ordinance also takes into account the noise associated with the airport in businesses such as schools or churches.

Commissioner Comander questioned if there is a map of the land associated with this ordinance. Mr. Schofield stated the ordinance provided to Ms. Blackshear's office had the airport height zoning map and the airport overlay district and he can provide those maps in a larger scale.

Commissioner Brannon questioned if those distances have already been identified in the city's ordinance of what properties would be affected. Mr. Schofield stated those are included and have been identified.

Ms. Blackshear stated she will work with Mr. Schofield on developing an airport ordinance and will provide the appropriate documents.

Ms. Blackshear presented a request for the Board to authorize staff to work with legal council and a land development code amendment that would authorize the Board

only one additional D.O. extension for the length of one year. Staff is requesting direction on whether the Board feels that the Land Development Code should be amended to allow additional extensions of time for development orders that are expiring after receiving a one-year extension. She would like to bring back an appropriate ordinance.

Commissioner Comander questioned how long the interim period would be. Ms. Blackshear stated their concern is only in this difficult economic time and are not suggesting the additional one year extension for a permanent basis. She stated they would like to gather more information and take the amended land development code to the planning commission and then bring it back to the Board.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the request to create a Land Development Code Amendment. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear stated the request for a Remedial Comprehensive Plan Amendment establishing criteria for determining the Coastal High Hazard Area was removed from the agenda.

Ms. Blackshear stated Walton County has requested the adoption of a Xeriscape Ordinance (2008-09) which addresses recommended conservation practices countywide, with variable measures in place to support water conservation efforts within the Coastal Water Resource Caution Area as well as inland sources which also affect Floridian Aquifer sustainability. She clarified that this is only pertaining to water that is used for irrigation purposes from the Florida Aquifer through the public supplier, not shallow wells or hand watering, only if there is an irrigation system.

Commissioner Meadows questioned use of soaker hoses and sprinklers by individuals who water excessively. Ms. Blackshear stated if they currently exist then it will be exempt from the ordinance.

Discussion continued on the irrigation process and requirements for landscaping.

Ms. Blackshear stated if the Ordinance is adopted they will add to the process if an irrigation system is not going to be used then the owner can provide a letter stating that.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt the Xeriscaping Ordinance **(2008-09)** as presented. 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 hearing.

Ms. Blackshear recommended removal and re advertisement of the Bella Blu Inn at Miramar Beach Development Order Extension.

Ms. Blackshear recommended removal and re advertisement of the Laurel Woods Development Order Extension.

Ms. Blackshear presented the one year extension for the preserve at Seagrove development order requested by Mr. J. Tucker Development Partners, Inc.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the one year extension for the Preserve at Seagrove development order. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented the one year extension for the Villa Burago development order requested by Todd and Kitty Whitney, owners of Double Diamond Developers, LLC.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the one year extension for the Villa Burago development order. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented the Susan Rushing petition for Abandonment of portions of platted right of way within the plat of Villa Tasso. Public works had concerns on the improvements in the district 4 area. Their recommendation was not to abandon Joseph Avenue; they did not oppose the abandonment, just this triangle area where the structures are in the street.

A brief discussion continued on the abandonment process within Villa Tasso.

Commissioner Comander stated public works has asked to hold off until it is determined what is needed in that area and stated her mission is to pave out Villa Tasso.

Motion by Commissioner Brannon, second by Commissioner Pridgen to deny the abandonment request.

Chairman Jones questioned if the denial was for the complete abandonment or as requested. Commissioner Brannon stated denial for the abandonment as requested. Commissioner Comander stated that it is the same request and it should be broken down.

Ms. Blackshear clarified that the request was the same, but staff stated they could support the abandonment of only this portion.

Commissioner Comander clarified that it was for the abandonment of Crestview Street. She recommended denying the abandonment request except for the triangle portion of Crestview Street, lot 6 and lot 5.

Commissioner Brannon withdrew his motion.

Motion by Commissioner Comander, second by Commissioner Pridgen, to deny the abandonment request except for the triangular portion of Crestview Street, lot 6, and lot 5, north of Joseph. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

There being no further business, the meeting was adjourned at 6:56 p.m.

APPROVED _____

Larry Jones, Chair

ATTEST _____

Martha Ingle, Clerk of Court