

MARCH 25, 2008-REGULAR MEETING

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

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

Approve Consent Agenda	
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 form 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 Sigttek Contract regarding a performance and payment bond for Wayfinding Signs – 30A and Timpoochee Trail
10. Budget Transfer for Parks and Recreation

Miss Sassy Bogart, 2007 Miss Walton County, expressed her appreciation of the support given by the Board and Walton County during her reign.

Chairman Jones, in the absence of Sheriff Ralph Johnson, presented for discussion a request for funds to purchase Motorola software for the E911 System in the amount of \$311,431.00. He stated that any action regarding this issue must be made during an advertised public hearing. He asked if the Board wished to discuss the matter further. There were no comments from the Board.

Chairman Jones called to order the public hearing to discuss an Animal Control Ordinance.

Mr. Ronnie Bell, County Administrator, stated that this ordinance will amend previous animal control ordinances.

Chairman Jones said that he had received comments regarding the ordinance and presented the suggested changes. Those changes include: adding the phrase “and

livestock” to Page 3 Item (o) paragraph 1; and in Section 5.34, change “annually” to “in accordance to the statute”.

Commissioner Meadows stated that she had received concerns regarding puppy mills and questioned if it was addressed in the ordinance. Commissioner Comander stated that she had received the same concerns and asked if it should be a separate ordinance or part of this ordinance. Mr. Matt Douglas, EMS Manager, stated that there was no provision regarding puppy mills. Commissioner Meadows suggested using language from other ordinances throughout the State to prohibit puppy mills. Mr. Douglass stated that he would work with the Legal Department.

Commissioner Meadows feels that cats should not be included as animals required to be on a leash. Ms. Lois Marlowe, Animal Control Supervisor, stated that the problem with cats have been damage to personal property, getting into engines, and exposure to wild animals with diseases. Mr. Douglass stated that this was only a draft ordinance and changes could be made. Discussion continued on solutions regarding roaming cats.

Commissioner Brannon asked if there was a provision addressing dangerous dogs prior to a biting incident. Ms. Marlowe said that Florida Statute states that a dog showing habitual aggression does not have to bite someone to be considered dangerous.

Mr. Bill Bard spoke in favor of the animal control ordinance, but feels that it needs to be stronger and hold owners accountable.

Mr. Tom Terrell spoke in favor of the ordinance and feels that cats should be left in and owners should be held responsible.

Commissioner Meadows stated that she would like to see a draft ordinance with the changes discussed including the elimination of cats from the leash provision. She also feels that a spay/neuter program and puppy mills need to be addressed.

Commissioner Comander raised concern for the larger animals during storms and owner negligence. Mr. Douglass and Ms. Marlowe stated that provision is made during a Declaration of Emergency and that the Sheriff's Department handles those animals. Ms. Marlowe said that there is a grading scale that is used for large animals to determine malnutrition and owner negligence.

Mr. Bell reminded the Board that this ordinance only covers cats and dogs. Chairman Jones suggested focusing on the ordinance being presented and to address the other issues at another time.

Motion by Commissioner Brannon, second by Commissioner Comander, to continue the Animal Control Ordinance Public Hearing until April 22, 2008 at 4:00 p.m. in DeFuniak Springs. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney W. C. Henry, Interim County Attorney, presented for adoption a resolution **(2008-37)** establishing a waiver of development fees for non-profit entities. This resolution would evaluate requests from non-profit organizations to waive development order fees for improvements and new construction. Added to the draft resolution presented on February 26, 2008 are the following criteria: a showing of financial need; a showing of necessity for the proposed construction and a provision that the Planning Director can approve a waiver of all or part of fees due. This policy only applies to fee waivers and development order fees. Organizations occasionally request the

donation of manpower and equipment. He feels that problems such as limited county resources and conflicts of interest would arise with this type of request.

Commissioner Comander questioned whether the use of county employees should be addressed in this resolution. Attorney Henry stated that it would be a separate issue. He said that the Board could adopt this resolution and direct him to return with a separate policy addressing the other issues.

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

Mr. Bob Hudson asked Attorney Henry to explain the use of 26 US 501(c) as referenced in the resolution. Attorney Henry said that there are a number of categories in 26 US 501(c) and he chose it because it is used as a standard in several Florida Statutes.

Ms. Hilda Coursey, Brain Disorder Support Foundation-Friendship House, presented a request to waive planning permits for the Friendship House, a facility that will allow provision of support services, respite care and small group educational seminars. She stated that they are in full agreement and have the documentation required in the recently passed resolution.

Mr. Norman Young discussed the problems with the construction of the building. He urged the Board to support the BDSF Friendship House. Chairman Jones instructed Mr. Young to submit his information to Ms. Pat Blackshear, Planning Director.

Mr. Sonny Mares, Tourist Development Council, requested approval of a Task Order Agreement for limited services with WilsonMiller. This agreement will provide

construction administration during the construction of the Walton County Maintenance Facility in the amount of \$42,050.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the Task Order Agreement with WilsonMiller in the amount of \$42,050.00. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares presented a request to amend the Lifeguard Services Agreement with South Walton Fire Department (SWFD) to provide funding for lifeguard services for the education, safety, and protection of the citizens and visitors to the Blue Mountain Regional Access, in the amount of \$66,860.40. He announced that a 7th access has recently opened and the 8th access, Blue Mountain Regional Access, will open later this month.

Motion by Commissioner Pridgen, second by Commissioner Comander, to amend the Lifeguard Service Agreement with SWFD in the amount of \$66,860.40. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Ken Little, Citizens Services Director, presented for adoption and Chair's signature a Proclamation celebrating Parents and Children's Day in Walton County. The week of March 25 through April 1 has been designated as Children's Week for the State. The Early Learning Coalition of Okaloosa and Walton Counties desires to have the Walton Board of County Commissioners issue a proclamation in the support of April 6, 2008 being Parents and Children's Day.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the Chair's signature and adopt a proclamation celebrating Parents and

Children's Day on April 6, 2008. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Ronnie E. Bell, County Administrator, presented for second reading 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 amendments and additional language to BCC Personnel Policies and Procedures as presented. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented for second reading, the 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.

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

Mr. Bell requested the adoption of a resolution (**2008-40**) in recognition of National Public Safety Telecommunicators Week (April 13-19, 2008). This is to recognize all the dispatch personnel that support E911, call taking and dispatch operation throughout the county. The teams include E911/Emergency Operations Center, Police Departments, Sheriff's Office and South Walton Fire.

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

Mr. Bell recommended awarding RFP 08-013 Self Propelled Bituminous Paver to Cowin Equipment as lowest bidder in the amount of \$233,650.00.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to award RFP 08-013 to Cowin Equipment in the amount of \$233,650.00. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell recommended rejecting the proposals for RFP 08-015 for Vibratory Soil Compactor. The vendors did not meet specifications and did not include all information.

Motion by Commissioner Comander, second by Commissioner Pridgen, to reject proposals for RFP 08-015. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested adoption of a resolution (**2008-36**) adopting the Purchasing Manual (Manual may be provided upon request). Commissioner Comander asked if all the comments and changes have been incorporated. Mr. Bell answered in the affirmative.

Motion by Commissioner Brannon, second by Commissioner Comander, to adopt the 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**) adopting the Walton County Purchasing Policies and Procedures Manual for competitive construction contract source selection awards; procedures for design-build contract awards and establishing a local preference for competitive contract awards.

There was no public comment.

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

Mr. Bell requested adoption of a 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 8:00 am to 12:00 noon.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to adopt the 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 the Merchants of Seaside to utilize the South Walton Annex parking lot for the Seaside Jazz Festival to be used May 16-18 and May 23-26. The parking lot would be used for off site/over flow parking. This will not interfere with the Family Bike Ride. Commissioner Meadows recommended that it be used after hours, on the weekends and that the organization is required to clean up the parking lot.

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

Mr. Bell presented for adoption a resolution **(2008-35)** supporting Senate Bill 1634 which protects water quality within the boundaries of the county. This bill would give a five day limitation to report contamination to the local authorities.

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

Mr. Bell presented for adoption a resolution (2008-39) proclaiming March 30-April 5 as Boys and Girls Club Week.

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

Commissioners Meadows, Comander and Jones had no items to present

Commissioner Brannon requested approval to allow Ms. Angie Biddle, Grants Coordinator, to research and apply for archaeological grants for Walton County. The grants would aid in the preservation of the history and heritage of Walton County.

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

Commissioner Brannon stated that several citizens wished to speak in opposition of the borrow pits located on Rockhill Road.

Ms. Eileen West, Mr. Frank Jackson and Mr. Mark Madamba, spoke against the borrow pits and recommend the Board rescind the ordinance. They all felt that there are public and environmental safety hazards.

Ms. Anita Page spoke against the borrow pits on Rockhill Road. She discussed the problems and made suggestions on how to address those problems through the Comprehensive Plan. She urged the Board to implement regulations.

Ms. Blackshear stated that she shared the concerns of the citizens and that the majority of the concerns are with the existing conditions. She stated that there are two separate issues: reconditioning and strengthening of the land use process, and separating borrow pits from mining operations.

Discussion continued on policy and procedures as it relates to the safety and compliance of new and existing borrow pits.

Commissioner Meadows recommended the Planning Department compile a list of mines in the county. The list is to show how many have development orders, which ones are grandfathered in, which ones have been abandoned, and which ones are operating without a development order. She also requested addressing the application process for future mines and pits. She felt that a policy on reclamation procedures needs to be drafted. She also felt mines should not be grandfathered in and that all should be compliant.

Chairman Jones asked if new applications should be considered. Commissioner Comander stated that they should not. Attorney Burke stated that a process is in place to address new borrow pits. He stated that the Special Exception Ordinance 2007-21 requires that applicants must: 1. go through the Technical Review Committee, and 2. receive approval from the Planning Director. Attorney Burke recommended the Board direct staff to apply the best management practices toward any applications for special exceptions borrow pits and mines.

Discussion continued on standards that are to be met by borrow pits and mines.

Ms. Blackshear stated that the Water Management District will exert regulatory controls which will determine the best management practices for the site. The WMD is

currently reviewing sites being processed. She asked for authorization to meet with Attorney Burke to review policies from other communities and bring back their recommendation to the Board.

Motion by Commissioner Pridgen, second by Commissioner Comander, to direct staff to apply the best management practices, as determined by the Water Management District, toward any applications for special exceptions borrow pits and mines, and bring criteria to the Board for review. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Julianne Wolf spoke against the continued destruction caused by borrow pits and mines.

Chairman Jones recommend that the Board consider a similar motion allowing staff to aggressively, through all means and methods necessary, bring borrow pits and mines into compliance.

Ms. Page encouraged the county to incorporate more serious fines and penalties for pits and mines out of compliance.

Mr. Roy Ross stated that there are agencies and departments that can help fund the reclamation of old mines.

Attorney Burke recommended to direct staff to develop criteria to identify noncompliant mines, establish an application process, and establish rules and regulations on permitted actions.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to direct staff to develop criteria to identify noncompliant mines, establish an application process,

and establish rules and regulations on permitted actions. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. West spoke briefly on mining in agriculture.

Commissioner Comander asked if the Engineering Department could develop a scope of services to address the safety issues on Rockhill Road. Commissioner Brannon stated that he had already spoken with Public Works regarding the situation.

Commissioner Pridgen stated that he had been contacted by Mr. Bill McRae regarding Lakewood Park in Paxton. He stated that a Pavilion with tables **is needed at Lakewood Park** and foul ball netting is needed at the **Paxton Little League field**. He requested a transfer of Recreational Plat Fees from other districts to fund the requested additions. Commissioners Comander and Brannon stated that they would obligate \$5,000 from their Recreational Plat Fees.

Motion by Commissioner Comander, second by Commissioner Meadows, to obligate funds up to \$5,000 each from Districts 1 and 4 Recreational Plat Fees to District 2 Recreational Plat Fees for **additions as requested**. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. (**Please see note below signature line.)

Motion by Commissioner Meadows, second by Commissioner Comander, to obligate \$30,000 of Recreational Plat Fess in District 5 for irrigation and sod for the new soccer field at Helen McCall Park. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Pridgen exited the meeting at 5:47 p.m.

Attorney Henry requested authorization 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. Walton County has been named as a defendant in numerous foreclosure cases. A cross-claim would strengthen the county's legal position and aid in the recovery of debts owed from the proceeds of foreclosure sales.

Motion by Commissioner Comander, second by Commissioner Meadows, to authorize the County Attorney's office to assert cross-claims. Ayes 4, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Commissioner Pridgen rejoined the meeting at 5:48 p.m.

Mr. Henry requested authorization to execute the original contract with Gum Creek Farms and add an addendum delaying the construction start date until August, 2008. Gum Creek Farms submitted a baseline price list and agreed to absorb up to 5% and requested reimbursement for any amount over that percentage. He recommended that a termination fee, which would be paid to the contractor, needed to be determined if the Board chose to end the contract. Commissioner Meadows suggested a \$100.00 fee.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to direct the County Attorney to negotiate with Mr. Bell to finalize the addendum with the \$100.00 fee, and the Chairman to execute the contract. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Henry presented an encroachment issue on Watson Road. Watson Road has been regularly maintained by the county and has been dedicated to public use under Florida Statutes §95.361. Presently a fence, erected by Mr. Dee Watson, is encroaching

on county right-of-way. Two letters were sent to Mr. Watson asking that the fence be moved to his property and has yet to comply. Attorney Henry requested the direction from the Board to allow the County Attorney to send a letter to Mr. Watson insisting he remove the fence within two weeks. The letter would state that if he did not comply, an injunction suit would be filed seeking a temporary injunction to remove the fence immediately and a permanent injunction to not erect any other fence or structure within the county right-of-way or setbacks from the right-of-way.

Motion by Commissioner Comander, second by Commissioner Pridgen, to direct the County Attorney to send a letter to Mr. Watson as requested. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Comander asked if the damages and court costs could be assessed to Mr. Watson. Attorney Henry stated that he would ask for fees to be reimbursed.

Mr. Bob Hudson, WCTA, stated the he appreciated the hard work that has been done to provide the public with records through the website. He asked that contracts also be made available on line.

Mr. Bill McRae thanked the Board for the support given for Lakewood Park. He submitted a list of comments regarding Highpoint and Lakewood Park.

Mr. Bill Bard voiced concerns about last minute changes not being made known to the public. Commissioner Brannon stated that he and Mr. Bell had discussed installing a projector to display the updated agenda during the meetings. Mr. Bell stated that Mr. Chris Mitchell, Public Information Officer, is working with Mr. Rick Millard, Construction Manager, to see that this equipment is installed in the new Board Room at

the DeFuniak Springs Courthouse and retrofitting the South Walton Annex Board Room with the same equipment.

There were no additional public comments.

The meeting recessed at 6:01 p.m. and reconvened at 6:18 p.m.

Ms. Blackshear commented on the hard work and assistance provided by the late Attorney Alan Ramey and stated he would be greatly missed. Commissioner Comander asked staff to write a letter to the Ramey Family expressing the county's appreciation for his years of service. Ms. Blackshear stated that she would draft the letter for Chairman's signature.

Ms. Blackshear requested direction concerning proposed changes to the Walton County Land Development Code (LDC) to mirror the Airport Overlay District and Height Zoning Ordinance recently passed by DeFuniak Springs.

Mr. Greg Scoville, AICP, DeFuniak Springs Planning Director, briefly discussed the Height Zoning Ordinance 764 (DFS) adopted by DeFuniak Springs which repealed Ordinance 442 (DFS) adopted in 1997. He urged the Board to adopt a parallel ordinance. Commissioner Comander asked if a map showing the affected area was available. Mr. Scoville stated there was and that one would be supplied to the Board. He stated that the area extends approximately five miles from the ends of the runways. Ms. Blackshear stated that the Planning Department would work with Mr. Scoville.

Ms. Blackshear requested authorization to work with Legal Council to draft a Land Development Code amendment ordinance that, during an interim period, would provide an additional one year extension to development orders if needed. The LDC

currently provides a one year extension. She stated that with the state of the economy, an additional extension may be needed.

Commissioner Comander asked how long this interim period would be. Ms. Blackshear said this would only be effective during the rough economic times. She will do more research and bring the information to the Board.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to direct staff to work with the City of DeFuniak to draft an Airport Overlay District and Height Zoning Ordinance. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear removed from the agenda the Remedial Comprehensive Plan Amendment establishing criteria for determining the Coastal High Hazard Area. This issue has been resolved.

Ms. Blackshear presented for adoption an ordinance (**2008-09**) amending the Walton County Land Development Code to establish requirements for water-efficient landscaping (Xeriscape); providing for consistency with state law and the Walton County Comprehensive Plan; providing for purpose and intent; providing for definitions; providing for conflicts; providing for severability; providing for codification; and providing for enforcement. She stated that the ordinance affects water only used for irrigation through public supplier, not wells. Commissioner Meadows asked if this applied to drip hoses and sprinklers. Ms. Blackshear stated that if they already existed they would be exempt. This ordinance applies to new homes being built on vacant lots. She briefly discussed the changes to the ordinance.

Commissioner Comander questioned who would be responsible for inspecting the fill material. Ms. Blackshear said that the site contractor is the responsible party.

Mr. Billy McKee, Environmental Manager, stated that a criterion needs to be established to put the responsibility on the environmental consultant or landscape architect.

Commissioner Brannon asked if the ordinance would add the landscaping plan to the building permit. Ms. Blackshear stated that only if the homeowner planned to install an irrigation system. There is an exception to hand watering within the ordinance.

Mr. Terry Cruise spoke against the ordinance. He feels that it will cost the homeowners more money.

Discussion continued on the installation of irrigation systems and the financial affects.

Ms. Blackshear stated that if the ordinance is adopted, the building department will add to the checklist the acceptance of a letter verifying that the homeowner does not wish to install an irrigation system.

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 Mike Burke, Interim County Attorney, administered the oath to those intending on speaking during the Quasi-Judicial segment.

Ms. Blackshear removed from the agenda the Bella Blu Inn at Miramar Beach Development Order Extension.

Ms. Blackshear removed from the agenda the Laurel Woods Development Order Extension.

Ms. Blackshear presented Preserve at Seagrove Development Order Extension. J. Tucker Development partners, Inc. requests a one year extension for the already approved major development order. The project consists of 38 single-family lots on 8.86 +/- acres with a future land use of NPA/infill. If approved, Phase 1 will include 25 lots and Phase 2 will include 13 lots. The site is located at the end of Robert Ellis Road just north of White Sugar Estates Subdivision. Staff recommends approval.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve Preserve at Seagrove Development Order Extension. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented Villa Burago Development Order Extension. Double Diamond Developers, LLC requests a one year extension for the already approved minor development order. The project consists of 7 multi family units on 8.88 acres with a future land use of coastal center. The site is located at the southern end of Norwood Lane, south of U.S. Highway 98. Staff recommends approval.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve Villa Burago Development Order Extension. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented the Susan Rushing Petition for Abandonment. This is an abandonment application submitted by Mr. Scott Spies, Rushing Holdings, LLC, requesting the abandonment of 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. This site is located in the Villa Tasso Subdivision. She stated that Public Works had concerns due to improvements being done in that area and asked not to abandon Joseph Avenue. Staff recommendation is to not abandon Joseph Avenue with the exception of the triangular area of lots 5 and 6.

Mr. Spies questioned if the county would be maintaining the ownership of Joseph Avenue, and if there were other possible solutions for drainage. He stated that on Howard Street the two houses that would be considered corner lots have five foot setbacks. He asked what input these owners would have on potential designs. Commissioner Comander stated that Public Works has yet to determine what the usage of this area would be. Ms. Blackshear stated that Public Works did not object to the small triangular area being abandoned.

Mr. David Swann, property owner, urged the Board to approve the abandonment. He feels that a third road is not needed in this area. Commissioner Comander stated that Public Works has asked to postpone the abandonment until it can be determined what is needed for that area.

Motion by Commissioner Brannon, second by Commissioner Pridgen to deny the abandonment as requested. Motion and second was withdrawn.

Motion by Commissioner Comander, second by Commissioner Pridgen, to deny the abandonment request with the exception of the triangular portion of Crestview Street Lots 5 and 6 north of Joseph Street. Ayes 5, Nays 0, Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Ex Parte: Comander)**

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

APPROVED _____
Larry Jones, Chair

ATTEST _____
Martha Ingle, Clerk of Court

****This portion of the minutes were amended, by motion of Commissioner Pridgen, during the April 8, 2008 Regular Meeting.**