

AUGUST 26, 2008 – REGULAR MEETING

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

The following Board members were present: Commissioner Larry Jones, Chair; Commissioner Sara Comander, Vice-Chair; Commissioner Scott Brannon; Commissioner Cindy Meadows; and Commissioner Kenneth Pridgen. Mr. Ronnie Bell, County Administrator; Attorney W. C. Henry, 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.

Mr. Ed Baltzley, Emergency Response Director, presented Commissioner Comander with a gift in honor of the dedication she showed to the workers at the Emergency Operations Center during Tropical Storm Fay.

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

1. Approve Expenditure Approval List (EAL)	
General Fund	\$ 1,198,646.46
County Transportation	\$ 729,704.05
SHIP	\$ 89,087.20
Fine & Forfeiture	\$ 1,056,454.03
Section 8 Housing	\$ 137,189.41
Tourist Dev. Council	\$ 590,830.39
N.W. Mosquito Control	\$ 5,174.46
W. Co. Library	\$ 17,700.08
Recreation Plat Fee	\$ 100.00
Tax Deed Surplus Trust	\$ 5,876.62
Public Safety- 911	\$ 4,060.64

to accomplish this task. She requested that the Board enter into an interlocal agreement with Paxton, DeFuniak Springs, Freeport, and the Walton County Chamber of Commerce to formalize the strategies for economic development.

Motion by Commissioner Comander, second by Commissioner Meadows, to enter into an interlocal agreement with the Cities of Paxton, Freeport, and DeFuniak Springs, and the Walton County Chamber of Commerce to formalize strategies for economic development. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Edward D. Armbruster requested that Beethoven Circle and Tchaikovsky Circle in Juniper Lakes Estates be accepted for county maintenance. He submitted a packet of letters from residents in the Juniper Lakes Estates asking that the roads be accepted for maintenance. He stated that the roads are unsafe and cannot be safely utilized by emergency vehicles and equipment. Mr. Armbruster said that the roads had been maintained by the county years ago. He also requested that the roads be paved.

Commissioner Comander said that some roads in Juniper Lakes Estates are county maintained and felt that these should be also. She stated that the roads should be accepted for maintenance and in the future added to the list of roads to be paved.

Motion by Commissioner Comander, second by Commissioner Pridgen, to accept for county maintenance Beethoven Circle and Tchaikovsky Circle. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Marlene Andrews, Paxton Varsity Cheerleader Sponsor, stated that the Paxton Varsity Cheerleaders have been invited to participate in the Capital One Bowl Half-time Show. They were chosen "All American" Cheerleaders by the Cheerleading

Technique Camps Staff instructors. She said that fund raisers have been planned to assist in raising the monies needed to finance the trip. Ms. Andrews requested financial support to defer costly registration fees. Mr. Bell stated that he would contact the Recreation Board to discuss funding provisions.

Mr. Sonny Mares, Tourist Development Council, Executive Director, requested approval of Vision Construction, Inc. as lowest bidder for the 2008 Miramar Beach Regional Access Parking Improvement Project (ITB 08-030) in the amount of \$4,619,658.16. The project is to construct a parking deck structure on the south side of Scenic Gulf Drive and the repair and refurbishment of the existing parking area on the north side of Scenic Gulf Drive. The access is scheduled to be open prior to Memorial Day. He said that FEMA agreed to cost share on the project with the style of construction having been changed to provide a more storm resistant structure. He stated that the Southern Restaurant Group has also agreed to partial funding of the project. All costs have been covered.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve Vision Construction, Inc. as lowest bidder for the 2008 Miramar Beach Regional Access Parking improvement Project (ITB 08-030) in the amount of \$4,619,658.16. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares complimented Mr. Chris Mitchell, Public Information Officer, and Emergency Management staff on the work done during Tropical Storm Fay.

Mr. Bell presented for approval the Walton County Library Advisory Board By-laws and the Walton County Library Circulation Policy. The by-laws revises the composition of the Advisory Board from 13 to 9 members, reflecting 1 appointee for

each District, one from each of the municipalities in Walton County, and 1 at-large member appointed by the Board. He also presented the proposed Circulation Policy revising the fee for non-resident library card from a one time \$8 fee to a \$35 fee to be renewed annually. The increased fee for non-residents will help recoup the cost of providing services to visitors, and will be more consistent with fees of neighboring counties, primarily Okaloosa County's library system.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the Walton County Library Advisory Board By-laws and the Walton County Public Library Circulation Policy. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested to realign operating funds to purchase a new ambulance in the amount of \$190,000. The ambulance at Station 1 has over 130,000 miles and is out of service due to mechanical problems on a regular basis.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the realignment of funds to purchase a new ambulance for Station 1 in the amount of \$190,000. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested that \$36,000 be taken out of Animal Control Funds contingency monies to cover the two months left in FY 2008 for line item "Other Contractual Services." Due to an extremely busy year and an increase of animal pick-ups, the cost of housing has increased.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve a transfer of \$36,000 Animal Control Funds from FY 2008 to cover "Other

Contractual Services”. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested approval of the annual contract from the State of Florida, Department of Emergency Management. The contract requires inspections and report on 50% of the 302 facilities housing extreme hazardous substances within the county.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the execution of the State of Florida, Department of Emergency Management Annual Contract. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested to award the Evaluation of Inmate Phone System (RFP 08-025) to Embarq. Three companies submitted proposals to provide local and long distance telephone service, and equipment for the inmates at the Department of Corrections. The proposal submitted by Embarq offered 46.5% on collect calls, 55.0% on debit calls and 46.5% on prepaid calls.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to award RFP 08-025 Evaluation of Inmate Phone System to Embarq. Ayes 4, Nays 1. Jones Aye, Comander Nay, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested direction regarding the contract for collection of yard waste. The current contract with Waste Management expired in July, 2008. The options are to negotiate with Waste Management, Dayco Disposal, or proceed with RFP's to involve other interested parties. He recommended advertising a RFP for anyone who would be interested in providing yard waste collection services. This would also cover the cities of

Freeport and Paxton. Commissioner Brannon asked if the whole contract expired or just yard waste. Mr. Bell responded that it was only yard waste.

Motion by Commissioner Comander, second by Commissioner Pridgen, to obtain a RFP for yard collection. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Comander asked if the yard collection included white goods. Mr. Bell stated that it did not. A separate motion and RFP would be needed if the Board wanted to include white goods and furniture. Currently there is no contract for white goods and furniture collection.

Commissioner Pridgen exited the meeting at 4:30 p.m. due to a required commitment with the Canvassing Board.

Motion by Commissioner Comander, second by Commissioner Meadows, to obtain a RFP for white goods and large furniture. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Mr. Bell requested approval to award RFP 08-033 County Website Software Development & Maintenance to Civic Plus in the amount of \$24,000. The current software used has limited functionality. There is no technical support or the ability to develop a more interactive website for public use.

Motion by Commissioner Comander, second by Commissioner Brannon, to award RFP 08-033 to Civic Plus in the amount of \$24,000. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Commissioner Meadows asked if software maintenance would be included. Mr. Mitchell stated that Civic Plus would design the website and handle software issues and he would serve as web master.

Commissioner Comander commended Mr. Mitchell for his efficiency in getting information to the public during Tropical Storm Fay. Walton County was the only county in the area with information on their website.

Mr. Ronnie Bell, County Administrator, stated that Mr. Eric Edwards is seeking to purchase a county owned mined-out pit at the south end of Vines Road. He currently owns the pit to the north of the county pit. Mr. Edwards agreed to pay fair market value for the property, clear the land of debris, and bring the pit into compliance according to Walton County regulations. Mr. Bell requested that the property be declared as surplus property and accept bids for purchase. He said that the property is being used for storage. Commissioner Comander asked how Mr. Edwards intended to use the property. Mr. Bell did not know the intent but said that Mr. Edwards would have to meet the county's best management practices; go through a permitting process; and submit a mitigation plan. Commissioner Brannon asked what size the parcel was. Mr. Lyle Seigler, Public Works Director, stated that it was a 20 acre parcel and reported that Mr. Edwards had planned to use the property for storage. Commissioner Meadows asked what current land use was designated for this property. Mr. Bell stated that he did not have that information. Commissioner Comander asked where the items currently being stored on the property would be housed. Mr. Seigler stated that it would be housed at other storage facilities. Mr. Bell stated that the issue would be brought back to the next meeting with more information.

Mr. Bell stated that the interviews for Engineering Services for the Helen McCall Park Mission Play Park have been scheduled for the September 9 Board meeting. There are 12 firms submitting proposals. He asked the Board's direction on the number of firms to be interviewed. The Board concurred to interview the top five firms.

Mr. Bell stated that the Florida Department of Environmental Protection had found that some of the fuel tanks located at the Brown Pit were out of compliance. He recommended approval of a consent order paying a fine to the FDEP in the amount of \$8,000.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the consent order to FDEP in the amount of \$8,000. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Mr. Bell requested approval of a Wireless Service Agreement for the State Law Enforcement System (SLERS). A grant has been received to cover the purchase of the system.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the Wireless Service Agreement for the SLERS. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Mr. Roger McCombs, McCombs Enterprises, presented a request for the revitalization of the Great American Travel Center (Lucky 13 Truck Stop) through an Economic Development Community Development Block Grant (CDBG). He requested the Board sponsor the submission of the grant and allow him to work with county staff in gathering information. He stated that the monies would be used to replace inventory, jobs and overall operational needs. Mr. Bill Imfeld, County Finance Director, stated that a

grant could be made available and that Mr. McCombs application would be brought back to the Board for approval. He said that a local advisory committee would need to be established as well as the scheduling of Public Hearings. He recommended approval for the staff to work with Mr. McCombs. Attorney W. C. Henry, County Attorney, stated that presently the county holds the permit for the Wastewater Treatment Plant on Green Acres Road. He suggested that the responsibility of the permit be turned over to McCombs Enterprises as a condition to receive support from the Board.

Motion by Commissioner Meadows, second by Commissioner Comander, to allow staff to work with McCombs Enterprises to gather grant application information, the application brought back to the Board for approval, and revise the language to include the transference of responsibility of the wastewater treatment permit to McCombs Enterprises. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Attorney Henry presented a stipulated settlement agreement in Sherry Rayborn V. Walton County and Department of Community Affairs. Ms. Rayborn contested the FDCA Notice of Intent to find Comprehensive Plan Amendment Ordinance 2008-10 in compliance. The parties involved have discussed entering into the proposed Stipulated Settlement Agreement which is consistent with the language of Ordinance 2008-10. He stated that Ms. Rayborn had requested to pull the item. He said that Attorney Mike Burke, County Attorney, suggested that one of two actions be taken, either pull the item from the agenda, or approve the agreement as presented subject to Ms. Rayborn agreeing to the terms. Commissioner Meadows asked why Ms. Rayborn wanted to pull the item. Attorney Henry stated that Ms. Rayborn had not had time to review the agreement. Commissioner Comander voiced concern regarding the language in paragraph 5.

Attorney Lynn Hoshihara, Staff Attorney, and Attorney Henry said that the language could be edited. Commissioner Meadows suggested that detailed specifications and maps be supplied to show what is on the property. Chairman Jones asked that Attorney Hoshihara email the agreement in its current state to each of the Board members for comment.

Attorney Henry stated that at the February 26, 2008 Board meeting, Ms. Tina Rushing and Ms. Robin Bridges, Blue Lake/Blue Cypress Estates Homeowners Association, requested that Blue Pond Lane and Blue Pond Circle be accepted into county maintenance. After further investigation it was found that both roadways are dedicated to the public and is appropriate for county maintenance.

Motion by Commissioner Brannon, second by Commissioner Meadows, to accept Blue Pond Lane and Blue Pond Circle into county maintenance. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.**

Commissioners Jones, Brannon, Meadows and Comander had no issues to present.

The meeting recessed at 4:50 p.m. and reconvened at 5:05 p.m.

Ms. Pat Blackshear, Growth Management Director, requested approval to collect on the Lighthouse Pointe Letter of Credit in the amount of \$77,550. The Letter of Credit is set to expire on September 7, 2008.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the collection of the Lighthouse Pointe Letter of Credit in the amount of \$77,550. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

Ms. Blackshear reported that an updated Letter of Credit for Highland Park at Blue Mountain Beach has been received and removed the item from the agenda.

Ms. Blackshear requested acceptance of a 33-foot right-of-way dedication by Walton Equity Partners, LLC. The project is located on the north side of US Highway 98, west of CR 83 South and east of Veterans Road.

Motion by Commissioner Comander, second by Commissioner Brannon, to accept the right-of-way dedication by Walton Equity Partners, LLC. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye.

The Quasi Judicial hearing was called to order and Attorney Henry administered the oath to those intending on speaking.

Mr. Nolan Baker, CDG Engineers, presented Bushee SSA 2008-09. Mr. Christopher Bushee is requesting a small scale amendment to change 2.65 +/- acres from rural village to commercial, or any less dense or intense category. The parcel is located north of the Choctawhatchee Bay at the southwest corner of U.S. 331 and Russell Road; approximately 3.75 miles north of the DeFuniak Springs city limits. He submitted letters in support of the project.

Ms. Blackshear stated that she had met with the applicant and engineer to discuss staff concerns for the surrounding neighborhood and Comp Plan Policies. The concerns discussed were the type of commercial use, and ingress and egress. Should his request be approved, Mr. Bushee agreed to have the ingress and egress situated through other land not on Russell Road, and to have a compatibility analysis completed. Commissioner Meadows asked if the community meetings had been held. Mr. Baker stated that they had. Commissioner Brannon asked why the Planning Commission denied the request.

Ms. Blackshear stated that the concerns were the same as the Planning Staff's. Commissioner Comander asked how Mr. Bushee intended to use the parcel. Mr. Baker stated that Mr. Bushee was still in a conceptual phase of the project. Discussion continued on possible uses for the parcel.

Mr. Gary Douglas, Mr. Tom Russell, and Mr. Bill Russell all spoke in opposition of the land use change. They all voiced concerns with the possible uses of the parcel and the effects that changing the land use would have on the surrounding neighborhood. Mr. Douglas stated that a public meeting had not been held.

Mr. Bushee stated that he had invested a lot of time and money into the King Lake community and wanted to improve the value of the area. He stated that letters for the public meeting were sent.

Commissioner Meadows felt that the more suitable land use would be rural village rather than commercial. Commissioner Comander stated that she needed more information on the future use of the parcel.

Motion by Commissioner Meadows, second by Commissioner Brannon, to deny Bushee SSA 2008-09. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye. (**Exhibits: Staff Report, Petitioner; Ex Parte: Comander**)

Ms. Blackshear presented Windwood Townhome at Seagrove Plat. This is a final plat application submitted by Mr. Sam Bruner, surveyor, requesting approval for a 2-unit townhome on 0.261 acres with a future land use of infill. The site is at 94 Eastern Lake Road, south of County Road 30A. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve Windwood Townhome at Seagrove Plat. Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye. (**Exhibit: Staff Report; Ex Parte: Meadows**)

There being no further business, the meeting adjourned at 5:47 p.m.

APPROVED _____
Larry Jones, Chairman

ATTEST _____
Martha Ingle, Clerk of Courts

****The motion accepting Blue Pond Lane and Blue Pond Circle was amended at the October 14, 2008 BCC Meeting to read as follows:**

Motion by Commissioner Pridgen, second by Commissioner Brannon, to accept the correction to the August 26, 2008 minutes for the maintenance of Blue Pond Lane only, not to include Blue Pond Circle. Ayes 4, Nays 0. Jones Aye, Brannon Aye, Meadows Aye, Pridgen Aye.