

AUGUST 8, 2006 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Workshop at 3:30 p.m. at the South Walton Annex on Tuesday, August 8th 2006, followed by a Regular Meeting at 4:00 p.m. The purpose of the Workshop was to discuss the Pilock Anchoring System.

The following Board members were present: Scott Brannon, Chairman, Kenneth Pridgen, Vice-Chairman, Commissioner Larry Jones, Commissioner Cindy Meadows, and Commissioner Rosier Cuchens. Mr. Ronnie Bell, County Administrator, Ms. Shirl Williams, Assistant County Administrator, and Mr. David Hallman, County Attorney, were also present.

Chairman Brannon called the meeting to order. (Commissioner Jones entered at 3:40 p.m.)

Mr. Stan Bates, Pilock Corporation, gave a brief presentation regarding his patented Pilock Anchoring System. He brought a model and gave a video presentation which included testimony and a demonstration of the product. Per the video, the apparatus features a locking device which secures/stabilizes marine structures when installed according to the manufacturers' specifications. Brochures were submitted. (Commissioner Brannon exited at 3:50 p.m. and returned at 3:57 p.m. Commissioner Cuchens exited at 4:00 and returned at 4:10 p.m. Commissioner Meadows arrived at 4:00 p.m.)

At 4:10 p.m. the Board transitioned into the Regular Meeting. Commissioner Cuchens led with Prayer followed by the Pledge of Allegiance to the American Flag.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the consent agenda consisting of the items below. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

1. EAL Approval	
General Fund	\$ 485,535.82
County Transportation	\$ 824,824.40

SHIP	\$ 4,011.06
Fine & Forfeiture	\$ 1,164,967.00
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 108,423.69
Tourist Dev. Council	\$ 228,817.91
N.W. Mosquito Control	\$ 982.02
W. Co. Library	\$ 19,356.41
Tax Deed Surplus Trust	\$ -
Recreation Plat Fee	\$ 28,756.54
Public Safety- 911	\$ 6,260.57
Solid Waste Enterprise	\$ 336,527.28
Mossy Head VFD	\$ 6,127.79
Glendale VFD	\$ 162.94
Darlington VFD	\$ -
Red Bay VFD	\$ -
Preservation	\$ -
Sidewalk Fund	\$ -
Local Option Gas Tax	\$ -
Special Law Enf. Trust	\$ -
Driftwood Debt Service	\$ -
Criminal Justice Ed Fund	\$ -
Bldg Dept/Enterp. Fund	\$ 6,494.59
Capital Projects Fund	\$ 266,856.03
Imperial Lakes MSBU	\$ -
Totals	\$ 3,488,104.05

2. Approve Minutes of July 13, 2006 - Budget Workshop
3. Approve a Resolution to amend the budget for the E-911 Fund for unanticipated grant funds **(2006-72)**
4. Approve to surplus four computers from the State Attorney's office to be donated to the Guardian ad Litem/Court Administration departments
5. Approve to surplus various computer equipment from the North Walton Mosquito Control
6. Approve a Resolution to amend the budget for grant funds from the DOT for the Bob Sikes Road Small County Outreach Program **(2006-73)**
7. Approve a Resolution to amend the budget for grant funds for the Mossy Head Park from the Florida Recreation Development Assistance Program **(2006-74)**
8. Approve a Records Disposition request from the Property Appraiser's office

Senator Charlie Clary presented a \$200,000.00 ceremonial grant check from Florida Recreation Development Assistance Program (FRDAP) for the Mossy Head Park. The Board thanked Senator Clary and the Legislation for their assistance with the grant program.

Mr. Edward Wilson, Jr., Program Administrator, Bureau of Emergency Medical Services, Department of Health, presented a \$32,750.00 ceremonial check from the Emergency Medical Services State Grant which will be used to purchase a new ambulance.

Mr. Nick Nickoloff, West Florida Regional Planning Council, was present to discuss the rural area projects in the FDOT Five Year Work Program for fiscal years 2008-2012. He stated that US Highway 331 will be a priority and asked if the Commissioners had other suggestions. Supplemental information was provided.

Motion by Commissioner Jones, second by Commissioner Cuchens, to request that an intersection study be performed at the intersections of CR 1087 and US Highway 90 and CR 285 and US Highway 90. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

The discussion regarding funding for the Freeport Fire Department was pulled from the agenda.

Mr. Ed Baltzley, Emergency Response Director, requested approval of an Interlocal Agreement for Animal Control Services between the County and City of DeFuniak Springs.

Commissioner Jones questioned use of the word “enhanced” in the interlocal agreement. He felt that the word could convey intent to deliver a higher standard of service than is being provided within the county. Commissioner Cuchens suggested that the wording be consistent with the wording used in the interlocal agreements with the City of Paxton and City of Freeport.

Commissioner Jones questioned the consistency between the city and county ordinances. Mr. Baltzley stated that the ordinances are different, but that the city was provided copies of the county’s citations.

Commissioner Meadows questioned the number of animal control officers. Mr. Baltzley

replied that there are three full-time and three relief officers with two officers scheduled daily.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve the interlocal agreement with the understanding that the word enhanced is to be removed if not included in the interlocal agreements with the Cities of Paxton and Freeport. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley requested that the Board approve the appointment of Ms. Michelle Gatlin as the new E-911 Coordinator/Trainer.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve Ms. Gatlin's appointment as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley requested approval of the transfer of \$5,000.00 from the Contingency Fund to the EOC/Civil Defense Budget for the purchase of a weather system for the Clyde B. Wells Bridge.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the transfer. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Baltzley requested approval the new five-year Certificate of Public Convenience and Necessity for Walton County EMS.

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

Mr. Baltzley requested approval of the annual contract with the US Geological Survey Office for a cost of \$15,811.00.

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

Mr. Baltzley presented a proposed ordinance draft to terminate the open-burning ordinance (**2006-06**) previously adopted by the Board.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the proposed ordinance as presented (**2006-16**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Jim Jones, Walton County Health Department, requested approval of an increase in the fees for the vital statistics program and implementation of a school entry/sports physical fee.

The proposed fees are as follows:

- birth certificates \$12.00 (\$2.00 increase)
- death certificates \$10.00 (\$3.00 increase)
- school entry/sports physicals \$35.00

Mr. Jones explained that the fee increases are necessary to implement a vital statistics program at the WCHD Coastal Branch and for equipment maintenance.

Commissioner Meadows questioned the liability of giving clearance for sports participation. Mr. Jones replied that the WCHD is covered by the state's insurance.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve implementation of the proposed fee schedule. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Regarding Mr. Gerry Lagomarsino's inquiry of the Inlet Beach public vehicle access, Commissioner Brannon suggested that Attorney Hallman and the Administration department review County Ordinance 2003-07 and bring suggested revisions back to the Board.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve Chairman Brannon's request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Cuchens asked that the Board research possible uses for the county's land at Inlet Beach. Commissioner Brannon stated that it is in the TDC's 2007 plan.

Mr. Gary Mattison, Human Resource Director, announced that he would be advertising for a field surveyor position. He stated that this position will fill one of the 155 approved full-time employee positions. No action was required.

Mr. Mattison stated that Mr. Lyle Ziegler was recommended as the new Public Works Director and requested authorization to begin negotiations.

Motion by Commissioner Cuchens, second by Commissioner Jones, to allow staff to begin negotiations with Mr. Ziegler as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

The Board expressed their gratitude to Mr. Allen Brown for his service as Interim Public Works Director.

Mr. Bell presented a request from the Florida Division of Forestry to purchase fuel through Walton County.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the request by the Florida Division of Forestry. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell stated that the discussion regarding the insurance crisis in Florida was removed from the agenda.

Mr. Bell requested approval of the Preliminary Rate Resolution for the Imperial Lakes

MSBU and submitted an amended resolution draft. The Public Hearing for final approval will be held on September 12th 2006, at the South Walton Annex.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the amended Preliminary Rate Resolution and the Public Hearing date as presented (**2006-76**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell stated that the Jail Transition Team had suggested either privatizing the County Jail or hiring a Jail Administrator to oversee the jail under the County Administrator. Mr. Mattison briefly reviewed the job description for the Jail Administrator position.

Commissioner Jones spoke in favor of hiring a Jail Administrator who would report to the County Administrator and of utilizing the current jail employees.

Commissioner Meadows felt that she did not have enough information to make a decision. She asked if a cost analysis and list of pros and cons were available for both options. She also questioned the proposed salary for the Jail Administrator. Mr. Bell stated that he did not have that information.

Motion by Commissioner Jones, second by Commissioner Cuchens, to advertise for a Jail Administrator and to have that position report to the County Administrator. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

The Board concurred that the current jail employees should be notified of the Board's intentions.

Mr. Allen brown, Interim Public Works Director, stated that four bids were received for repair of the seawalls in the Villa Tasso area. He recommended that the Board accept the low bid of \$143,140.00 from Entech Enterprise. Bid tabulations were submitted.

Commissioner Cuchens asked Attorney Hallman if he should refrain from the vote. It was

determined that Commissioner Cuchens had nothing to gain from the vote; therefore, Attorney Hallman felt that his participation was appropriate.

Motion by Commissioner Jones, second by Commissioner Meadows, to award the bid to Entech Enterprise as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell announced that the following meetings will be held prior to the Regular Meeting on August 22nd 2006:

- Proportionate Fair Share Special Meeting at 1:00 p.m.
- Communications Workshop at 2:00 p.m.
- Government Services Group Workshop at 3:00 p.m.

Commissioner Meadows presented a proposed resolution draft from the Scenic Corridor Association to apply for a Highway Beautification Council Grant. She submitted letters of support from organizations in south Walton County.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the resolution draft as presented (**2006-75**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Pridgen submitted information from Nanokat Technologies, a technology that utilizes waste from landfills to make synthetic fuels. He then reported that he had received public requests to rename WWII Veterans Lane and to find an alternate road to name in honor of the WWII Veterans. A suggested list of names for the current WWII Veteran's Lane was submitted.

Commissioner Jones felt that the new road should be identified and named prior to changing the existing road name.

There were no public comments.

The Board recessed at 5:15 p.m. and re-adjourned at 5:35 p.m. into a Public Hearing to discuss final plats, major developments, and small-scale amendments. Attorney Hallman administered the oath to all who intended to present testimony regarding the quasi judicial items.

Ms. Blackshear gave a brief update on the Evaluation and Appraisal Report (EAR). She stated that no large or small scale amendments can be adopted prior to the Board's adoption and submission of the EAR. Ms. Blackshear asked that a Special Meeting be scheduled in mid-October. She asked that each Commissioner reserve a few hours to meet with staff regarding the EAR. The EAR draft should be available for public review in approximately four weeks.

Mr. David Kramer questioned the adoption of large and small scale amendments in conjunction with the adoption and submission of the EAR.

SSA O6-12 was requested by Mr. Rex Chambless to change 3.79±/- acres in south Walton County on a parcel identified as 19-2S-19-24090-000-0080 from Residential Preservation Area to Infill. The property is located on the west side of Pisces Drive, approximately 1/8 mile north of Chat Holley Road. Staff presented a color-coded map used to compare surrounding parcels. Ms. Blackshear felt that Low-density Residential would be a more appropriate land use determination and added that no action can be taken until the EAR is submitted.

Mr. Klaus Driscoll was present to represent the property owner, Mr. Gary Chambless. Mr. Chambless was in support of the change to Low-density Residential. Ms. Blackshear stated that the request could be pulled from the agenda and re-advertised as Low-density Residential at the appropriate time.

Mr. Scott Smith, President, Pineshores Homeowners Association, was present to represent the homeowners at Pineshores. He spoke in opposition to the change to Infill, but

stated that the 1:4 Low-density category could be a good compromise.

Mr. Terrel Smith, resident/owner, Pisces Drive, spoke in opposition to the change to Infill, but stated that he would withhold additional comment until the next Public Hearing pending the change to Low-Density.

Ms. Blackshear requested that the Board continue the Walton County Animal Shelter to the September 12, 2006, Regular Meeting at the South Walton Annex.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to continue the Walton County Animal Shelter to the September 12, 2006, Regular Meeting, to be held at or after 5:00 p.m. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Tim Brown presented Bay Breeze Cottages, a major development proposal which consists of a 36-lot single-family residential subdivision on 5.04 acres of land with a future land use designation of Neighborhood Planning Area/Infill. The site is located along the south side of Crest Drive, approximately 1/2 mile west of the intersection of Ponce de Leon Drive and Crest Drive. A staff report was submitted (**Exhibit #1**). Staff found the project consistent with the LDC and Comp Plan contingent upon the Planning Commission's recommendations. (Commissioner Jones exited at 6:01 p.m. and returned at 6:07 p.m.)

Commissioner Meadows asked if staff had approved the non-exclusive drainage easement and the US Highway 98 access. Mr. Brown replied that they had not been submitted for review.

Attorney Scott Work, Matthews and Hawkins, was present to represent the applicant, Crest Bay Development. He gave a brief history of the project.

Mr. Don Brock, Regional Engineering, was also present to represent the applicant. He

further discussed the project, referred to the site map, and briefly explained the intended plan for the diversion of drainage.

Commissioner Meadows questioned approval to drain into the DOT ditch. Mr. Brown replied that the applicant is proposing to drain into a FDEP wetland not the DOT ditch. He stated that FDEP stormwater permits have been granted.

Commissioner Meadows questioned the applicant's compatibility analysis. She submitted a letter regarding deed restrictions from Mr. Jay Nettles, Director of Operations, Seascape Resorts (**Exhibit #2**). She asked why the deed restrictions for this parcel were not applicable when the Board recently assigned density to a parcel based on deed restrictions. Attorney Work explained that the applicant purchased all of the parcels and terminated the deed restrictions. Attorney Hallman concurred with and expanded upon his assessment.

Attorney Work submitted several documents related to the Planning Commission's review of this project (**Exhibit #3**) and a copy of the restrictive covenants and title (**Exhibit #4**).

The Board further discussed the deed restrictions. It was deemed that the covenants and restrictions would have no bearing on the Board's decision due to Comp Plan rules.

Attorney Work stated that the developer is willing to contribute to the addition of a right turn-lane off of US Highway 98 onto Ponce de Leon Avenue. Mr. Greg Graham, Engineering Manager, explained that the project is not in the CIP. It was determined that a developer's agreement would be needed to secure funds for that project. Attorney Work added that the developer is in agreement with the Planning Commission's recommendations.

The floor was opened to public comments.

Mr. Jack Arthur was present to represent homeowners on Crest Drive. He stated that those homeowners were in objection to the project as proposed. He reviewed the findings of the

Planning Commission and expressed objections regarding compatibility, stormwater management, and traffic/roads as in relationship to the LDC and Comp Plan. He submitted a memo which expanded upon each objection, a copy of the Walton County GIS map, an excerpt from a staff report, a copy of Walton County Ordinance 2005-28, a composite exhibit containing an aerial photo and two GIS maps, and a copy of a hydrology report (**Exhibits #5 - #10**).

Discussion ensued regarding stormwater management and the ownership of the conservation easement previously referred to as a “wetland”. Mr. Graham stated that the ownership was of no concern because the development will not create additional discharge.

Mr. Joe Angert, Crest Drive, submitted the signatures of fellow homeowners in opposition to the development. The list reflects the same residents represented by Mr. Alford. He also submitted photos of surrounding homes which he felt demonstrated compatibility and a photo of the “substandard” road (**Exhibits #12a-n**).

Mr. Arlin Smith, Crest Drive, spoke in opposition to the project. He submitted a photo to demonstrate the effects of the water on his seawall (**Exhibit #13**). Mr. Smith added that his drive-way is being used as a turn around due to the insufficient right-of-way. He stated that he would be in support of the project if it were compatible.

Mr. Dan Coffee, Hideaway Bay Drive, spoke regarding the drainage issues and the subsequent effect to his property.

Mr. Jim Ziler, Mandevilla Lane, spoke regarding the drainage of water onto the area referred to as a “wetland” and overgrowth in the ditches.

There were no further public comments.

Mr. Graham discussed the drainage and sub-standard roads. He reiterated that staff’s review found the project consistent.

Commissioner Meadows felt that the density of the project should be decreased and that the down-stream conveyance should be considered.

Mr. Graham stated that this project does not add to the existing drainage problem. He submitted the latest hydrology report which was revised November 27, 2005 (**Exhibit #14**).

Motion by Commissioner Meadows, second by Commissioner Jones, to approve major development, Bay Breeze Cottages, contingent upon the Planning Commission's recommendations; as well as, a density restriction of 4:1, the addition of a cul-de-sac on the south side of Crest Drive, and participation in the turn-lane on US Highway 98.

Attorney Hallman clarified that the Board previously decided to include contact with the Walton County School Board as a condition of approval for all major developments. He then explained that the motion on the floor would deny the application as submitted.

Commissioner Meadows and Commissioner Jones withdrew their motion and second.

Ms. Blackshear reminded the Board of the recent amendment which mandates that specific reasoning must accompany denials. She felt that the Board would have the discretion to deny and make a second motion. Attorney Hallman added that it would be appropriate to ask the developer if he would like a vote on the project as submitted.

Attorney Hallman asked Mr. Work if the developer would agree to the conditions set forth in Commissioner Meadows's motion. Mr. Work requested time to confer. The Board decided to move forth with the agenda and to re-visit this project later in the meeting.

Ms. Blackshear presented a request for final plat approval of Grove at Inlet Beach, which consists of an 11-lot single-family subdivision on 1.38 ± acres of land with a future land use designation of NPA/Infill. The site is located on the south side of US Highway 98 and north of Walton Rose Lane, west of Orange Street in the Inlet Beach area.

A representative for the applicant, Spinnaker Development, LLC., was present.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the final plat of Grove at Inlet Beach for recordation. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

The Board recessed briefly at 7:40 p.m. and reconvened at 7:50 p.m.

Mr. Jason Bryan, Planner, presented Tranquil Forest, a major development proposal which consists of a 35-lot single-family residential subdivision with a 500 sq. ft. pool on 20.42 acres. The site is located along the northeast of Cypress Pond Road. Staff found the project consistent with the LDC and Comp Plan and stated that the applicant had met the conditions of the Planning Commission. A staff report was submitted into the record (**Exhibit #1**).

Mr. Scott Jenkins, Jenkins, Sanford, & Associates, was present to represent the applicant.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve major development Tranquil Forest as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Mark Martin, Planner, presented a request by Aquarian Development VII, LLC., for the abandonment of a county prescriptive easement on a portion of McKenny Road that runs east to west between McKenny Road and Apostle's Way, on the north end of the property. Staff found that the proposed abandonment serves current and future public use.

Mr. Onno Horn, applicant, and Mr. Charles Lennontone, Gulf Coast Surveying, were present. Mr. Horn reiterated the request and stated that his request is supported by surrounding property owner, Christian International, and Mr. Tom Beitzel, Department of Forestry. He added

that there is a phone line on the site which Sprint representatives told him could be relocated.

Commissioner Jones questioned documentation of those referenced by Mr. Horn. Mr. Martin confirmed that he had spoken with Mr. Beitzel and the letter from Christian International was submitted at the Planning Commission meeting.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Cuchens, to deny the request for abandonment by Aquarian Development, LLC., as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Attorney Hallman explained that the basis for the denial was staff concern.

Attorney Hallman stated that Mr. Work requested a continuance of Bay Breeze Cottages to the September 12, 2006, BCC Regular Meeting, to be held at 5:00 p.m. or after at the South Walton Courthouse Annex.

Motion by Commissioner Cuchens, second by Commissioner Jones, to continue Bay Breeze Cottages as requested with the understanding that the compatibility, road issues, and drainage are the only issues which will be heard at that time. Ayes 4, Nays 1. Jones Aye, Meadows Nay, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Meadows submitted an ex parte communications disclosure form regarding Bay Breeze Cottages. Commissioner Pridgen submitted an ex parte communications disclosure form regarding SSA 06-12 and the Walton County Animal Shelter.

There being no further business to come before the Board, the meeting adjourned at 8:15 p.m.

APPROVED: _____
Scott Brannon, Chair

ATTEST: _____
Martha Ingle, Clerk of Court