

DECEMBER 13, 2005 – WORKSHOPS/SPECIAL MEETING

The Board of County Commissioners, Walton County, Florida, held two Workshops and a Special Meeting starting at 1:00 p.m. on Tuesday, December 13, 2005, at the South Walton Courthouse Annex.

The following Board members were present: Commissioner Scott Brannon, Chairman, Commissioner Kenneth Pridgen, Vice Chairman, Commissioner Rosier Cuchens, Commissioner Cindy Meadows and Commissioner Larry Jones. Mr. Ronnie Bell, County Administrator, and Attorney Hallman, Legal Services Director, were also present.

Chairman Brannon called to order the Workshop to discuss the Coastal Dune Lake permits.

Mr. Michael Bomar and Mr. David Carlee were present to represent Tetra Tech. Mr. Bomar gave a brief presentation regarding the Coastal Dune Lake permits and application process. He used a timeline that began in September 2002 to detail the steps taken by Tetra Tech to obtain the necessary permits. Mr. Bomar stated that recent meetings with the DEP had indicated that more time and work would be needed before the “long-standing” permit could be obtained. He felt that the county was following appropriate protocol.

Commissioner Cuchens questioned DEP’s hesitance regarding the issuance of the long-term permit. Mr. Bomar replied that this was not a typical permit request. He added that DEP had often requested redundant and inapplicable information.

Commissioner Cuchens questioned the initial date of permit request. Mr. Bomar replied that it was January 2003.

Commissioner Cuchens stated there was no excuse for the permit application taking such a long time and asked if the county should move forward with the project. Mr. Bomar stated that

DEP had issued the emergency permits as they were needed. He added that the long-term permit required more in-depth information than did the emergency permits.

Commissioner Cuchens felt that DEP should be concerned with the effects of septic tanks leaching into the Coastal Dune Lakes.

Commissioner Meadows referred to the timeline and questioned the lengthy response times by Tetra Tech. Mr. Bomar replied that each Request for Additional Information (RAI) received from Tetra Tech required vast review and discussion with DEP before formal responses were submitted. He added that Tetra Tech staff worked closely with DEP to get adequate clarification of each RAI so that the appropriate response was submitted.

Commissioner Meadows felt that it should not have taken six months or more to file each formal response to DEP's RAIs. She questioned if the lapse in time was an indication that the consultants were not fulfilling their commitments to Walton County.

Mr. Bomar stated that each RAI needed in-depth clarification which took numerous conversations with DEP. He felt that the timeline did not adequately detail all of the work done by Tetra Tech staff.

Commissioner Meadows stated that her research indicated that the packets submitted by Tetra Tech were not complete or had not contained the information requested by DEP.

Chairman Brannon asked for an estimate of time and the number of RAI's the county should expect to receive. Mr. Bomar replied that DEP had indicated that it could take upwards of six or seven RAI's and that they were currently on the third.

Chairman Brannon asked if the information requested by DEP was on file and current or if it was new information that had to be compiled upon each request. Mr. Bomar replied that some of the information being requested by DEP was not necessary and that it was a waste of

money to compile that data. He stated that some of the surveys were dated in 2003 and added that there had been many changes to the coastline since that time. Mr. Bomar added that it had been difficult to determine what DEP considered current information. He stated that other information did have to be compiled upon receipt of the RAIs.

Chairman Brannon stated that he shared Commissioner Meadows's frustration concerning the time frame for the responses. He asked if Tetra Tech could ask DEP to specify exactly what information they would need in the future. Mr. Bomar stated that Tetra Tech representatives had made numerous trips to Tallahassee to meet with DEP and get clarification on the RAIs.

Commissioner Meadows asked Mr. Imfeld to report the cost to the county thus far. Mr. Bomar stated that the fee was fixed and that Tetra Tech was not increasing the cost for the numerous replies to the RAIs. Mr. Imfeld stated that he did not have that information readily available, but would report it back to the Board. There were no public comments.

There being no further discussion, the Workshop was adjourned at 1:28 p.m.

The Board reconvened into a Special Meeting at 1:36 p.m. to discuss the DEP outfall permits and closure of an ingress/egress at Driftwood Estates.

Chairman Brannon called the meeting to order.

Attorney Hallman stated that at the last BCC meeting the Board had directed staff to answer the following questions: do the developers of Driftwood Estates have the appropriate permits for the outfalls and were the proper procedures followed pertaining to the closure of the ingress/egress in question? Attorney Hallman first addressed the outfall permits and stated that the developers do have the required permits. He then discussed the closure of the ingress/egress in question. Attorney Hallman stated that the analysis procedure used at that time was to

determine if the closure would generate additional trips on Highway 98. Attorney Hallman explained that to revisit the issue now, staff would need to refer to the standards that were in place at the time of the road closure, not current procedures. He stated that if staff re-assessed the closure using those standards, the road could still be closed as no additional trips would be generated on Highway 98.

Attorney George Ralph Miller was present to represent the developers, Olsen & Associates and Mr. Rick Olsen. He stated that his client had the appropriate permits and that this was a matter of residents in Driftwood Estates not being happy with the allowable changes to the DRI. He stated that the closure of the ingress/egress was a controversial matter that he thought had been resolved several years ago. He asked that the Board approve the project and allow it to proceed. Attorney Miller stated that Mr. Shannon Howell and Mr. David Campbell, both of Olsen & Associates, were present to address any technical issues.

Mr. Shannon Howell, Olsen & Associates, presented an aerial image of Driftwood Estates that indicated the location of the outfalls. He presented a copy of the conclusive findings prepared by county staff that stated proper procedures had been followed in regards to changes within Driftwood Estates. Mr. Howell gave a brief explanation of the involvement of Olsen & Associates in Driftwood Estates. He referred to a timeline that detailed the permits and application dates in relationship to changes in the Sandestin DRI.

Mr. Howell stated that the density in Driftwood Estates was changed through a series of ordinances passed by the county in 1989. He stated that the density was lowered after Olsen & Associates became involved with Driftwood Estates and that Olsen & Associates was building at a lower density than was approved by the county.

Mr. David Campbell, engineer of record for Driftwood Estates, Phase II, stated that the outfalls were in place at the time of purchase by Olsen & Associates. He added that the permits for those outfalls were verified. He stated that the project was reviewed and approved by professional engineers from both the state and county.

Mr. Allen Osbourne, resident of Driftwood Estates, stated that while he agreed with Mr. Miller regarding the density for the DRI, he felt that the DRI was not being followed in its entirety. He stated that he had received a permit package from staff dated July 14th 1995, that described the permits as dredge and fill for the upgrade of roads and culverts and the addition of utilities. He submitted the first page of said permit. He felt that general and storm water permits were filed for, but not DEP outfall permits. He referred to a letter from the FDEP regarding the permit and storm water/drainage system. Mr. Osbourne felt that the permit obtained by the developer was for the treatment of the storm water and did not address water quantities. Mr. Osbourne further discussed the easements and location of the outfalls. He referred to an email from Mr. Jimmy Lockridge of DEP which stated that the file which contained the permits for the interior of Driftwood Estates could not be located. Mr. Osbourne stated that the current system was not working and questioned what would happen in the event that homes were flooded as a result of these issues. He recognized his fellow Driftwood Estates residents that were present.

Chairman Brannon asked Attorney Hallman to address the permits.

Attorney Hallman stated that staff had reviewed the permits and verified them to be the required permits. Attorney Hallman stated that both Olsen & Associates and Adams Homes had acted within the parameters approved by the county.

Mr. Bomar, Tetra Tech, stated that Mr. John Johnson, Public Works Director, had asked that he be present to address the DEP outfall permits for Driftwood Estates. He referred to photos

of water retention in Driftwood Estates. He stated that six outfall locations had been located and pointed them out on an aerial map. He reviewed the structure of each outfall and the level of service each had been providing. He gave recommendations for improving the drainage outfalls. Mr. Bomar stated that the county needed to verify easements for continued service to the outfalls and added that additional permits would be required.

Commissioner Meadows asked Mr. Bomar if the county had the proper permits to proceed with releasing water into the bay. Mr. Bomar replied that he had not been instructed to review each permit and therefore did not have that information.

Mr. Campbell felt that the county should not hear testimony regarding engineering issues from a “lay person”. He discussed the storm water treatment and the retention ponds within Driftwood Estates. Mr. Campbell stated that it would be in Driftwood Estates and Walton County’s “best interest” to properly maintain the six outfalls and to have the proper permits. He stated the lack of an outfall on Buck Road caused a problem regarding runoff.

Commissioner Meadows verified that the outfalls were designed by Connelly & Wicker and that they were designed to service development in the interior for Driftwood Estates. She discussed the density that the drainage system was built to service and the current density. She stated that additional density was transferred in through the means discussed previously. She asked if the existing drainage system was able to handle the drainage of the additional density. Mr. Campbell replied that it was.

Commissioner Meadows questioned the current performance of the drainage system and the necessary maintenance. Mr. Campbell felt that the current system would work better once the outfalls were cleaned. He also discussed culvert depth, the water table, and areas of standing

water. He added that both Olsen & Associates and Adams Homes had contributed funds to assist in rectifying issues where water was standing in culverts.

Commissioner Meadows asked if Mr. Campbell felt that the development should continue before the drainage issues are resolved. Mr. Campbell stated that the retention ponds scheduled for development in Phase II would help the drainage problem.

Commissioner Cuchens questioned when the county accepted the roads in Driftwood Estates. Commissioner Meadows replied that it was approximately 1996.

Commissioner Cuchens asked if the acceptance of the roads by the county also included the right-of-ways and ditches. Mr. Bomar felt that it did, but deferred further legal questions to Legal Services.

Mr. Osborne stated that the original permits, which were not located, expired in 1999. He stated that since the interior of Driftwood Estates had not been completed before the permits expired; the permit process would have to be restarted.

Commissioner Pridgen asked Mr. Campbell if all planned retention ponds were in place. Mr. Campbell replied that the majority were.

Commissioner Meadows asked when the other retention ponds would be complete and operational and when the roads would be paved. Mr. Campbell replied that the ponds should be functional by January 2006 and that paving should take place in February.

Chairman Brannon stated that the permits requested from Olsen & Associates had been received and that staff had verified them to be valid. He stated that the county's obligation should be separated from Olsen & Associates regarding the storm water issues in Driftwood Estates.

Commissioner Cuchens agreed with Chairman Brannon and added that the county needed to ensure the outfalls are open, including the outfalls on Buck Road.

Commissioner Meadows felt that the county had been negligent in providing maintenance of the outfalls. Attorney Hallman replied that the MSBU did not include maintenance of those facilities, only construction.

Commissioner Meadows felt that the county should maintain the right-of-ways and storm water drainage. Mr. John Johnson, Public Works Director, agreed that the county was responsible for that maintenance of the outfalls. Commissioner Meadows added that the county needed to take responsibility to avoid liability.

Mr. Johnson briefly detailed the plans to improve the culverts. Mr. Bomar added that the permits would be for water quality, not quantity.

Chairman Brannon asked if Mr. Johnson concurred with the preliminary actions recommended by Tetra Tech. Mr. Johnson stated that he did agree and added the recommendations were to make initial improvements that would later be expanded upon.

Mr. Alex Kish, resident of Driftwood Estates, questioned the practicality of moving forth with the project before the storm water issues were resolved. He added that the pooled water became stagnate during the summer months and felt that had been a dangerous situation. He stated that Mr. Johnson had done commendable work to help the residents of Driftwood Estates. Mr. Kish felt that there were inconsistencies with the reality of the situation in Driftwood Estates and statements given by Mr. Campbell.

Mr. Shawn McBride, resident of Driftwood Estates, felt that there were inconsistencies in Mr. Campbell's statements regarding the retention ponds and culverts. He questioned the

statements that the current drainage system would be sufficient. Mr. McBride did not agree that Walton County tax payers should be liable for the improvements.

Commissioner Cuchens stated that no one had previously accepted responsibility for the drainage issues in Driftwood Estates, but that the county had now assumed that responsibility. He felt that Olsen & Associates had been erroneously accused.

Mr. McBride asked for assurance as a homeowner that Mr. Campbell's proposed system would work.

Chairman Brannon suggested that concerned residents direct specific questions toward Mr. Campbell after the meeting.

Mr. Jessup Eberhart, Driftwood Point Road, stated that the addition of Loblolly Road caused the diversion of water onto his property. He discussed the measures that he had taken while trying to correct the problem. He felt that the system proposed by Mr. Campbell would not work.

Commissioner Meadows asked if Mr. Eberhart's property was platted with both front and side yard swells. He replied that the side yard swells were not platted.

Commissioner Meadows asked if the county required developers to consider down stream conveyance to adjoining properties as a condition of approval. Mr. Johnson replied that adjoining properties are considered.

Mr. Greg Graham, Staff Engineer, stated that there is a responsibility to consider the effects of water conveyance on neighboring properties. He briefly explained those responsibilities. He added that Olsen & Associates had met the county's requirements with their storm water management plan. Mr. Graham felt that the culvert depth and blocked outfall on Buck Bayou Road were contributing to the drainage problems.

Ms. Blackshear stated that there would be further review of the project and that the drainage system must work as a condition of approval.

Commissioner Meadows asked that Public Works commit to correcting the issues discussed within Driftwood Estates.

There being no further business, the Special Meeting was adjourned at 3:10 p.m.

(Commissioner Jones entered at 3:20 p.m.)

The Board reconvened into a workshop at 3:30 p.m. to hear presentations from the three qualified architectural firms who replied to RFQ 05-012 for the GEC Annex, Phase II.

Chairman Brannon called the meeting to order.

Mr. Ronnie Bell discussed the following qualified architectural firms: Hatch Mott MacDonald, Goodwyn, Mills and Cawood, and Clemons, Rutherford & Associates. He explained the scoring process to be used by the Board and added that the Commissioners could not question cost when considering the qualifications of each applicant. Mr. Bell stated that the negotiation process would be held at the January 10th 2006 meeting.

Attorney Hallman explained that all Board members must remain in the room during the presentations, which would be 15 minutes each. He asked that the Commissioners reveal any ex parte communications received in regards to the applicants scheduled to give presentations.

Commissioner Meadows stated that she received a call from Barnhill Engineering promoting Goodwin Mills & Cawood. She stated that the call would not influence her decision.

Hatch Mott MacDonald (HMM) of Pensacola, Florida was represented by Mr. Charles Carlan, President, and Mr. Finley Skocdopole, Project Director. Mr. Carlan discussed HMM's qualifications in regards to the proposed project. He briefly discussed the firm's staff and

credentials. He gave a list of their past commissions, including the GEC Annex and the Walton County Courthouse renovations. Mr. Skocdopole briefly discussed the design aspects.

Goodwyn, Mills, and Cawood, Inc., of Montgomery, Alabama was represented by Mr. Bill Wallace, Director of Architecture, and Mr. Chuck Faulkner, Director of Operations for north Florida and south Alabama. Mr. Wallace briefly discussed the credentials of the firm. He stated that Goodwyn, Mills, and Cawood, Inc., was the largest architectural firm and the third largest engineering firm in Alabama. He presented a series of posters that detailed the firm's credentials and previous commissions. Mr. Wallace stated that this would be Goodwyn, Mills, and Cawood, Inc.'s first "major project" in Florida. Mr. Faulkner added that communication, review, and on-site presence would be their mode of operation.

Commissioner Meadows asked how many Florida registered architects and engineers would be involved in the project. Mr. Wallace stated that, of the approximately 200 professionals on staff, there were three architects and four engineers registered in Florida. He stated that the firm has an office in Crestview and that local consultants would be used when possible.

Clemons, Rutherford, & Associates, Inc. (CRA), of Tallahassee was represented by Mr. Bill Rutherford, President. Mr. Rutherford presented a slide presentation detailing the credentials of his staff and firm. He stated that CRA was aware of the constraints faced by Walton County. He referred to the library which Walton County commissioned CRA to construct. Mr. Rutherford felt that the library was a successful project and added that his firm would undertake this project in the same manner. He addressed the steps used by CRA to design a new facility from conception to completion and gave an example of the technology they utilize. Mr. Rutherford reviewed the process of cost estimation.

Commissioner Cuchens asked how many structures CRA had constructed in Walton County. Mr. Rutherford replied three or four.

Each firm's original response to the RFQ was submitted into the record.

Mr. Bell stated that the Commissioners should complete their assessments and that Mr. Bill Imfeld, OMB, would compute the results.

There being no further business, the Workshop was adjourned at 3:59 p.m.

APPROVED: _____
Scott Brannon, Chair

ATTEST: _____
Martha Ingle, Clerk of Courts