

APRIL 14, 2009 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, April 14, 2009, at 4:00 p.m., at the South Walton Annex.

The following Board members were present: Commissioner Sara Comander, Chairman; Commissioner Scott Brannon, Vice-Chair; Commissioner Larry Jones, Commissioner Kenneth Pridgen, and Commissioner Cecilia Jones. Mr. Ronnie Bell, County Administrator; Mr. Mike Burke, County Attorney; and Ms. Martha Ingle, Clerk of Courts, were also present.

Mr. Art Dees led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Comander called the meeting to order.

Mr. Sonny Mares, TDC Executive Director, stated that the TDC is very positive about the resolution requesting a ½ cent increase in the Tourist Development Tax. This has been researched carefully to determine how that income would be spent to generate new business for the beaches of South Walton. He stated that they are confident that their plan effectiveness can be demonstrated. In recognizing that there are additional issues that need to be addressed, he requested to continue this resolution to the May 11, 2009 meeting. The Board concurred to continue the resolution for a ½ cent Tourist Development Tax increase to the May 11, 2009 meeting.

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

1. Approve Expenditure Approval List (EAL)	
General Fund	\$ 1,295,616.53
County Transportation	\$ 379,124.55
SHIP	\$ 10,097.50

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Prepared by: Tina Earley

Fine & Forfeiture	\$ 1,042,264.64
Mosq. Control State	\$ 588.60
Section 8 Housing	\$ 424.13
Tourist Dev. Council	\$ 1,066,554.89
N.W. Mosquito Control	\$ 5,434.84
W. Co. Library	\$ 9,207.90
Recreation Plat Fee	\$ 6,697.84
Tax Deed Surplus Trust	\$ 3,416.50
Public Safety- 911	\$ 15,678.07
Solid Waste Enterprise	\$ 561,404.39
Criminal Justice Ed Fund	\$ 35,000.00
Bldg Dept/Enterp. Fund	\$ 3,149.02
Imperial Lakes MSBU	\$ 2,765.91
Inmate Canteen Fund	\$ 19,475.93
Driftwood Debt Service	\$ 3,415.00
Capital Projects Fund	\$ 193,096.87
<b>Totals</b>	<b>\$ 4,653,413.11</b>

2. Approve Minutes of March 25, 2009 Legislative Delegation Meetings; March 24, 2009 Regular Meeting and Special Meeting
3. Approve to surplus one computer from the Walton County Emergency Response Division
4. Approve a Resolution **(2009-40)** to amend the budget for proceeds from the sale of surplus Sheriff's vehicles and insurance claims in the amount of \$21,070
5. Approve to surplus various equipment that was stored at Human Resources that were left in the old Property Appraiser's Office
6. Approve Work Squad Contract WS517
7. Acceptance of right-of-way, easements and rights-of-entry for Pompano Street reconstruction project
8. Approve the emergency purchase of a small water craft due to the recent flooding in the amount of \$5,936 to assist the Walton County Fire Rescue team in water rescue operations
9. Approve \$10,000 of District One's Recreation Plat Fee Funds to be moved into the Red Bay Community Center account

Mr. Rick Helfand, Seaside School Foundation Chairman, expressed appreciation for the Board's support of the Seaside Half Marathon and 5K Run. They anticipate generating over \$3 million for Walton County businesses in the area. He asked to close the road on March 7 for the 2010 event and the ability to work with the county departments for a successful outcome.

Ms. Liz McLeod and Ms. Valencia Williamson, Walton Area Chamber of Commerce Coastal Area Council, requested adoption of Resolution **(2009-39)** designating the week of May 18-25, 2009 as National Beach Safety Week.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to adopt Resolution **(2009-39)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. J. B. Hillard, Communities for a Lifetime Advisory Committee, requested adoption of Resolution **(2009-38)** designating the week of April 19-25, 2009 as National Volunteer Week.

Motion by Commissioner Pridgen, second by Commissioner L. Jones, to adopt Resolution **(2009-38)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Mary Lou Reed, Workforce Development Board, provided information regarding the funding which the Workforce Development Board will receive via the American Recovery and Reinvestment Act. A total of \$4.6 billion was set aside as part of the stimulus package strictly for workforce issues. Florida's share of that funding was \$165 million. Walton and Okaloosa Counties' share of those funds is over \$1 million. The funding for the two counties has been detailed to include: \$160,000 for youth, \$91,607 for Adult Training, \$586,460 for Displaced Workers, and \$211,000 for Re-employment. She briefly discussed the different programs provided due to these funds.

Mr. Nolan Baker, CDG Engineers, requested approval in support of the Community Development Block Grant (CDBG) Economic Development Application for Florida Transformers. As part of the expansion of the Florida Transformer facility, the

sewer facility has been reviewed and discovered that future growth could be a potential problem. Mr. Baker stated at this time they would like to expand the sewer service to their facility, including a lift station and approximately 4,200 feet of force main. He stated that an agreement would be made between the FTI and Walton County to ensure the funds are in place.

Commissioner L. Jones questioned Mr. Bill Imfeld, Finance Director, if we have the capacity to support this grant. Mr. Imfeld stated that we are limited to two outstanding grants at one time, and there are currently none outstanding.

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

Mr. Baker requested an amendment of the Thomas Hicks Rock Hill Road consent agreement to include the area that was currently under operation at the time of the 2007 amendment. The first agreement was made in 2003 and then modified in 2007. In the 2007 amendment, the area of the land was not addressed.

Chairman Comander suggested that the Planning Department and the Legal Department handle this issue.

Commissioner L. Jones clarified that the issue is because the area was not addressed in the 2007 amendment, so it was omitted.

Brief discussion continued regarding the consent agreement and the area to be in operation.

Commissioner Brannon stated that Attorney Burke has not been able to meet with Mr. Baker regarding the request. Attorney Burke stated that he will meet with Mr. Baker.

The Board concurred to allow Attorney Burke to meet with Mr. Baker regarding the request for the Thomas Hicks Rock Hill Road consent agreement.

Commissioner L. Jones abstained from any discussion regarding the following matter.

Mr. David Kramer stated that Resolution 2007-114 has not been complied with because the competitive bid process for a new solid waste transfer station has not been completed. He requested to rescind the emergency resolution or do the competitive bid process. Mr. Kramer discussed the county landfill and possible consideration of hazardous pay for the workers.

Attorney Henry, County Attorney, addressed the competitive award of a contract to construct a new Solid Waste Transfer Station. Resolution 2007-114 adopted in December 2007 stated: 1) there is an emergency and the transfer station needs to be replaced immediately, 2) direct selection of a design professional from the continuing contract rotation list, 3) award of a construction contract shall be made through the competitive bid process. PBS&J was the architect selected to do the work. Attorney Henry briefly discussed the contract issues with PBS&J.

Brief discussion continued regarding recyclables and options for the station.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to wait on an RFP to find out what is needed by the county.

Attorney Henry commented that PBS&J is behind on delivering the deliverables on the purchase order, but they have already been paid over \$201,000. He questioned if the Board would like to try to recover the money that has been paid.

Commissioner Brannon amended his motion to include seeking a refund from PBS&J.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to wait on an RFP to find out what the county needs and seek a refund from PBS&J. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Pridgen Aye, C. Jones Aye. (Commissioner L. Jones abstained from voting due to his employment with Waste Management.)

Mr. Alex Kish, Driftwood resident, presented a video presentation of Driftwood Estates after a rain.

Ms. Jonilea Bell, Driftwood resident, commented that the flooding water in their yard is extremely frustrating and they need help with these health and safety issues.

Mr. Kish requested the county file suit against the developer and notify the state of substantial deviations and non compliance.

Commissioner L. Jones requested that Mr. Kish submit details, to the County Attorney, for what actions he would like to be done, then the County Attorney can determine if the information provided has merit.

Ms. Doris Beam, Driftwood resident, commented that she, Mr. Ed Hightower, and several other Driftwood home owners met with Attorney Burke in order to present documentation of proof as Sandestin owners. She provided information to the Board including two property titles and titles of insurance policies that explain the deeds. Ms. Beam briefly discussed the information provided stating that they are homeowners within Sandestin.

Mr. Allen Brown, Deputy Public Works Director, briefly discussed some options and estimated costs for the Driftwood drainage issues.

Mr. Greg Graham stated that some construction has already been done, but more is needed.

Discussion continued regarding stagnant water, ditch depth, and development order noncompliance.

Mr. Alan Osborne briefly discussed the 2002 NOPC, Florida Sunshine Laws and Florida Commission of Ethics, and possible violations.

After lengthy discussion regarding the Driftwood Estates issues, the meeting recessed at 5:38 p.m.

The meeting reconvened at 6:00 p.m.

Commissioner L. Jones and Commissioner Brannon did not return to the meeting.

Commissioner Pridgen suggested looking at other options such as pumping to transfer the water out of the community. Chairman Comander asked Mr. Brown if that option had been considered in the past. Mr. Brown answered that they have not, but they could review and study that information. The deep ditches, however, are still an issue. Chairman Comander agreed with Commissioner Pridgen and commented that the homeowners also need to be aware of the pumping stations which could be located close to their homes.

Commissioner L. Jones and Commissioner Brannon returned to the meeting.

Ms. Bonnie McQuiston commented that Commissioner Pridgen's suggestion is a long term solution. She questioned how much it cost to construct the ditches that are now going to be filled. Chairman Comander answered that \$5,094.38 was the estimate to fill the ditches along with piping. Mr. Brown stated that the original amount spent to redo the driveways and ditches was over \$100,000.

Commissioner C. Jones suggested looking at other options before accepting Mr. Brown's suggestion.

Chairman Comander clarified with Mr. Brown that a pumping station would not solve the issue of the deep ditches. Mr. Brown stated that deep ditches are a safety issue.

Mr. Steve Abbott, Driftwood resident, suggested installing pipes, filling in the ditches, and adding pumps.

The Board concurred not to take action on Mr. Brown's suggestion.

Brief discussion continued regarding pump systems and ditch solutions.

Mr. Doug Walker, Driftwood resident, commented that safety is a major concern.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve Public Works to address the safety issues in Driftwood Estates. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Chairman Comander asked Mr. Brown to bring back information relating to the benefits and costs of using a pump system, and other options.

Ms. Suzanne Harris commented that the citizens in Driftwood Estates need help. She suggested hiring drainage experts to get an explanation of what needs to be done.

Ms. Shirl Williams, Assistant County Administrator, presented a request from Citizen Services for approval to submit the Farmer's Market Promotion Grant application.

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

Ms. Williams requested temporary rental of space in the Walton County Health Department Coastal facility for PanCare, a federally qualifying Community Health Center in Bay County.

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

Ms. Williams presented, from the Emergency Response Division, a request to set a public hearing date to consider Walton County Code of Ordinance Chapter 10, Fire Prevention and Protection, Article III Cost Recovery Fee. Attorney Henry stated that there is currently a legislative bill in house and senate regarding this issue. The newest version of House Bill 1043 was voted out by the first committee. It was changed to remove the allowance of some fees to be collected against people who had insurance. The new version prohibits counties from imposing this fee except if hazardous materials are spilled, the cost for clean up, and it allows traditional ambulance service charges. He recommended tabling the issue until the legislation has made a decision.

Ms. Williams requested to continue the two Personnel Policies and Procedures, Policies 16.14 and 15.7, to the next meeting.

Ms. Williams presented, from Facilities Maintenance, a request to award ITB 09-019 for the Agriculture Building Sewer Retrofit to low bidder, Chandler Construction, in the amount of \$44,183.75.

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

Ms. Williams presented, from Public Works, a request to approve the Lake Place Restaurant and Stinky's Fish Camp Developer's Agreement.

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

Ms. Williams requested approval of The Preserve at Grayton Developer's Agreement.

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

Ms. Williams requested approval to set up a capital improvement project account for Chat Holly Road, in the amount of \$100,000.

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

Ms. Williams requested approval on behalf of Preble Rish, Inc. for contract administration and inspection of the Four Mile Creek Bridge, in the amount of \$35,000.

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

Ms. Williams requested approval of the Scenic Gulf Drive Phase II Change Order No. 4 for a deduction of \$44,359.60.

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

Ms. Williams requested approval of the Sovereignty Submerged Lands Easement for Hogtown Bayou.

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

Ms. Williams requested to award RFP 09-020, Design Build Four Mile Creek Bridge at Bay Loop Road to low bidder, F&W Construction, for an amount of \$870,000.

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

Ms. Williams requested awarding the County Road 192 Reconstruction Inspection to low bidder, Jenkins Engineering, for an amount of \$57,750.

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

Commissioner L. Jones exited the meeting.

Ms. Williams presented, from the Administration Department, a request from Mr. Lee Perry to obtain an appraisal on the Ed Brown property that is County owned. After the appraisal is received Mr. Perry will have a proposal for the County.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the request as presented. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Pridgen Aye, C. Jones Aye.

Ms. Williams stated that the request for approval of a budget amendment from the Property Appraiser's Office has been removed from the agenda.

Ms. Williams requested approval of the improvements to be made on the County owned property at the Farmer's Market where Tri-County parks their transportation vans as requested by Mr. Joel Paul, Tri-County Community Council.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the request as presented. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Pridgen Aye, C. Jones Aye.

Ms. Williams requested to set a public hearing date to consider amending the Ordinance relating to Walton County Recreational Parks and Community Centers and Fee Resolution.

Chairman Comander stated that some Board members are going to Washington on May 12, 2009, and the BCC meeting needs to be moved to Monday, May 11, 2009.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve moving the May 12, 2009 meeting to May 11, 2009 due to a meeting in Washington. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Pridgen Aye, C. Jones Aye.

Commissioner L. Jones returned to the meeting.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve advertising for a public hearing to consider amending the Walton County Recreational Parks Ordinance and Community Centers and Fee Resolution to the May 11, 2009

meeting. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Williams requested approval of Resolution **(2009-41)** to recognize Coach Willie B. “Boogie” Hall.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to adopt Resolution **(2009-41)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Attorney Mike Burke, County Attorney, requested to set a public hearing date on May 11, 2009 to consider a county-wide Noise Ordinance.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve a public hearing date on May 11, 2009 to consider a county-wide Noise Ordinance. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Attorney Burke stated that the First District Court of Appeal issued its opinion in Drake vs. Walton County on the Oyster Lake Outfall. He stated that the request for a rehearing and certification has been denied. He requested authorizing the County Attorney’s Office, with the assistance of Nabors Giblin & Nickerson, to file a motion for hearing in the Florida Supreme Court.

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

Commissioner C. Jones stated that one of the houses to be demolished on the Kellogg Property is still in good condition. She suggested putting the house out for bid for thirty days to possibly bring in funds for the County.

Commissioner L. Jones exited the meeting.

Motion by Commissioner C. Jones, second by Commissioner Brannon, to approve the County Attorney to research the covenants and restrictions that came with the Kellogg Property deed and propose the appropriate method to dispose of that property. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Pridgen Aye, C. Jones Aye.

Commissioner Pridgen stated that while in Tallahassee, they discussed proposals for the 19.33 acre parcel of land at Natural Bridge Creek, and purchasing an easement of 300 feet. Tallahassee Water Management has agreed to give \$100,000 towards a cash match that is required by the Florida Community of Trust Grant Program. An additional \$76,000 is required to obtain the 20 points needed to apply for the grant. He requested support of the project and utilizing \$76,000 from the Contingency Fund. If we do not get the grant, then the funds will still be available. Commissioner Pridgen stated that this is a great opportunity for a future recreational park in the north end of Walton County.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve utilizing \$76,000 from the Contingency Fund for the Florida Community Trust Grant Program for the Natural Bridge Creek property. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Pridgen Aye, C. Jones Aye.

Commissioner L. Jones returned to the meeting.

Chairman Comander stated that on October 9, 2007 the Board discussed the Freeport Fire Department. There was a motion by Commissioner Meadows and second by Commissioner Brannon to grant the Freeport Fire Department \$50,000 funds allocated to Freeport, forgive the \$34,000 truck payment, \$55,000 in MSBU funds, \$91,000 equaling the amount given to DeFuniak Springs, and an additional \$50,000. The Mayor

of Freeport has recently said the payment from the County has been received, but it was short the \$34,000 for the truck payment. She requested Mr. Imfeld to look into this matter to find out how much is left for the truck payments. The Board concurred.

Mr. Cliff Knauer, Preble Rish, Inc., stated that he is trying to secure funding from the federal government for two economic development projects. The first project is for \$4 million for the Freeport Ship Yard. These funds will install a 300 ton travel lift which will transport the vessels to the work areas. The ship yard currently has 25 employees and they believe within a couple years that their employees will double with this improvement. The Destin Fisherman's Co-Op is requesting \$1.7 million. They would like to install retaining walls and another boat removal area for their travel lift to increase their capacity. The two projects total approximately \$6 million. Mr. Knauer requested a letter of support from the Board for the two projects.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve a letter of support for both projects as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Commissioner Brannon had no items to present.

Commissioner L. Jones had no items to present.

Chairman Comander asked for additional public comments.

Mr. David Kramer suggested announcing when a project has been pulled from the agenda at the beginning of the meeting, so the audience members are aware of the change.

Mr. Lee Perry questioned the St. Joe borrow pit situation. Attorney Burke stated that there is not a provision in Walton County's Code stating that a permit is required for removal of spoils from property, because it is not development activity.

Brief discussion continued regarding the number of spoil operations in Walton County and suggested changes to address a development order for spoil areas.

The meeting recessed at 6:48 p.m. and reconvened at 7:00 p.m.

Commissioner Brannon did not return to the meeting.

Mr. Bob Horner, Engineering Department, requested collection of the Inlet Beach Enclave, LLC letter of credit, in the amount of \$31,919.25, before the expiration date on April 25, 2009.

Commissioner L. Jones questioned if we cash a letter of credit in if we are obligated to finish the incomplete infrastructure. Attorney Burke stated that we are not legally obligated to finish the incomplete infrastructure. Commissioner L. Jones questioned if a policy should be developed of what to do with that money. Attorney Burke answered that the money does get held in a separate account, so in the event the developer can come back to complete the project, they can get that money back.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to approve collecting on the Inlet Beach Enclave letter of credit. Ayes 4, Nays 0. Comander Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Horner requested rescinding the Alligator Pointe Plat due to negligence to record the final plat, pay applicable fees, or complete required and approved infrastructure. The developer has requested to rescind the plat.

Commissioner Brannon returned to the meeting.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the request as presented.

Commissioner L. Jones questioned if there is any vesting that goes with this project. Attorney Burke stated that there is no more than what is in the development order.

Mr. Alan Ficarra questioned the development order. Commissioner L. Jones clarified that they will not be able to record the plat. A plat can be recorded prior to the development order or infrastructure.

Chairman Comander called for a vote on the motion. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Mac Carpenter, Growth Management, requested continuing both of the Blue Mountain Beachfront (BMB-1 & BMB-2) Neighborhood Plans to the May 26, 2009 meeting.

Motion by Commissioner Pridgen to continue the two projects to the May 26, 2009 meeting.

Brief discussion continued regarding the location to have the meeting for these plans.

Commissioner Pridgen amended his motion, second by Commissioner L. Jones, to approve continuing both of the Blue Mountain Beachfront (BMB-1 & BMB-2) Neighborhood Plans to the June 9, 2009 meeting. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Blackshear presented, for adoption, the second reading of the Recreation Fees Ordinance **(2009-06)** amending the Walton County Land Development Code section

11.03.03 to establish a procedure for valuing platted land for the purpose of calculating recreation impact fees for subdivisions. Ms. Melissa Ward, Planning Technician, commented that some applicants were unable to record their plats because of the high recreation fees. This ordinance will give the applicant an opportunity to get a current fair market value to establish the amount of raw land.

Brief discussion continued regarding the Property Appraiser's assessments.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to adopt Ordinance **(2009-06)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Blackshear presented, for adoption, the Preservation Buy-Out Fee Ordinance **(2009-07)** amending the Walton County Land Development Code section 4.06.02 to establish a procedure for valuing land area for the purpose of calculating preservation buy out fees for subdivisions.

Chairman Comander asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to adopt Ordinance **(2009-07)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Blackshear presented, for adoption, the Development Order Extension Ordinance **(2009-04)** amending section 11.01.05.b and 11.01.06.c of the Walton County Land Development Code for extending minor and major development orders and final orders by one year.

Chairman Comander asked for public comment.

There was no public comment.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to adopt Ordinance **(2009-04)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Blackshear presented, for the first reading, a Mining Ordinance amending the Walton County Land Development Code to add Chapter 16, mining regulations.

Chairman Comander commented that the time limits listed on page 7 are excessive.

Chairman Comander asked for public comment.

Ms. Anita Page, Ms. Eileen West, and Mr. Frank Jackson expressed many concerns regarding the Mining Ordinance as presented.

Mr. Scott Caraway, Environmental Department, explained the approach to natural resources.

Discussion continued regarding concerns about the Mining Ordinance.

Chairman Comander stated that the comments regarding the Mining Ordinance should be submitted to Ms. Blackshear for review.

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

The Walton County Apartments PUD major development order application request was removed from the agenda.

Mr. Dean Burgess, Emerald Coast Associates (ECA), Inc., presented the Hollow Lake major development order application submitted by ECA, consisting of 171 single-family units and 79 multi-family units on 170 acres with a future land use of Urban

Residential. The site is located northwest of the intersection of CR-3280 and Black Creek Blvd, in the Freeport area. He commented that public water and sewer will be provided, and the former pit will be converted into an aesthetic lake.

Chairman Comander asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner L. Jones, to approve the presented request with conditions of the staff report.

Ms. Ward discussed the conditions of the staff report. She clarified that there will be 79 multi-family units, totaling 250 units. Mr. Burgess is currently applying for proportional fair share credits by dedicating part of the land located along 3280 to the County. In this process Mr. Burgess will resubmit a plan showing that the landscaping buffer has been relocated to be within the development after dedication of the right-of-way.

Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to adjourn the meeting at 7:52 p.m. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

APPROVED \_\_\_\_\_

Sara Comander, Chairman

ATTEST \_\_\_\_\_

Martha Ingle, Clerk of Courts