

JUNE 9, 2009 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, June 9, 2009, at 4:03 p.m., at the South Walton Annex.

Chairman Comander called the meeting to order.

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, and Mr. Mike Burke, County Attorney, were also present.

Commissioner L. Jones led the invocation followed by the Pledge of Allegiance to the American Flag.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to approve the following changes to the agenda: removal of the two TDC items, add on change order #5 for Scenic Gulf Drive, continue Legislative Items 3 and 4, and removal of Public Works item E. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Brannon, second by Commissioner Pridgen, 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	\$ 336,603.82
County Transportation	\$ 475,534.93
SHIP	\$ 4,000.00
Section 8 Housing	\$ 85.64
Tourist Dev. Council	\$ 87,588.13
N.W. Mosquito Control	\$ 633.57
W. Co. Library	\$ 8,215.28
Recreation Plat Fee	\$ 3,380.74
Public Safety- 911	\$ 328.10
Solid Waste Enterprise	\$ 528,748.09

Sidewalk Fund	\$	6,776.14
Bldg Dept/Enterp. Fund	\$	396.19
Inmate Canteen Fund	\$	4,152.09
Capital Projects Fund	\$	109,281.79
Totals		\$ 1,565,724.51

2. Approve Minutes of May 26, 2009 Regular Meeting
3. Approve to surplus one computer from the Walton County Clerk of Circuit Court
4. Approve the submission of the 2009-2010 Consolidated Small County Solid Waste Management Grant Application
5. Approve a Resolution **(2009-58)** to amend the 2009 budget for unanticipated grant funds for the EMS Matching Grant from the Department of Health

Mr. Ronnie Bell, County Administrator, presented a request from Citizen Services to dissolve or dismiss the Animal Control Advisory Committee.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve dismissal of the Animal Control Advisory Committee as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell presented a request from the Finance Division to approve the division of the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Award between the Walton County Sheriff's Office, the Walton County Department of Corrections, and the City of DeFuniak Springs Police Department. The total amount for the grant is \$349,607. The distributions to the offices are as follows: City of DeFuniak Springs Police Department - \$32,514, Sheriff's Office - \$235,283, and the Department of Corrections - \$81,810.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the division of the 2009 Edward Byrne Memorial JAG as presented and submission of paperwork to FDLE by June 30th. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

June 9, 2009 - Regular Meeting
Prepared by: Tina Earley

Mr. Bell presented, from the Department of Corrections, the second reading of the proposed changes to the Inmate Fee Schedule Resolution **(2009-59)** for adoption.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to adopt Resolution **(2009-59)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested approval of a new corrections officer position for a road crew supervisor. The Board terminated the contract with McKnight for maintenance of the multiuse paths, saving the County approximately \$350,000. This new position would allow an 8 man inmate crew to provide maintenance on the paths. The total cost, including benefits, for the new employee would be \$52,666. He recommended approval.

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

Commissioner L. Jones commented that the new position is in lieu of a much greater cost to the county.

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

Mr. Bell presented a request from Public Works to accept the donated right-of-way from Mr. Larry and Ms. Nancy Stroud on John Curry Road to allow Public Works to construct a turn around at the end. He stated that this is already a county maintained road and the amount donated will be about .06 acre.

Mr. Allen Brown, Deputy Public Works Director, stated that Mr. and Ms. Stroud have executed the deed to Walton County for the turn around, but it has not been

formally accepted. The Stroud's would like to have the turn around constructed to access their property.

Mr. Nathan D. Boyles, Attorney for Mr. Leroy Holden, property owner adjacent to the Stroud property, briefly discussed issues with the location of the right-of-way on Mr. Holden's property. Mr. Holden has had several discussions with the Public Works Department and the County Attorney's Office to determine if the existing right-of-way crosses his property.

Commissioner L. Jones questioned Attorney Boyles where Mr. Holden's property is located. Attorney Boyles answered that his property is located south of John Curry Road. Commissioner L. Jones questioned where the problem exists. Attorney Boyles answered that the granted easement passes a portion of the northern boundary of Mr. Holden's property.

Attorney Boyles briefly discussed the easement consistency, discrepancies in the deeds, and surveys conducted on the property.

Mr. Brown in turn discussed the amount of surveys conducted and the outcome of those surveys. He believed the information provided by the survey is valid to make a decision regarding the turn around.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to accept the right-of-way dedication as presented, but wait to start construction until Mr. Holden and Attorney Boyles have been provided with the survey information. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested to enter into a limited maintenance agreement with the State of Florida for maintenance of the entrance road to Eden State Gardens.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve a limited maintenance agreement with the State of Florida for maintenance of the entrance road to Eden State Gardens as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested collection on the Church Street PUD letter of credit, for an amount of \$52,090.50, if an extension has not been received prior to the expiration date of July 16, 2009.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve collection on the Church Street PUD letter of credit as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested collection on the Mosaic Oaks letter of credit, for an amount of \$9,987.18, if an extension has not been received prior to the expiration date of July 1, 2009.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve collection on the Mosaic Oaks letter of credit as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell stated that the request for collection on the Topsail Walks Subdivision letter of credit was removed from the agenda because it was resolved.

Mr. Bell requested approval of the Proportional Fair Share Credit Agreement with right-of-way dedication from Junior Food Stores (JFS) of West Florida, Inc. JFS is dedicating .086 acre on CR 3280 in exchange for a future credit of \$26,160.21 toward their proportional fair share.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the Proportional Fair Share Credit Agreement with Junior Food Stores of West Florida, Inc. as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell presented a request from the Administration Department to adopt a Resolution **(2009-60)** declaring July 25, 2009 as Americans with Disabilities Act (ADA) Awareness Day. This will support a torch run in honor of the ADA in Pensacola. He recommended approval.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve Resolution **(2009-60)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested to adopt a Resolution **(2009-61)** to begin the process of designating Scenic Gulf Drive as a Scenic Highway.

Mr. Tom Machamer briefly discussed the provided initiative information to designate the highway.

Commissioner C. Jones commented that the constituents at their last meeting were all in support regarding this effort.

Motion by Commissioner C. Jones, second by Commissioner Brannon, to allow Ms. Pat Blackshear, Planning Division Director, to add a policy and a plan in the EAR and LDC to expand and include Scenic Gulf Drive. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner C. Jones, second by Commissioner Brannon, to allow Ms. Blackshear to rewrite the LDC to include Scenic Gulf Drive in the Scenic Corridor

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

Motion by Commissioner C. Jones, second by Commissioner Brannon, to support state recognition and designation of Scenic Gulf Drive as requested (**Resolution 2009-61**). Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested acceptance of Change Order #5, for a decrease in the amount of \$32,882.68, for Scenic Gulf Drive Phase II. The total contract will be \$1,187,157.17 and increase 72 calendar days. The completion date for all work will be July 31, 2009. He recommended approval.

Motion by Commissioner Brannon, 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.

Mr. Bell reminded the Board that the two items from the Tourist Development Council (TDC) for the Miramar Beach Parking Structure had been removed from the agenda.

The County Attorney's Office had no items to present.

There were no Public Hearings to be held at this time.

Commissioner C. Jones had no items to present.

Commissioner L. Jones had no items to present.

Motion by Commissioner Pridgen, second by Commissioner L. Jones, to approve a second appraisal on the Natural Bridge Property while they continue to apply for grants

to return the funds to the Preservation Fund. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Commissioner Brannon had no items to present.

Chairman Comander had no items to present.

Chairman Comander asked for additional public comments.

Mr. David Kramer briefly discussed the MSBU solicitation survey procedures. He suggested postponing any MSBU's until after the adoption of the EAR-Based Amendment to the Future Land Use Element.

Mr. Bell commented that no MSBU's have been approved.

Brief discussion ensued regarding the MSBU process and methodology.

Mr. Bob Hudson, Walton County Tax Payers Association President, questioned the lack of public parking in the newly constructed Driftwood Estates Park when the County participated in the construction by funding over \$100,000. Mr. Bell commented that the park is still under construction. There is limited parking but there may be more available parking in the future. Mr. Hudson expressed his concern using public funds for a public park that the public/visitors cannot get to. Mr. Lyle Seigler, Public Works Director, commented that additional parking will be considered as the process continues.

Mr. Bill Bard, Santa Rosa Beach Resident, expressed his support for the Scenic Gulf Highway 98 Corridor guidelines. He felt that other roads in District 5 should have guidelines for the future. He would like to see an initiative to have guidelines on the roads that are not tourist related, but still affect the lifestyle of Walton County.

The meeting recessed at 4:54 p.m. and reconvened at 5:13 p.m.

Ms. Pat Blackshear, Planning Division Director, presented a request from Mr. David Haight, PBS&J Project Manager, for a letter of authorization to coordinate recommendations for adoption and implementation of FAA required air installation compatibility development standards on behalf of the Panama City Bay County Airport and Industrial Authority.

Mr. Haight briefly discussed the anticipated future efforts to coordinate the operation of the airport with land use and zoning issues within a small portion of Walton County.

Ms. Blackshear commented that the data information will be analyzed when received and brought to the Board.

Ms. Blackshear requested authorization to advertise public hearings to amend the Land Development Code regarding the new organization of the divisions and their responsibilities.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to advertise public hearings to amend the Land Development Code regarding the new organization of the divisions and their responsibilities. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Gerry Demers, Development Services Division Director, requested that the Blue Mountain Beachfront (BMB-1) Neighborhood Plan be continued to the July 14, 2009 meeting.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to continue the Blue Mountain Beachfront (BMB-1) Neighborhood Plan to the July 14,

2009 meeting. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Demers requested that the Blue Mountain Beachfront (BMB-2) Neighborhood Plan be continued to the July 14, 2009 meeting.

Motion by Commissioner Brannon, second by Commissioner L. Jones, to continue the Blue Mountain Beachfront (BMB-2) Neighborhood Plan to the July 14, 2009 meeting. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Blackshear requested to consider the Planning Commission recommendations on the proposed EAR-Based Amendments to the Future Land Use Element (FLUE) of the Walton County Comprehensive Plan based upon the county's Evaluation and Appraisal Report, as well as recommendations from the public. She discussed the information provided regarding the categories and language changes.

Chairman Comander commented that the height limitations in north Walton should be the same as the 50 foot limitation in south Walton. Agriculture and farming in rural areas should also be supported and not hindered in any way. Ms. Blackshear stated that there is an exception for agriculture.

Chairman Comander asked for public comment.

Mr. David Kramer, Ms. Marian Cook, Mr. Ken Goldberg, Ms. Anita Page, Ms. Mary Nielson, and Mr. Bill Bard made several suggestions regarding the EAR-Based Amendments to the FLUE as presented.

Ms. Blackshear presented the methodology that will be used for reviewing each of the requests. A new map for the EAR plan for Walton County needs to be made. She

briefly explained why it is important to bring back and map any additional amendment to the categories at a later time.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the EAR-Based Amendments to the FLUE methodology as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve conceptual categories of the EAR-Based Amendments to the FLUE 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 Height Limit Ordinance amending the Walton County Land Development Code to establish a height limitation for all of Walton County. At the last meeting there was discussion to advertise the language to impose a 50 foot limitation until the EAR-Based Amendments were reviewed.

Commissioner L. Jones recommended to re-advertise a countywide height ordinance with the provisions of the amendments as part of the ordinance.

Discussion ensued regarding the need to re-advertise or continue the public hearing.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to continue the public hearing to the next meeting and ask staff to provide an updated Ordinance with the provisions. Chairman Comander clarified that meeting would be held on June 30, 2009 and the second meeting will be held on July 14, 2009.

Brief discussion continued regarding the Planning Commission changes and recommendations.

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

Mr. Kramer expressed concerns for the appropriate language for the height limitations. Commissioner L. Jones stated that the draft ordinance for public hearing on June 30, 2009 will have the clarification information. Chairman Comander questioned if the Planning Commission needed to know a preference from the Board of 40 or 50 feet. Commissioner L. Jones stated that they should wait to review the language prior to the next public hearing before making a recommendation.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to adjourn the meeting at 7:07 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