

MARCH 9, 2010 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on March 9, 2010, at 4:00 p.m., at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

The following Board members were present: Commissioner Kenneth Pridgen, Commissioner Cecilia Jones; and Commissioner Sara Comander. Mr. Lyle Seigler, Interim County Administrator; Attorney Lynn Hoshihara, Interim County Attorney; and Ms. Shirl Williams, Assistant County Administrator; were also present.

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

Attorney Lynn Hoshihara, Interim County Attorney, stated that in the absence of the Chairman and Vice-Chairman a motion nominating an acting Chairman would be required.

Motion by Commissioner C. Jones, second by Commissioner Comander, to appoint Commissioner Kenneth Pridgen as acting Chairman. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Chairman Pridgen called the meeting to order.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the agenda additions and deletions as follows. Ayes 3, Nay 0. Pridgen Aye, C. Jones Aye, Comander Aye.

1. Addition: a request from the Sherriff's office to schedule a public hearing for March 23, 2010 to consider a resolution amending the budget to move 911 funds from reserves.
2. Addition: a request from the office of the County Attorney for a continued public hearing to consider an ordinance relating to the control and abatement of public nuisances.
3. Deletion: Item 10 of the Consent Agenda

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the Consent Agenda as follows. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

1. Approve Expenditure Approval List (EAL)

| | |
|------------------------|------------------------|
| General Fund | \$ 400,603.60 |
| County Transportation | \$ 506,563.96 |
| SHIP | \$ 37.00 |
| Fine & Forfeiture | \$ 1,249,944.71 |
| Debt Service Hospital | \$ 530.00 |
| Mosq. Control State | \$ 1,254.00 |
| Section 8 Housing | \$ 125.03 |
| Tourist Dev. Council | \$ 245,795.09 |
| N.W. Mosquito Control | \$ 2,250.42 |
| W. Co. Library | \$ 5,725.78 |
| Recreation Plat Fee | \$ 31,918.04 |
| Solid Waste Enterprise | \$ 476,868.05 |
| Bldg Dept/Enterp. Fund | \$ 1,007.15 |
| Inmate Canteen Fund | \$ 18,310.85 |
| Daughette Subdivision | \$ 1,250.00 |
| Capital Projects Fund | \$ 459,314.56 |
| Totals | \$ 3,401,498.24 |

2. Approve Minutes of February 18, 2010-Driftwood Special Meeting; February 23, 2010-Special Meeting; and February 23, 2010-Regular Meeting
3. Approve to surplus one truck from the Walton County Animal Control
4. Approve a **Resolution (2010-21)** to amend the budget to roll forward revenues and expenditures for the Solid Waste Fund from fiscal year 2008-2009 into fiscal year 2009-2010 in the amount of \$188,819.00
5. Approve a **Resolution (2010-22)** amending the budget to recognize excess revenues in the Supervisor of Elections accounts in the amount of \$4,500 for fiscal year 2009-2010
6. Approve the Investment Report for quarter ending December 31, 2009
7. Release of Code Enforcement Lien against property owned by Susinkas
8. Approve License Agreement from the Department of the Air Force to use on the property located on Eglin Air Force Base
9. Approve a **Resolution (2010-23)** approving a Fourth Amendment to the Agreement and Declaration of Trust as requested by the Florida Association of Counties Trust (FACT)
10. ~~Approve for the Sheriff's Office to submit applications for the Florida Department of Transportation grants including Alcohol and Impaired Driving, Speed Control and Aggressive Driving, Traffic Records, Child Passenger Safety, Occupant Protection, and Pedestrian and Bicycle Safety.~~

Mr. Lyle Seigler, Interim County Administrator, recommended approval of a Letter of Support for PanCare Grant request. The funding from the grant will be used for a mobile medical/dental van.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the Letter of Support for PanCare Grant application. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler recommended extending the current agreement with Dr. Paul D. Hart for 30 days to allow time for staff to review proposals received for RFQ 009-047-EMS Medical Director, and submit a recommendation back to the Board.

Commissioner C. Jones requested that staff review and consider local options.

Motion by Commissioner C. Jones, second by Commissioner Comander, to approve the extension of the current agreement with Dr. Paul D. Hart for 30 days. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler presented for consideration a **resolution (2010-24)** establishing an animal adoption policy and fee schedule for Animal Control.

Commissioner Comander asked Mr. Matt Douglas, Emergency Response, if these policies were standard. Mr. Douglas stated that they were. Commissioner Comander voiced concern that the resolution does not allow for the adoption of outdoor pets. Mr. Douglas stated that the adoptions would be allowed and would depend on the condition and size of the animal.

Motion by Commissioner Comander, second by Commissioner C. Jones, to adopt **Resolution (2010-24)** establishing an animal adoption policy and fee schedule. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler presented an interlocal agreement with the City of Freeport, the Walton County School Board, and the City of DeFuniak Springs. This cooperative agreement is designed for minor public works type projects. Commissioner Comander asked if these agreements have been presented to the other entities. Mr. Seigler stated that they would be presented following Board approval.

Motion by Commissioner C. Jones, second by Commissioner Comander, to approve the interlocal agreements with the City of Freeport, the Walton County School Board, and the City of DeFuniak Springs. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler recommended awarding ITB 010-010 Lakeview Drive Road Improvements base bid and alternate to Utility Solutions Group, LLC as low bidder in the amount of \$147,462.15.

Motion by Commissioner C. Jones, second by Commissioner Comander, to award ITB 010-010 base bid and alternate to Utility Solutions Group, LLC as low bidder in the amount of \$147,462.15. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Ryan Douglass, Public Works, presented an update on the Hotz Avenue congestion issue. He requested the Board allow Public Works to move forward with the initial phase of this project which includes addressing the parking conflicts at all turning radii by striping areas to prohibit parking along with improved signage. A letter from the South Walton Fire Department expressed continued support of the one way route. He reported that an off-site parking area has been committed by a private party.

Commissioner Comander questioned if the area businesses had an opportunity to see the parking design. Mr. Douglas stated that the design is not significantly different than first proposed. Commissioner C. Jones stated that all the groups involved have worked well together.

Motion by Commissioner Comander, second by Commissioner C. Jones, to direct Public Works to move forward with the initial phase of the project. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Maria Williams, Northwest Regional Outreach Specialist, Fish and Wildlife Commission-Bear Management, discussed keeping Florida black bears wild and in the woods and out of Walton County neighborhoods and off Walton County roadways. She presented a Bear Safety Guide to the Board and discussed the safety tips included.

Mr. Seigler announced the results of the Leisure Lake MSBU ballot. There are 36 lots in the Leisure Lake Subdivision. Thirty-two votes were received in favor of the MSBU and there were no votes against. He asked direction whether to advance to the cost analysis phase.

Motion by Commissioner Comander, second by Commissioner C. Jones, to move forward with the cost analysis of the Leisure Lake MSBU. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler presented Florida Back to Work Program through Workforce Development. Mr. Gary Mattison, Human Resources, gave an update on the program and discussed utilizing local programs to put as many people back to work as possible.

Mr. Seigler requested a public hearing be scheduled for March 23, 2010 to consider a resolution amending the Sheriff's budget to move 911 funds from reserves.

Motion by Commissioner Comander, second by Commissioner C. Jones, to set a public hearing for March 23, 2010 to amend the Sheriff's budget. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Sonny Mares, Tourist Development Council Executive Director, recommended awarding ITB 010-012 Garfield Street Addition (which includes a handicapped accessible

observation deck) to Floridian Construction, as low bidder, in the amount of \$58,672. He stated that the project is consistent with the Approved Management Plan between Walton County TDC and Florida Communities Trust.

Motion by Commissioner C. Jones, second by Commissioner Comander, to award ITB 010-012 Garfield Street Addition (observation deck) to Floridian Construction, as low bidder, in the amount of \$58,672. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Attorney Hoshihara presented for consideration a **resolution (2010-25)** establishing a Records Management Accountability program for public records in the custody of the Walton County Board of County Commissioners.

Motion by Commissioner C. Jones, second by Commissioner Comander, to adopt **Resolution 2010-25** establishing a Records Management Accountability program for public records in the custody of the Walton County Board of County Commissioners. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Attorney Hoshihara gave an update on the Driftwood Estates litigation held before the First District Court of Appeals on February 26, 2010. She stated that the court has ruled in favor of Walton County.

Attorney Hoshihara asked that staff be allowed additional time to draft rules and responsibilities pertinent to the Transportation Committee.

Motion by Commissioner Comander, second by Commissioner C. Jones, to allow staff additional time to draft rules and responsibilities pertinent to the Transportation Committee issue. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Dawn Moliterno, Walton County Chamber of Commerce, gave an update on the Nuisance and Special Events Ordinance roundtable discussions. She stated that the group had spent four weeks addressing the issues and submitted their recommendations.

Commissioner Comander thanked Ms. Moliterno for the work put into providing the document.

Ms. Margie Jordan discussed the wedding industry in Walton County and thanked Ms. Moliterno for the work done. She asked that the BCC consider all of the suggestions presented through the roundtable discussions.

Motion by Commissioner C. Jones, second by Commissioner Comander, to table the previously proposed Nuisance Ordinance. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Motion by Commissioner C. Jones, second by Commissioner Comander, to direct staff to draft an ordinance regulating the use of short term rentals. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Motion by Commissioner C. Jones, second by Commissioner Comander, to adopt **Resolution 2010-26** designating March 26 and 27, 2010 as Scenic Highway 30A Days. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

Commissioner Pridgen requested reconsideration of the bid awards for ITB 009-037 (Feasibility Study to assess the need of a multi-purpose sports complex and outdoor performing arts complex in south Walton County) He felt the issue needed further review and voiced concern over the unavailability of funding sources. Commissioner Comander reported that she had received numerous comments requesting that the funds be used more wisely.

Mr. Mark Shell, Ms. Jennifer Steele-Saunders, Mr. Dave Lovell, Mr. David Kramer, Mr. Bo Rutledge, and Mr. Dale Vermillion all spoke in support of the feasibility studies.

Chairman Pridgen stated that the Board agreed that a need for these complexes exists, however funding and build-out must be considered.

Ms. Mary Nielson spoke against the feasibility studies. She does agree that the facilities are needed, but the funding should take precedent. She recommended that all age groups be considered, and using local and in-house talent to look at what could be done.

Commissioner Comander asked if the TDC would be responsible for funding the studies. Attorney Hoshihara stated that they would. Commissioner C. Jones asked how much the feasibility studies would cost. Mr. Mares stated approximately \$97,000. He said that the TDC had budgeted \$100,000 for the studies.

Attorney Hoshihara suggested reviewing more information from staff and revisit the issue when a full Board is available on March 23, 2010.

Commissioner C. Jones asked how soon after the results of the studies could the structures be built. Mr. Mares stated that the TDC had funding available to build the structures but not to purchase the land. He felt the feasibility studies were needed. Commissioner Pridgen asked that Ms. Nielson's comments regarding the age groups be considered. Mr. Mares stated that the consultants would be tasked with meeting with the community to see what the needs are. Commissioner Comander asked if the studies would locate companies interested in supporting the events. Mr. Mares stated that it would. The Board concurred to take no action.

Commissioner Comander had no items to present.

There was no additional public comment.

Ms. Jennifer Christenson, Planning Development Services Division Director, presented for consideration an **ordinance (2010-05)** amending Ordinance 2008-25, Section 4.g of Ordinance 2003-07, and Section 22054(g) of the Walton County Code of Ordinances, to clarify which items are prohibited obstructions; and to eliminate the requirement to obtain a county permit to leave items on the beach overnight.

Motion by Commissioner Comander, second by Commissioner C. Jones, to adopt **Ordinance 2010-05** amending Ordinance 2008-25, Section 4.g of Ordinance 2003-07, and Section 22054(g) of the Walton County Code of Ordinances. Ayes 3, Nays 0. Pridgen Aye, C. Jones Aye, Comander Aye.

There being no further items to present, the meeting adjourned at 5:23 p.m.

APPROVED _____
Scott Brannon, Chair

ATTEST _____
Martha Ingle, Clerk of Courts