

AUGUST 12, 2008 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, August 12, 2008 at 4:02 p.m., at the South Walton Annex.

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

Commissioner Meadows led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Jones called the meeting to order.

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

1. Expenditure Approval List (EAL)

General Fund	\$ 1,066,277.61
County Transportation	\$ 617,466.52
SHIP	\$ 7,370.00
Fine & Forfeiture	\$ 110,601.91
Section 8 Housing	\$ 143,061.19
Tourist Dev. Council	\$ 364,365.01
N.W. Mosquito Control	\$ 26,973.35
W. Co. Library	\$ 14,666.64
Recreation Plat Fee	\$ 53,529.20
Public Safety- 911	\$ 17,230.71
Solid Waste Enterprise	\$ 328,862.60
Bldg Dept/Enterp. Fund	\$ 1,849.78
Imperial Lakes MSBU	\$ 937.50
Capital Projects Fund	\$ 36,941.00
Totals	\$ 2,790,133.02

2. Minutes: July 22, 2008 Regular Meeting
3. Move \$151,040.16 from Public Works Contingencies into the Public Works line item for the purchase of equipment

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Prepared by: Tina Willis

4. Allocate \$12,320.78 from District 1 Recreational Plat Fee for Floating Dock and Signage for Morrison Springs
5. Allocate \$18,900 from District 1 Recreational Plat fee to complete road paving for Morrison Springs
6. Surplus three computers and one printer from the Clerk's Office and one computer from the County Attorney's Office
7. Helen McCall Park, Phase III FRDAP Grant Contract A9026
8. FDEP Beach Funding Resolution **(2008-77)** for 2008
9. Installation of Multiphase Traffic Control Signal at SR 30 (US 98) at Walton County Retail Center

Chairman Jones called to order the first public hearing for the Musical or Entertainment Festivals Ordinance Amendment.

Chairman Jones stated a decision would be made in the land use portion of the meeting and asked for public comment.

There were no public comments.

Chairman Jones called to order the public hearing for a Resolution **(2008-65)** establishing Policy and Procedures for Naming or Dedicating County-Owned Facilities, Buildings, Parks and Other Properties.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve Resolution **(2008-65)** as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Leigh Moore, Scenic Corridor Association, requested that the donation of \$25,000 from the Howard Group be returned and the Scenic Corridor Association contract with a landscape architect to prepare the plans for the US 98 Beautification Grant Project. To meet the deadline of January 31, 2009, the Scenic Corridor Association would like to expedite the process of engaging a firm for landscape architectural services

by utilizing community funds currently earmarked for the project to directly enter into contract with a landscape architecture firm. She stated that the plan is needed to form the RFQ for the actual landscape installation contract.

Mr. Bell suggested discontinuing the RFQ that is currently in place.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve returning the \$25,000 to the Howard Group, the Scenic Corridor Association contract with a landscape architect, and discontinuing the current RFQ. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. J.B. Hillard requested approval of the Communities for a Lifetime (CFAL) Committee as a fact finder and advisor to the Board of County Commissioners. He briefly explained the purpose of the CFAL Committee. He stated the committee was formed to advance the Florida Department of Elder Affairs Program in Walton County and they need the CFAL Committee to be recognized as an official committee.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the CFAL Committee. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Ronnie Bell, County Administrator, presented from the Citizen Services Department, a request for approval and Chair's certification of the 2008 HUD PHA Plan.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the 2008 HUD PHA Plan and the Chair's certification. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a request for approval to apply for the Community Libraries in Caring Program Grant from the Florida Division Library and Information Services for the

amount of \$5,000. This grant is available to help improve reading skills in school age children.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve application for the Community Libraries in Caring Program Grant for the amount of \$5,000. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented from Human Resources, a second reading of the revision of BCC Personnel Policies and Procedures for Policy 18.5; Types of Disciplinary Actions. The revisions are to bring the policies in compliance with current policies, laws, and regulations to more define the process/procedures for administering disciplinary action to exempt employees.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the revisions of the BCC Personnel Policies and Procedures for Policy 18.5 Types of Disciplinary Actions. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested extending the present Blue Cross Blue Shield Employee Group Health Insurance Plan contract from ending effective 9/30/08 to ending effective 12/31/08 and in the future have the group health plan year be a calendar year as opposed to a fiscal year. He stated this would help in the Health Savings Account Plan (HSA) and additional plans of Blue Choice and Blue Options to have it effective for a calendar year instead of a fiscal year.

Commissioner Comander questioned how this plan would be different than the two plans that are currently available. Mr. Gary Mattison, Human Resource Director,

stated that this plan would be different because there would be a deductible up front and once the deductible is met then 100% of all medical expenses would be covered. This plan is defined as a calendar year by federal law.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve extending the present Blue Cross and Blue Shield Employee Group Health Insurance Plan contract from ending effective 9/30/08 to ending effective 12/31/08 and in the future have the group health plan year be a calendar year. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented a request for the Human Resources Director to work with employees desiring to retire utilizing the annual/sick leave program beyond the current 240 hours. Processing these employees for retirement with the leave program can provide a budgetary relief to the BCC.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve allowing the Human Resource Director to work with retiring employees to utilize the annual/sick leave program. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented from the Emergency Response Division, a request for approval of the new Impact Weather 2008 Annual Contract.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the new Impact Weather 2008 Annual Contract. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented from the Public Works Department, a request to award RFP 08-027 to the low bidder, Pro-Trainer, in the amount of \$93,380 for ten Recycling Trailers with Multi Compartments.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve awarding RFP 08-027 to the low bidder, Pro-Trainer, in the amount of \$93,380. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented from the Administration Department, a request for approval of Resolution **(2008-78)** to recognize the Forestry Community for their strong commitment to protect Florida's wetlands and water resources as requested by Jeff Doran, Executive Director for the Florida Forestry Association.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve Resolution **(2008-78)** as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented the draft Interlocal Agreement between Walton County and the City of Freeport for use of Recreation Facilities. He stated the county's responsibilities are to assist the City of Freeport by clearing and constructing three practice baseball fields on city owned property. The city's requirements are to provide the engineering plans, obtain all permits, show ownership of the property, and provide all labor and materials for the practice baseball fields. The city would provide the use of the Freeport Recreational Complex by Walton County Parks and Recreation and also provide maintenance to the fields. Mr. Bell stated that in the agreement there is a ten year term and a one year notification of termination.

Brief discussion continued regarding the construction of the fields, availability of the fields, who would determine field usage, and term length language.

The Board agreed for Attorney Henry to provide suggested language for the term length later on in the meeting.

Mr. Bell announced that the grand opening of the Mossy Head School is on Thursday, August 14, 2008 at 4:00 p.m. and wanted the Board to be aware of the date and time.

Mr. Bell stated that during the budget workshop on July 10, 2008 the Board discussed looking at a Cost of Living Adjustment (COLA) raise for this fiscal year. He stated that he asked Mr. Imfeld to gather this information and that Ms. Ingle had mentioned to him that the court budget has to be turned in to the state by August 20, 2008 and if it is decided to have a COLA raise then she would have to request a budget amendment from state. The COLA raise would be approximately 2% of the average non-exempt employee's salary which would equal \$700 per exempt and non-exempt employees.

Commissioner Brannon asked if the decision was time sensitive. Mr. Bell stated that it is not on the Board side, but Ms. Ingle has to present the court budget information to the state by August 20, 2008.

Brief discussion ensued regarding the funds available for the COLA raise.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the \$700 COLA raises for exempt and non-exempt employees.

Brief discussion continued regarding the millage in which the money would be returned to the tax payer and the anticipated roll over from the other budgets this fiscal year.

Commissioner Meadows briefly stepped out.

Ayes 4, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Pridgen Aye.

Mr. Sonny Mares, TDC Executive Director, requested approval of the low bidder, Floridian Construction, in the amount of \$57,300, for Bid 08-032 for a contractor for the TDC attic renovation into office space.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the low bidder, Floridian Construction, in the amount of \$57,300, for Bid 08-032. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested approval for the low bidder, Sunset Builders, in the amount of \$33,500, for Bid 08-031 for the TDC storage building.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the low bidder, Sunset Builders, in the amount of \$33,500, for Bid 08-031. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares presented a request from TDC for approval of Resolution **(2008-76)** to Florida Department of Environmental Protection, Division of State Lands for an easement for the location of an underground utility line for the new maintenance facility located on State Road 83. The maintenance facility will provide proper storage for county owned maintenance equipment and will enable the beach crew to respond more effectively after a storm. Mr. Mares also requested early signature so they can get started on the project.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve Resolution **(2008-76)** as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Henry, County Attorney, requested the Board direct the county attorney to attend the August 19, 2008 VAB Organizational Meeting as the VAB attorney to assist in the appointment of a new VAB attorney. He stated that on September 1, 2008 the VAB law will change and the county attorney will no longer be able to represent the VAB. However, the VAB cannot meet without an attorney and one is needed for the organizational meeting until an attorney is hired.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve attendance of the county attorney at the VAB Organizational Meeting on August 19, 2008. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Henry requested approval to initiate a lawsuit to recover the repair costs for damages to a county ambulance. On March 15, 2008, a vehicle owned by Ms. Tonie Bramlet and operated by Ms. Shanell Jackson collided with county ambulance "Medic 4." The accident caused over \$30,000 of damage and Progressive Insurance, Ms. Bramlet's insurance provider, is willing to pay the \$10,000 policy limit once Ms. Bramlet and Ms. Jackson are released by the county. Attorney Henry stated that the best way to collect the remaining balance of the damages exceeding \$10,000 would be to file a lawsuit and have a stipulated settlement agreement for Ms. Bramlet and Ms. Jackson to make payments to the county for the excess amount.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve initiating a lawsuit to recover the repair cost for damages to county ambulance “Medic 4”. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Henry requested approval to set and publish notice of a public hearing to consider adoption of a Use of Multi-Use Paths Ordinance.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve publishing notice for a public hearing on September 9, 2008 for a Use of Multi-Use Paths Ordinance. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested a possible renegotiation with Waste Management to change one of the days for trash pick-up in South Walton to Saturdays between the hours of 10 a.m. and 4 p.m. because that is the turn around time for guest checkout of most rentals in the area.

Commissioner Comander commented that the trash cans should be replaced properly after trash pick-up instead of the cans being thrown back into the bins.

Brief discussion ensued regarding the issues that would be identified: specific locations, specific times of the day, and specific times of the year.

Mr. Bell stated that a proposed contract could be brought back at the next meeting.

Commissioner Meadows suggested including Churchill Bayou, Chat Holley, and South Church in the 30A Scenic Corridor Guidelines. She stated that when these roads are developed in the future it would increase the property values in the area.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve bringing a draft Ordinance amendment regarding the 30A Scenic Corridor Guidelines to the meeting September 9, 2008 for public comment and direction from the Board. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Comander voiced opposition to dam the Little Choctawhatchee River. She expressed her concerns with the dam and stated a number of issues that could result. She stated that Geneva County passed a resolution opposing the dam and would like for Walton County to do the same.

Ms. Meg Nelson, River Watch Board, spoke in opposition of the dam and stated the river has degraded over time and this would set it back even further. She requested issuing a resolution opposing the Little Choctawhatchee River Dam and recommended contacting our congressman since it will require federal funding so congress can oppose it also.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve drafting a resolution opposing the Little Choctawhatchee River Dam. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Comander suggested having two more height limitation hearings in November so that everyone in the community would have a chance to give their comments. Ms. Blackshear questioned if the hearings would be county commission or staff hearings. Chairman Jones suggested staff hold the hearing and advertise that the commissioners are invited to attend.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve staff to hold two more height limitation hearings in November and advertise that the commissioners are invited to attend. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Comander suggested looking at all the fee schedules for construction for approximately the next six months in order to help the construction business.

Commissioner Pridgen had no items to present.

Commissioner Brannon had no items to present.

Chairman Jones had no items to present.

Chairman Jones referred back to the Interlocal Agreement between Walton County and the City of Freeport for use of recreation facilities. Mr. Bell read the suggested language from Attorney Henry to add “either party give the other written notice one year prior to the expiration of the ten year term, that it is a valid need to use the property for an alternative purpose, and therefore does not wish to renew this agreement” after “unless” in section 5.

Brief discussion continued regarding suggested language changes and the possibility of future relocation of the parks.

Mr. Bell stated that a draft Interlocal Agreement between Walton County and the City of Freeport for use of recreation facilities at the August 26, 2008 meeting.

Chairman Jones asked for additional public comments.

Mr. David Kramer spoke in favor of the possibility of including Chat Holley in the 30A Scenic Corridor Guidelines.

Ms. Ingle expressed her appreciation to the Public Works Department on their guidance in her recent visit to the landfill.

The meeting recessed briefly.

Ms. Meg Nelson expressed her appreciation to Chairman Jones for meeting with her on behalf of the Coastal Dune Lake Advisory Board to discuss some concerns with DEP. She asked the county attorney to look into the meeting with the DEP regarding the Oyster Lake situation and get back with her. Commissioner Comander stated that she had been working with our lobbyist and stated she was going to get back with her this week to let her know what is happening with Oyster Lake.

Ms. Nelson introduced the members of the Coastal Dune Lake Advisory Board to the Board and presented a Certificate of Appreciation for Mr. Cliff Knauer in honor and recognition of outstanding contribution, preservation, and restoration of Walton County Coastal Dune Lakes.

Commissioner Comander recognized Mr. Knauer for the work he has done for Walton County and announced that Ms. Nelson would be temporarily absent for a while and thanked her for her service as well. Commissioner Meadows questioned if Ms. Nelson would find someone to replace her in her temporary absence. Ms. Nelson stated that they would discuss a replacement at the next Coastal Dune Lakes meeting.

Mr. Earl Day expressed his appreciation to Mr. Knauer for his countless hours on the Advisory Board and the Board for all they have done for the county.

Ms. Blackshear presented the Festival/Special Event Amendment Ordinance for Chapter Four of the Walton County Code of Ordinances relating to music, entertainment, and other outdoor festivals. Commissioner Comander stated on page 2 of 3 under noise

ordinance that it should apply only to outdoor activities and make it county wide. She stated that the language in the Beach Activities Ordinance also needs to be reviewed. Commissioner Comander also stated on page 7 of 8, in the first paragraph the ‘s’ should be removed from “fees” and should state “the fee assessed by this”. She also stated that code enforcement should be responsible for overseeing this ordinance.

Chairman Jones asked for public comments.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve advertising a second public hearing on September 9, 2008 for the Festival/Special Event Amendment Ordinance. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented the Point Washington Height Limitation Ordinance **(2008-26)** amendment for section 5.08.00 of the Walton County Land Development Code. This area is home to a number of historic structures and the residents wish to restrict new construction to the same height as Eden Mansion, which is approximately 32 feet. Staff found the ordinance consistent with the Land Development Code and Comprehensive Plan.

Chairman Jones asked for public comment.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the Point Washington Height Limitation Ordinance **(2008-26)** amendment. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

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

Ms. Blackshear presented the Coastal Dunes Replat application submitted by Seaside Engineering, requesting approval for a replat of an approved 17 unit multi family development to reduce it to 13 townhomes on 1.89 acres with a future land use of Village Mixed Use. The site is located approximately 500 feet east of C.R. 393 on the south side of Penny Lane.

Chairman Jones asked for public comment.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the Coastal Dunes Replat application. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1)**

Ms. Blackshear presented SSA 2008-06 **(Ordinance 2008-27)**. Mr. Kramer requested a small scale amendment to change 0.72 +/- acres from residential preservation to infill, or any less dense or intense category. Mr. Kramer would like to locate a daycare facility within the existing structure on the property. Parcel number 32-2S-20-33010-004-0010 is located on the south side of C.R. 30A, across from Van R. Butler Elementary School. Staff found the proposed future land use change consistent with the Walton County Comprehensive Plan.

Chairman Jones asked for public comment.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve SSA 2008-06 (**Ordinance 2008-27**). Ayes 4, Nays 1. Jones Aye, Comander Aye, Brannon Aye, Meadows Nay, Pridgen Aye. (**Exhibits: Staff 1**)

Ms. Blackshear presented the Assisi Villas Phase I Plat. This is a preliminary plat application submitted by Mr. Darrell Barnhill, consisting of a 40 lot single-family subdivision on +/- 10.14 acres with a future land use of NPA/infill. The site is on the east side of Thompson Road, approximately 1,400 feet south of U.S. 98. Ms. Blackshear stated that Mr. Barnhill was able to meet the finish line. Commissioner Comander questioned if this would meet the attainable housing requirement. Ms. Blackshear stated that would be included in the next phase.

Chairman Jones asked for public comment.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the Assisi Villas Phase I Plat. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. (**Exhibits: Staff 1**)

Ms. Blackshear questioned if in the code amendment they could advertise to provide some discretionary language to address sidewalks for the smaller projects.

The Board agreed to include that language.

There being no further business, the meeting was adjourned at 5:30 p.m.

APPROVED _____
Larry Jones, Chair

ATTEST _____
Martha Ingle, Clerk of Court

August 12, 2008 - Regular Meeting
Prepared by: Tina Willis