

REGULAR MEETING – JULY 27, 2010

The Board of County Commissioners, Walton County, Florida, held a regular meeting on July 27, 2010, at 4:00 p.m., at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner Scott Brannon, Chair; Commissioner Larry Jones, Vice-Chair; Commissioner Kenneth Pridgen, Commissioner Cecilia Jones; and Commissioner Sara Comander. Mr. Lyle Seigler, County Administrator; Attorney Lynn Hoshihara, Interim County Attorney; and Ms. Martha Ingle, Clerk of Courts; were also present.

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

Mr. Lyle Seigler, County Administrator, submitted the following agenda additions and deletions:

1. Addition: Administration-Appointees to the Transportation Investment Committee
2. Addition: Administration-Administration Update
3. Addition: County Attorney-Request to set an Emergency Special Meeting and Executive Session
4. Deletion: Highway 331 Ribbon Cutting Ceremony
5. Deletion: Item 8 on the Consent Agenda

Commissioner L. Jones asked that a separate motion be made for the addition of the County Attorney's item. He stated that he is unable to vote on the issue due to conflicting interests. The Board concurred to have a separate motion.

Motion by Commissioner L. Jones, second by Commissioner Comander, to approve the agenda additions and deletions with the exception of the addition submitted by the County Attorney. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the agenda addition submitted by the County Attorney. Ayes 4, Nays 0. Brannon Aye, L. Jones Abstained, Pridgen Aye, C. Jones Aye, Comander Aye. (Voting Conflict Form: L. Jones)

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

1. Approve Expenditure Approval List (EAL)
2. Approve Minutes of July 12, 2010 – Special Meeting; July 12, 2010 – Regular Meeting; and July 15, 2010 – Budget Workshop
3. Approve a Resolution **(2010-63)** to amend the budget for unanticipated revenue for the Darlington Community Center Renovation Project in the amount of \$10,000.
4. Approve a Resolution **(2010-62)** to amend the budget to recognize the cost and reimbursements associated with completed roadwork projects covered by FEMA for the March 2009 storms in the amount of \$2,357,044.
5. Approve Clerk's surplus equipment request (CC#: 947)
6. Approve 2010 Florida Department of Environmental Protection Funding Resolution **(2010-61)** for Beach Nourishment.
7. Approve to extend current contract with Carr, Riggs and Ingram for one year
- ~~8. Approve a letter to be sent to the Northwest Florida Water Management District regarding Morrison Springs~~
9. Approve the US Department of Interior Joint Funding Agreement for continuing the hydrologic data collection on the Choctawhatchee River near Bruce and Shoal River near Mossy Head

Miss Kyla Wilkinson, Miss Walton County, introduced the youth ambassadors in attendance and stated they were all available for service to the community.

Mr. Ryan Douglass, Public Works, stated that letters had been received from Howell Assisted Living, Tri-County Community Council, Inc. and Walton County Emergency Response Division citing several roadway issues on Mountain Valley Road. He requested approval to perform a one-time emergency repair on the road consisting of roadway surface improvements not to exceed \$9,500.

Commissioner L. Jones stated that the request was justified and asked that the County Attorney render a legal opinion. Attorney Lynn Hoshihara, Interim County Attorney, stated that normally there is a prohibition from using public funds to maintain private roads; however this is a public safety issue and a one-time maintenance could be allowed.

Ms. Sue Rushing and Mr. Doug Nolin voiced concern for public safety and the inability of emergency vehicles to pass. They urged the Board to perform the one-time emergency repair.

Attorney Hoshihara asked if there was a proposed long term maintenance plan by the surrounding homeowners. Mr. Douglass was not aware of any plans. Chairman Brannon questioned what materials would be used for the repair. Mr. Douglass stated that two materials were being considered: lime rock and soil stabilization method. Commissioner L. Jones stated that he did not oppose the request for assistances, but there are legal parameters to be met.

Commissioner Comander asked if it would be necessary to recuse herself from the issue since the road was in her district. Attorney Hoshihara stated recusal was not necessary.

Discussion continue on the two materials to be considered.

Mr. Douglass stated that storm water issues would be addressed and corrected.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the one-time emergency repair on Mountain Valley Road. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Attorney Hoshihara stated that Right-of-Entry agreements would be required prior to improvements being made.

Mr. Douglass stated that a NRCS Grant had been secured for Long Road and 8 Mile Cemetery Road. NRCS has tentatively agreed to an extension of the grant if the project is bid out

and underway before the grant ending date. He requested to waive the standard 30 day advertisement requirement and authorize a seven day advertisement period.

Motion by Commissioner Pridgen, second by Commissioner Comander, to waive the standard 30 day advertisement requirement and authorize a seven day advertisement period for the Long Road and 8 Mile Cemetery Project. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Douglass gave a brief history of the waste water treatment plant on Green Acres Road (Lucky 13 Truck Stop). The current owner has been unwilling to work with staff in transferring the FDEP permit (FLA0167698) into their ownership. He requested to draft necessary documents to transfer the permit to the new owners or, in the case of refusal, submit a permit termination letter to FDEP terminating the permit.

Motion by Commissioner L. Jones, second by Commissioner Comander, to abandon the permit (FLA 0167698) for the Green Acres Road Waste Water Treatment Plant should a transfer agreement not be reached by August 30, 2010. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Christy Johnson, West Florida Regional Planning Council, discussed the Rural Work Program. She stated that there were four major resurfacing projects to be submitted to FDOT and briefly described each project. She reported that the Paxton City Council had submitted road concerns for the County to consider. She requested Board review and approval of the project list and Paxton City Council's comments for submission to FDOT.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the FDOT Projects list and Paxton City Council's comments as presented for submission to FDOT. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Melissa Pilcher, Regional Utilities President, reported that Well Site #11 had been abandoned and the Regional Utilities Board of Directors has approved its sale to Mr. Kenneth Scoggins, as highest bidder, in the amount of \$25,200 contingent upon BCC approval.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the sale of Well Site #11 to Mr. Kenneth Scoggins, as highest bidder, in the amount of \$25,200. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Lyle Seigler, County Administrator, presented the Preliminary Rate Resolution (2010-58) for the Annual Fire Rescue Services Assessment Project. He recommended approval.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the Preliminary Rate Resolution 2010-58 for the Annual Fire Rescue Services Assessment Project. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler requested that the Board present their appointee recommendations to the Transportation Investment Committee. Commissioner C. Jones appointed Mr. Tom Stine, Commissioner Pridgen appointed Mr. Butch Lawrence, Commissioner Comander appointed Mr. Frank Anderson, and Chairman Brannon appointed Mr. Chance Powell. Commissioner L. Jones stated that he had also wanted to appoint Mr. Anderson and would present a second recommendation at the next Board meeting. Also appointed to the committee are Mr. Starskey Harrell, Interim Public Works Director, and Mr. Lyle Seigler, County Administrator.

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

Commissioner C. Jones asked that the committee meet at her office on August 12, 2010 at 10:00 to appoint a committee chairperson and take public comments on possible projects.

Mr. Seigler gave an administrative update. He reported that Mr. Gary Mattison, Special Assistant to the County Administrator, and Ms. Shirl Williams, Assistant County Administrator, are both retiring by the end of 2010. He stated that the two vacant positions will be combined into a single position. He submitted the Assistant County Administrator job description and requested approval to post this position. He reported that there will be no increase in the Administration Department's budget or FTE's. Commissioner L. Jones stated that the position is critical to county operations. He suggested a committee be formed to review the applications. He suggested the following individuals to serve on the review committee: Mr. Seigler, Ms. Dawn Moliterno, Tourist Development Executive Director, Mr. Mattison, Mr. Ronnie Bell and an individual who is not affiliated with Walton County government. Chairman Brannon questioned if the request was an approval to advertise. Mr. Seigler stated that this was just for information purposes but the Board could chose to vote on the immediate need and the job description. Commissioner Comander asked if a job description had been voted on before. Attorney Hoshihara stated that there is no requirement to vote on job descriptions. Commissioner Comander felt that more time was needed to consider the individuals to serve on the committee. Mr. Seigler stated that he would be glad to meet with the Commissioners individually to discuss the interview panel. Commissioner Pridgen felt that a vote was not necessary to accept a job description due to any changes having to be brought back for approval. Commissioner L. Jones felt that if the job description was voted on then changes could not be made. Attorney Hoshihara stated that the County Administrator and Human Resource Director have the authority to create and amend job descriptions. A vote would require that future amendments to that job description would have to come before the Board. Chairman Brannon felt that this job description deserved

special attention. Mr. Seigler stated that the assessment of the county operations is a continual process and he felt that this job description is a much needed approach.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to move forward with the advertising of the Assistant County Administrator position with the job description as presented; and create a five member review panel with the four individuals presented and the fifth member being appointed by said individuals and not affiliated with the county. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Commissioner C. Jones and Mr. Seigler voiced their appreciation to both Ms. Williams and Mr. Mattison for the all the time and effort they have invested in the county.

Commissioner Comander asked that the top three recommendations be brought to the Board for final approval. Chairman Brannon asked that Mr. Seigler keep the Board abreast of the interview process.

Chairman Brannon called to order the Public Hearing to adopt a resolution **(2010-60)** amending the budget by \$40,000 from the Section 8 HUD Fund Reserves for Fiscal Year 2009-2010.

Motion by Commissioner Pridgen, second by Commissioner Comander to adopt **Resolution 2010-60** amending the budget by \$40,000 from the Section 8 HUD Fund Reserves for Fiscal Year 2009-2010. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Attorney Hoshihara requested that an emergency meeting be scheduled to discuss Solid Waste Services and to hold an Executive Session to discuss the Dayco litigation. She recommended that meeting be scheduled for Friday, July 30, 2010 at 2:00 p.m. at the DeFuniak Springs Courthouse.

Motion by Commissioner Comander, second by Commissioner Pridgen, to schedule an Emergency Special Meeting for July 30, 2010 at 2:00 p.m. Ayes 4, Nays 0. Brannon Aye, L. Jones Abstained, Pridgen Aye, C. Jones Aye, Comander Aye. (Voting Conflict Form: L. Jones)

Commissioner C. Jones discussed the Driving on the Beach Ordinance (2010-01) and gave an update of the number of permits issued since its adoption. She felt that the issue needed to be revisited and consideration made to make additional permits available. Mr. Seigler suggested that Ms. Lisa Henderson, Tax Collector's Office, Attorney Hoshihara and an Administrative staff member meet to bring a recommendation to the Board. Commissioner C. Jones suggested that each Commissioner submit their opinions on what they feel are needed. Commissioner Comander asked when the trial period ended. Commissioner C. Jones stated August 1, 2010.

Motion by Commissioner C. Jones, second by Commissioner Comander to revisit the Beach Driving Permit issue, and consider recommendations made by the Tax Collector and County staff. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Commissioner Comander gave an update on the "Walton County Down the Road" visioning process. Mr. Tom Tomerlin, North West Florida State College, submitted an outline of the Walton County's strategic vision and discussed the priorities and objectives for the county. Commissioner Comander would like the Commissioners, and other City and County leaders to review the outline presented. Mr. Tomerlin discussed the objectives that people feel are most important. Commissioner Comander stated that this will be brought back at the next meeting.

Commissioners Pridgen, L. Jones and Chairman Brannon had no items to present.

Mr. Ralph Mills, Waste Pro Regional Vice-President, discussed Waste Pro's bid submission for solid waste services and stated that his company would be able to mobilize within 15 days.

There being no further items to present, the meeting recessed at 4:54 p.m. and reconvened at 5:13 p.m.

Mr. Demers reported that Alys Beach Phase II-A Caliza Courts Plat applicant has requested this item be continued to August 10, 2010.

Motion by Commissioner L. Jones, second by Commissioner Comander, to continue Caliza Courts to August 10, 2010. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye. (Exhibits: Staff Report 1; Memorandum to Continue 2)

Ms. Jennifer Christensen, Planning and Development Services Director, presented the Transportation Map Series EAR Revisions for first public hearing.

- A. Concurrency Management System Roadways Number of Lanes Map
- B. Concurrency Management System Roadways Peak PM Direction Map
- C. Concurrency Management System Roadways Level of Service Map
- D. Existing Evacuation Transportation Map
- E. Future Evacuation Transportation Map
- F. Existing Roadway Functional Classification Map
- G. Future Roadway Functional Classification Map
- H. Existing Transit & Pedestrian Facilities Map (South Area)
- I. Future Transit & Pedestrian Facilities Map (South Area)
- J. Existing & Future Intermodal Transportation Map (Air, Rail, Waterway, Ports)
- K. Long Range Concurrency Management Corridors Map

Mr. David Kramer asked that the Board be diligent in reviewing the map series as these will affect future funding and projects.

Motion by Commissioner Pridgen, second by Commissioner Comander, to move to second public hearing the Transportation Map Series EAR Revisions. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Christensen presented the Comprehensive Plan Map Series EAR Revisions for first public hearing.

- A. Coastal High Hazard Map
- B. Energy Conservation Area Map
- C. Hurricane Evacuation Zones Map
- D. Change in County Boundary Map
- E. Hurricane Storm Surge Map
- F. Road Maintenance Responsibility Map

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to move to second public hearing the Comprehensive Plan Map Series EAR Revisions. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Demers reviewed the EAR Based Amendments-Comprehensive Plan Glossary. Many revisions have been made based on public comment. He submitted and discussed the two public comments made since the last Planning Commission meeting. He also submitted the alternate definition for compatibility that was created by Staff.

Ms. Valerie Hubbard, Couch USA Ready Mix Representative, voiced concern with the definitions for environmentally sensitive lands and non-conforming use.

Mr. Demers addressed Ms. Hubbard's concerns. He stated that the language for environmentally sensitive lands and nonconforming use could be adjusted before the second reading.

Ms. Eileen West asked for clarification on the Extraction Policy. Mr. Demers stated that the Board concurred to allow extraction in industrial uses. A major development order would be needed to change the use to landfill.

Mr. Kramer felt that several of the terms needed clarification or better definition. He discussed those definitions and suggested changes for each.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to move to second hearing the EAR Based Amendments-Comprehensive Plan Glossary. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Demers stated that staff would meet with Mr. Kramer to address his suggestions.

Mr. Demers presented for final review the Standards for New Mines Ordinance (2010-14). An ordinance amending Section 11.06.04 and adding Section 5.11.00 to the Walton County LDC, establishing the definition of new mining operations and establishing the development standards for land alteration practices of new mines/pits. He stated that language has been added as result of public comments. He reported that typographical errors existed in the draft copy but will be corrected in the final signature copy.

There was no public comment

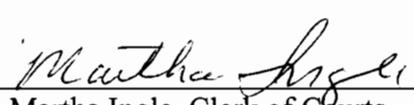
Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt the Standards for New Mines Ordinance 2010-14 with changes as presented. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

There being no further items to discuss, the meeting adjourned at 6:00 p.m.

APPROVED


Scott Brannon, Chair

ATTEST


Martha Ingle, Clerk of Courts