

DECEMBER 14, 2010 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on December 14, 2010 at 4:00 p.m., at the Walton County Courthouse Annex in Santa Rosa Beach, 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; and Attorney Lynn Hoshihara, County Attorney, were also present.

Chairman Brannon called the meeting to order. Commissioner C. 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 agenda additions and deletions as follows. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

1. Addition: Consent Agenda-12. Use District 1 Recreational Plat Fees in the amount of \$8,000 for Bayloop Bridge and \$14,000 for Red Bay Community Project
2. Addition: Consent Agenda-13 Approval for the Emergency Response Division to trade-in or sell a rescue truck to reduce the financing cost to purchase a new ambulance which was budgeted in last year's budget
3. Addition: Consent Agenda-14 Approve the Mosquito Control Services Agreement as recommended by the Office of the County Attorney
4. Deletion: Human Resources 2C-Revision and update of Policy 5, Conditions of Employment (first reading)
5. Deletion: Public Works 3E-Property exchange of adjacent lots with Igloo Industries on Adams Road

Mr. Lyle Seigler, County Administrator, stated that there was one deletion item that needed to be voted on separately. Commissioner L. Jones abstained from voting on this item.

Commissioner C. Jones stated that she also had an addition.

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

1. Deletion: County Attorney-Solid Waste Franchise Agreements
2. Addition: Commissioner C. Jones-parking ordinance

Motion by Commissioner Pridgen, second by Commissioner C. Jones, 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)

General Fund	\$1,162,399.95
County Transportation	\$1,593,139.41
SHIP	\$ 10.00
Fine & Forfeiture	\$1,386,643.00
Section 8 Housing	\$ 1,792.07
Tourist Dev. Council	\$ 511,578.48
N.W. Mosquito Control	\$ 1,244.76
W. Co. Library	\$ 8,361.40
Recreation Plat Fee	\$ 23,787.53
Solid Waste Enterprise	\$ 485,253.27
Bldg Dept/Enterp. Fund	\$ 1,449.69
Imperial Lakes MSBU	\$ 2,583.84
Inmate Canteen Fund	\$ 17,297.20
Totals	\$5,195,540.60

2. Approve Minutes of November 23, 2010 – Regular Meeting
3. Approve to surplus four filing cabinets and one compartment form organizer from the Tax Collectors Office
4. Approve a PSAP Back-up System for E911 to be transferred to the Sheriff's Department
5. Approve a Resolution **(2010-104)** to amend the budget to roll forward \$671,000 of revenues and expenditures for the Chat Holley Intersection Project
6. Approve to surplus two laptops BCC 5234 and BCC 4614 from the Tourist Development Council
7. Approve to surplus two computer towers BCC 5545 and BCC 5546 as requested by District 2
8. Approve surplus equipment request from the Clerk's Office (CC 1124 and 1225)
9. Approve a Budget Amendment Transfer Request from the Tourist Development Council in the amount of \$290,000

10. Approve Contract WS503 between the Department of Corrections and Walton County
11. Approve to Surplus old computers from Public Works
12. Use District 1 Recreational Plat Fees in the amount of \$8,000 for Bayloop Bridge and \$14,000 for Red Bay Community Project
13. Approval for the Emergency Response Division to trade-in or sell a rescue truck to reduce the financing cost to purchase a new ambulance which was budgeted in last year's budget
14. Approve the Mosquito Control Services Agreement as recommended by the Office of County Attorney

Mr. Tom Conley, Florida League of Cities (the County's property and auto insurance carrier), presented a refund check in the amount of \$148,492. This refund is due to the low occurrence of property losses during the past year.

Mr. Seigler requested that the resolution in support of a United Recovery Plan for the Northwest Florida Panhandle Area be tabled until the January 11, 2010 meeting.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to table the United Recovery Plan Resolution until the January 11, 2011 meeting. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Kelly Anderson stated that BP should continue to be held accountable for the clean-up process and reported that tar balls are still washing up. Ms. Dawn Moliterno, TDC Executive Director, stated that the clean-up continues and that BP workers were still available. She also said that a detailed report was provided online that shows how the clean-up is progressing.

Mr. Ken Little, Citizen Services Director, requested that a Commissioner be appointed to the Tri-County Community Council Board of Directors per requirement of the Department of Community Affairs.

Motion by Commissioner L. Jones, second by Commissioner Comander, to reappoint Commissioner Kenneth Pridgen to the Tri-County Community Council Board of Directors. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Little stated that the committee formed to interview candidates for the County Extension Director's position had completed their interview process and recommended that Mr. Mike Goodchild be appointed as the director.

Motion by Commissioner C. Jones, second by Commissioner Comander, to appoint Mr. Mike Goodchild as County Extension Director. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Goodchild expressed his gratitude for the appointment. Mr. Little stated that the position for an Agricultural Agent will be advertised and handled by the University of Florida.

Mr. Brady Bearden, Human Resources, presented for first reading the revisions of Personnel Policy 1: Annual Leave, and Policy 16: Sick Leave-Not Job Related. He recommended removal of the mandatory requirement to take 40 hours consecutive annual leave each year. He stated that there were a lot of changes to Policy 16 that should be reviewed.

Commissioner L. Jones voiced concern with the additions and deletions in Policy 11.5: Payment for Unused Annual Leave and stated that he preferred the original language.

Mr. Bearden presented the Walton County Emergency Service Professionals Union Contract for approval and Chair signature. He recommended approval.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to approve the Walton County Emergency Service Professionals Union Contract. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Bearden recommended that Crowne Group be awarded RFP 010-038: Health Insurance Consultant in the amount of \$60,000 annual fee and \$20,000 web based administration. Mr. Bearden stated that the consultants would be an unbiased source to advise the

insurance committee. Major Bill Chapman, Walton County Sheriff's Office, discussed the formation of the insurance committee and the choice to use a consultant group.

Motion by Commissioner Pridgen, second by Commissioner Comander, to award RFP 010-038 to Crowne Group in the amount of \$60,000 annual fee and \$20,000 web based administration. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Starskey Harrell, Public Works Director, requested to place approximately 6.75 acres of the county's bunker parcel into a perpetual conservation easement as a part of the Chat Holley Road Improvements project.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to place approximately 6.75 acres of the county's bunker parcel into a conservation easement. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler stated that in the past there had been questions regarding the DEP and the Army Corp of Engineers joint jurisdictional wetlands. He asked if the properties related to the Chat Holley Road Improvements are part of these lands. Mr. Billy McKee, Environmental Engineer, stated that the DEP permit has been received and they are now waiting on the Corp permit. There are joint wetlands there and the property has to be put into a conservation easement with DEP.

Mr. Harrell requested to award ITB 011-001: Violet Lane and Trout Road Improvements to Redfish Marine as low bidder in the amount of \$392,621.50.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to award ITB 011-001-Violet Lane and Trout Road Improvements to Redfish Marine as low bidder in the amount

of \$392,621.50. Ayes 4, Nays 1. Brannon Nay, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Harrell presented the Dirt to Pave/Reconstruction-In House paving list for fiscal year 2010-2011. He recommended approval.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the paving list for fiscal year 2010-2011. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Harrell requested to award ITB 010-035: Paxton Water System Upgrades to Marshall Brothers as low bidder in the amount of \$566,694.90.

Motion by Commissioner Pridgen, second by Commissioner Comander, to award ITB 010-035-Paxton Water System Upgrades to Marshall Brothers as low bidder in the amount of \$566,694.90. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Wes Wyrick discussed the drainage problems which are occurring in the Holiday Shores development and the processes he has followed to rectify the situation.

Mr. Allen Brown, Public Works, stated that when he contacted DEP he was told that the as-built certification had not been completed. He reported that a municipal type sewer system had been installed approximately 15 years ago, but some of the properties did not connect to the system. He reported that DEP performed a preliminary site inspection, found the site compliant and therefore declined a second inspection. State statute does not allow septic tank repair permits when municipal sewer systems are available.

Mr. Cliff Knauer, Preble Rish, stated that the Holiday Shores area has a very high season-high groundwater table and contended that older septic systems would not meet current

standards. He reported that the certification for the storm water system was surveyed only within the County's right-of-way improvements. Mr. Knauer stated that he had inspected the pond and felt that it does not affect Mr. Wyrick's septic system. Commissioner L. Jones stated that a newer system had been permitted and constructed in that area due to flooding on Mariner Drive. Mr. Knauer stated that the permitting of the pond was kept to the original design and that culverts were also constructed to carry larger amounts of drainage. Also incorporated was a future Phase II of the project.

Mr. Wyrick stated that the setback of the pond does not adhere to county requirements. Mr. Knauer stated that it did comply and addressed those requirements. Discussion ensued on the differences between wet and dry retention ponds and setbacks for each.

Mr. Knauer discussed Phase II and the areas it would affect.

Commissioner Comander questioned why the residents were not utilizing the public sewer system. Mr. Wyrick stated that the people were told that a tap was not required. Commissioner Comander asked if the Health Department had been contacted to review the septic system. Mr. Wyrick stated that he had. He feels that the problem is with the retention pond and water seeping up through the ground. Discussion continued on the effects of the drainage and flooding. Commissioner C. Jones voiced concern that this should be a Health Department issue considering the numerous septic tank problems.

Commissioner Comander questioned the cost of tapping into the municipal sewer system. Mr. Wyrick stated that could cost between \$2,000 and \$3,000. More discussion continued on the drainage system.

Chairman Brannon instructed Mr. Knauer, Mr. Brown and Public Works to compile information regarding the drainage claims, Phase II design, and State Statutes dealing with failing septic tanks and present it to the Board.

Mr. Billy McKee, Environmental Engineer, presented an update on the Habitat Conservation Plan Workshops. He requested to advertise a Public Hearing to be held on January 11, 2011 for approval and submittal of the HCP document for review to the Fish and Wildlife Service with the changes recommended during the workshops and public hearings.

Motion by Commissioner Comander, second by Commissioner Pridgen, to advertise a Public Hearing for January 11, 2010 for approval and submittal of the HCP to Fish and Wildlife Services for review. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. McKee announced that a Legislative meeting would be held on December 15, 2010 at the South Walton Annex. He reported that seawalls would be discussed at the meeting.

Mr. Seigler requested that the December 28, 2010 regular board meeting be cancelled due to the Christmas holidays. He requested that a special meeting be held on December 20, 2010 at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs to approve the Expenditure Approval List (EAL).

Motion by Commissioner C. Jones, second by Commissioner Comander, to cancel the December 28, 2010 regular meeting and hold a special meeting on December 20, 2010 at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Scarlett Phaneuf, Walton County Economic Development Alliance Managing Director, gave a brief update on the organization and its current projects.

Commissioner Pridgen exited the meeting.

Ms. Dawn Moliterno, Tourist Development Council Executive Director, requested that the contract with Loeffler Associates, Inc. (LKM) be amended to include the development and provision of a Strategic Content Plan in the amount of \$250,000.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to approve the amendment to the Loeffler Associates, Inc. (LKM) contract as presented in the amount of \$250,000. Ayes 4, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Commissioner Pridgen returned to the meeting.

Ms. Moliterno stated that annually the TDC offers co-op opportunities to leverage and extend the TDC media plan with its partners. The strategic plan calls for a review and modification based on the ad agencies requested approval. She discussed the details of the plan and requested approval.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to approve the TDC co-op plan. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Attorney Lynn Hoshihara, County Attorney, presented for approval and execution a corrective warranty deed for the Edmonds Outfall. The original deed contains an incorrect legal description.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve and execute a corrective warranty deed for the Edmonds Outfall. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Chairman Brannon called to order the Public Hearing to consider the resolution **(2010-105)** electing to use the uniform method of collecting non-Ad Valorem special assessments for capital infrastructure, dam improvements and roadway improvements.

There was no public comment.

Motion by Commissioner Comander, second by Commissioner C. Jones, to adopt **Resolution 2010-105** electing to use the uniform method of collecting non-Ad Valorem special assessments for capital infrastructure, dam improvements and roadway improvements. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Chairman Brannon called to order the public hearing to consider an ordinance setting forth the County Administrator's roles and responsibilities.

Attorney Hoshihara briefly discussed the ordinance and proposed changes.

Chairman Brannon asked that the ordinance be continued to give the Board time to review the new changes.

Commissioner C. Jones addressed section 4A(7) and made suggestions regarding pay scales and starting pay. She felt that employment advertising and pay plan should also be addressed.

Commissioner L. Jones asked that autonomy be returned to the document. Commissioner C. Jones felt that the deletion of the word autonomy was more reflective of an effort to consult with department and division heads. Discussion continued on the accountability of the County Administrator.

Motion by Commissioner Comander, second by Commissioner C. Jones, to continue the County Administrator Ordinance to January 11, 2011. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Chairman Brannon called to order the public hearing to consider amending Ordinance 2010-01 (Driving on the Beach), Section 22-57.

Ms. Linda Moseley spoke regarding the issuance of permits. She felt that the elderly and those with special needs should not be restricted from driving on the beach; for some this is the only means of enjoying the area.

Attorney Hoshihara briefly summarized the proposed changes.

Commissioner Comander felt that there were still a lot of unanswered questions and discussed areas that needed clarification.

Discussion ensued regarding the issuance of permits to the disabled and military.

Ms. Sylvia Rushing, Walton County Tax Collector's Office, questioned when the permits would expire and whether applicants applying after June 1 for one of the additional 150 permits would be eligible for renewal the following year. Attorney Hoshihara stated that the expiration date would be June 1 and that the applicants must reapply. Ms. Rushing also stated that the Tax Collector had requested that only their fee be increased not the total amount of the permit. She asked that ample preparation time be given to the Tax Collector's office once the ordinance is adopted. Attorney Hoshihara stated that January 3, 2011 is the provisional date set to activate the 150 additional permits. She also stated that the ordinance, if adopted, would not be effective until it has been received by the Secretary of State. Commissioner Comander felt that a longer period of time would be needed for preparation and advertisement. Mr. Gerry Demers, Assistant County Administrator, felt that an effective date of January 3, 2011 would give sufficient time for preparation and advertisement.

Commissioner L. Jones expressed concern with issuing the permits so quickly and suggested implementing a lottery type system be used to issue the additional 150 permits.

Commissioner C. Jones stated that she had spoken with the sheriff's office and was told that 1,000 total permits would be an acceptable amount for driving on the beach. She felt that the additional 150 permits would not put the total over the 1,000 and that it would be a safe and fair amount to make available.

Many comments and suggestions were made by the citizens attending the meeting. Some expressed concern that there was a reduction in permits due to no habitable structures on individual properties, and others felt that grandfathered permits should be allowed an additional year to be renewed. Suggestions included allowing only handicapped/elderly permits, weekday/weekend permits, temporary permits for loading and unloading boating equipment, and expiration notification sent to permit holders. After much discussion on handicapped accessibility, it was determined that with proper disability documentation a permit could be obtained for the disabled at no charge.

Commissioner Pridgen felt that there were still too many unanswered questions and that the hearing should be continued.

Chairman Brannon stepped down as Chair and Vice Chairman L. Jones assumed the position as Chair.

Motion by Commissioner Pridgen, second by Commissioner Brannon to continue the Public Hearing to January 11, 2011.

Commissioner Comander felt that continuing the issue to January 11 would not give sufficient time to address all of the questions, clean up the ordinance and work with the Tax Collector.

Motion Amended by Commissioner Pridgen, second by Commissioner Comander, to continue the Public Hearing to February 8, 2011. Ayes 4, Nays 1. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Nay, Comander Aye.

Chairman Brannon resumed the position as Chair.

Commissioner C. Jones requested to place on the January 11, 2011 agenda discussion to consider amending the current parking ordinance (**2003-15**). She reported that the ordinance and signage do not match which is causing enforcement difficulties. Attorney Hoshihara asked if a draft ordinance would be needed for the January 11th meeting. Chairman Brannon stated that the existing ordinance would be sufficient.

Motion by Commissioner C. Jones, second by Commissioner Comander, to discuss amending the Parking Ordinance and consider whether a public hearing should be set. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

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

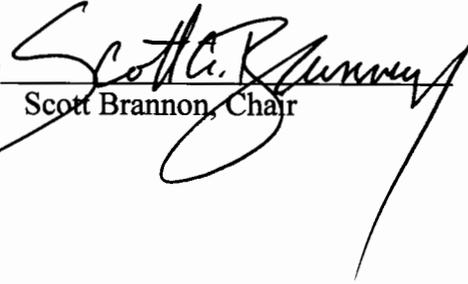
Commissioner Brannon requested that application be made for a grant through the Department of Interior Rivers, Trails and Conservation Assistance Program. He stated that possible projects would be boat landing development and canoe trails.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to apply for a Rivers, Trails and Conservation Assistance Grant. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

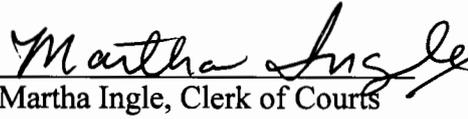
Ms. Mary Neilson reported that the wedding house litigation had been settled in favor of Walton County and thanked everyone involved in resolving the situation.

There being no further items to present, the meeting adjourned at 6:30 p.m.

APPROVED


Scott Brannon, Chair

ATTEST


Martha Ingle, Clerk of Courts