

MARCH 8, 2011 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on March 8, 2011 at 4:00 p.m., at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

The following Board members were present: Commissioner Larry Jones, Chair; Commissioner Kenneth Pridgen; and Commissioner C. Jones. Mr. Gerry Demers, Acting County Administrator; Attorney Lynn Hoshihara, County Attorney; and Ms. Martha Ingle, Clerk of Courts; were also present.

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

Commissioners Brannon and Comander were not in attendance due to the NACo Conference in Washington, D.C.

There were no agenda additions or deletions.

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 387,862.19
County Transportation	\$ 623,825.40
Fine & Forfeiture	\$ 1,374,643.00
Mosq. Control State	\$ 131.22
Section 8 Housing	\$ 532.42
Tourist Dev. Council	\$ 67,422.65
N.W. Mosquito Control	\$ 1,105.71
W. Co. Library	\$ 5,761.66
Recreation Plat Fee	\$ 20,724.49
Solid Waste Enterprise	\$ 497,896.87
Bldg Dept/Enterp. Fund	\$ 447.74
Imperial Lakes MSBU	\$ 2,000.00
Inmate Canteen Fund	\$ 9,662.57
Daughette Subdivision	\$ 1,250.00
Totals	\$ 2,993,265.92

2. Approve Minutes of February 22, 2011-Special Meeting, and February 22, 2011-Regular Meeting
3. Approve a **Resolution (2011-16)** to amend the budget for the Lupin Beach Access Project in the TDC Fund for the amount of \$160,125
4. Approve a **Resolution (2011-17)** to amend the budget for the Sheriff's Fund in the amount of \$191,961
5. Approve to surplus a computer from the Public Works District 4 Office
6. Approve to surplus BCC 3287, computer from the Tourist Development Council
7. Approve the Internal Audit Report on the Department of Corrections Inmate Welfare Program
8. Approve the Interlocal Agreement with the City of DeFuniak Springs for fire protection services

Ms. Michelle Flaherty, The Early Learning Coalition of Okaloosa and Walton Counties, requested the adoption of a resolution **(2011-18)** declaring April 3, 2011 as Parents and Children's Day and April 4, 2011 as Children's Day.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to adoption **Resolution 2011-18** declaring April 3, 2011 as Parents and Children's Day and April 4, 2011 as Children's Day. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bill Bard, Friends of the Walton County Animal Shelter President, stated that the "Friends" were able to provide funding to purchase a new surgical table for the Walton County Animal Shelter. Ms. Lois Marlowe, Walton County Animal Shelter, expressed her gratitude to the "Friends" for their generous donation.

Ms. Carlene Anderson, Superintendent of Schools, requested approval of a resolution **(2011-19)** calling for a Special Election on May 17, 2011 to continue the ½ mill for operating purposes. Ms. Anderson stated that the ½ mill would bring in approximately \$5 million.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to adopt **Resolution 2011-19** calling for a Special Election on May 17, 2011 to continue the ½ mill for School Board operating purposes. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Ken Little, Citizens Services Director, presented the following board and committee appointments for approval.

1. Reappointment of Mr. Robert Andrews and Mr. Gary Billingsley to the Competency Board
2. Appointment of Ms. Maria Whitehurst to the Competency Board (She will be replacing Mr. Roy McLeod.)
3. Appointment of Mr. Charlie Reichman to the Coastal Dune Lake Advisory Board (He will be replacing Mr. Earl Day.)

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the appointments as presented. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Stan Sunday, Walton County Department of Corrections, presented for approval the Policy and Procedure Update for the Walton County Department of Corrections.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the Walton County Department of Corrections Policy and Procedures Update. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Sunday presented for approval the Inmate Handbook Updates for the Walton County Department of Corrections. He stated that the handbook would be a stand alone document with the updates to the Policies and Procedures incorporated therein.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve the Walton County Department of Corrections Inmate Handbook Update as presented. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Starskey Harrell, Public Works, presented for adoption a resolution **(2011-20)** designating Walton County's 15 Coastal Dune Lakes as "globally rare and imperiled."

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to adopt **Resolution (2011-20)** designating Walton County's 15 Coastal Dune Lakes as "globally rare and imperiled." Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell presented for approval a right-of-way agreement with 5 Moore properties, LLC to place landscaping in the county right-of-way located in front of 723 Whiskey Bravo. Staff recommended approval.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve the right-of-way agreement with 5 Moore Properties, LLC. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell gave an update on the Coastal Dune Lake berm removal bids. Bid information will be presented for award at the March 22, 2011 meeting.

Mr. Gerry Demers, Acting County Administrator, discussed the Red Bay Fire Department building. He reported that the site work contract with H & T Contractors had not been entered into and that funding for that contract is beyond the budget for the project. He stated that Public Works would be able to perform the work at less than half the cost of the original contract. He requested Board's direction whether to allow Public Works to complete the project thereby rescinding the approval of the original contract or to instruct staff to locate the funding to continue with the original contract. Chairman L. Jones felt that utilizing in-house workers would be more cost efficient.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to rescind the prior approval of the original contract. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Demers requested to begin negotiations for renewal of the Interlocal Agreement with the South Walton Fire District to provide EMS transport services for an additional five year term.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to begin negotiations with the South Walton Fire District to provide EMS transport services. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Demers stated that interviews were held for the Planning Director position and reported that the top applicant was Mr. Wayne Dice.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to confirm the selection of Mr. Wayne Dice as Planning Director.

Chairman L. Jones felt that the position of County Administrator should be filled prior to the appointment of the Planning Director.

Ayes 2, Nays 1. L. Jones Nay, Pridgen Aye, C. Jones Aye.

Ms. Dawn Moliterno, Tourist Development Council Executive Director, requested that a chairperson be appointed to the TDC Advisory Council.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to appoint Commissioner Brannon as TDC Advisory Council Chairperson. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Chief Rick Talbert, South Walton Fire Department, and Mr. Gary Wise, Beach Safety Director, presented the 2011 Beach Safety Program in partnership with the South Walton Fire District and Walton County TDC.

Ms. Moliterno gave an update on the TDC activities.

Attorney Lynn Hoshihara, County Attorney, requested a Public Hearing be held March 22, 2011 to amend the Driving on the Beach Ordinance (2011-02) and the Dogs on the Beach Ordinance (2009-14) as they relate to the issuing authority.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to schedule a Public Hearing for March 22, 2011 to amend Ordinances 2011-02 and 2009-14. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

Chairman L. Jones called to order the Public Hearing to consider a resolution **(2011-21)** to amend the budget for the Red Bay Fire Department Project in the amount of \$88,000, and to

consider a resolution **(2011-22)** to amend the budget for the Automation Fund per the Sheriff's Office in the amount of \$41,250.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to adopt **Resolution 2011-21** amending the budget for the Red Bay Fire Department in the amount of \$88,000 and **Resolution 2011-22** amending the budget for the Automation Fund per the Sheriff's Office in the amount of \$41,250. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

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

Mr. Cliff Knauer, Preble Rish, commented on the Red Bay Fire Department Building and the berm removal. He reported that there should be no problems receiving fill for the Red Bay building site and that the sand from the berm removal will be utilized at Grayton State Park and Topsail State Park.

Ms. Jackie Merkel voiced concern that public input is not taken into consideration when addressing specific issues.

There being no further items to discuss, the meeting recessed at 4:37 pm and reconvened at 5:00 pm.

Mr. Demers recognized the Planning Department staff and their hard work in preparing the EAR Amendments.

Ms. Jennifer Christensen, Planning and Development, discussed the Small Scale Amendments. She requested permission to advertise for the 2011 Small Scale Amendments to the Walton County Future Land Use Map. She briefly discussed the 80 allowable acres that can be processed per year and recommended that 40 acres be private sponsored applications and 40 acres as county sponsored.

Mr. David Kramer felt that the division should be 50 private sponsored applications and 30 county sponsored. He suggested that the county allow unused acreage be made available to the private sector.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the advertisement of Small Scale Amendments as requested by Ms. Christensen. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Christensen discussed the recommendation for the first County Sponsored Small Scale Amendment.

Chairman L. Jones questioned what type of criteria was used to determine county sponsored parcels. Ms. Christensen stated that the parcel's current use and history are determining factors. She said that she was not seeking approval of the amendment only to process it through to Public Hearing.

Mr. Kramer suggested that the County sponsored amendments be designated as large scale which would make more small scale amendment allotments available for the private sector.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to process the County sponsored Small Scale Amendment through to Public Hearing as presented by Ms. Christensen. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye.

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

Mr. Ed Stanford, PE, presented Mack Bayou Center Lot 1. This is a major development application submitted by Core Engineering & Consulting for the 11,522 square foot building. The site totals 0.95 acres and is at Lot 1 Mack Bayou Center, Miramar Beach, Florida. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report.

There was no public comment

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve Mack Bayou Center Lot 1. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye. **(Exhibits: Staff Report 1)**

Mr. Dean Burgiss, Emerald Coast Associates, presented H & S Nursery and Supplies, a major development order application submitted by Emerald Coast Associates, Inc., for storage of landscape and hardscape materials only. The site totals 1.04 acres, with a future land use of light Industrial and is located at the NE corner of the U.S. 98 intersection with Bishop-Tolbert Road.

Chairman L. Jones asked Mr. Burgiss to address the Design Review Board's conditions. Mr. Burgiss briefly discussed the issues and stated that the items of concern would be removed. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report.

There was no public comment.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve H & S Nursery and Supplies. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye. **(Exhibits: Staff Report 1; Staff Report-Revised 2)**

Mr. Burgiss presented Arboleda Estates PUD, a major development application submitted by Emerald Coast Associates, consisting of the reconfiguration of a previously approved 11 lot subdivision, with a future land use of NPA-infill. The site is located at the intersection of East Mack Bayou Road and Shelter Cove Road. Mr. Burgiss gave a brief history of the project.

Chairman L. Jones asked if there was a standard PUD process. Attorney Hoshihara stated that each individual lot owner could appear before the Board of Adjustments to request a setback variance. Discussion continued on the setbacks and the PUD process.

Ms. Christensen stated that staff found that the changes requested do not meet the intent of PUD regulations, unless other evidence is presented to the contrary. She felt that the request was counterproductive to conservation. Mr. Burgiss responded to the staff's assessment.

There was no public comment.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to deny Arboleda Estates PUD. Ayes 3, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye. **(Exhibits: Staff Report 1; Staff Memo 2; Petitioner Picture 3)**

There being no further items to present, the meeting adjourned at 5:30 pm.

APPROVED _____
Larry Jones, Chair

ATTEST _____
Martha Ingle, Clerk of Courts