

JUNE 14, 2011 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, June 14, 2011, at 4:05 p.m., at the South Walton Annex.

The following Board members were present: Commissioner Larry Jones, Chairman; Commissioner Scott Brannon, Vice-Chair; Commissioner Sara Comander, Commissioner Kenneth Pridgen, and Commissioner Cecilia Jones. Mr. Greg Kisela, County Administrator; Mr. Gerry Demers, Assistant County Administrator; and Ms. Lynn Hoshihara, County Attorney, were also present.

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

Mr. Demers, Assistant County Administrator, presented the following changes to the agenda for approval:

ADDITIONS:

1. Administration Item 2. – Melissa Pilcher with Regional Utilities – request to advertise for a Public Hearing to be held July 12, 2011 for approval of Refunding of Bond Series 2001 in order to take advantage of interest savings
2. Administration Item 6. – Hugh Williams, FDOT – update on the status of the West Bay Parkway Segment One PD&E Study
3. Administration Item 8. – Schedule and advertise for a Budget Workshop to be held July 11, 2011 at 9:00 a.m. at the Walton County Courthouse located in DeFuniak Springs Courthouse
4. County Attorney Item 1. – Update on Noise Ordinance and Chapter 12 of the Land Development Code

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the changes to the agenda as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 1,502,048.49
County Transportation	\$ 1,103,558.64
Fine & Forfeiture	\$ 1,464,318.00
Section 8 Housing	\$ 11,027.48
Tourist Dev. Council	\$ 457,061.94
N.W. Mosquito Control	\$ 10,666.76
W. Co. Library	\$ 18,469.62
Recreation Plat Fee	\$ 15,270.91
Solid Waste Enterprise	\$ 533,954.76
Bldg Dept/Enterp. Fund	\$ 448.64
Imperial Lakes MSBU	\$ 2,517.66
Inmate Canteen Fund	\$ 18,460.43
Capital Projects Fund	\$ 53,410.88
Totals	\$ 5,191,214.21

2. Approve Minutes of May 9, 2011 Special Meeting and May 24, 2011 Regular Meeting
3. Approve a Resolution **(2011-49)** to amend the budget for an unanticipated grant for Post Disaster Redevelopment Planning Project in the amount of \$64,000
4. Approve a FY 2012 Florida DEP Small County Solid Waste Management Grant application in the amount of \$70,588
5. Approve a Resolution **(2011-50)** to amend the budget to roll forward \$70,000 for the SHIP Fund
6. Approve Agreement for Expert Services with Dr. Robert Dean
7. Approve to renew appointment of Dr. James Howell as Medical Director
8. Approve request from the Sheriff's Department to apply for the FY 2011 COPS Hiring Grant
9. Approve a request from the Clerk's Office to transfer ownership of 12 Fijitsu Scanners to the Sheriff's Department
10. Approve to transfer approximately \$900 from District 1 Recreational Plat Fee Funds to Four Mile account
11. Approve an Interlocal Agreement with the City of Freeport for a Recreation Director position and approve the Job Description for the position
12. Approve Addendum #4 for the Agreement between the City of Freeport, Florida Community Services Corp and Walton County

Chairman L. Jones welcomed Mr. Greg Kisela, County Administrator, to the meeting.

Mr. Gerry Demers, Assistant County Administrator, requested to evaluate and select the most qualified firm to award RFQ 11-024 for Selection of Construction, Engineering and Inspection (CEI) Services for Widening of SR 83 (US Hwy 331). The following firms were present: 1) Kennedy Engineering & Associates, 2) Reynolds, Smith, Hills (RS&H), and 3) Genesis.

Each firm discussed their construction and engineering experience and their ability to work well for Walton County.

Chairman L. Jones stated that the firms will be tallied and the ranking will be announced.

Ms. Melissa Pilcher, Regional Utilities, requested to advertise for a Public Hearing to be held July 12, 2011 for approval of Refunding of Bond Series 2001 in order to take advantage of interest savings. This will result in a savings of approximately \$800,000.

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

Chairman L. Jones announced the firm ranking for the CEI Services for Widening of SR 83 (US Hwy 331) are as follows: 1) Reynolds, Smith, Hills (RS&H), 2) Genesis, 3) Kennedy Engineering & Associates.

Motion by Commissioner Brannon, second by Commissioner Comander, to begin negotiations with the top ranking firm, RS&H. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Captain Joe Preston, Sheriff's Office, briefly updated and discussed the SLERS Project and requested approval of the Gaskin and Freeport/Peach Creek contracts for the SLERS Communications Project for a total amount of \$1.9 million. The two agreements provide flexibility to expend only \$10,000 for each tower to Harris Corporation until FCC approval is received.

Commissioner Comander questioned if the sites for the towers have been determined. Captain Preston explained that the sites have not been finalized, but the contracts have been written so that the exact physical site is not needed.

Commissioner Brannon questioned if an elevated water storage tank could be used for this purpose. Captain Preston stated that if a water storage tank does meet the requirements it can be used, and those options are being reviewed.

Commissioner Comander questioned if the contract can be approved if the sites are not finalized. Mr. Bill Imfeld, Finance Director, explained because of the time requirement and the open ended contract, they are trying to complete Phase I and Phase II of the contract this fiscal year. He recommended approval.

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

Ms. Mary Lou Reed, JobsPlus/Workforce Development, requested renewal of Waiver to allow the Workforce Development Board to continue to provide Direct Services as its One Stop Operator.

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

Ms. Reed requested to appoint Mr. David Jefferson, Vice President of Operations, Simple HR, for a three-year term as a private sector member of the Workforce Board.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to appoint Mr. David Jefferson as a private sector member of the Workforce Development Board. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, L. Jones Aye.

Ms. Kelly Horton, Heffley and Associates, presented a legislative update.

Mr. Hugh Williams, FDOT, presented an update on the status of the West Bay Parkway Segment One PD&E study. Improvement alternatives have been developed for both segments one and two. In addition to the seven alternative alignments, the two roadway types are also being reviewed. The alternatives public hearing will be held on June 21st in Bay County and June 23rd in Walton County. A definite decision has not been made on the option for a toll road.

Mr. Demers discussed the Voluntary Retirement/Separation Program. He stated that the program is entirely voluntary for both the employee and the County. The decision has to be beneficial for the County and could possibly eliminate positions. He briefly discussed the benefits of the program.

Chairman L. Jones questioned the severance pay of \$1,000/year for each year in the FRS and if those years were restricted to those employed with Walton County. Mr. Demers stated that it would be the total years in the FRS.

Commissioner Comander questioned the short time frame and the need to have it in place by August. Mr. Demers stated that it needs to be in place for the budget.

Brief discussion ensued regarding the retirement payout and the decision to accept the application into the program has to benefit the county.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the Voluntary Retirement/Separation Program as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Demers requested to advertise for a Budget Workshop to set the tentative budget and millage rate to be held on July 11, 2011 at 9:00 a.m. at the DeFuniak Springs Courthouse.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve a Budget Workshop to be held on Monday, July 11, 2011 at 9:00 a.m. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Brian Coley, Fire Rescue, requested approval of the Chipola Ride-Along Contract.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the Chipola Ride-Along Contract as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Coley requested to award Bid 011-009 for a Portable Fire Car Simulator to Fireblast Raven for the amount of \$98,400. He stated that Fireblast Raven was not the lowest bidder, however their equipment is more safe.

Attorney Hoshihara explained in order to deviate from the lowest bidder, there has to be a determination that the lowest bidder is either not the most responsive or responsible bidder.

Chairman L. Jones suggested tabling the request until it can be determined the lowest bidder does not meet the requirements. The Board concurred.

Mr. Lyle Seigler, Public Works Director, requested permission to advertise for an Invitation to Bid (ITB) for construction of the permitted improvements at the Landfill.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve advertisement of an ITB for construction of the permitted improvements at the Landfill as requested. Ayes 4, Nays 0. Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye. (Chairman L. Jones abstained from voting due to conflict of interest.)

Mr. Seigler requested permission to advertise for Request for Proposals (RFP) for Thermoplastic Striping.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve advertisement for an RFP for Thermoplastic Striping as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Seigler requested to approve a Construction Agreement with Florida Department of Transportation for the GEC Pedestrian Trails to extend to US Hwy 331 sidewalks.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve a construction agreement with Florida Department of Transportation for the GEC Pedestrian Trails to extend to US Hwy 331 sidewalks as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Seigler requested to use funds from the CR 457 Prop Fair Share account in the amount of \$19,895.51 and authorize the use of existing Repair and Maintenance funds for use on the Goldsby Road reconstruction project.

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

Mr. Demers stated that several residents of Driftwood were present to discuss the drainage issues. Chairman L. Jones and Commissioner Brannon excused themselves from the discussion. Commissioner C. Jones assumed Chair position.

Mr. Demers explained that he and Attorney Hoshihara recently talked to Mr. Billy Buzzett, DCA, in Tallahassee. Attorney Hoshihara presented a letter from DCA and explained that the DCA does not believe any further action regarding Driftwood Estates or the Sandestin DRI is necessary at this time. She stated that Public Works has been working on roadway and drainage improvements.

Mr. Greg Graham, Engineering Services Manager, briefly discussed the drainage improvement projects, the open ditch drainage system, and the overlay project.

Discussion ensued regarding the construction of interior lots and drainage issues.

The following audience members spoke regarding the drainage issues: Ms. Doris Beam, Mr. Allen Osborne, Mr. Alex Kish, Mr. Jim Hopson, Ms. Cindy Launch, Ms. Laura Mutter, Ms. Suzanne Harris, Mr. Robert Monk, and Mr. Steve Abbott.

Attorney Hoshihara briefly discussed the Special Magistrate's recommendations, and provided some clarification stating that the letter from DCA does not state the County is or is not in violation. Lack of evidence that the developer is in violation prohibits issuing a moratorium. At this time the County will do as they can to handle the issues at hand with their resources.

Chairman C. Jones recommended that Mr. Seigler designate a member of Public Works to work and meet with the Driftwood residents to discuss the drainage issues and keep the Board updated.

The meeting recessed at 6:07 p.m. and reconvened at 6:17 p.m.

Mr. Imfeld requested to adopt a Resolution **(2011-51)** approving Amendment #6 to the Capital Projects Fund for fiscal year 2010-2011 to amend the budget for the SLERS Project and to recognize into the budget the \$500,000 grant from the Department of Engine Services and to re-earmark \$1,964,764 from Capital Projects.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to adopt Resolution **(2001-51)** as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Attorney Hoshihara briefly presented an update on the Noise Ordinance. There is a draft Ordinance and a meeting set for the first week of July to finalize Sheriff's Office

comments, before bringing it back to the Board. She stated that Chapter 12 of the Land Development Code is also being reviewed and the Planning Department is preparing the draft to incorporate the Florida Statutes 162.

Ms. Dawn Moliterno, Tourist Development Council Executive Director, presented the 2011-2012 TDC Strategic Plan for approval.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the 2011-2012 TDC Strategic Plan as presented. Ayes 4, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, C. Jones Aye. (Commissioner Pridgen was absent.)

Ms. Moliterno presented an update stating that their numbers were up nearly 19% in April, and hopeful for a very strong season.

Commissioner C. Jones had no items to present.

Commissioner Pridgen had no items to present.

Commissioner Brannon requested an appraisal report on a parcel of land adjacent to Cowford Landing as part of the canoe/paddle trail that was previously approved.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve an appraisal of the property adjacent to Cowford as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye. C. Jones Aye.

Commissioner Comander commended Commissioner Brannon on his vision for the future and the great turn out of Morrison Springs.

Chairman L. Jones had no items to present.

Chairman L. Jones asked for public comment.

Ms. Anita Page questioned how the structures along the canoe trail will be funded. Commissioner Brannon stated that grant funds would be used. Ms. Page

commented that there are several private grants available and stated she would provide the list for review.

Mr. Wayne Dyess, Planning and Development Director, requested approval to advertise for an RFP for a consultant to write and prepare a Post Disaster Redevelopment Plan.

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

Mr. Dyess requested approval of **SSA 11-01** to amend 4.897 +/- acres in Walton County north of the Choctawhatchee Bay from Commercial to Industrial. The property is located in the northeast corner of Edgewood Circle and Highway 331, approximately 2.6 miles south of DeFuniak Springs, Florida.

Chairman L. Jones asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to adopt Ordinance **(2011-59)** for **SSA 11-01** as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Dyess presented a request for approval of an Ordinance **(2011-60)** adding Section 2.03.07 to the Walton County Land Development Code to adopt the Point Washington Neighborhood Plan as an overlay district.

Mr. Mac Carpenter, Planning Manager, briefly discussed the recommended changes by staff for alternate language in section 3 for density and intensity. This change

removed the limitation on residential structures to single family detached homes and removed the 4 unit per acre density limitation.

Chairman L. Jones asked for public comment.

Ms. Marge Crawford, Point Washington Historic Association President, discussed their goal to preserve the area and character of their community.

Lengthy discussion ensued regarding the need for a density limitation and the requirements of development in the Ordinance.

Mr. James Foley, Mr. Hugh Morris, and Mr. Ty Nunn spoke regarding the density language in the presented Ordinance.

Chairman L. Jones closed public comment.

Motion by Commissioner Comander, second by Commissioner Brannon, to adopt the Point Washington Neighborhood Plan Ordinance **(2011-60)** as presented. Ayes 4, Nays 1. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Nay.

Mr. Dyess presented an Ordinance amending Chapter 11 of the Walton County Land Development Code to establish certification requirements for businesses located within the County.

Attorney Hoshihara discussed the recommended changes by the Planning Department: consider Occupational Licensing, exempt roadside and beach vending from beach businesses, and on page 2 require steps 1-4 plus additional information the Planning Department deems necessary.

Chairman L. Jones exited the meeting.

Commissioner Brannon assumed Chair position.

Brief discussion ensued regarding the business exemptions and requirements for home businesses.

Chairman Brannon asked for public comment.

Chairman L. Jones returned to the meeting.

Ms. Margie Jordan spoke in favor of business licensing and stated that zoning would help to understand what is available for the area.

Brief discussion ensued regarding the Land Use Compliance Ordinance and the compatibility of the business for the underlying land use.

Ms. Vickie Vaunt questioned who is required to get the Certificate of Land Use if the business owner is not the property owner. Attorney Hoshihara explained that the business owner is responsible, not the property owner.

Mr. Kevin Chilcutt questioned how to change the land use to make it a conforming use. Commissioner Pridgen stated that the Property Appraiser can change the land use.

Mr. Alan Ficarra spoke in favor of business license stating that it would help control the businesses in the County.

Ms. Mary Neilson spoke in favor of the changes and stated that home occupations do not understand there is a permitting process and suggested to include that information in the advertisement and education process.

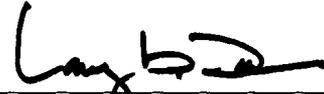
Chairman L. Jones closed the public hearing.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve a second public hearing to be held on Tuesday, July 12th at 5:00 p.m. at the South Walton

Courthouse Annex. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

There being no further business, the meeting adjourned at 7:53 p.m.

APPROVED



Larry Jones, Chairman

ATTEST


Martha Ingle, Clerk of Courts