

AUGUST 9, 2011 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on August 9, 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 Scott Brannon, Vice-Chair; Commissioner Kenneth Pridgen; Commissioner C. Jones; and Commissioner Sara Comander. Mr. Gregory Kisela, County Administrator; Attorney Lynn Hoshihara, 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 L. Jones called the meeting to order.

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

1. Addition: Chairman L. Jones-discussion with the City of DeFuniak Springs

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

1. Expenditure and Approval Listing (EAL)	
General Fund	\$ 1,196,083.97
County Transportation	\$ 664,599.50
Fine & Forfeiture	\$ 1,386,523.00
Section 8 Housing	\$ 1,614.88
Tourist Dev. Council	\$ 4,417,929.24
N.W. Mosquito Control	\$ 532.53
W. Co. Library	\$ 5,146.20
Recreation Plat Fee	\$ 835.00
Solid Waste Enterprise	\$ 598,162.54

Bldg Dept/Enterp. Fund	\$	572.58
Inmate Canteen Fund	\$	7,358.63
Daughette Subdivision	\$	11,034.31
Capital Projects Fund	\$	96,551.10
Totals		\$ 8,386,943.48

2. Approve Minutes from the July 26, 2011 Regular Meeting
3. Approve Investment Report for Quarter ended June 30, 2011

Mr. Starskey Harrell, Assistant Public Works Director, requested approval of a Memorandum of Agreement with the Florida Department of Transportation (FDOT) for the Government Education Center (GEC) Sidewalk Connection Project.

Motion by Commissioner Pridgen, second by Commissioner Brannon to approve the Memorandum of Agreement with the FDOT for the GEC Sidewalk Connection Project. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Harrell requested approval to purchase an oil burner unit to be used at the County Shop. The burner will allow used oil to be utilized in heating the shop and will minimize the amount of off-site hazardous waste transport. The total price will not exceed \$7,000 with funding available in the Equipment Account.

Motion by Commissioner Brannon, second by Commissioner C. Jones to approve the purchase of an oil burner unit. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Harrell requested approval to cancel the agreement with Cumbaa Enterprises, Inc. for white goods diversion/separation. He stated that the current contract is out dated and a 15 day termination notice is required. He reported that the Solid Waste and Purchasing Departments will

work to obtain quotes for the best recycling prices. The county will perform the recycling services on an interim basis.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to approve the cancellation of the agreement with Cumbaa Enterprises, Inc. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Gregory Kisela, County Administrator, requested that Mr. Starskey Harrell be appointed at Public Works Director with his service to begin August 15, 2011.

Commissioner C. Jones stated that she understood the uniqueness of the situation and requested that all future positions be advertised prior to appointment.

Motion by Commissioner Pridgen, second by Commissioner Brannon to appoint Mr. Starskey Harrell as Public Works Director. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Kisela presented a resolution **(2011-59)** and interlocal agreement with the Escambia County Housing Finance Authority for the first time home buyers program.

Ms. C. J. Pipkins, Escambia County Housing Finance Authority Housing Program Director, briefly discussed the program and requested that the resolution be adopted.

Motion by Commissioner Pridgen, second by Commissioner Comander to adopt Resolution **2011-59** and approve an interlocal agreement with the Escambia County Housing Finance Authority. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Kisela presented the Walton County Health Department Fee Schedule and discussed the proposed services. He recommended approval.

Ms. Holly Holt, Interim Health Department Director, briefly discussed the fee schedule and the additional fines and services.

Motion by Commissioner Pridgen, second by Commissioner Comander to approve the Walton County Health Department Fee Schedule. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Kisela requested approval of a Crime Stoppers Letter of Agreement.

Motion by Commissioner Pridgen, second by Commissioner Comander to approve the Crime Stoppers Letter of Agreement. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Kisela discussed the renewal of the County's health insurance with Blue Cross and Blue Shield. He reported that the recommendation from the Insurance Committee is to sunset the HSA Option and migrate those employees into either the low or high deductible PPO plans. A prescription benefit plan will be offered at cost. Mr. Kisela stated that communications with other insurance providers will begin during the 2012-2013 budget process.

Motion by Commissioner Brannon, second by Commissioner Pridgen to renew the Blue Cross and Blue Shield health insurance program for the 2011-2012 fiscal year. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Kisela presented and discussed the Environmental Remediation Project List, Natural Resource Damage Assessment (NRDA) Projects. He stated that there were 23 NRDA projects listed. All of the projects are located within the county borders. Twelve of the projects are being submitted by Walton County and eleven being submitted by private groups. DEP is requesting

that a list of the top five projects be submitted. He asked that the Commissioners rank the top five projects.

Mr. Billy McKee, Environmental Manager, discussed the primary points of the NRDA process and the 23 projects that have been listed. He briefly discussed the NRDA process.

Commissioner Comander questioned if the all of the selected projects had to be connected to an actual loss. Mr. McKee stated that the NRDA Trustees compiled a list of all the projects submitted in the State of Florida. After evaluation of the original list, a second list was compiled of all the projects which fit the NRDA criteria. He stated that all 23 projects submitted by Walton County are on the second list and are eligible to move forward in the NRDA process.

A brief discussion was held regarding the differences between list items four and 23.

Ms. Susan Forsyth voiced concern for the lack of public input. Attorney Hoshihara and Mr. McKee both stated that public workshops had been held and the list being presented was a direct result of those meetings. Ms. Forsyth discussed the oil spill and current testing. She voiced concern that any beach re-nourishment would be futile due to the continued resurfacing of oil on the beaches.

Ms. Jackie Markel reported that DEP officials had stated that projects with the most public support would be more apt to be considered.

Ms. Anita Page discussed the NRDA meetings and capping of the expenditures. She stated that the NRDA Trustees have stated that they are looking for projects that could be implemented quickly. Mr. McKee stated that the most viable projects should be considered.

Commissioner Brannon asked how long the NRDA selection process would take. Mr. McKee was unsure of a specific time frame and stated that more details will be given by the NRDA Trustees. Discussion continued regarding the costs of the projects.

Mr. Kisela stated that the goal is to use the first \$100 million, received by Florida, within in the next 90 days.

Mr. Michael Sturdivant discussed the effects of the oil spill disaster on our beaches. He noted that our county is competing with other counties to receive this funding. He suggested selecting projects that reduce the environmental impact.

Mr. Clay Adkinson, Beasley Allen Representative, clarified the timeline and the allocation of Florida shares. He urged the county to select their top five projects at this meeting to meet the FDEP deadline.

Ms. Page questioned the \$35 million associated with the Recreation Loss Projects (W-3). Mr. McKee stated that W-3 encompasses several smaller projects.

The following are the top five projects as selected by the Commissioners:

1. Walton County Fishing Pier (W-2)
2. Walton County Marine Fish Hatchery and Research Center (W-14)
3. Off Shore and Inshore Artificial Reef Construct (W-17)
4. Water Quality Inland Waters Investigations, monitoring and restoration of 15 Coastal Dune Lakes (W-11)
5. Recreational Loss Projects (W-3)

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

Attorney Lynn Hoshihara, County Attorney, briefly gave an update on the Seaside Community Development, Corp. and reported that a settlement agreement has been executed and filed. Judge LaPorte has dismissed the litigation.

Ms. Dawn Moliterno, TDC Executive Director, presented an update of TDC activities and projects. She reported on the record numbers in bed tax collection, the 22 live radio remotes promoting South Walton, and the completion of the Spring 2011 Product Definition Research Study. Mr. Kisela stated that the increase in tourist traffic has created challenges with Waste Management and a course of action has been planned to provide the resources to address the issues.

The Commissioners had no items to present.

Chairman L. Jones stated that he had been contacted by Councilman Mac Work to discuss areas in which the County and the City of DeFuniak Springs could work together. He requested that Mr. Kisela be allowed to meet with Councilman Work to discuss those areas. Commissioner Comander stated that she had spoken with Councilmen Work and Kelley and also with Mayor Carpenter regarding the joint effort and felt that it would be prudent to include the City of Freeport as well.

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

Mr. Mike Crew, Crew & Crew Law, representing Dreamland Heights, discussed the issues related to Dreamland Heights and Seaside Community Development, Corp. He stated that Dreamland Heights was not able to participate in the recently settled litigation (11CA574) and

felt that the case should be reopened. Discussion ensued regarding the parking requirements and the inclusion of Dreamland Heights in the litigation. The Board concurred to take no action on the issue.

Ms. Hannah Gordon, Dreamland Heights resident, spoke in opposition of the settlement agreement.

Ms. Pat Blackshear read and discussed the language in the Land Development Code regarding the Seaside DRI. She stated that the residents of Dreamland Heights are asking that the DRI rules be upheld. Discussion ensued regarding mixed-use developments.

Ms. Eva Barsoum discussed a flooding issue in her neighborhood that she feels emanates from the Bay Walk Landing development. She requested that a solution be found. Commissioner C. Jones stated that county staff would continue to work with Ms. Barsoum.

There being no further items to present, the meeting recessed at 5:28 p.m. and reconvened at 5:43 pm.

Chairman L. Jones called to order the land use portion of the meeting.

Mr. Wayne Dyess, Planning and Development Director, requested to table the Abandonment Petition and continue SSA 11-02 Gilbert Ziel to the September 13, 2011 meeting.

Motion by Commissioner Pridgen, second by Commissioner Comander to remove the Petition for Abandonment by Inlet Beach Capital Investments, Inc. from the agenda. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to continue SSA 11-02 Gilbert Ziel to September 13, 2011 at the South Walton Courthouse Annex at 5:00 p.m. or

soon thereafter. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Dyess reported that SSA 11-03 Yellow House 30A, LLC has been withdrawn.

Mr. Jason Bryan, Planning and Development Services Senior Planner, presented for second hearing SSA 11-05 (Camella Dalee). This is a request to adopt by ordinance a Small Scale Amendment to amend 1.08 +/- acres south of the Choctawhatchee Bay from Residential Preservation to Neighborhood Infill. The property is located in the southeast corner of Hinton Bishop Drive and Hinton Drive approximately 1.16 miles east of the intersection of County Road (CR) 30A and CR 395. Staff found that this change is not consistent with the Comprehensive Plan and the Land Development Code. Mr. Bryan reported that the applicant has asked to apply for a different land use category. Attorney Hoshihara recommended that the new request be advertised.

Mr. Dean Burgiss, Emerald Coast Associates, stated that the applicant wishes to differentiate from the original change request to a change from Residential Preservation to Low Density Residential rather than Neighborhood Infill. The applicant will withdraw its current request and re-advertise the request as Low Density Residential.

Mr. Mac Carpenter, Planning and Development, presented for second public hearing SSA 11-06, an ordinance **(2011-64)** adopting a Small Scale Amendment amending 1.698 +/- acres of north of the Choctawhatchee Bay from Rural Village to General Commercial. The property is located on US 331 South approximately 2.6 miles south of State Road (SR) 20 and approximately 0.70 miles south of the City of Freeport. Staff found the change consistent with the Comprehensive Plan and the Land Development Code.

Motion by Commissioner Comander, second by Commissioner Brannon to adopt SSA 11-06 (**Ordinance 2011-64**). Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Jennifer Christensen, Planning and Development, presented for second public hearing SSA 11-07 Denise Prescott, an ordinance (**2011-65**) requesting to change 1.56 +/- acres north of the Choctawhatchee Bay from Rural Village to General Commercial. This property is located at the southwest corner of the intersection of US 331 and Sweetwater Lane. Staff found the change to be consistent with the Comprehensive Plan and Land Development Code.

Motion by Commissioner Brannon, second by Commissioner Comander to adopt SSA 11-07 (**Ordinance 2011-65**). Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Bryan presented for second hearing SSA 11-08 Michael Clark, an ordinance (**2011-66**) requesting to change 7.27 +/- acres north of the Choctawhatchee Bay from Estate Residential to General Commercial. The property is located east of US 331, approximately 0.36 miles north of the intersection of US 331 and Wagon Wheel Road. Staff found the change to be consistent with the Comprehensive Plan and Land Development Code.

Motion by Commissioner Comander, second by Commissioner C. Jones to adopt SSA 11-08 (**Ordinance 2011-66**). Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Christensen presented for second hearing SSA 11-09 Albert Paris and Sherry Nelson, an ordinance (**2011-67**) requesting to change 4.90 +/- acres north of the Choctawhatchee Bay from Commercial and Rural Village to General Commercial. This property is located

approximately 700 feet north of the intersection of US 331 and CR 3280 on the east side of US 331. Staff found the change to be consistent with the Comprehensive Plan and the Land Development Code.

Motion by Commissioner Pridgen, second by Commissioner Comander to adopt SSA 11-09 (**Ordinance 2011-67**). Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Carpenter presented for second public hearing SSA 11-10 Creekwood Lands, Inc.-Albert Paris, an ordinance (**2011-68**) requesting to change 2.02 +/- acres north of the Choctawhatchee Bay from Rural Village to General Commercial. The property is located on US 331 South, approximately 2.55 miles south of SR 20 and approximately 0.65 miles south of the City of Freeport. Staff found the change to be consistent with the Comprehensive Plan and the Land Development Code.

Motion by Commissioner Pridgen, second by Commissioner Brannon to adopt SSA 11-10 (**Ordinance 2011-68**). Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Bryan presented for second public hearing SSA 11-11, an ordinance (**2011-69**) requesting to change 4.94 +/- acres south of the Choctawhatchee Bay from Small Neighborhood to Neighborhood Infill. The property is located approximately 0.27 mile south of the US 98 on the east side of Thompson Road. Staff found the change to be consistent with the Comprehensive Plan and the Land Development Code.

Motion by Commissioner C. Jones, second by Commissioner Comander to adopt SSA 11-11 (**Ordinance 2011-69**). Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

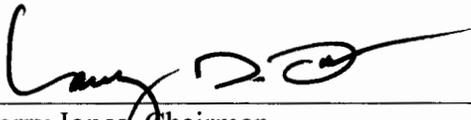
The Quasi-Judicial hearing was called to order and Attorney Hoshihara administered the oath to those intending on speaking.

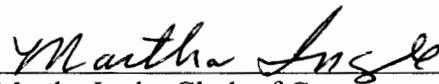
Mr. Carpenter presented Dollar General-Scenic Corridor 98, a major development application submitted by Teramore Development, LLC requesting approval for 9,014 square feet of commercial space on 1.09 acres, with a future land use of Village Mixed Use. The site is located on US 98 approximately 950' east of Hunter's Road. Staff found the project to be consistent with the Comprehensive Plan and Land Development Code based upon contingencies as set forth in the Staff Report.

Ms. Jennifer Bell, Bell Engineering, briefly discussed the project and was available for questions.

Motion by Commissioner Pridgen, second by Commissioner Brannon to approve Dollar General-Scenic Corridor 98 subject to conditions. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye. (**Exhibits: Staff Report-1**)

There being no further items to present, the meeting adjourned at 5:58 p.m.

  
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Larry Jones, Chairman

  
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Martha Ingle, Clerk of Courts