

APRIL 25, 2000 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, April 25, 2000, at 8:30 a.m., in the Commissioner's Boardroom of the Walton County Courthouse.

The following Board members were present: Chairman Van Ness R. Butler, Jr., Vice-Chairman Randall Infinger, Commissioner Joel Paul, Jr., Commissioner Herman Walker and Commissioner Gene Ryan. Ms. Shirl Williams, Administrative Supervisor, George Ralph Miller, County Attorney and Mr. Dan Bodiford, Clerk of Courts, were also present.

Chairman Butler called the meeting to order followed by pledging allegiance to the American Flag and the invocation by Commissioner Paul.

Mr. Dan Bodiford, Clerk of Courts, announced that Mrs. Suedelle Wilkerson, Finance Manager, was not present due to a scheduled appointment and he was available to answer any questions the Board might have regarding the Expenditure Approval List (EAL) and advised that any request for payments be submitted to Mrs. Rebecca Stroud, Finance Department, this morning.

Commissioner Walker commented on the insurance premium for the Tri-Village Fire Department and requested Ms. Williams to inquire if the premium is for six months or an annual premium. Commissioner Walker questioned the status of the draft for employee repayment if the employee gains employment elsewhere after completion of a continuing education or training program. Attorney Jonathan Walker advised that he would present the draft during his presentation this afternoon.

The EAL consisted of the following:

General Fund	\$393,455.00
County Transportation	281,343.40
Mosquito Control State	985.32
TDC	74,998.71
North Walton Mosquito	4,383.36
Walton-DeFuniak Library	1,345.71
Solid Waste	219,848.72
Mossy Head VFD	9,888.26
Glendale VFD	120.17
Darlington VFD	1,514.40
Liberty VFD	130.68
Red Bay VFD	118.19
Criminal Justice	200.00
Driftwood	87,038.14
Section 8	121,743.91

Motion by Commissioner Paul, second by Commissioner Infinger, to approve payment of bills as presented on the EAL. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Ronnie Bell, Public Works Director, informed the Board that he was scheduled to appear in Court at 9:00 a.m., concerning the Collingsworth vs. Walton County trial.

Mr. Bell reported that the paving of East Pt. Washington Road is nearing completion. The project is estimated to cost \$116,866.00 versus the estimated cost of \$98,000 originally disclosed during the Commissioner's Regular Meeting, March 14, 2000. Mr. Bell explained the additional cost is because of the length of the roadway being 1.75 miles long instead of the presented 1.5 miles and also, the six-connector roads for approximately twenty feet. Mr. Bell commented that the road held up very well with the torrential rainfall occurring last night.

Mr. Bell presented the Commissioners with an option for assisting the residents of Magnolia Creek Subdivision regarding the dilapidated bridge. Mr. Bell, Mr. Nelson Miner, County Engineer, and Wilmer Stafford, Bridge Superintendent, investigated the issue and suggested installing forty feet of a “Bailey” bridge at a maximum cost of \$3,615.00 to allow a single lane of traffic to travel in and out of the subdivision.

Motion by Commissioner Infinger, second by Commissioner Paul, to approve installation of a temporary “Bailey” bridge in Magnolia Creek Subdivision.

Commissioner Walker questioned the time frame that the bridge would be in a “temporary” status before a permanent bridge is installed; whereas, Mr. Bell stated six months. Attorney Miller suggested to include the six-month period in the agreement therefore residents of Magnolia Creek are notified and agree that they have no objection to the county personnel removing the “Bailey” bridge at the end of the six-month period.

Motion by Commissioner Infinger, second by Commissioner Paul, to amend the motion: to approve installation of a temporary “Bailey” bridge for a six-month period until a permanent bridge can be installed. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Paul, second by Commissioner Ryan, to add Crystal Court, District 5, to the Walton County Maintained Road List. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Chairman Butler stepped out.

Mr. Bell advised the Board of an inquiry from Geneva County, Alabama regarding the status of Beck Bridge Road, District 2, concerning abandoning a portion of the road and closing the bridge. Attorney Miller answered Mr. Bell stating that he had

the petition for abandonment requiring Mr. W.A. "Bill" Alford's signature. Mr. Bell will contact Geneva County and advise them of the pending status.

Mr. Bell submitted a request from Mr. Frank Cook to consider emergency maintenance and repairs for Henderson Road in Lake Tantara Estates, District 4. Commissioner Ryan stated that the owner is willing to convey the roads to the County and questioned Attorney Miller if the deed has been executed, in which Mr. Miller answered that he is waiting for the County to provide a list of the roads they wish to maintain.

Chairman Butler returned.

Mr. Don Crim asked the Commissioners if a moratorium could be placed on accepting roads until a policy can be established.

Attorney Miller suggested appointing a committee to investigate into properties abandoned by the developer(s).

Commissioner Ryan reiterated the need to revisit the existing County Maintained Road Policy and modify the policy to allow flexibility for the County to maintain roads, on a case-by-case basis, especially roads located in the older subdivisions.

Motion by Commissioner Ryan, second by Commissioner Paul, to approve Henderson Road for emergency maintenance and proceed with modifying the present County Maintained Road Policy as stipulated above.

Commissioner Paul questioned the possibility of Mr. Cook paying the grading cost.

The motion was amended by Commissioner Ryan, second by Commissioner Paul, to allow the County to deliver clay to Henderson Road and the grading expense to be incurred by the property owners.

Commissioner Walker commented that dirt could be purchased from a private contractor and suggested extending the time from one hour as stated in the Grading Policy.

Commissioner Ryan clarified the motion as follows: the County to provide the grading at \$50.00 an hour with the cost for grading and clay to be incurred by the property owners on Henderson Road.

Mr. Bell stated no action was necessary if this was the route taken.

Commissioner Paul withdrew his second to the motion.

Commissioner Walker made a motion to allow extension of the one-hour time frame as stated in the Grading Policy at \$50.00 per hour.

The Board requested Mr. Bell to handle this issue.

Commissioner Walker and Commissioner Ryan withdrew their motion.

Mr. Bell presented a request from Jerry & Joan Jennings to accept Sally Lane, District 5, as a county maintained road. Mr. Bell advised that District 5 personnel verified that they once maintained the road but when Sally Lane did not appear in the County Maintained Road Policy, maintenance ceased.

Motion by Commissioner Infinger, second by Commissioner Ryan, to add Sally lane, District 5, to the Walton County Maintained Road List. Ayes 4, Naves 1. Ryan Aye, Infinger Aye, Butler Aye, Walker Naye, Paul Aye. (Mr. Walker stated that property owners wishing to have a right-of-way should provide more than twenty feet of access).

Mr. Bell submitted a request from Mr. Wilfred Raymond, Sr., desiring the County to resume maintenance of Hideaway Bay Drive, District 5, and work with the neighborhood to pave the road. Mr. Bell advised that he would verify the right-of-way footage, but stated that it was more than twenty feet.

Motion by Commissioner Paul, second by Commissioner Ryan, to accept Mr. Bell's recommendation and accept Hideaway Bay Drive, as a County maintained road, contingent upon adequate right-of-way. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell presented a request from Mr. John Berry, Barefoot Beach Services, requesting the County's assistance in upgrading a beach access (Grand Dunes property) adjacent to the east of Edgewater Condominiums and west of Windancer Condominiums. Due to the roadway being used as a beach access by the County, Sheriff's Department, emergency and TDC vehicles, has resulted in the access becoming eroded and rutted.

Motion by Commissioner Infinger, second by Commissioner Ryan, to enter into an agreement with Grand Dunes, LTD., for upgrading a beach access as presented. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Paul, second by Commissioner Infinger, to approve payment of an invoice to Connelly & Wicker, Inc. for installation of a signal light at Holiday Road and U.S. Highway 98 in the amount of \$3,172.53. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Paul, to approve payment of an invoice to Regional Utilities in the amount of \$331,311.43 for sewer to the

Government Center. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Paul, to approve payment of an invoice to Webb Seafood in the amount of \$6,912.00 for oyster shells, District 5. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell presented a request by Mr. Willard Ammons, to improve his driveway located at 1631 County Highway 181C to allow access of emergency vehicles. Mr. Bell advised that Mr. Ammons is an elderly gentleman and the driveway is approximately three-tenths of a mile.

Motion by Commissioner Paul, second by Commissioner Infinger, to approve a right-of-entry request by Mr. Ammons for emergency road repairs at 1631 County Highway 181C. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell submitted a proposal from C.W. Roberts to lay one additional inch of asphalt from the west end of Seaside to CR 395 intersection for \$38,591.40.

Motion by Commissioner Infinger, second by Commissioner Paul, to approve the proposal as submitted. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell presented a request from Embassy Suites to allow a four-foot sidewalk along the eastern boundary of San Antonio Street for beach access. Mr. Bell informed the Board that Embassy Suites would bear the cost to install the sidewalk.

Motion by Commissioner Infinger, second by Commissioner Walker, to approve the request of Embassy Suites. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell updated the Commissioners regarding the meetings held with the Infrastructure Committee and passed out information for the Board's consideration. Mr. Bell gave a brief summary of the costs involved to renovate the Jail/Administrative Building, at the present location, quoting \$7,507,500.00 as a projected total cost from Watkins and an alternate off-site location consisting of twenty to forty acres and build a 42,000 square foot jail and a 10,000 square foot Administrative building, at an estimated cost of \$6,220,000.00 to \$7,360,000.00. Mr. Bell explained the reason for the committee's interest in considering the off-site location due to renovations being done to the jail at the present location versus renovations required ten to fifteen years from now, stating that no further expansion could be done.

In regards to the Courthouse Addition/Parking Garage, two locations were considered: (1) the old Wal-Mart building located on U.S. Highway 331 South at an estimated purchase price of \$1,000,000.00 versus Watkins projected cost of \$9,240,000.00. Mr. Bell referred to the parking and storm water as two good points to ponder if the old Wal-Mart site was considered. Mr. Bell quoted a projected cost of \$1.75 to \$2.0 million for renovation.

The second option considered was the old Walton Regional Hospital and the Warren Building (located on College Avenue). Mr. Bell reported that no stormwater retention or setbacks from the City of DeFuniak Springs were determined in calculating approximately 200 combined parking spaces. Mr. Bell quoted \$250,000 as the purchase

price for the Warren Building and relayed Mr. Charles McMillian's, Courthouse Maintenance, recommendation to hire a structural engineer and architect to obtain a cost to renovate the old hospital.

Sheriff Quinn A. McMillian expressed his amazement concerning the construction cost of \$7.5 million for the Jail/Administrative building stating that the price has doubled since 1985.

Mr. Bell reported that the seven percent Architect's fee is not included, which would increase the figure by an additional \$500,000, a total of 8 million, plus.

Sheriff McMillian suggested having a workshop to allow Watkins Engineers & Construction Company explain, in detail, the costs as submitted for the Jail/Administrative building.

Motion by Commissioner Ryan, second by Commissioner Infinger, to approve the Infrastructure Committee to pursue the services of a structural engineer in order to obtain a cost for renovating the old hospital. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Discussion regarding the alternative sites for the Jail/Administrative building ensued with positive comments concerning parking and stormwater retention.

A result of the discussions lead to the Board agreeing to conduct a workshop, with the Infrastructure Committee and Watkins Engineers on Tuesday, May 2, 2000, at 8:30 A.M. in the Commissioner's Boardroom of the Walton County Courthouse.

Commissioner Infinger requested Mr. Bell to contact Mr. Freddy Baker, Council on Aging, to see what has been accomplished since the Board authorized him permission to proceed with turning the old Hospital into an assisted living facility. Commissioner

Infinger stated that if the Board is considering this location for the courthouse expansion, Mr. Baker should be notified.

The Commissioners recessed briefly at 9:50 a.m.

The Commissioners reconvened at 10:05 a.m.

Mr. Langdon Haynes, Purchasing Agent, presented an invoice from Mr. Matt Douglass, EMS Director, requesting payment in the amount of \$1,370.00 to the EMS Advisory Council for the District 1 EMS allotment for fiscal year 1999/2000. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Ryan, to approve a request by the North Walton Mosquito Control to purchase a copier from Advanced Copy in the amount of \$1,495.00.

Commissioner Paul questioned Mr. Haynes as to how many bids were received, Mr. Haynes answered that two were submitted.

Chairman Butler called for a vote: Ayes 4, Nays 1. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Naye.

Motion by Commissioner Walker, second by Commissioner Infinger, to approve a request by the Liberty Volunteer Fire Department to purchase a piercing nozzle from Sunbelt Fire in the amount of \$773.41. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Commissioner Infinger interrupted Mr. Haynes' presentation to address Commissioner Paul and his concerns regarding the purchase of the copier. Commissioner Infinger explained his reason for voting aye was due to the arrangements already made to purchase the copier. Commissioner Paul advised Mr. Haynes that he

understood that one quote by one vendor was received; therefore, he voted naye. He further stated that if proof could be shown that several quotes and vendors responded and Advanced Copy was the best quote that he would vote aye. Commissioner Paul stated that Purchasing and all Department heads should adhere to the policy.

Motion by Commissioner Infinger, second by Commissioner Paul, to approve the purchase of 500 beach towels for advertising from Specialty Advertising Concepts in the amount of \$5,210.00. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (Mr. Haynes informed the Board that four different quotes were received).

Mr. Haynes reported the results of the bid opening for the Inlet Beach Re-vegetation and advised that this bid was already processed when the Board requested him to advise TDC that all bids would be through the Purchasing Department. Mr. Haynes advised that three bids were received:

- (1) Thomas Hicks Landscaping: \$10,526.00;
- (2) Professional Lawn Care: \$21,198.00;
- (3) J Keane Taylor d/b/a Gulfwinds Landscaping: \$31,721.65

Mr. Haynes informed the Board that the packages did not include the required soil sample testing and recommended to TDC that all bids be rejected. After reviewing the packages with TDC and the TDC Consulting Engineer, they determined that Mr. Hicks' bid did include the cost for the soil sample. Mr. Haynes reported that TDC recommended awarding the bid to Thomas Hicks Landscaping due to his bid being under the budget.

Motion by Commissioner Paul, second by Commissioner Infinger, to approve awarding Inlet Beach Re-vegetation bid to Thomas Hicks Landscaping in the amount of

\$10,526.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Haynes presented a request by the Landfill to purchase 600 road signs. Mr. Haynes revealed the three quotes submitted:

- (1) Vulcan Signs: \$3,972.00
- (2) Municipal Signs: \$5,060.00
- (3) Gulf Coast Traffic Engineers: No quote submitted

Motion by Commissioner Paul, second by Commissioner Ryan, to approve a request by the Landfill to purchase 600 road signs from Vulcan Signs (lowest quote) in the amount of \$3,972.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Haynes submitted a request by the Planning Department to purchase a computer/printer from Dell Computer in the amount of \$1,694.00. Commissioner Paul questioned if quotes or bids were received, Mr. Haynes answered stating that the County uses Dell Computer in order to maintain compatibility with the MIS Department. Mr. Bodiford spoke in regards to Commissioner Paul's questions advising that after thorough research, Dell has been the price performer with all units purchased and based on the price and performance, Dell is used for the countywide program.

Motion by Commissioner Paul, second by Commissioner Walker, to approve a request by the Planning Department to purchase a computer/printer from Dell Computer in the amount of \$1,694.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Commissioner Infinger motioned to approve a request by the County Attorney to purchase a computer/printer from Dell Computer in the amount of \$1,694.00. Commissioner Paul seconded the motion.

Mr. Haynes mentioned in conjunction with Mr. Bodiford's answer, that Dell Computer does have the State Contract for computers.

Chairman Butler called for a vote: Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Infinger, second by Commissioner Ryan, to approve a request by Central Purchasing to purchase two electric Powermaster door openers, Model LH, from Humphries Overhead Door, Inc., in the amount of \$1,195.32. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (Mr. Haynes commented that Humphries is the company that has supplied the doors for the EMS and Fire departments).

Motion by Commissioner Ryan, second by Commissioner Infinger, to allow EMS to purchase daily medical supplies through the Central Purchasing Inventory Account adhering to the \$3,000.00 per order limit. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Haynes updated the Board in regards to the sale of the drums and reported the following prices were quoted to purchase metal drums (no price obtained for plastic as of yet)

- (1) Coast City Iron & Metal: \$2.00 each
- (2) Southern Scrap Company: No price
- (3) G.S.I.: \$5.00 - \$8.00 each (depending on condition)

Mr. Haynes stated that the County would have to absorb the delivery price.

Motion by Commissioner Infinger, second by Commissioner Walker, to approve a three-day on-site training program by H.T.E in the amount of \$3,984.45. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (The training will be conducted at Central Purchasing).

Mr. Haynes expressed his thanks and gratitude to Mr. Douglas and his department for the professionalism displayed during his recent illness.

Commissioner Paul scheduled on the agenda, did not present any items for discussion.

Commissioner Walker requested Ms. Williams and County Attorney, Jonathan Walker review Ordinance 97-9 as adopted in 1997 as an emergency ordinance and the intent of this ordinance. Commissioner Walker stated that upon his review it does not allow enforcement the opportunity to use their discretion when responding.

Commissioner Paul replied that revision of the ordinance might create more restrictions and stricter guidelines than the ordinance now in effect. Commissioner Infinger agreed with Commissioner Paul stating that this ordinance was heavily debated when adopted. Commissioner Ryan remarked that the burden would be placed on the Animal Control Officer if flexibility and discretion were allowed and the Board would be constantly open to challenges as a result of the actions taken. In response to the criticism directed at the Humane Society by the press and radio, Commissioner Ryan expressed his commendation to the Humane Society and staff for the outstanding job they do with a limited staff, inadequate facility, and equipment.

Commissioner Walker was questioned if the Animal Control personnel approached him regarding changes in the law; Commissioner Walker replied that this was the indication he got. Commissioner Walker proclaimed that he would have Attorney Miller and Ms. Williams to begin an investigation into the publicity and the party responsible for initiating the publicity and report their findings to the media and Board.

Mr. Mark Davis, representing the Humane Society, affirmed that the Humane Society was happy with the ordinance and is easy to enforce.

Commissioner Infinger supplied a gavel for the Chairman to conduct order during the meetings and introduced ideas for the Board to consider in organizing the Board meetings and requested the Board's input and suggestions at the next Board meeting.

Commissioner Ryan scheduled on the agenda, did not present any items for discussion.

Motion by Commissioner Infinger, second by Commissioner Ryan, to approve the minutes for April 11, 2000, Regular Meeting; April 13, 2000, Special Workshop and April 19, 2000, Special Workshop. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, to place the Administrative Supervisor over all departments.

Chairman Butler passed the Chairman to Vice-Chairman Infinger. Vice-Chairman Infinger accepted the Chair.

Commissioner Butler second the motion.

Chairman Infinger called for a vote: Ayes 3, Naves 2. Ryan Naye, Infinger Naye, Butler Aye, Walker Aye, Paul Aye.

Chairman Butler accepted the Chair back.

Mr. Ken Little, Assistant Administrative Supervisor, appeared before the Commissioners requesting the Board to reaffirm approval for the Environmental Services to use county vehicle insurance and fuel in their daily operation. Mr. Little stated that the Health Department did not receive the required funding to purchase the vehicles in 1998, but have now acquired the vehicles and desire the Board to confirm that the approval still applies. The Board acknowledged that the vote still stands.

Motion by Commissioner Infinger, second by Commissioner Ryan, to accept the recommendation of the Personnel Committee and approve hiring Mr. Michael Duty and Mr. Ernest Fox to the position of TDC Beach Maintenance Technicians, at \$8.00 per hour. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Infinger, second by Commissioner Ryan, to approve continuation of employment for DCT students: Mr. Paul McCormick, District 4 right-of-way laborer and Ms. April Allen, Human Resource Receptionist. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Infinger, second by Commissioner Walker, to approve a request by the Zoning Board of Adjustment and refund a variance application to Mr. Dana Dixon in the amount of \$450.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (The reason for the refund was due to the Florida Department of Transportation taking 30 feet of Mr. Dixon's property).

Mr. Matt Douglas, EMS Director, presented an invoice from Dr. Ruben Garcia, Medical Director, requesting a reimbursement in the amount of \$2,003.98 for his attendance at a seminar in West Virginia. Mr. Douglas remarked that he understood that

the Board requests prior approval, but Dr. Garcia did not submit the request before attending the seminar. Mr. Douglas stated that he questioned the meal amounts and advised he would contact the Finance Department to ensure that the amounts were in compliance with the policy.

Motion by Commissioner Walker, second by Commissioner Paul, to approve, subject to confirmation of the food allotment, reimbursement to Dr. Ruben Garcia in the amount of \$2,003.98. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Douglas submitted a request from EMS employees for reimbursement in the amount of \$1,077.96 for personal items stolen during a break in that occurred February 5, 2000, at the Miramar Beach station. Mr. Douglas informed the Board that the Sheriff's Department investigated the crime scene and ascertained that entry was gained by forced entry. The Board requested Mr. Douglas to submit a list of the items that were taken for their review.

Ms. Williams stated that she would submit the claim to the Insurance Company and let them advise if the County should pay.

Commissioner Paul returned at 11:15 a.m.

Attorney Miller stepped out at 11:15 a.m.

Motion by Commissioner Infinger, second by Commissioner Paul, to approve a request by Bay Middle School to assist with the fencing for the tennis/basketball court in the amount of \$4,200.00 from the Recreational Impact fee. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (Attorney Miller will prepare an inter-

local agreement to ensure that the area is open to the public on weekends and after school hours).

Motion by Commissioner Walker, second by Commissioner Infinger, to delete from the Walton-DeFuniak Library inventory, the map of the Florida Panhandle that was purchased by Ms. Esteena Wells. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

The Commissioners recessed for lunch.

The Commissioners reconvened at 1:30 p.m.

Chairman Butler called to order the advertised public hearing to consider adopting the Additional Homestead Exemption for Persons 65 and Older.

Mr. Miller explained that persons, ages 65 and older, with an annual income of \$20,000.00 or less could apply for the Additional Homestead Exemption with an additional \$25,000.00 exemption for the 2000 tax year. Mr. Miller advised that the application for exemption and documentation is required to be filed with the Property Appraiser's office and the exemption will be considered for adoption each year.

Chairman Butler called for comments from the Board and audience. No one spoke.

Motion by Commissioner Paul, second by Commissioner Infinger, to adopt Ordinance (2000-12), Additional Homestead Exemption for Persons 65 and Older, for the 2000 tax year. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Chairman Butler requested Mr. Brian Killenberg, Watkins Engineers and Construction, to summarize the handout submitted regarding the projected costs for the multiple building projects. Mr. Killenberg disclosed that the \$28,000,000 (approximate) represents the guaranteed maximum price on the projects, which includes the construction fee of Watkins Engineers. Mr. Killenberg stated that during the earlier presentation he was not aware that the Board had not received this cost projection. Mr. Killenberg commented that the workshop would allow Watkins to explain the prices and any alterations or deletions to the projects could be presented at that time.

Ronnie & Silvia Pool scheduled on the agenda were not present.

Mike & Shari Judkins appeared before the Board requesting an update regarding the business located on Holiday Road that has been in a code violation since 1998. The Board deferred this issue until Mr. Little could be present and respond.

Mr. Allen Tucker appeared on behalf of Mr. Bob McElroy, to present the plat of Bomar Place for final plat approval. Upon inspection of the plat, Attorney Miller approved the plat for signatures.

Motion by Commissioner Infinger, second by Commissioner Paul, to grant final plat approval for Bomar Place. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Commissioner Walker stepped out at 1:55 p.m.

Mr. Little approached the podium to respond to the Judkin's request and reported that a follow-up was not done due to a similar case presently in appeal with the Circuit Court and stated that he felt that the result of the appeal would set precedence for the County to follow in resolving situations as such.

The Board questioned Attorney Miller what option did the County have, whereas Attorney Miller answered that the County could still pursue the alleged violation and suggested that the County proceed with the investigation.

Commissioner Walker returned at 2:05 p.m.

Mr. Perry Wooten reported that per the letter he received from Planning & Zoning that the business was in compliance and was “grand fathered” in. With the introduction of this information, Mr. Wooten questioned what option did he have, Attorney Miller replied that complaints could still be filed but until the investigation is completed, he could continue his business.

The Board requested Mr. Little to proceed with the investigation and report their findings during Tuesday, May 9, 2000, Regular Meeting.

Mr. Greg Hembree, representing Dune Breeze Development, appeared before the Board requesting final plat approval for Dune Breeze Villas Townhomes. Attorney Miller advised that the plat is in order.

Motion by Commissioner Infinger, second by Commissioner Paul, to approve Dune Breeze Villas Townhomes final plat for recording. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Russ Aldrich and Mr. Jerry Andrews scheduled on the agenda were not present.

Attorney Miller updated the Board and Mr. & Mrs. C.W. Thompson regarding the research that he and Attorney Walker conducted in relation to the Thompson Small Scale Amendment request. Attorney Miller reported that a Developer’s Agreement would require adoption prior to the Small Scale Amendment stating that the classification would

only apply to whomever held title to the property at the time the zoning classification was changed. Attorney Miller reiterated that should the present ownership change, by any means, the former use would no longer be in effect, a new application would be required.

Motion by Commissioner Infinger, second by Commissioner Ryan, to approve the Thompson Small Scale Amendment contingent upon the Developer's Agreement. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Russ Aldrich appeared before the Board and requested final plat approval for Seacrest Beach Subdivision, Phase IV. Attorney Miller reviewed and advised that the plat was ready for approval.

Motion by Commissioner Infinger, second by Commissioner Paul, to grant final plat approval for Seacrest Beach Subdivision, Phase IV. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Jerry Andrews appeared before the Commissioners to request final plat approval for Fountain Plaza East, a commercial subdivision.

Attorney Miller advised that the plat was ready for Board approval contingent upon amending and including the dedication of Ellis Road to the public.

Commissioner Walker stepped out at 2:45 p.m.

Motion by Commissioner Infinger, second by Commissioner Paul, to approve the plat subject to dedication of Ellis Road to the public. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Andrews presented an invoice for payment on Friday, April 28, 2000, in the amount of \$54,723.30 for construction on Ellis Road. (The Board approved this request March 28, 2000, regular Meeting).

The Commissioners recessed briefly at 2:55 p.m.

The Commissioners reconvened at 3:10 p.m.

Mrs. Kriss Titus introduced for the Board's perusal, an agreement for Marketing/Advertising Agency between the Walton County Tourist Development Council, Walton County and Bohan Carden & Cherry. Mrs. Titus reported that Attorney Miller, Attorney Walker, and TDC Attorney, Ms. Mary Kramer, have reviewed the agreement. Mrs. Titus further stated that Bohan Carden & Cherry have inspected and consent to the contract.

Motion by Commissioner Infinger, second by Commissioner Ryan, to approve the Chairman's signature on the Marketing/Advertising Agreement. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

County Staff Attorney Jonathan Walker, submitted a proposed Parasail Ordinance for the Board's consideration. Attorney Walker reported that input was given regarding Section 6 and suggested that the second sentence would be appropriate under Section 7. Attorney Walker also mentioned concerns Mr. Little had regarding Section 8 and suggestion was made to delete "and all other motorized craft". Attorney Walker directed the Board's attention to Section 2 (A) regarding the regulation and licensing of the Parasails and towboats and reported that he would present a revised draft after meeting with Tressia Tousignant, District 5 Administrative Assistant, and contacting Bay County authorities for further information pertaining to their Ordinance.

Attorney Walker presented the Education Repayment Agreement describing the agreement to be effective for all departments within the County. Discussion included the employee's agreement to repay the County within thirty days of initial notice of

voluntary termination; the monies being withheld from the employee's last paycheck; feedback from Analytica and the determination factor to use if an employee leaves employment due to a medical or family situation versus an employee finding employment elsewhere with better wages.

In lieu of the comments and questions, Attorney Walker requested that the agreement be presented to Analytica for suggestions and guidance.

Ms. Shirl Williams, Administrative Supervisor, introduced Mr. Granger Bruner and related his proposal to assign Bruner Water System to the City of DeFuniak Springs. Mr. Bruner briefly described the territory involved with the franchise and stated that the territory is within the five-mile jurisdiction of the City. The Board questioned Attorney Miller if the City would be required to comply with the same requirements as stipulated in the agreement; whereas, he answered "yes" and recommended that the Board carefully consider the request.

Motion by Commissioner Infinger, second by Commissioner Paul, to advertise a public hearing for the sale of Bruner Water System scheduled for May 22, 2000 at 1:30 P.M. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Infinger, second by Commissioner Ryan, to approve Mr. Joel Paul, Jr.'s signature since he was Chairman at that time to the April 13, 1999, Regular Meeting. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (The minutes were filed without BCC approval).

Motion by Commissioner Paul, second by Commissioner Infinger, to approve, by written notice, acceptance of an additional \$120,701.00 representing unspent grant funds

from the DCA for Emergency Management for fiscal year 1998/1999. Ayes 5, Nays 0.  
Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Ms. Williams submitted a letter from Mrs. Janie Lindsey, Lake DeFuniak Realty, and Ms. Beverly Warren, Owner, with an invitation to the Board to purchase the Warren Building on College Avenue for \$250,000.00. The invitation will be available for thirty days (April 25, 2000 to May 25, 2000) and allow the County first right of refusal during this period if a buyer becomes interested.

Motion by Commissioner Walker, second by Commissioner Infinger, to approve two fireworks display permits for Sandestin on June 8 and 18, 2000. Ayes 5, Nays 0.  
Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Ryan, to approve a request by Ms. Helen Luzny, Inlet Beach renter, to purchase dog permits. Ayes 5, Nays 0.  
Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Infinger, second by Commissioner Walker, to approve the Chairman's signature on the renewal agreement between Walton County and the Department of Revenue for a Child Support Hearing Officer. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Ms. Williams presented a request from Ms. Dori Cordle, Clerk to the Board of County Commissioners, for clarification regarding the number of jet skis approved for purchase by the Sheriff's Department in the minutes dated February 8, 2000, Regular Meeting. The minutes reflect one (1) Jet Ski approved by the Board in the amount of \$11,798.00 but the invoices shows that two were purchased. The Board advised that two Jet Skis were approved.

Ms. Williams informed the Board of her meeting with Mr. Hilton Galloway, Carr, Riggs & Ingram, L.L.P., to find out if the financial statement would be ready by May 1, 2000. Ms. Williams reported that DCA requires the report on May 1, 2000, or the County will be penalized fifteen points on any CDBG applications for two years. Ms. Williams also presented three options that the Board could consider.

Mr. Bodiford declared that since the Board engaged the services of Mr. Galloway, the Accounting Department has been working diligently trying to understand how the irregularities were adjusted and stated that he is not willing to close the books until the Board, the public and he understands how the adjustment were made.

Motion by Commissioner Ryan, second by Commissioner Infinger, to instruct Mr. Galloway to file a qualified opinion, contingent upon his report regarding the financial statement. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

The Board deferred further conversation until Mr. Galloway could be present to answer questions concerning the financial statement.

Mr. Ken Moneghan, Florida Association of Counties Trust (FACT), briefed the Commissioners with a background history of FACT. Mr. Moneghan informed the Board that the eleven members of the FACT Trustee Board are members of the program therefore having a direct interest when determining factors are considered for claims. Mr. Moneghan reported the FACT Board meets quarterly to discuss issues and concerns and stated that monies are reserved to cover claims. Mr. Moneghan advised that he would request the FACT legal council to keep the Commissioners informed on events and issues on an annual basis.

Mr. Hilton Galloway appeared before the Board and identified pool cash in the approximate amount of \$300,000 and accounts payable (General Fund) in the approximate amount of \$500,000 as the two critical concerns that are required to be resolved before he can complete the financial statement.

Mr. Galloway reported that he had submitted entry adjustments but as of Monday, April 27, 2000, the Clerk advised him that the entries had not been reviewed and the adjustment were not entered. Mr. Galloway advised that he could give a qualified opinion by May 1, 2000, if the adjustment were made. When questioned if he could not give a qualified opinion by May 1, 2000, Mr. Galloway replied "I cannot give you a qualified opinion based on my audit, based on the general ledger that was provided to me back in February." Mr. Galloway was asked if the Board directed him to submit a qualified opinion as soon as possible, was this sufficient direction; whereby, Mr. Galloway answered that if the Board told him to make the adjusting entries that he felt needed to be made, and he makes the adjustment, he could qualify his opinion as to payables and cash.

Mr. Bodiford informed the Board that each recommendation submitted by Mr. Galloway was being validated and therefore hindering the progress. The Board asked Mr. Bodiford if he could accommodate the entries submitted by Mr. Galloway. Mr. Bodiford replied that he could accommodate the entries with the understanding that once the entries are reviewed and if a problem arises, the Board will ensure that the Auditor will be available for any questions relating to the adjustments that are being entered on faith.

The Board requested Mr. Galloway to submit an account of all events as they occur so the Board will be abreast of what is happening.

Attorney Miller resumed his topics relaying that Attorney Allen Ramey announced that the Code Enforcement Board denied the variance request of Claude and Betty Jones and advised that the Jones filed a petition to the Circuit Court. Attorney Ramey inquired if Attorney Miller wanted to take the appeal case and Attorney Miller informed Attorney Ramey that he should since he represents the Zoning Board of Adjustment. The Board agreed with Attorney Miller's suggestion.

Attorney Miller introduced Attorney Jeffrey T. Sauer, Smith, Sauer & Demaria, representing Majestic Sun, Inc. Attorney Miller submitted a request to grant a variance and waive the setback lines on subject property located in the Seascape Resort DRI (SE corner of Section 29, T2S, R21W, Walton County). Attorney Miller advised that Ordinance 83-3 (repealed) was in force when Seascape developed the condominiums that they have now sold. Attorney Miller relayed that the Planning Department has stated that the Ordinance does not apply to the DRI and submitted a letter that the DRI'S have been approved without compliance to 83-3.

Mr. Sauer circulated the original variance for the Board members to execute.

Motion by Commissioner Paul, second by Commissioner Walker, to accept the recommendation of Attorney Miller and the Planning Department and adopt the variance Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Dennis Smith submitted a petition requesting the Board to resume maintenance of Squirrel Haven Road, District 4. Mr. Smith advised that Mr. Randy

Lingerfelt, District 4 Road Foreman, declared that the County previously maintained the road.

Motion by Commissioner Infinger, second by Commissioner Paul, to add Squirrel Haven Road to the County Maintained Road List. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Ms. Williams presented an interdepartmental transfer request on behalf of Ms. Martha Ingle, Budget Officer. The request is to transfer \$45,000 from General Fund Contingencies into Other Current Charges for the Tax Collector.

Motion by Commissioner Infinger, second by Commissioner Walker, to approve the interdepartmental transfer as presented. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Commissioner Ryan updated the Board regarding the resignation of two members of the Library Board and requested Commissioner Walker and Commissioner Infinger to select someone to the position. Ms. Williams informed the Board that she and Attorney Walker are in the process of preparing the inter-local agreement with the City of DeFuniak and the Walton-DeFuniak Library.

There being no further discussion, motion by Commissioner Walker, second by Commissioner Paul, to adjourn the meeting at 5:15 p.m. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

APPROVED: \_\_\_\_\_  
Van Ness R. Butler, Jr., Chairman

ATTEST: \_\_\_\_\_  
Dan Bodiford, Clerk

