

## AUGUST 22, 2000 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, August 22, 2000, at 8:30 a.m., in the Commissioner's Boardroom of the Walton County Courthouse.

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

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

Captain Tom Pagels, Director, Emergency Operations Center, appeared before the Commissioners requesting the Chairman's signature on the contract between the Department of Community Affairs and the Department of Emergency Management for the Emergency Management Preparedness and Assistance Trust Fund Grant.

Motion by Commissioner Paul, second by Commissioner Ryan to approve Chairman Butler's signature on the Emergency Management Preparedness and Assistance Trust Fund Grant. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Walker Aye, Paul Aye.

Captain Pagels suggested that the Board allow West Florida Regional Planning Council (WFRPC) to apply for the Small Quantity Generator (SQG) Waste Management Program grant in the amount of \$30,000.00 on behalf of the Emergency Management Center. The board questioned Ms. Williams regarding this request; she advised that due to the lack of personnel, time and the fact that the WFRPC is familiar with the application process, she would recommend the same.

Motion by Commissioner Paul, second by Commissioner Ryan to accept the recommendations of Ms. Williams and Captain Pagels and enter into an agreement with the WFRPC to apply for the Small Quantity Generator Waste Management Program Grant in the amount of \$30,000.00. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Walker Aye, Paul Aye.

Mrs. Sue Carter, Tax Collector, presented a second payment in lieu of property taxes for the Northwest Florida Water Management District in the amount \$13,245.05.

Motion by Commissioner Paul, second by Commissioner Walker to accept the check from the Northwest Florida Water Management District in the amount of \$13,245.05 and authorize the Financial Director to recommend the fund to deposit it into. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Walker Aye, Paul Aye.

Mrs. Suedelle Wilkerson, Finance Director, requested a copy of each grant that the County accepts in order for her department to know what monies are expected when the Finance Department receives a check.

Chairman Butler arrived at 8:40 A.M.

Mrs. Wilkerson presented the Expenditure Approval List (EAL) consisting of the following bills for payment:

General Fund	\$ 293,384.52
County Transportation Trust	132,407.25
N.W. Mosquito Control	607.63
Walton-DeFuniak Library	7,402.25
Recreation Plat Fee	28.00
Solid Waste Enterprise	144,356.32
Mossy Head VFD	623.09
Glendale VFD	151.61
Darlington VFD	-48.49
Liberty VFD	631.91
Red Bay VFD	19.50
Tourist Development Council	162,179.40
Section 8 Housing	899.75
Local Option Gas Tax	24,088.92
Criminal Justice Ed Fund	393.72

Capital Project	76,116.57
Multi-Purpose Trust Fund	1,012.00

Commissioner Walker and Mrs. Wilkerson requested Ms. Williams to provide them with copies of the agreements.

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

Vice-Chairman Infinger passed the Chair to Chairman Butler.

Mr. Ronnie Bell, Public Works Director, submitted an invoice from C.W. Roberts in the amount of \$5,705.85 for paving and sidewalk on CR 30A from Seaside to CR 395.

Motion by Commissioner Paul, second by Commissioner Ryan to accept the recommendation of Mr. Bell and approve payment to C.W. Roberts in the amount of \$5,705.85 for the CR30 project. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Matt Douglas, EMS Director, presented a request from his employees concerning relocating the ambulance station from the Sheriff's Department Substation on U.S. Highway 331 South to the old EMS station located off County Road 393. Mr. Douglas requested that Mr. Charles McMillian, Courthouse Maintenance, evaluate the viability of the trailer to ensure compliance with the current building standards and submit his recommendations.

The Board agreed that a thorough investigation needs to be initiated concerning the present lease agreement with District 5 and the cost factors involved with relocating to the old site versus a new construction on JD Miller Road.

Commissioner Butler expressed his concern regarding a fax received by the South Walton Fire Department and an unsigned request of an employee's mother for statistical information concerning fire-based EMS, proposed salaries, number of paramedics/EMTs,

number of first response units/transport units and response times for the Walton County EMS and South Walton Fire Department. Ms. Christy Faulkenberry appeared before the Commissioners stating that she submitted the request as a citizen of Walton County and not as an employee of EMS and reported that her request was signed.

Mr. Douglas expressed the same sentiments as Commissioner Butler regarding the inappropriate behavior of personnel involved with transmitting the fax. The Board authorized Ms. Williams to investigate into the location of the fax number displayed on the fax transmittal and requested Ms. Faulkenberry to provide the Board with a copy of her signed request.

Mr. Douglas requested the Board to schedule a public hearing to consider renewing the Emergency Medical Services Certificate of Public Convenience and Necessity.

Motion by Commissioner Paul, second by Commissioner Infinger to schedule a public hearing on Tuesday, September 12, 2000, at 6:20 P.M., to consider renewing the EMS Certificate of Public Convenience and Necessity. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Douglas reported that Attorney Miller and Attorney Jonathan Walker are reviewing the Education Retainment Agreement and stated that the County does not have a governing policy relating to an employee being required to take annual leave to attend class and/or clinical (to upgrade their level of degree) on a scheduled workday and asked the Board if a leave request is required. Mr. Douglas stated that his recommendation was that the employee would not be required to take annual leave on a scheduled workday and would continue to be paid. The Board questioned Ms. Williams if she had reviewed this request and she stated that she agreed with Mr. Douglas. The Board requested that Mr. Douglas attempt to schedule the employees workdays around the schooling.

Motion by Commissioner Ryan that an annual leave request is not necessitated if class and/or clinical attendance is on a scheduled workday, second by Commissioner Paul. Ayes 5, Nays 1. Ryan Aye, Infinger Aye, Butler Aye, Walker Naye, Paul Aye.

Motion by Commissioner Paul, second by Commissioner Infinger to adopt Resolution (2000-45) for the 2000/2001 Emergency Medical Services County Grant Application in the amount of \$15,398.47. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (Mr. Douglas advised Mr. Bodiford that he would provide Mrs. Wilkerson with a copy of the Resolution).

Mr. Douglas asked the Board's permission to start the process of remounting the chassis on two type I ambulances previously purchased in 1995 from Excellence in the amount of \$115,954.37 (budgeted in the 2000/2001 fiscal year). Mr. Douglas requested that the bid procedure be waived due to Excellence's standard of quality of service, daily experience and to maintain the continuity of the vehicles. (Mr. Buddy Manning, Mechanic, agreed with waiving the bid process). The Board asked Mr. Douglas to check into the \$300.00 road worthy amounts stipulated in the remounting costs.

Motion by Commissioner Infinger, second by Commissioner Ryan waive the bid procedure and authorize the remounting process to begin.

Commissioner Walker requested that Mr. Bell be responsible for determining relocating the equipment to other departments if deemed necessary.

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

Commissioner Walker explained, for the record, his 'naye' vote concerning employees' class/clinical attendance during a scheduled workday and a leave request not being required. Commissioner Walker stated that it appears to be "double-dipping" with the County paying for

the class, the employee receiving pay and obtaining a new or higher degree on a separate educational level that warrants a pay increase.

Ms. Williams requested those Board members who have not been fingerprinted to get with her so she can arrange for the process to be done. The Board advised that they had been fingerprinted when they were bonded and sworn into office and some have had a recent background screening check. Mr. Douglas advised that the current Medicaid guidelines require new prints on file. The Board requested Mr. Douglass to check into this matter and report his findings.

Commissioner Paul introduced Mrs. Linda Godwin to the Commissioners to express her concerns regarding a citation she received for having a truck with the front end positioned upon blocks in her yard. Ms. Godwin stated that she did not know that it was a violation and provided pictures for the Board's perusals showing her property, a vacant home and an abandoned trailer east of her residence. Mrs. Godwin stated that the Ordinance was misleading and did not advise that she had an option to appeal the citation issued by Code Enforcement. Mrs. Godwin suggested four revisions: (1) the complainant to be a resident of the community for at least six months, (2) a charge of \$500.00 from the complainant if harassment charges are proved, (3) allow the one receiving the citation to protest or appeal the Code Enforcement issue before paying a fine (4) delete Paragraph B, or allow the Code Enforcement Officer access the whole neighborhood before issuing a citation.

Mr. Art McLellan, Chairman, Code Enforcement Board, advised Mrs. Godwin that she could appear before Code Enforcement and agreed that there were inadequacies and ambiguity in the Ordinance. The Board requested Ms. Williams to get with Attorney Walker to review the Ordinance and suggested that the Code Enforcement state within the letter that person(s) have the right to appeal.

Commissioner Walker scheduled on the Agenda, did not present any items for discussion.

Commissioner Infinger introduced Mrs. Ellen Mayfield, past-President of the DeFuniak Springs Business and Professional Association (DBPA). Mrs. Mayfield presented each Board member and Attorney Miller with a rose representing the beauty of the signs and thanked them for they're past monetary support. Mrs. Mayfield apologized for not presenting the request during the budget workshop and asked the Board to consider funding the advertisement sign, located on I-10, for another year in the amount of \$4,800.00. Commissioner Walker advised Mrs. Mayfield that he supported the effort during the first year, but stated that he felt further involvement at the taxpayer's expense would not be welcomed and questioned Mrs. Mayfield if the DBPA had requested assistance from the Economic Development Council (EDC). Mrs. Mayfield advised that the EDC has been contacted but has not committed to a final confirmation.

Motion by Commissioner Infinger, second by Commissioner Ryan to fund the billboard advertisement sign located westbound on I-10 between Caryville and DeFuniak Springs for one additional year in the amount of \$4,800.00. Ayes 4, Nays 1. Ryan Aye, Infinger Aye, Butler Aye, Walker Naye, Paul Aye. (The Board requested Ms. Williams to contact Mr. William Imfeld, Financial Director, in order to fund the request and reminded Mrs. Mayfield to submit a budget request next year).

The Commissioners took a brief recess at 9:45 A.M. and reconvened at 9:55 A.M.

Commissioner Ryan revisited the Alaqua Park situation stating that a reward has been posted and identified utilization of the Park, the behavior and activities that are going at the Park as three major concerns. Commissioner Ryan advised that Fish & Wildlife Conservation placed a reversion clause on the instrument that conveyed the easement stipulating that in the event the easement was no longer used for the intent in which it was granted, as a boat launch facility, the easement would revert to the original owners. Commissioner Ryan advised that the original

owners, Nation Wide Investors Incorporated, went defunct in 1981 and remarked that proper ownership cannot be found in the public records. Commissioner Ryan reported that after 1981, the Property Appraiser's Office, quit assessing the property, therefore indicating that it is County property. Commissioner Ryan reported that no documents have been located indicating that the property is or has been conveyed to the County. Commissioner Ryan reported that upon Mr. Thomas Vaughn, Biological Administrator III, Florida Fish and Wildlife Conservation Commission, investigation into the activities going on at the Park, the State is ready and willing to release the easement.

Attorney Miller reported that the legal title appears to be in a defunct corporation, Castaway Bay Estates. Attorney Miller stated that he is attempting to locate one of the surviving Board of Directors, a Mr. Russell, who may act on behalf of the defunct corporation as a surviving trustee. Attorney Miller stated that he remembered a document, agreement or letter where the State ceded the property to the County for maintenance.

Commissioner Ryan gave a brief summary of the August 14, 2000 meeting and the discussion that lead to exploring the possibility of relocating the boat ramp on County property (north of the bridge, fronting on Highway 20). Commissioner Ryan reported that he is investigating into other locations to resolve this matter, advising that he is working with the City of Freeport in regards to the possibility of obtaining a grant for a swimming pool and negotiations with Basin Bayou for the former Ft. Rucker Outdoor Recreation area.

Suggestions were made to erect a large sign specifying the rules and regulations to adhere to at the Park. Attorney Miller remarked that the County has no legal title to the property; therefore, the County has no right to erect a sign. Mr. James McLeod suggested that once ownership is determined to appoint a committee and hold workshops to alleviate some of the problems and work on resolving these concerns.

Mrs. Gloria Blanchard questioned the Board if they were going to allow the drugs, alcohol, indecent exposure, vandalism and profanity to continue. The Board instructed Mrs. Blanchard to address these matters and complaints to the Sheriff's Department. Commissioner Ryan stated that he would continue his efforts in resolving the problems and work with Mr. McLeod in regards to appointing a committee to hold a workshop. Attorney Miller advised he would attempt contacting Mr. Russell.

Commissioner Ryan requested Attorney Miller's and the Board's input regarding Military Leave time advising that the current County policy pays full salary to reservist for days 1-17, but the County has the discretion of paying full County salary for days 18-30 of the military leave. Attorney Miller stated that it was the Board's option to pay or not.

Motion by Commissioner Ryan, second by Commissioner Paul to approve the County to pay supplemental military pay if reservist is called to active military service beyond 17 days.

Commissioner Walker and Commissioner Butler requested further information pertaining to this request and the requestor and recommended that Ms. Williams, Attorney Miller and Attorney Jonathan Walker to investigate further into this matter.

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

Chairman Butler stepped out.

Motion by Commissioner Walker, second by Commissioner Paul to approve the purchase of rip-rap material for Yorkey Road, D2, from Vulcan in the amount of \$3,406.55 and \$3,773.70. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Paul to approve the purchase of culverts from Gulf Atlantic Culverts in the amount of \$7,812.44 for the Christian Life Center Road, D2. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Walker Aye, Paul Aye.

Commissioner Walker requested the Board's consideration to allow Mr. Bell and himself to travel to Midway, Florida, to attempt contact with the landowners of a forty-acre parcel located on Christian Life Center Road in order to obtain a right-of-entry (ROE) to clear the right-of-way. Commissioner Walker and Mr. Bell reported that all efforts to contact the owners by mail (via certified mail to a Post Office address) were in vain, but have contacted a relative of the landowner to get a physical address. Commissioner Walker reported that this ROE is the last one needed to proceed with the road repairs. Commissioner Walker and Mr. Bell also reported that there is large timber on the right-of-way and the proceeds from the timber should be deposited in an escrow account for the landowner, if cleared by the County.

Attorney Miller suggested that an option was to file a condemnation proceeding for a quick taking on the forty acres to clear the necessary right-of-way and deposit a good faith estimate of the value of the property that is being acquired. Attorney Miller requested Mr. Bell and Commissioner Walker to make every effort to contact the landowners in order to prevent the condemnation action.

Chairman Butler returned.

Motion by Commissioner Paul, second by Commissioner Walker to authorize Mr. Bell and Commissioner Walker to travel to Midway, Florida, to locate the landowners and file a condemnation proceeding in the event that the landowners are not located. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell introduced Mr. John Roach to the Board. Mr. Bell showed a scale of the subject property (Lot 17, Block F, Beach Highland Addition, Stalworth Lake) indicating the driveway and proposed landscaping. Mr. Roach requested the Board to allow him to proceed with a ground cover landscaping to the county right-of-way stating that no parking has been eliminated and the openness is still being preserved to those utilizing the beach access.

Ms. Celeste Cobena passed out an aerial photograph of the area and voiced her opposition to landscaping in the County right-of-way and requested that the County improve the base material for parking and accessibility to the beach.

Commissioner Walker questioned Mr. Roach if he had another means of accessing his property, Mr. Roach answered he did not and advised that his 24-foot driveway corresponds with the other driveways in the neighborhood (some have been there for forty years) and is even narrower than his next-door neighbor. Mr. Roach showed photographs of neighboring driveways indicating the width of each driveway ranging from 24 feet to 25 plus feet. Mrs. Roache reiterated that the parking has not been altered or eliminated and stated she felt that head-in parking is unreasonable.

Mr. Bodiford stepped out at 11:16 A.M.

The Board instructed Mr. Bell to research further into the other driveways; Mr. Bell questioned what dimensions did the driveway(s) need to be. The Board stated that they wanted the head-in parking to be installed and could compromise on the size of the driveways. The Board suggested Mr. Bell to make the determination and submit his recommendations.

Mr. Bell introduced Mr. Thomas Hicks and Mr. Johnny Simms, landowners. Mr. Bell explained that Mr. Hicks and Mr. Simms need access to their property located south of the Rockhill Pit. Mr. Hicks and Mr. Sim's recommendation was to allow them and the County to excavate dirt up to the property lines and the County to incur the cost associated with fencing the Counties property. Mr. Bell explained that if once the pit is no longer useable, the County will only be responsible for reclaiming the Counties portion of the property and the landowners will reclaim their portion. (Mr. Bell reported that in speaking with the Department of Environmental Protection, this is allowable and a mining notice is required at the expense of Mr. Hicks and Mr.

Simms). Mr. Hicks and Mr. Simms agreed that they would bear the cost of building and fencing an access road to their property by utilizing the edge of the County property.

Motion by Commissioner Walker, second by Commissioner Paul to authorize Attorney Miller and Mr. Bell to draw up an agreement and hold harmless allowing Mr. Thomas Hicks and Mr. Johnny Simms access to their property through County property for the purpose of excavating dirt. This motion can be rescinded in the event that problems arise. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell remarked that the County needs to investigate into other pits; Attorney Miller also suggested that the County look into the present holes where dirt has been excavated and used in other counties and try to get a hold onto the situation.

Commissioner Paul stepped out.

Motion by Commissioner Walker, second by Commissioner Infinger to approve payment to Jenkins & Associates in the amount of \$500.00 for survey fee for Collinsworth Road, D2. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye.

Mr. Bell explained to the Board his dilemma concerning the bid process for sod and the loss of time involved in order to sod the new roads being constructed. Mr. Bell requested authority, upon Ms. Williams and Mr. Imfeld's approval, to purchase sod and sod the roads as needed.

Motion by Commissioner Walker, second by Commissioner Infinger to allow Mr. Bell the authority to purchase sod and sod roads as needed. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye.

Commissioner Paul returned.

Motion by Commissioner Walker, second by Commissioner Paul to approve assistance with relocating a large water tank and stand to the Pine Log Community Volunteer Fire &

Rescue, Inc. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (The water tank and stand were donated from the South Walton Fire Department).

Mr. Bell submitted a request from Mr. Thomas Stephens, North Walton Mosquito Control Director, for approval to submit a bid in the amount of \$4,600.00 for equipment surplus by the Okaloosa County Purchasing Department. Mr. Bell reported that Mr. Stephens has inspected the surplus items and found them to be a good investment.

Motion by Commissioner Walker, second by Commissioner Infinger to allow North Walton Mosquito Control to submit a bid to the Okaloosa County Purchasing Department in the amount of \$4,600.00 for surplus equipment. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell provided the Board with a copy of the appraisal submitted by Teel & Waters Real Estate for property located North of the Landfill and Prison on Triple G Road as a relocation site for the Humane Society. Mr. Bell stated that the 20 acres and home appraised for \$130,000.00. The Board deferred action until the September 12, 2000, Regular Meeting, in order to allow them an opportunity to investigate into the estimated costs to repair the home. The Board asked Mr. Bell to provide the Humane Society with a copy of the appraisal and let them express their comments regarding the home and needed repairs.

Motion by Commissioner Paul, second by Commissioner Ryan to approve the request of the Landfill to purchase a batwing bush hog. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (No amount was mentioned; the purchase is to be paid out of the grant funds).

Mr. Bell announced that the West Bay Mill (Louisiana-Pacific) offered to donate, sift and load, free of charge, seven loads of decomposed bark. Mr. Bell recommended that the Board accept the donation stating that the Counties responsibility would be to haul the bark to Eden

State Garden and Grayton Beach. Mr. Bell stated that the bark could be utilized in other areas of the County as well and requested an opportunity to haul additional loads if possible.

Motion by Commissioner Walker, second by Commissioner Infinger to accept Mr. Bell's recommendation and allow him the authority to haul a minimum of seven loads of decomposed bark from the West Bay Mill to Eden State Garden and Grayton Beach. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Dan Owens, Director, Walton-DeFuniak Library, appeared before the Commissioners and requested the Board to consider his recommendation in regards to the four bids received for library furnishings for the Coastal Branch Library and the new Freeport Public Library.

Mr. Owens advised that Library Interiors of Florida, Inc., submitted a proposal to provide free consulting services for the purchase of library furnishings from the State Contract.

Motion by Commissioner Walker, second by Commissioner Infinger to accept Mr. Owens' recommendation to approve Library Interiors of Florida, Inc., to provide free consulting services for the purchase of library furnishings from the State Contract. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Owens updated the Board on the meeting held August 21, 2000, advising that the project costs for the Coastal Branch Library were still under cost.

Mr. Bruce Ward, County Extension Agent, introduced Mr. Scott Jackson as the new Marine Coastal Agent. The Board welcomed Mr. Jackson aboard and provided him with a copy of the South Walton Turtle Watch letter concerning the beach cleaning that is going on at night and requested him to keep Ms. Williams informed of his findings.

The Commissioners recessed for lunch at 11:55 A.M. and reconvened at 1:40 P.M.

Mr. Bell presented three videos for the Board's consideration. The first video depicted a road off Mack Edwards Road, D1 (off State Highway 81, South of Ponce de Leon). Mr. Bell explained that the road was constructed by the County in 1970-1971 and was maintained by the County until 1992, and thereafter, was only maintained as an emergency basis. Mr. Bell reported that Ms. Margaret Edwards claims that she and her father signed an easement to the County, but the document cannot be located.

The second video was a request for assistance and the berms to be re-established on Hyland Lane, off County Highway 280A, D1. Mr. Bell informed the Board that the berms were established after Hurricane George. Commissioner Paul reported that he elected not to maintain the road as it was deemed to be a private drive.

Mr. Bell stated that the third video is a request for the County to maintain Bonita Drive, D3, in order for the school bus to pick up a hearing impaired child and the medical condition of the father (disabled). Mr. Bell advised that the road would require very little maintenance at a minimal cost stating that the road is approximately two-tenths of a mile long with an estimated 72-foot right-of-way and stated that the County has maintained the road on an "emergency" basis.

Motion by Commissioner Walker, second by Commissioner Infinger based on the minimal cost, length and right-of-way, to accept Bonita Drive for County maintenance. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Infinger to approve repairing the two berms located on Hyland Lane to divert the water run-off and erosion. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker to deny the request of Ms. Edwards (unnamed road off Mack Edwards Road) based on the inadequate right-of-way and instruct her to follow the requirements of the private road policy.

The motion died for lack of a second.

Motion by Commissioner Paul, second by Commissioner Ryan based on Mr. Bell's documentation, to approve Margaret Edwards Lane to be added to the road-grading list.

Commissioner Walker remarked that this action would repeat the present arguments that the county "maintains" the road. Commissioner Walker reiterated that the road needs to be established as a county road, which requires a right-of-way.

Motion by Commissioner Ryan, second by Commissioner Infinger to authorize Mr. Bell permission to request a right-of-way from Ms. Margaret Edwards and approve grading Margaret Edwards Lane on an "as-needed" basis. Ayes 4, Nayes 1. Ryan Aye, Infinger Aye, Butler Aye, Walker Naye, Paul Aye.

Mrs. Latilda Henninger, Planning Director, introduced Mr. Ken Shannon, Planning Technician, to submit the Planning Departments recommendations and request to lift the moratorium placed on applications for projects other than "deminimus" projects for a period of ninety days or until completion of a traffic study (Board approved on July 27, 1999). Mrs. Henninger reported that the motion affected all of Walton County and all projects, including residential developments, and reported that the traffic study (evaluating the methodology used by developers in presenting traffic information for proposed projects) is not completed. Due to a number of factors, Mr. Shannon explained that the new concurrency management system being designed may or may not be the answer for all roadways in Walton County. Mr. Shannon reported factors such as the consultants initial attempt at a PM Peak Hour Study, the FDOT progress on the four-laning of U.S Highway 98 to the Bay County line and identified U.S.

Highway 98 from the Okaloosa County line to the east end of Old 98 and U.S. Highway 331 from I-10 south to the Freeport city limits as the two deficient roadways (the PM Peak Hour Study may be an option for these deficient segments).

Mrs. Henninger read the staff recommendations:

- (1) Lift the moratorium on development projects exceeding de minimus in North Walton County. Allow development to proceed under the current traffic concurrency management system;
- (2) Lift the moratorium on development projects in South Walton County that exceed de minimus but do not impact the constrained sections of U.S. 98 and U.S. 331,
- (3) Only accept applications on the constrained segments if the applicant demonstrates that the required level of services is being met.

Motion by Commissioner Paul, second by Commissioner Ryan to approve lifting the moratorium and accept the staff recommendations as presented above. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mrs. Henninger announced that Mr. Mike D'Autilia (D1) and Mr. Rob Neale (D3) have been reappointed to the Planning Commission and advised that Mr. Tom McGee (D5) has been provisionally reappointed (until the newly elected County Commissioner's term begins and at his discretion to retain or replace). Mrs. Henninger questioned each Commissioner regarding the expiring terms for the Zoning Board of Adjustments (D1-Billy Wilson, D2-Bob Philips, D3-Eddie Williams). Commissioner Butler requested her to contact Mr. Richard Stafford to see if he was interested in being re-appointed, the remaining Commissioners advised that the present members are agreeable to being reappointed. Mrs. Henninger named Valerie Simmons and Laverne Camacho as At-Large members for the Planning Commissioner stating that their terms are also expiring on September 30, 2000, along with At-Large member, Mickey Whitaker,

Zoning Board of Adjustments and requested that the Commissioners notify her prior to September 26, 2000, of individual reappointment or appointments.

Mr. Shannon submitted a proposed revised fee schedule for the Board's perusal. The draft identified the existing fees and proposed fees and projected revenues for a number of categories ranging from Home Occupation, Clearing Permits to Abandonment Applications. The Board requested time to allow them an opportunity to take the recommendations under advisement and meet with the Planning Department for review and discussion/suggestions.

Mrs. Henninger supplied the Board information concerning the present moratorium on commercial towers in Walton County. Presently, Walton County has 26 existing commercial towers, five existing roof-top towers and two pending in South Walton and several pending requests for towers in South Walton. Mrs. Henninger reported the area north of DeFuniak Springs to the Alabama State line and the area between DeFuniak Springs and Freeport as "blind spots". Comments were made regarding the "bright" lights on some existing towers, free-standing towers, more towers-better service and collocating services on existing towers. Mrs. Henninger remarked that each tower application will be evaluated as a major development and will need the Planning Commission's approval and final approval from the Board of County Commissioners.

Motion by Commissioner Walker, second by Commissioner Paul to approve lifting the existing moratorium on communication towers. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Tom Powell, Economic Development Council, appeared before the Board to request appropriation monies, in the amount of \$10,000.00, for a proposed regional marketing effort to promote northwest Florida from Tallahassee to Pensacola. Mr. Powell advised that the agenda item, "Proposal for Referendum" has been discussed and taken care of. Mr. Powell stated that

St. Joe Company and Gulf Power Company are participants in the regional marketing effort, with the main focus on marketing with an annual budget estimated at \$300,000.00 to \$500,000.00.

Mr. Powell remarked that location is a major decision and advised that the likely site will be in a community along I-10 and reported that negotiations are in the process with landowners of property near I-10. Mr. Powell remarked that in order to participate and submit a location site, a membership is required and a \$10,000.00 annual membership would allow one seat on the Board of Directors. Mr. Powell advised that if the Board were interested in acquiring a membership, the funds would not be required until the 2000/2001 fiscal year. No action was taken.

Mr. Wayne Montgomery, D&H Oil and Gas Company (Lucky-13 Truck Stop) appeared before the Board requesting that the Development Order for the Lucky 13 Motel Phase II be issued (Board approved April 11, 2000, Regular Meeting with contingencies). Mr. Montgomery explained that the Lucky 13 property was not going to be used as collateral for the loan with Vanguard Bank for the motel site and would not be part of the bond issue. Mr. Montgomery announced that Vanguard Bank has agreed to finance the construction of the motel using collateral not associated with the Lucky 13 property.

Ms. Williams reported that all requirements for the Development Order have been met.

Motion by Commissioner Infinger, second by Commissioner Paul to approve issuance of the Development Order for the Lucky 13 Motel, Phase II. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

The Commissioners recessed briefly at 3:00 P.M. and reconvened at 3:20 P.M.

Ms. Williams advised Ms. Amy Lemay that she and Attorney Miller have not met with the concerned parties to discuss the Treasure Island Marina-Destin Sea Ray issues and requested that the topic remain tabled until Tuesday, September 12, 2000, Regular Meeting at 6:45 P.M.

Chairman Butler called to order the advertised public hearing to consider the Community Directory Sign Ordinance (97-28).

Ms. Williams reported that the proposed ordinance would permit the community directory signs to be permitted at the intersections of State or U.S. Highways and County Roads throughout Walton County. Ms. Williams advised that she had explained the ordinance to Mike and Shari Judkins and reported that they have no objections to the proposed changes.

Commissioner Walker expressed his concerns regarding the professionalism and size of the signs and stated that the ordinance is too restrictive.

Ms. Susan Thornton, business owner between CR 30A and U.S. Highway 98, remarked that she was in favor of the Ordinance.

Motion by Commissioner Infinger, second by Commissioner Ryan to adopt Ordinance (2000-25) Community Directory Signs. Ayes 4, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Naye, Paul Naye.

Mr. Gary Spencer scheduled on the agenda cancelled his appearance and is rescheduled to appear at 2:00 P.M. on Tuesday, September 26, 2000, Regular Meeting, to update the Board on the Grayton Trolley Service.

Ms. Connie Morrissey appeared before the Commissioners requesting information relating to the plans established to address the fire-based EMS issues and the forthcoming straw vote. Ms. Morrissey suggested that all of Walton County be included in the voting process not just South Walton. Ms. Morrissey praised the present service provided by the South Walton Fire Department and EMS requested that the Board bear the burden of proof and submit the plans on paper in order for her to see that the quality of service would be enhanced if fire-based EMS were created.

Commissioner Walker reported that overtime was a major concern and stated that more employees are needed and advised Ms. Morrissey that he would provide her with phone numbers for fire-based EMS participants in areas of Florida and South Florida for additional information.

Commissioner Ryan remarked that the Board was approached a year ago with a statistical report from the South Walton Fire Department (SWFD) indicating that a fire-based EMS system would enhance service and response for less money. Ms. Morrissey reported that the information she received from the SWFD was very general. Commissioner Ryan asked Mr. Lane Rees to contact the South Walton Development Council in order to schedule a workshop, prior to November, to allow the public to meet with the fire departments and EMS personnel and present their questions and concerns in order to vote intelligently.

Mr. Mark Carrell, Construction Manager, Watkins Engineers & Constructors, reported that the drawings and bid process has been completed and presented the Board with a Guaranteed Maximum Price (G.M.P.) budget for the work associated with the South Walton Governmental Educational Center. Mr. Carrell reported that the proposal, in the amount of \$4,916,087.00, includes the roads (also the entire loop road), bridges, sanitary/water distribution systems, primary electrical serves, sidewalks/pedestrian crossovers, provisions for data and communications access, and an allowance for pedestrian lighting. Mr. Carrell remarked that future work associated with the South Walton Governmental Educational Center, is not and never has been, included in the "infrastructure" project. Mr. Carrell also advised that the cost to remove and replace unsuitable soils, nor the cost to increase pile quantities or depth, is included in the G.M.P and all work has been subbed out.

Attorney Miller questioned Mr. Carrell if the OH&P (4.5%) fee totaling \$202,031 is a fixed figure, Mr. Carrell answered that it is a fixed percentage of the total contract figure. Attorney Miller then questioned if the "Indirect costs" as itemized in the G.M.P. totaling

\$305,045.00 is a fixed cost, Mr. Carrell stated that the amount is estimated and there would be adjustments made in and out of contingencies.

Motion by Commissioner Paul, second by Commissioner Ryan to approve Amendment #2 to the Agreement for Construction Services (GMP) with Watkins Engineers & Constructors, Inc., in the amount of \$4,916,087.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Ms. Williams questioned the Board for directions in order to advise Mr. Imfeld to establish an account. The Board instructed Ms. Williams to inform Mr. Imfeld to utilize monies from reserves and requested that Mr. Imfeld to keep the Board informed of financial options available and his recommendations on capital improvement projects.

Mr. Russ Aldrich appeared before the Board and requested final plat approval for Summer's Edge-Phase I PUD and Royal Siesta, Phase I. Attorney Miller reviewed and advised that the plats were ready for approval.

Motion by Commissioner Paul, second by Commissioner Infinger to grant final plat approval for Summer's Edge, Phase I PUD. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Paul, second by Commissioner Ryan to approve Royal Siesta, Phase I, final plat for recording. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Paul, second by Commissioner Walker to approve the minutes of August 3, 2000-Special Meeting and August 8, 2000-Analytica Workshop/Regular Meeting. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Infinger to authorize the County to remove three abandoned trailers from 10<sup>th</sup> Street (Lots 3-8, Block 117, Town of Santa

Rosa) and assist in clean up. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Infinger, second by Commissioner Walker to adopt Resolution (2000-46), stipulation that Youth Organized Sports at Helen McCall Park take precedence over adult activities Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Commissioner Butler requested an update in regards to the Parks & Recreation Director that would work primarily with the Helen McCall Park and bike paths. Ms. Williams reported that the application process closed last week and the interview process would be forthcoming. Next, Commissioner Butler requested permission to hire full-time personnel to maintain the bike paths stating that the paths are in desperate need of maintenance. Commissioner Butler recommended using funds from the Litter Grant to provide maintenance and purchase equipment needed.

Motion by Commissioner Walker, second by Commissioner Paul to authorize Mr. Bell to maintain the bike paths as needed with funds from the Litter Grant. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul.

Chairman Butler reported that large household furniture such as couches, mattresses and appliances were being disposed of in the woods and requested that Mr. Bell place dumpsters, one for white goods and household items at the D5 Road Department.

Chairman Butler informed the Commissioners that Walton County has been approved for a \$25,000.00 Artificial Reef Grant for fiscal year 2000/2001 by the Florida Fish & Wildlife Conservation Commission and requested the Commissioners to allow Mr. Bell permission to remove large articles of items that are being left at Caring & Sharing, at Neally Business Center. Chairman Butler remarked that since the Community Directory Sign Ordinance was adopted this date, the request for a sign on Goldsby Road has been taken care of.

Mr. Jonathan Rhodes, St Joe/ARVIDA, requesting three final plat approvals. Attorney Miller reviewed Park Row @ WaterColor, Sunrise Ridge @ WaterColor and WaterColor Town Center Homes, Building 3. Upon inspection, Attorney Miller approved Park Row @ Water Color, Sunrise Ridge @ WaterColor.

Motion by Commissioner Infinger, second by Commissioner Paul to approve Park Row @ WaterColor final plat for recording. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Infinger, second by Commissioner Ryan to grant final plat approval for Sunrise Ridge @ WaterColor. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Attorney Miller reported that the WaterColor Town Center Homes, Building 3, was in order with exception to the notary certificate and no dedicatory statement on the plat for WaterColor Town Center Homes, Building 3.

Commissioner Walker questioned if the five percent recreational impact fee has been resolved; Attorney Miller answered that it has and reported that St. Joe/ARVIDA has complied with the Land Development Code and has exceeded five percent.

Motion by Commissioner Infinger, second by Commissioner Walker to approve WaterColor Town Center Homes, Building 3, final plat approval subject to the notary certification and dedicatory statement. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Attorney Miller informed the Board of a request from Mr. Bell to submit a letter to the Department of Environmental Protection requesting a variance from the current policy regarding litigation for the New Town Center to allow ninety days to record conservation easement, thus allowing the permits to be issued subject to these conditions.

Attorney Miller submitted a request from Washington County to join other Northwest Florida to participate in a lawsuit against Zenith (defunct Worker's Compensation carrier). Attorney Miller reported that Walton County has paid out \$125,000.00 in claims due to the carrier becoming defunct. Attorney Miller advised that he would attend the meetings if the Board so desired. The Board suggested that Attorney Miller obtain further information from Washington County and report back to the Board.

Attorney Miller advised the Board of his meeting with the Attorneys representing the billboard companies and stated that they are in the process of researching the federal issue of amortizing a billboard in lieu of condemnation (or other words, phasing out over a period of years and not have to pay for the billboard).

Attorney Miller reported that the title commitment is being faxed to the Department of Environmental Protection for the land exchange with the Division of Forestry for the South Walton Sheriff' Substation.

Motion by Commissioner Walker, second by Commissioner Paul to approve the following requests to draw hours from the Sick Leave Pool: Ms. Angela Lindsey, Health Department, 104 hours and Mr. Raymond Spencer, D3, 40 hours. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Ryan to approve the Chairman's signature on the contract with the Department of Community Affairs (FEMA Project 1249-0066) for twelve properties acquired from the Hazard Mitigation Grant Program in the amount of \$379,953.00. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Ryan, second by Commissioner Paul to approve a request from the SW Tourist Development Council to hire a full-time employee for the position of mail

clerk with an annual salary of \$14,000-23,000.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (SWTDC has the funds budgeted for this position).

Motion by Commissioner Ryan, second by Commissioner Paul to authorize Mrs. Bonnie Alford, Administrative Assistant, to sign invoices, purchase requisitions, time sheets and leave requests while the Assistant Administrator is on leave. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Ms. Williams announced that the Department of Environmental Protection, Division of Recreation and Parks, will be conducting an DEP Advisory Group meeting on August 29, 2000, at 9:00 A.M. at the Topsail Hill RV Resort Clubhouse. The meeting will be held to discuss the current management plan for the Grayton Beach State Recreation area.

Motion by Commissioner Paul, second by Commissioner Ryan to approve Mrs. Lynda Robinson, Human Resource Officer, as an authorized signature on the County credit card. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Ms. Williams presented a request from the Building Department to surplus a Brothers fax machine, Intellifax 675 model, serial #C67549279. Ms. Williams informed the Board that the unit was still operational and advised that if approved, she would send the unit to Central Purchasing to see if the unit can be utilized in a department there. Commissioner Ryan suggested that if the unit was not needed at Central Purchasing, to offer it to the Advocacy Center.

Motion by Commissioner Infinger, second by Commissioner Walker to surplus the Brothers fax machine as presented above. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Ms. Williams presented the following list of surplus equipment from Mr. Dan Bodiford, Clerk of Court, who requested to turn the property back over to the Board for disposal (the units are no longer in working order).

- (1) Four (4) Central Processing Units
- (2) One (1) Printer CC#552
- (3) One (1) Panasonic KXP2123 Printer
- (4) One (1) Unisys Central Processing Unit (Old chip support) CC#417
- (5) One (1) Printer CC#510
- (6) One (1) Central Processing Unit CC#498

Motion by Commissioner Infinger, second by Commissioner Paul to accept the surplus equipment as listed from the Clerk of Courts Office to be disposed of accordingly. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. (Ms. Williams advised she would contact the Asset Clerk at Central Purchasing to pick up these items).

Ms. Williams provided the Board with a copy of the appraisal performed by Teel & Waters Real Estate Company, Inc., for the Warren building and informed the Board that the Real Estate Agent representing the seller was present. Commissioner Walker questioned Ms. Williams concerning the City of DeFuniak Springs accepting the zoning change; Ms. Williams reported that the zoning application has not been applied for. The Board questioned Ms. Williams regarding the process; she stated that if the Board desired to purchase the Warren Building, application could be submitted for the zoning change or a special use permit and the contract would be contingent upon these issues. Commissioner Ryan stated that he was not in favor of the Warren Building would not solve the problem that the County and Board presently face – space. Commissioner Walker disagreed stating that the Warren Building would immediately provide office space at present instead of waiting two years and a cost savings to the County. Commissioner Ryan mentioned location, traffic and expansion as major concerns involved with considering the Warren Building.

Motion by Commissioner Walker, second by Commissioner Paul to purchase the Warren Building, subject to the zoning change and usage of the building for Governmental offices, in the amount of \$180,000.00.

Mrs. Janie Lindsey, Real Estate Agent representing Mrs. Warren, commented that the seller was anxious to sell the property and has drastically reduced the price and has offered, “free gratis” for thirty days to allow the County an opportunity to see if the establishment would suffice their needs.

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

Mr. Bell appeared and briefed the Commissioners of the meeting held with the Small County Coalition. Mr. Bell reported an issue brought up during the meeting regarding the Department of Corrections beginning cut backs with the work squads and informed that the issue will be a statewide concern. Mr. Bell submitted a request on behalf of the Coalition requesting a concerted effort amongst the small counties that presently utilize the work squads. Mr. Bell recommended adopting a Resolution requesting the Governor to let the workforce be maintained.

Motion by Commissioner Paul, second by Commissioner Walker to adopt Resolution (2000-46) requesting the Governor to maintain the workforce with the Department of Corrections. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Attorney Miller interjected and reported that upon his research of Florida Statutes, a thirty-day public notice is required for the purchase of the Warren Building.

Motion by Commissioner Walker, second by Commissioner Paul to rescind the motion to purchase the Warren Building as presented.

Motion by Commissioner Paul, second by Commissioner Walker to schedule Tuesday, October 12, 2000, at 1:30 P.M., for a public hearing to consider purchasing the Warren Building

subject to the zoning change and the Counties ability to utilize the Building for offices. Ayes 4, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

There being no further business, motion by Commissioner Paul, second by Commissioner Walker to adjourn the meeting at 5:00 P.M. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

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

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