

NOVEMBER 14, 2000 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, November 14, 2000 at 1:00 P.M. in the 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, and Attorney George R. Miller were also present.

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

Motion by Commissioner Infinger, second by Commissioner Paul to approve the Expenditure Approval List consisting of the following bills for payment:

General Fund	\$456,525.74
County Transportation Trust	167,773.08
Fine & Forfeiture	576,686.66
Walton-DeFuniak Library	8,613.26
N.W. Mosquito Control	1,833.77
Recreation Plat Fee	824.71
Solid Waste	287,285.58
Mossy Head VFD	2,460.51
Darlington VFD	9,062.29
Red Bay VFD	1,933.26
Liberty VFD	3,223.02
Glendale VFD	252.56
Local Option Gas Tax	20,620.68
Multi-Purpose Trust Fund	20,723.65
Tourist Development Council	85,520.63
Section 8 Housing	119,156.41
Mosquito Control State	35.10
Capital Projects Fund	64,702.23

Ayes 5, Nayas 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. William Imfeld, Financial Director, presented a request to purchase culverts for District 2 from Gulf Atlantic Culvert in the amount of \$6,973.80.

Motion by Commissioner Walker, second by Commissioner Paul to approve the purchase of culverts in the amount of \$6,973.80 from Gulf Atlantic Culvert for District 2. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Walker, second by Commissioner Infinger to approve the purchase of sign material from Vulcan Signs in the amount of \$5,020.00 for the Landfill. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Imfeld presented information relating to the bid opening for the Flowers Drive paving contract. The following three bids were received: Bullard Excavating-\$46,600.00; APAC-\$44,404.35; Panhandle Grading and Paving-\$59,516.10. Mr. Imfeld recommended awarding the bid to APAC who was the low bidder.

Motion by Commissioner Walker, second by Commissioner Infinger to award the Flowers Drive paving contract to APAC in the amount of \$44,404.35. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Ronnie Bell, Public Works Director, advised the Board that he, along with representatives of Preble-Rish opened bids for four of the ten CDBG roads: Huckaba Road, Howard, Magnolia and Indian Women Road. Glen T. Warren-\$959,268.00 and Bullard-\$907,206.18 were the only two responsive bidders. The CDBG grant is only \$850,000.00 therefore Mr. Bell recommended the bids be rejected. Mr. Bell stated that Preble-Rish will have the specifications prepared for the remaining six (6) roads before long and would like to look at ways to reduce these costs and attempt to draw additional bidders.

Mr. Cliff Knauer, Preble-Rish, stated that they would like the county to possibly assist with drainage or base preparation in order to bring the costs in line with the CDBG funding. Mr. Bell stated that they could possibly rebid all ten roads at one time, which might reduce the costs.

Mr. Imfeld presented a budget amendment request in the amount of \$320,000.00 for General Fund revenues to be amended into Balance Brought Forward/Cash for the following expenditures: \$185,000.00 into Aid to Liberty VFD; \$100,000.00 into Aid to Tri-Village VFD; \$35,000.00 into Fire Board to fund the purchase of a tanker for Liberty VFD, a rescue truck and equipment for Tri-Village VFD and a communication system for the Fire Board.

Motion by Commissioner Infinger, second by Commissioner Walker to adopt a resolution (00-67) approving a budget amendment in the amount of \$320,000.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Motion by Commissioner Paul, second by Commissioner Ryan to approve a request from the Walton County School District to repair a bus turn around on Jay-In Road, District 1. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell requested the Board add the job classification "Temporary Day Laborer" with the recommended pay of \$6.00 per hour. Mr. Bell explained that the position is needed because a contract laborer has to be placed in full-time employment or terminated at the end of their six-month period. The Commissioners agreed to add the requested job classification at \$6.75 per hour.

Motion by Commissioner Paul, second by Commissioner Ryan to accept Mr. Bell's recommendation and add the job classification of Temporary Day Labor at a wage of \$6.75 per hour. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell advised that he received information from Mr. Jack Authur, Preble-Rish, regarding the preliminary traffic study for Rosemary Beach. Mr. Authur has been working with Hamilton Smith and Associates, Consultant for the traffic study. The draft recommended that thermoplastic illuminated rumble strips be installed on the east and west ends. Recommendations were also made to add a speed hump, paint "crosswalk" on the road, place correct signage and enhance the crosswalks. The stop signs in question will be removed upon completion of these added safety features.

Mr. Bell presented a list of roads that were previously placed on the road paving project list for District 3. Approximately \$426,000.00 of the \$1 million remains for the completion of the roads still on the list. Commissioner Infinger requested the funds be designated for the following roads due to high traffic or high maintenance costs: Oakwood Lakes Blvd; Commerce Blvd; Dr. Roberts Drive; Brown Road; South end of Bryan Road; Harrison Cut-off; Thompson Road; Paul Road; Peacock Road; Williams Road; Martha Lane; South end of Hall Road and South end of Ward Road.

Motion by Commissioner Ryan, second by Commissioner Paul to adopt the above list of roads as part of the five-year road-paving plan and designate the remaining funds toward these projects. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. J. W. Adkinson, Walton County Chamber of Commerce, acknowledged the outgoing Commissioners on behalf of Mr. James McHenry and himself. Mr. Adkinson stated his appreciation for being allowed to work with them and for all of their accomplishments for the county.

Mr. Bell addressed the Commissioners regarding the remedial action plan for the clean up of the landfill. Attorney Miller met with the Department of Environmental Protection requesting an extension of the deadline. Mr. Bell presented an Implementation Schedule with Hartman and Associates alternative cost of \$560,360.00 and FDEP/HAI Hybrid Plan at a cost of \$824,710.00.

Mr. Michael Bomar, Hartman and Associates, spoke about the tentative schedule and recommended waiting to begin the processing pending the outcome of the extension. The Commissioners need an alternative plan if the extension is not granted. Mr. Miller will contact DEP and report back to the Board later today.

Mr. Bell introduced Mr. John Lewis, Connelly and Wicker, who spoke about the Tom Shaffler property located at U.S. Highway 98 and Miramar Beach Drive (Vernon Bishop property). Discussion was held regarding an alternative plan for correcting the drainage problems and the proposal to install drainage pipes and a small amount of grading. Chairman Butler stated that he feels obligated because of work that was performed by county crews causing water to flow onto the property. Mr. Lewis stated that the estimated cost of this plan is \$5,000.00 versus the \$91,000.00 previously estimated. Discussion was also held regarding Mr. Shaffler granting right of entry onto his property for the work to be performed.

Motion by Commissioner Ryan, second by Commissioner Infinger to approve the newly proposed plan of installing pipes at an estimated cost of \$5,000.00 to correct drainage problems on property now owned by Mr. Shaffler, contingent upon Attorney Miller obtaining an agreement of release to the County and affirm that county crews remain on the county right-of-way. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Bell presented a video of 1st Court, 2nd Court and Sharlene Lane and requested these roads be added to the county's maintained road list due to them inadvertently being omitted.

Motion by Commissioner Walker, second by Commissioner Ryan to add 1st Court, 2nd Court and Sharlene Lane to the county's maintained road list. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Mike Smith, resident of East Nursery Road, addressed the Commissioners requesting speed humps be placed near his residence. Mr. Smith explained that the speed limit is posted at 15 mph, however, traffic moves at an average rate of 48 mph according to the Sheriff's Department. A petition was presented with all the neighbors' signatures in favor of the speed humps along with a signed statement by Captain Gandy of the Sheriff's Department.

Motion by Commissioner Ryan, second by Commissioner Paul to allow Mr. Bell, Mr. Nelson Miner, Engineer, and Attorney Walker to work with Mr. Smith to designate the proper placement of the speed humps and allow the Public Works staff to determine the proper number of humps that need to be installed. Ayes 5, Naves 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Upon conclusion of Mr. Bell's items, he applauded those Commissioners leaving office and stated that he has enjoyed working with them.

Mr. Alex Dunser, Rosemary Beach Project Director, appeared before the Commissioners to clarify that the traffic study for Rosemary Beach is only preliminary and only a draft study has been submitted to the County. Mr. Dunser requested that the changes be coordinated with personnel of Rosemary Beach. Mr. Dunser was advised that the County previously approved to proceed with the recommended changes once the study was complete.

Mr. Hilton Lawson addressed the Board and stated that he enjoyed working with this Board of Commissioners and is appreciative of the progress that has been made and looks forward to future progress.

Mr. Dan Owens, Library Director, presented the proposal for Interlocal Agreement between the City of DeFuniak Springs and the County. Mr. Owens stated that the term "real" property has been removed. The information presented contained a listing identifying who owns what property located at the DeFuniak Springs Library.

Motion by Commissioner Paul, second by Commissioner Ryan to approve the Walton-DeFuniak Library Interlocal Agreement subject to review and approval by Attorney Miller. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. The contract is renewable annually and can be terminated by either party with proper notification.

Ms. Shirl Williams advised the Commissioners that the December 26th meeting is scheduled on a county holiday and requested to reschedule the meeting. The Board

approved to hold the meeting on December 28, 2000. The newly elected Commissioners were in the audience and also agreed.

Ms. Williams advised that the new Commissioners will be sworn into office on November 21, 2000 at 8:00 A.M. and that an organizational meeting will be held immediately following.

Discussion was held regarding a request for a beach permit variance from Danny and Maureen Currey, Holmes County residents, who are both disabled. The Commissioners agreed that the policy does not require granting a variance due to a disability and therefore denied the request.

Ms. Williams requested approval of the GSC contract for continuing services for the Fire Assessment Program in addition to their charge of \$15,000.00. The Board tabled approval of this request pending a determination of last year's charges for the services and a reason for any increase that might have occurred. Ms. Williams will research the matter.

Motion by Commissioner Walker, second by Commissioner Infinger, to approve the Chairman's signature on the contract from Science Applications International Corporation (SAIC) for continuing services for the GIS system development and an increase in the contract amount of \$30,000.00. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Attorney Walker presented a proposed resolution on behalf of Mr. Matt Douglas for the Commissioner's consideration that restricts close family members from working together on the same shift at EMS. Attorney Walker explained that EMS staff is

attempting to prevent the possibility of a tragedy taking the life of both family members at the same time or conflicts of testimony in the event of litigation.

Motion by Commissioner Ryan, second by Commissioner Walker to adopt a resolution (00-68) restricting close family members from being assigned to the same EMS Station or staffing the same emergency vehicle at any time. 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 Mosquito Control Agreement between the County and the City of DeFuniak Springs contingent upon Mr. Tommy Stephens', Mosquito Control Director, approval of the monthly cost to the City. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Attorney Walker advised the Commissioners that after hearing opposition, the City Council agreed to rezone the Warren Building to R2 Special Use. This zoning will allow the County to operate business offices in the residential area and would automatically revert to the current zoning should the County vacate the building.

Attorney Walker stated that November is National Hospice Month and requested the Board adopt a resolution of support. Ms. Jetta Cook, a Hospice representative, stated that she appreciates the Commissioner's support.

Motion by Commissioner Walker, second by Commissioner Paul to adopt a resolution (00-69) recognizing November as National Hospice Month. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Attorney Walker also expressed his appreciation to the Commissioners leaving office and wished them much success for the future.

Chairman Butler recognized the three newly elected Commissioners who were in attendance in the audience and congratulated them.

Ms. Sara Comander, General Manager for WGTX, also expressed her thanks and appreciation to the Commissioners who are leaving office. Ms. Comander expounded upon the decisions that have been made during their term in office and the impact that each one will have on this county. She briefly reviewed some of their accomplishments and extended her gratitude toward each one.

Attorney Miller presented an agreement that was previously approved and requested the Chairman to execute the agreement for the County to assist with site preparation on the eight (8) acre industrial site for the purpose of attracting industry. The agreement has an indemnification clause holding the County harmless.

The Commissioners recessed until 5:00 P.M.

The Board reconvened with Chairman Butler calling the public hearing to order.

Mr. Rob Neale, Planning Commission Chairman, presented the Planning Commission's recommendation regarding the development proposal for Red Cherry's Fresh Food Market. J. Houston and Celeste C. Lennard are proposing a 1813 square foot fresh food market with manager's residence above. Mr. Neale stated that the Planning Commission's recommendation to approve the proposed development is subject to outstanding FDEP wastewater permit.

Ms. Robin Gadsden, Choctaw Engineering, was present to representing Red Cherry's.

Ms. Donna Crawford, Seagrove Realty, addressed the Commissioners regarding parking problems and also questioned who would reside in the living quarters above the

market. Ms. Crawford felt that the market would not peacefully co-exist with surrounding businesses and was opposed to the project.

Commissioner Infinger requested the Public Works Department look into the parking problems.

Motion by Commissioner Walker, second by Commissioner Infinger to accept the Planning Commission's recommendation and approve the proposed development of Red Cherry's Fresh Food Market subject to receipt of the FDEP Wastewater permit. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Neale presented the Planning Commission's recommendation to approve Botany Bayou Subdivision. Mr. John King is proposing a 74 residential lot subdivision on 52 acres zoned NPA/Small Neighborhood. Approval is subject to FDEP wastewater, storm water, drinking water permits and Planning Department Technical Review/site plan.

Motion by Commissioner Infinger, second by Commissioner Paul to accept the Planning Commission's recommendation and approve Botany Bayou Subdivision subject to all outstanding items. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye. No one from the audience voiced any objections.

Mr. Neale presented the Planning Commission's recommendation to approve Church Hill Oaks Subdivision subject to FDEP wastewater, storm water, drinking water permits and USACOE/FDEP Dredge and Fill permit. Eric Cooper is proposing a 30-lot subdivision on 41.95 acres zoned NPA/Infill.

Motion by Commissioner Walker, second by Commissioner Infinger to accept the Planning Commission's recommendation and approve Church Hill Oaks Subdivision

subject to all outstanding items. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Neale presented the Smith abandonment request on behalf of Mr. John V. Smith who is requesting the abandonment of the alleyway that runs between Lots 1-7 and Lots 8 and 11 in Block 34, Villa Tasso. The Planning Commission recommended approval of the abandonment of half of the linear alleyway adjacent to lot 8 subject to a title search.

Motion by Commissioner Infinger, second by Commissioner Paul to approve to hold a final public hearing on December 28, 2000 at 10:00 A.M. regarding the Smith Abandonment. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Neale presented the Planning Commission's recommendation to deny Sugar Dunes Owners Association abandonment request based on the need for road access, hurricane evacuation, traffic circulation, utility placement, fire protection, and the neighborhood watch program. The easement runs east to west in the northern boundary and is located at Sugar Dunes Condominiums on the Gulf of Mexico.

Motion by Commissioner Infinger, second by Commissioner Paul to approve to hold a final public hearing on Jan 23, 2001 at 10:00 A.M. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Neale presented an abandonment request on behalf of Ms. Ruth Marin who requested the abandonment of Poe Avenue, which is located in Lot 8, Block 4, Dalton Unrecorded Subdivision. The Planning Commission recommended approval contingent upon receiving a legal opinion from Attorney Jonathan Walker or Attorney Miller on

whether the Planning Commission has the authority to abandon a prescriptive easement. Attorney Miller advised that the County does have a right to abandon a prescriptive easement.

Ms. Donna Crawford spoke in favor of the abandonment and Mr. Earl Day spoke in opposition to the abandonment.

Motion by Commissioner Walker, second by Commissioner Infinger to deny the Martin abandonment request. Ayes 4, Nays 1. Ryan Aye, Infinger Aye, Butler Naye, Walker Aye, Paul Aye. Chairman Butler recommended opening Dalton Drive and closing Poe Avenue.

Ms. Sylvia Essary stated that she owns property on Poe Avenue and is opposed to closing the road.

Mr. Neale presented the Planning Commission's recommendation to approve the Hewlett Abandonment request. Angustus Hewlett is requesting the abandonment of the southern 33 feet and the eastern 33 feet of lot 16, Santa Rosa Plantation, section 21, Township 2 South, range 20 West in exchange for an area that is 66 feet wide and 150 feet deep and continue to the north and will be 33 feet wide providing access to the bay.

Mr. Eric Cooper, representing the landowner, addressed the wetlands issue regarding DEP permits and the proposed plans to install pipes in the wetland area. Commissioner Walker requested the County Engineer look at the soil types on that property.

Motion by Commissioner Walker, second by Commissioner Infinger to table a decision regarding the Hewlett Abandonment to allow the County Engineer an

opportunity to look into the matter and report back at the next meeting. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Attorney Kelvin Wells appeared before the Commissioners and requested a public hearing be held to reconsider the purchase of the old Wal-Mart building.

Motion by Commissioner Paul, second by Commissioner Ryan to set a date for a public hearing on December 28, 2000 at 10:15 A.M. to consider the purchase of the Wal-Mart building. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Tom Blackshear, County Planner, updated the Commissioners on the status of the Comprehensive Plan. Mr. Blackshear advised that public hearings have been set for November 28 and December 12.

Ms. Angie Padgett and Ms. Christine Bell informed the Commissioners of a program that they have been instrumental in implementing in Walton County called "Vial of Life". Ms. Padgett stated that the program is a nationwide program to help emergency personnel with important medical information when responding to patients. Ms. Padgett requested assistance from the Board in the amount of \$800.00 for the purchase of vials and printing costs.

Motion by Commissioner Ryan, second by Commissioner Infinger to support the Vial of Life Program in the amount of \$800.00 by allowing the expenses for printing and vials to be charged through the County's Purchasing Department on a county purchase order. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Mr. Randal Trimm scheduled on the agenda was not present.

Mr. Joseph LaBleu addressed the Commissioners with an issue relating to the Land Development Code Ordinances. Mr. LaBleu explained that a neighbor Mr. Barretta, is constructing an addition onto his home that he is opposed to. After explaining the situation Attorney Miller advised Mr. Barretta that he is within the guidelines and he may proceed with his original plans, which contains an addition with a kitchenette for the pool area. Mr. Barretta stated that he will continue with the approved plans.

Ms. Lyn Stafford, South Walton Community Council, advised the Commissioners that the Affordable Housing Board is currently at a stand still. The Council has attempted to find willing individuals to serve on the Board and have not been successful. Ms. Stafford stated that she has located one gentleman whom is willing to serve and is highly qualified. He is a Community Planner with HUD and would like an invitation to visit Walton County.

Motion by Commissioner Walker, second by Commissioner Ryan to send a letter of invitation to Mr. Martin along with Mr. Chaney and Mr. Horvath to visit Walton County and discuss the affordable housing situation. Ayes 5, Nays 0. Ryan Aye, Infinger Aye, Butler Aye, Walker Aye, Paul Aye.

Commissioner Paul expressed his sincere appreciation for the opportunity to be allowed to serve the people of Walton County.

Commissioner Walker did not present any items for discussion.

Commissioner Infinger also expressed his appreciation for being allowed to serve the people of Walton County.

Commissioner Ryan commended Mrs. Melissa Beasley, Supervisor of Elections, for her and her staff's hard work during the elections and for her persistence to update Walton County's voting process. He stated that it was a great success.

Chairman Butler thanked the people for allowing him to serve and wished the newly elected Commissioners well.

Attorney Miller and Ms. Stafford also expressed their appreciation to the Commissioners leaving office.

There being no further business, Commissioner Walker motioned to adjourn at 7:05 P.M.

APPROVED: _____
Herman Walker, Chairman

ATTEST: _____
Dan Bodiford, Clerk of Courts

BCC/dc