

APRIL 10, 2001 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, April 10, 2001 at 1:00 p.m. at the Tourist Development Council.

The following Board members were present: Commissioner Tim Pauls, Commissioner Larry D. Jones, Chairman Herman L. Walker, Vice-Chairman Lane Rees and Commissioner Gene Ryan. Ms. Shirl Williams, Administrative Supervisor, Attorney George R. Miller and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Jones led with prayer following the Pledge of Allegiance to the American Flag.

Chairman Walker called the meeting to order.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to approve payment to Bohan Carden & Cherry in the amount of \$39,055.00 for development of a web site for the Tourist Development Council. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Patti Yates, Finance Supervisor, presented an invoice from Twin Cities Hospital for payment for indigent care for non-emergency services. The Board deferred this issue pending further review by Attorney Miller.

Mrs. Yates also presented the Expenditure Approval List consisting of the following bills for payment:

General Fund	\$397,285.27
County Transportation Trust	144,571.21
Fine & Forfeiture	556,686.66
N.W. Mosquito Control	2,471.16
Walton DeFuniak Library	15,312.54
Solid Waste Enterprises	124,688.20
Mossy Head VFD	2,472.66
Glendale VFD	110.00

Darlington VFD	609.50
Liberty VFD	198.55
Red Bay VFD	100.05
Local Option Gas Tax	19,748.44
Tourist Development Council	72,300.12
Section 8 Housing	4,944.90
Multi-purpose Trust Fund	4,944.90
Driftwood Debt Services	74,937.50
Capital Funds Project	7,193.48

Commissioner Pauls requested that additional information be added to the EAL for clarification. He also requested that Mr. Robert Nelson remove the outdated information from his web site relating to Walton County government.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the Expenditure Approval List (EAL) as presented. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Rachel Gillis, COPE Administrator, appeared before the Commissioners requesting endorsement for Walton County Child Abuse Prevention Month. She read the proclamation for the record. Mrs. Gillis introduced representatives from various agencies that are in support of Child Abuse Prevention Month.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to adopt the proclamation in support of Child Abuse Prevention Month. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. William Imfeld, Financial Director, advised the Commissioners that he sent a letter to Sheriff Johnson regarding the distribution center building. He has not received any response and will follow up with a time certain to take custody of the buildings.

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve to take charge of the distribution buildings at a time certain as designated by letter to Sheriff Johnson. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Imfeld advised that he has researched the Health Care Responsibility Act (HCRA) to determine the procedures used to be declared indigent. The Walton County Health Department performs a background check on individuals. He requested that he be allowed to extensively review each request until July at which time changes could occur through legislation.

Mr. Imfeld advised that the building to be used as the District 1 Office has been delivered.

Mr. Imfeld requested to defer discussion regarding the TDC spending limit for further study. He also presented a list of equipment and vehicles that will be advertised for bids, which totals approximately two millions dollars.

Mr. Imfeld stated that he met with Ms. Patsy Register of the Humane Society, who was present along with Mrs. Cindy Murphy, Vice-President. Ms. Register requested their portion of the budget that was previously approved for them, in order to proceed with construction of new facilities. Commissioner Ryan stated that the facilities are inadequate and the funds were previously designated for new construction, which are badly needed. Ms. Register stated that they are willing to place the funds from the Board in a separate fund and provide regular reports as to the expenditures.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to approve releasing \$69,000.00 to the Humane Society allowing them to proceed with construction of a new facility.

Chairman Walker questioned if the property would be deeded to the county. Ms. Register stated that the property would automatically revert to the county if they cease to exist. She reminded the Board that the Humane Society also provides additional services to other county agencies such as Shelter House, Environmental Health and other.

Commissioner Jones voiced concerns with the current contract. He stated that the contract along with the Animal Control Ordinance needs to be more clearly defined.

Vice-Chairman Rees amended the motion to include contingent upon an amended contract acceptable to both the Board and the Humane Society.

Commissioner Jones suggested advertising for proposals for services.

Discussion followed regarding the correct Florida Statute that the Humane Society should be operating by. Four areas of concern by the Commissioners are the Ordinance, contract, building, and enforcement.

Ms. Register stated that the proposed building is double in size compared to the current facility and feels this will be adequate.

Chairman Walker requested clarification for signatures designating Animal Control Agents as assigned by the Humane Society. He suggested designating them as the agent and them being responsible for the individuals appointed.

Chairman Walker called for a vote to approve releasing \$69,000.00 to the Humane Society allowing them to proceed with construction of a new facility contingent upon an amended contract acceptable to both the Board and the Humane Society. Ayes 2, Nays 3. Pauls Naye, Jones Naye, Walker Naye, Rees Aye, Ryan Aye. Motion failed.

Discussion continued regarding certification requirements of animal control officers and the liability incurred by the Board. Ms. Register requested authorization to

proceed with sending her employees for training. The Board requested Ms. Register to obtain costs for the training and present it back to the Board.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to table this issue until the next meeting to allow Attorney Miller or Staff Attorney Walker to meet with Attorney Mark Davis and present a recommendation back to the Board at the next regular meeting, and to direct Attorney Miller and Attorney Walker to review the ordinance for review at the first meeting in May with a public hearing scheduled for June 12<sup>th</sup> and to allow Mr. Bell to review this matter and the size of the facility.

Mrs. Angie Biddle, Grants Coordinator, appeared before the Commissioners and advised them that the Workfare proposal expires in September and requested direction for renewal. Okaloosa-Walton Community College is currently overseeing the program.

Motion by Commissioner Pauls, second by Commissioner Jones to advertise for RFP's for the Workfare program with an increase in the contract period to three (3) years. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Ronnie Bell, Public Works Director, introduced Mr. Rory Cassidy of Waste Management Systems, who appeared to answer questions the Board may have regarding the services they provide. Commissioner Pauls voiced concern with garbage being lost from the trucks. Mr. Cassidy stated that he would attempt to keep it under control.

Mr. Bell presented a request to add Monarch Drive to the county maintained road list due to it being inadvertently omitted. The street was previously accepted and has been maintained.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept Monarch Drive, District 5, for county maintenance and add to the maintained road list. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept Summer Breeze Lane, Daisy Drive, one unnamed road on the West side of Wild Blueberry Way, and one unnamed road on the West side of Daisy Drive (Magnolia Beach Subdivision) for county maintenance. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept Oyster Lake Drive (Dune Allen) for county maintenance. After further discussion the motion was withdrawn to allow Mr. Bell an opportunity to review the situation.

Mr. Bell updated the Commissioners on his research regarding the retail store and traffic situation at the Gulf Pines Subdivision. He advised that he met with the owner of the building, Mark Griffin, and has also scheduled a meeting with Mr. Joel Poole of the Department of Transportation. Mr. Griffin spoke with the President of the homeowners association who stated that he is willing to work with the county. Mr. Bell stated that he received approval from DOT to add six additional parking spaces and he will continue working with staff on this situation.

Mr. Bell advised that the two distribution center buildings could be divided into several smaller buildings with the purchase of additional columns for the end of the buildings. Commissioner Ryan stated that he has a draft copy of the proposed layout for the Wee Care Park if the buildings could be used for a recreation building.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to designate Mr. Ronnie Bell as an authorize Mr. Bell presented a letter from Chief Burgess requesting to lower the speed limit from 45 mph to 35 mph on that portion of Bob Sikes from 19<sup>th</sup> Street to U.S. Highway 331.

Motion by Commissioner Ryan, second by Commissioner Jones to adopt a resolution (2001-21) reducing the speed limit to 35 mph on Bob Sikes from 19<sup>th</sup> Street to U.S. Highway 331. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented a copy of the Capabilities Assessment performed at the Emergency Operations Center by the Department of Community Affairs. Mr. Bell gave an overview of the report and the areas needing improvement. Mrs. Virginia Cole addressed the Commissioners regarding the assessment and the need for updated Standard Operating Procedures and the need to update the Comprehensive Emergency Management Plan (CEMP), which needs to be updated every five (5) years.

Mr. Gary Mattison, Human Resource Director, appeared before the Commissioners and stated that he is in the process of updating the policy manual with all of the Board changes. Commissioner Pauls commended Mr. Mattison for efforts in updating the policy. Mr. Mattison presented a draft revision of the Sexual Harassment Policy. The policy was changed due to concerns with action to be taken, accountability, and reporting procedures.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to adopt the revised Sexual Harassment of Employees Policy. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Mattison presented the proposed Employee Performance Evaluation Guidelines for employees and supervisors. If implemented, he would like to have all employees evaluated along with their job description. The Commissioners presented recommendations to change wording from “weakness” to “developmental areas”.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve the Employee Performance Evaluation Guidelines as amended. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve the 2001 Summer Employment Program for students for six weeks. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve the revised Funeral Leave Policy to allow twenty-four (24) regularly scheduled and consecutive hours with pay when a death in the immediate family occurs. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Staff Attorney Jonathan Walker presented the lease agreement between the Chamber of Commerce Foundation and the County. Ms. Pam Tedesco, along with the Chamber’s attorney, appeared before the Board to answer questions relating to the lease.

Motion by Commissioner Pauls, second by Commissioner Ryan to remove the “no alcohol” clause from the agreement. Ayes 4, Nays 1. Pauls Aye, Jones Naye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Miller recommended adding the following wording to the indemnification and hold harmless clause. “...for any damages Lessor may incur as a result of Lessee occupancy including but not limited to...” The second sentence in



paragraph 10-Termination of Lease was changed to include “prior to the initial term” at the conclusion of the sentence. Additional changes were made as recommended by Attorney Miller regarding the replacement of property.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to accept the contract with the Chamber Foundation as amended. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Jason Slusser, YMCA Director, appeared before the Board along with Mr. Chuck Lawson who presented two checks to the County. One check in the amount of \$7,500.00 represented the first installment for the Wee Care Park. The second check, also in the amount of \$7,500.00 was to cover their portion of the fence. The Commissioners were also updated on the YMCA’s current programs currently taking place.

Ms. Lana Barley, Tourist Development Council, and Mr. Tracey Howell appeared before the Board requesting approval of an addendum to the Santa Clara Beach Access contract to add landscaping in the amount of \$18,800.00.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the Santa Clara Beach Access addendum. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Vice-Chairman Rees read a letter from Mr. Maurice Gilbert on behalf of the homeowners of Gulf Shore Manor who presented a check to the Walton County TDC in the amount of \$18,521.80. The funds were from a mitigated settlement from Seawalk Subdivision and to be used toward the construction of a walkover park at Santa Clara Drive.

Mrs. Kriss Titus, Executive Director of the Tourist Development Council, requested approval to expend funds in the amount of \$26,600.00 to participate in the Blue Wave Campaign with an annual re-certification fee in the amount of \$13,600.00.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to approve the expenditure of \$26,600.00 for participation in the Blue Wave Campaign. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to approve a three-year contract with the University of West Florida and expenditures in the amount of \$44,000.00 per year by the TDC for the Attitude Awareness and Customer Perception Study. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Titus introduced Mr. David Bohan of Bohan, Carden & Cherry Marketing Agency. Mr. Bohan appeared to answer questions of the Commissioners.

The Commissioners recessed and reconvened at 5:00 p.m.

Chairman Walker took the first few moments to proudly recognize several individuals for their efforts regarding the construction of the South Walton Sheriff's Substation and obtaining the land for it. Mr. Manley Fuller and Mr. Bob Reed, Wildlife Federation, and Mr. George Wilson, Nature Conservancy. Chairman Walker presented plaques of appreciation to Ms. Bonnie McQuiston and Mr. Bob Reed for their joint effort. Ms. McQuiston thanked the Board for her award and gave her reasoning for supporting these efforts through Beach to Bay.

Chairman Walker called to order the advertised public hearing to consider the Planning Commission recommendations.

Mr. Tom McGee, Chairman of the Walton County Planning Commission, presented the Wilde small-scale amendment. Mr. Ken Wilde is requesting a small scale amendment on 9.81 acres to be changed to Future Land Use Light Industrial from Conservation Residential 2/1. The site is located at the southeast corner of 393 and Chat Holley Road. The Planning Commission recommended approval of the west three acres being amended to Light Industrial with the light industrial uses and bars and lounges being excluded.

Mr. Russ Aldrich, representing Mr. Wilde, stated that they are in concurrence with the Developers Agreement that was presented.

Discussion followed regarding the designated land use category, which is Light Industrial. Some individuals felt that it should be General Commercial.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve the Wilde small-scale amendment with the developer's agreement. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. McGee presented an abandonment request for Santa Rosa Beach Development Enterprises who is requesting the abandonment of the easement portion of Lots 19 and 20, a subdivision of Government Lot 3, Section 3, Township 3 South, Range 20 West, in the Dune Allen area, north of 30A, on Allen Loop Road. The Planning Commission recommended approval subject to the approval of Mr. Ronnie Bell, Public Works Director. A final hearing will be held on April 24, 2001 at 11:45 a.m.

Mr. McGee presented a Development Proposal for Hideaway Cove. Santa Rosa Beach Development Enterprises, Inc. is proposing a seven-lot single-family subdivision on 4.9 acres designated as Future Land Use NPA/Infill, located on Allen Loop road.

South Walton Fire District technical review corrections, fire hydrant locations to the site plan must still be completed and storm water permits are still outstanding items. The Planning Commission recommended approval contingent upon SWFD approval and outstanding permits. An agreement has been reached with the fire department and water has been run.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve the development of Hideaway Cove subject to all outstanding items. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. McGee presented a Development Proposal for The Palace Store. Mr. Bill McKelvy is proposing a 7,500 square foot retail store on .77 acres designated as Coastal Center, which is located at the southwest corner of Old US 98 and Norwood Drive. Planning Commission recommended approval subject to all outstanding permits and Planning Department Technical Review Corrections. Mr. McGee voiced concerns relating to the amount of light being produced and problems with ingress and egress on Norwood Street.

Mr. Jack Baker, DAG Architects, Destin, Florida, stated that he met with the neighborhood committee and feels that they have reached a solution to their concerns.

Mr. Jim Fuller, Civil Engineer, spoke regarding the possible closure of the parking area onto Norwood.

Mr. Mike Judkins requested denial of the project pending further review due to inadequate parking.

Mr. Bill Chandler voiced concerns with this project being situated at the entrance to his neighborhood. He recommended approval contingent upon a signed copy of a certificate of occupancy in accordance with the agreement.

Mr. Shawn McNeil, McNeil Engineering, Panama City, Florida, appeared before the Board representing Ms. Mary Lee, property owner near the subject property. He voiced concern regarding watershed problems. Ms. Lee also addressed the problems and the loss of income she has experienced due to the problems. Chairman Walker advised Mr. McNeil that this is a separate issue and will need to be addressed at a later time.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to table this issue until the next meeting pending additional clarification. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. This item will be readdressed on April 24.

Mr. McGee presented the Miramar Self Storage Development Proposal. Love Properties, Inc. is proposing a 14,535 square foot Self Storage facility on 1 acre designated as Light Industrial and is located on South Geronimo Street. Planning Commission recommended approval subject to Staff Technical Review approval and outstanding FDEP permits.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve Miramar Self Storage subject to any outstanding items. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. McGee advised that Roy Pingitore, White Oak Management Corporation, is requesting conceptual approval of an expansion of Bayside at Town Center Affordable Housing Project, previously approved by the Board in February 2000. The Planning

Commission recommended approval contingent upon the ratio being at least 60/40 affordable housing.

Ms. DelaAngela Mayho addressed the Board and stated that she disagrees with the 60/40 requirements due to the type of project it will create and further stated that it is against the Comprehensive Plan.

Ms. Lyn Stafford agreed that 60/40 is not right and requested clarification of affordable housing.

Vice-Chairman Rees also voiced concerns with the project.

Motion by Commissioner Jones to grant conceptual approval of Bayside at Town Center Affordable Housing Project. The motion died for the lack of a second.

Mr. McGee stated that the Planning Commission is recommending that the application fee for Neighborhood Plan Amendments be reduced by 50% for all future amendment requests. The fee is currently set at \$750.00.

Ms. Nancy James, South Walton Community Council, stated that little or no fee should be assessed.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to eliminate the fee for neighborhood plan amendments or any original neighborhood plans, effective immediately. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. James McCormick presented Seabreeze Cottages final plat for approval. Attorney Miller reviewed the plat and advised that it is in order with the exception of Mr. Dewey Wilson's signature.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve Seabreeze Cottages final plat for recording upon obtaining Mr. Wilson's signature. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Commissioners recessed briefly.

Mr. Russ Aldrich presented Baytowne North for final plat approval. Attorney Miller advised that the plat is in order.

Motion by Commissioner Pauls, second by Commissioner Jones to approve Baytowne North for final plat approval for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. He advised that easements become vacated when a plat is accepted on top of another.

Mr. Aldrich presented Seaside Town Center final plat for approval.

Motion by Commissioner Pauls, second by Vice-Chairman Ryan to approve Seaside Town Center for final plat approval for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Aldrich presented Seaside 12 final plat for approval. Attorney Miller advised that the plat is in order and ready for recording.

Motion by Commissioner Jones, second by Commissioner Pauls to approve Seaside 12 final plat for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Walker called to order the advertised public hearing to consider the renaming of Old Highway 98 and opened the floor for public comment. There being no public comment Vice-Chairman Rees motioned to approve changing the name of Old

Highway 98 to Scenic Gulf Drive. Commissioner Pauls seconded the motion. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Patrick Schlenker, Sacred Heart Hospital, presented information relating to the Certificate of Necessity to construct a new hospital in South Walton. He commented that after several challenges, the State approved the project and issued the CON. Mr. Schlenker proceeded to explain the services that would be provided by the hospital and stated that it would be a full-service hospital. They would also be providing a medical office building. A site plan and preliminary design for the facility has been prepared, which also provides for future expansion and additional services.

The hospital will initially serve 50 beds with expansion to 100-150 in approximately 5-10 years. The next step will be to obtain necessary permitting and close on the property with Arvida.

Mr. Schlenker requested the Board participate by providing fill dirt for the site. Mr. Bell stated that if six trucks were dedicated to the project it would take approximately 140 days to haul the amount of fill they are requesting due to the 40-mile drive to the site.

Mr. Schlenker also requested assistance with installing a temporary traffic light at the site and a variance to the height restriction due to it being a medical facility.

Ms. Nancy James requested that a birthing facility be part of the facility. Mr. Schlenker advised that demographics would not allow for a birthing center to be able to request that as part of the CON.

Mr. Jay Baynes, Northwest Florida Engineering, scheduled on the agenda was not present.



Ms. James, who was scheduled on the agenda, was asked to defer her discussion due to a petition of challenge she filed. Attorney Miller advised the Board that it would not be appropriate to discuss since she is a party in the claim.

Ms. Williams presented a letter of request from the Walton County Vocational School asking support of the Board for an LPN School at the Vo-tech. They are currently applying for state funding.

Motion by Commissioner Jones, second by Commissioner Pauls to authorize the Chairman's signature on a letter of support for an LPN School at the Vo-tech. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve to hold two public hearings (May 8 and May 22) to address the 911-addressing ordinance. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to grant a variance to Trinia DuBois to allow her to walk her dog on the beach during the week of August 19-25, 2001. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls stated that this issue needs to be readdressed during which time the dog ordinance is discussed. Vice-Chairman Rees suggested allowing Mr. Ken Little to address these issues.

Motion by Commissioner Jones, second by Vice-Chairman Rees to approve a records disposition request from the Clerk's Office for disposal of such records according to Florida Statute. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Commissioner Jones to approve to change the June 26<sup>th</sup>, 2001 Board meeting to June 25<sup>th</sup>, 2001 due to the Commissioners attendance at the FCC Conference. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Jay Baynes, Northwest Florida Engineering and Surveying, appeared before the Commissioners, again requesting approval for use of the right-of-way for bike path, landscaping and valet parking improvements. Commissioner Pauls commented that the landscaping does need to be consistent. No changes are proposed for the south side. Commissioner Pauls suggested a developer's agreement be drafted and allow Mr. Jack Rhodes to sign off first, addressing the consistency of the sidewalk. Attorney Miller stated that safety issues need to be addressed and how to indemnify the county of any injuries on the right-of-way. Chairman Walker requested Mr. Baynes address these issues with staff and Jack Authur and also address a developer's agreement.

Mr. Dewey Wilson, Regional Utilities, appeared before the Board to request consideration and approval of a Revised Trust Indenture, Management Agreement, Amended and Restated Lease Agreement, 2<sup>nd</sup> Supplemental Franchise Agreement, Bond Purchase Agreement, Forward Purchase Agreement and the Preliminary Official Statement, as well as to approve a Bond Resolution for the purpose of issuing Water and Sewer Revenue Refunding Bonds, Series 2001 and Series 2002. (The amendment extension is not to be earlier than the final maturity date of the Series 2001 Bonds or Series 2002 Bonds, whichever shall mature.) The 2001 refunding and new monies will amount to \$12,620,000.00. He requested the Board approve an amount not to exceed \$13 million. The 2002 forward refunding would be for the amount of \$10,150,000.00, which

he requested approval not to exceed \$11 million on the 1988 portion of refunding. Approximately \$8 million would be for new water/sewer expansion on the North side of Highway 98.

Attorney Mark Mustain, Neighbors, Giblon and Nickerson, addressed the Board regarding Regional Utility Systems.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to adopt a resolution (2001-22) approving a proposed plan of refunding of certain existing obligations of Florida Community Services Corp, financing the cost of expansion, accepting a grant of title to such facility upon retirement of the bonds, continuance of lease, execution of an amended and restated lease, bond purchase, franchise agreement and management agreement. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Miller stated that he spoke with Mr. Bush from DOT who is requesting the County accept maintenance of Highway 331 South upon completion of the new highway. He advised that the approximate annual cost is \$10,000.00 per five miles for current maintenance. He felt that the county should not accept the additional liability.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to only accept this portion of Highway 331 after the entire 331 highway is 4-laned from U.S. Highway 98 to Interstate 10 in DeFuniak Springs. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Miller advised that Mr. Terry Kelly presented an Economic Development Ad-valorem property tax exemption application. The information has been

transferred to the proper form and forwarded to the Property Appraiser. It will be presented to the Board again at a later time for consideration of adoption of an ordinance.

Attorney Miller advised that Mr. Blanchard, Alaqua Creek, has contacted Commissioner Ryan and will be contacting him again for further communications.

Mr. Chandler has agreed to move the road to the east for drainage purposes. Attorney Miller is awaiting a letter from Mr. Chandler.

Attorney Miller advised that Attorney Theriaque has contacted opposing Counsel in regards to Treasure Island Marina and filed a motion for extension to respond.

Mr. Miller advised that he received service yesterday regarding the Inlet Beach litigation and will be reviewing that information.

Mr. Miller stated that he submitted a letter to Watkins Engineers regarding the overrun on lighting fixtures and has received a letter of response. They feel that the increase is appropriate.

Commissioner Pauls questioned Attorney Miller about the Sanddollar easement issue. Mr. Miller stated that the adjoining landowners have contacted him. He explained that the individuals are encroaching on the county's easment. He stated that a restrictive encroachment would benefit both sides. The only alternative would be to request they remove their structure. Commissioner Pauls will work with Attorney Miller on this issue. Mr. Miller stated that the easement does not go all the way to the beach according to the plat.

Vice-Chairman Rees questioned Attorney Walker regarding an issue relating to the Andalusia walkover. Attorney Walker advised that he is working on the problems

regarding the parking problems and is awaiting a response from Beach and Shores Florida Department of Environmental Protection.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the following minutes: March 12, 2001- Special Meeting, March 13, 2001-Regular Meeting, and March 27, 2001-Regular Meeting. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the appointment of Mr. Bob Littleton to the Planning Commission due to Mr. Zorn's resignation. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Commissioners agreed to present Mr. Zorn with a plaque for his tenure with the Planning Commission.

The Commissioners presented their appointments for the Redistricting Committee. Phillip Anderson, Maurice Gilbert, Kelly Buzzett, Cindy McClary, Jerry Alford, Walton Bell, Jim Brewer, Chester Bush, Joyce Zaidi, and Jack McGill.

Commissioner Ryan advised the Board that Eglin has invited them to attend a tour of their main facility. Ms. Williams will coordinate a date and time along with Commissioner Ryan.

Commissioner Ryan stated that since the time the agreement was entered into with the prior Sheriff transferring the EOC under his department, their duties have expanded greatly. The Board retains responsibility and liability and therefore he recommended transferring the authority back to the Board.

Motion by Commissioner Ryan to transfer the operation and control of the Emergency Operations Center including EMT, Fire, Emergency Management and 911

under direct control of the Board of County Commissioners effective June 11, 2001 and appoint Ronnie Bell as the liaison. Second by Vice-Chairman Rees. Commissioner Ryan stated that these changes are not related directly to the current Sheriff, but because the mission for emergency management has expanded greatly and because the Board retains the liability and responsibility, he feels it should be under their management.

Commissioner Rees questioned the transition time and Mr. Bell's responsibility because he has not yet been released from Public Works. Mr. Bell would immediately advertise to fill the vacancy at EOC. Commissioner Rees also stated that the Sheriff needs to be involved in the transfer. Commissioner Jones agreed that a good working relationship should be maintained with the Sheriff. Commissioner Ryan stated that this will bring Walton County in align with the rest of the State's operating procedures. Commissioner Pauls agreed that the Board is ultimately responsible, however, cooperation is needed between the Sheriff and the Board. He also stated that focus should remain on the safety of the public.

Mr. John Sams, former EOC employee, expressed concerns with operational procedures relating to 911 calls that he feels are not being handled properly. He spoke in reference to the vast capabilities of the CAD System and that the current Sheriff wants to dispose of it. He requested to Board help get EOC operating to its full potential.

Mr. Bob Register stated that the Sheriff has failed to place competent management in place and has concerns.

Ms. Brandi Poole, former employee, stated that the situation needs to be addressed.

Mr. Greg Gandy also addressed the abilities of the CAD and the lack of staff's ability to use it to its potential. He also requested the Board take control of dispatch.

Attorney Miller advised that the Sheriff should be notified as soon as possible in the morning regarding all areas of concern. Commissioner Pauls suggested appointing a citizens task force that would oversee the transfer and provide communication. As the change occurs, the board would request complete cooperation from Sheriff Johnson and ask him to put his employees on notice and ask that they reapply immediately for their respective positions if they wish to remain employed. The Board would also request the Sheriff notify them of any outstanding contracts and any existing potential liability.

Discussion was held regarding the Sheriff's budget and the Commissioners agreed that the budget would be pro-rated for these departments.

Commissioner Jones reiterated the fact that this action is not being taken to cause any damage to employees, only to enhance services. The current employees could reapply if terminated during the transition.

Chairman Walker called for a vote on the motion. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls requested an updated Code Book.

Chairman Walker opened the floor for public comment.

Mr. Richard Whitaker read correspondence that he received from Attorney Miller. The information pertains to a publicly advertised meeting that was held in Liberty County regarding the Mossy Head land swap with the Division of Forestry. He feels that the meeting was not properly advertised and requested the entire process begin over. Attorney Miller stated that other advertised public hearings were held in DeFuniak

regarding the same subject and stated that there has not been any violation of the Sunshine Law. The Board agreed to study this issue.

There being no further business, Commissioner Ryan motioned to adjourn at 9:15 p.m. Second by Commissioner Jones. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

APPROVED: \_\_\_\_\_  
Herman L. Walker, Chairman

ATTEST: \_\_\_\_\_  
Martha Ingle, Clerk of Courts