

APRIL 24, 2001 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, April 24, 2001 at 9:00 a.m. in the Boardroom of the Walton County Courthouse.

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.

Vice-Chairman Rees led with prayer following the Pledge of Allegiance to the American Flag.

Chairman Walker called the meeting to order acknowledging the loss of Mrs. Myrna McBroom.

Mrs. Patti Yates, Finance Supervisor, advised the Commissioner that she received a check from Connelly & Wicker in the amount of \$456.25 for the Tourist Development Council.

Mrs. Yates presented an invoice from Watkins Constructors in the amount \$174,631.36.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve payment in the amount of \$174,631.36 to Watkins Constructors. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. William Imfeld, Financial Director, advised the Commissioners that a payment for worker's compensation has been removed from the Expenditure Approval

List due to discrepancies in the amount. Mr. Imfeld will review the information for payment.

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

|                             |              |
|-----------------------------|--------------|
| General Fund                | \$656,773.14 |
| County Transportation Trust | 179,068.37   |
| Mosquito Control State      | 289.80       |
| N.W. Mosquito Control       | 3,536.14     |
| Walton-DeFuniak Library     | 6,448.29     |
| Recreation Plat Fee         | 28.00        |
| Solid Waste Enterprise      | 425,813.41   |
| Mossy Head VFD              | 285.94       |
| Glendale VFD                | 748.63       |
| Darlington VFD              | 313.05       |
| Liberty VFD                 | 1,635.84     |
| Red Bay VFD                 | 808.02       |
| Driftwood Debt Service      | 213.78       |
| Tourist Development Council | 182,930.38   |
| Section 8 Housing           | 124,675.80   |
| Capital Funds Project       | 358,138.95   |

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve expenditure of payments as presented on the EAL. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Yates presented an invoice in the amount of \$161,096.00 for property acquisition through the Hazard Mitigation Grant.

Motion by Commissioner Pauls, second by Commissioner Jones to approve payment in the amount of \$161,096.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. William Pennington, Finance Director for the Clerk of Courts, presented the Investment Report for quarter ending March 31, 2001, which tracks performance. Discussion was held regarding the Florida Local Government Investment Trust (FLGIT)

and the rate of return. Mr. Pennington stated that the Clerk's Office has sent out requests for Proposals for banking service. Ms. Ingle stated that her banking committee will select the best option, however, they would like to keep the money local. Ms. Ingle also stated that she would be changing to an aggressive cash flow management system. She closed by stating that the Board would be receiving this report quarterly.

Mrs. Sue Carter, Tax Collector, presented a check from the Department of Environmental Protection in the amount of \$463,385.07 for payment regarding Preservation 2000 in lieu of taxes for the 1999 and 2000 tax year. She proceeded to explain that Florida Statutes provide for the availability of funds for payment in lieu of taxes to qualifying counties for tax losses incurred as a result of the board of trustees acquisitions under the Florida Preservation 2000 Program. She stated that as a result of legislative changes, Walton County should receive approximately \$2,426,000.00 over a 10-year period. Mrs. Carter expressed her sincere appreciation to Attorney Walker for his professionalism in assisting her with this matter and Mrs. Sylvia Rushing, Assistant Tax Collector, for her assistance.

Mr. William Imfeld, Financial Director, advised the Board that he is still negotiating with contractors to obtain an air conditioning system for the Agriculture Building that is within their budget.

Mr. Imfeld presented a letter from Sheriff Johnson regarding the regional distribution center buildings. Sheriff Johnson agreed to relinquish the buildings to the Board, but asked that the funds not be taken from his budget to pay for them. Original payment for the buildings was made from the Sheriff's budget.

Commissioner Ryan stated that they need to continue researching the possibility of using the buildings as the distribution center; they could also be used at the Wee Care Park or Grit & Grace. The value of the buildings needs to be determined before a final decision is made. Mr. Bell and Mr. Imfeld will work together to determine the value and possible costs for a distribution center. The Board agreed that the county should retain ownership wherever they are placed.

Mr. Imfeld requested the Board adopt a resolution accepting unanticipated revenues in the amount of \$5,191.00 for the Wee Care Park from grant funds.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to adopt a resolution (01-23) accepting unanticipated revenues in the amount of \$5,191.00 for the Wee Care Park. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Angie Biddle, Grants Coordinator, appeared before the Board regarding application for grant funding on behalf of the volunteer fire departments. She stated that FEMA has made available \$100 million to the local level. Four fire departments have submitted applications through Mrs. Biddle and they are requesting approval from the Board.

Glendale Volunteer Fire Department is applying for funding for the purchase of equipment in the amount of \$78,313.00. The required 10% match is \$7,831.30, which they will have available in their 2001-02 budget.

Motion by Commissioner Jones, second by Commissioner Ryan to approve the grant application for the Glendale VFD. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. The Board requested Mr. Bell to become part of this process.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve the grant application for the Darlington VFD in the amount of \$46,635.00 with matching funds of \$4,663.50. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the grant application for the Liberty VFD in the amount of \$39,034.00 with matching funds of \$3,903.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Commissioner Ryan to approve the grant application for Mossy Head VFD in the amount of \$44,895.00 with matching funds of \$4,489.50. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Board directed Mr. Bell and Mr. Imfeld to contact the remaining fire departments to insure that they are aware of the available funding. Mrs. Biddle advised the Board that all of the departments have been contacted.

Mrs. Biddle advised the Board that the Forest Service has also made available grant funding for volunteer fire departments. She presented the following application requests on behalf of the fire departments.

Glendale VFD submitted an application request in the amount of \$13,511.00 for Wild land Gear and a Skid Unit. The grant requires a match of \$6,755.00.

Mr. Ron Prokop, Darlington VFD, voiced concerns with wild land interface fires. He stated that they have only one fire fighter in Walton County properly trained to fight a wild land fire until the Forestry Service can send help. Chairman Walker stated that the Board needs to request the Division of Forestry to maintain their services and not downsize.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve the grant application for Glendale VFD in the amount of \$13,511.00 for the Forest Service grant funds, with matching funds in the amount of \$6,755.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Commissioner Ryan to adopt a resolution voicing the Board's concern with budget cuts eliminating fire spotters, subject to further research by staff. After further discussion, the motion was withdrawn pending the requested information from staff.

Mr. Phil Givens, Chairman of the Walton County Fireboard, stated that the fire departments applied twice in the past for wild land gear and was turned down. Vice-Chairman Rees requested Mr. Givens have each department prepare an inventory overview of their respective departments to determine their needs for the upcoming budget sessions.

Mr. Bell presented the traffic signal maintenance and operations agreement between the Department of Transportation (DOT) and the county for maintenance of a traffic signal at the intersection of U.S. 98 and C.R. 30-A at Inlet Beach.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the maintenance and operations agreement for the Inlet Beach traffic signal. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented a letter from Mr. Roy Brown, Sr., District 5 Foreman, regarding seven roads, which were inadvertently omitted from the county's maintained road listing. Mr. Brown stated that the roads were maintained on a continual basis in the past.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept the following roads for maintenance and add to the county maintained road list: Oyster Lake Drive, Santa Pine Street, Blue Gulf Drive, Pine Knoll Lane, Turtle Creek Court, Hankins Road, Oak Hill Lane. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell introduced the new County Engineer, Mr. Charles Boulian, who discussed the high amount of traffic and speed on Driftwood Road, District 5. Mr. Boulian explained the situation and recommended making Driftwood Road one-way heading south and Ellis Road one-way heading north to improve traffic flow. Commissioner Pauls concurred with this plan.

Chairman Walker requested that proper warning signs be put in place warning motorists of the action to be taken. Mr. Boulian advised the Board that he discussed the change with the South Walton Fire District, who concurred with the change. Commissioner Pauls stated that the Sheriff's Department should have input into the proposed changes prior to its implementation. The Board deferred a final decision until the next board meeting. Commissioner Pauls suggested the speed limits also be considered in the matter and further directed staff to proceed with implementing the warnings signs.

Mr. Bell commented on the positive statements received from staff and the public regarding Mr. Boulian.

Mr. Brian Kellenberger, Watkins Constructors, appeared before the Board to present an update on changes to the infrastructure at the Governmental/Education Center. A list of all additions and deletions was presented, which show a net affect of zero

dollars. Commissioner Pauls commended Mr. Kellenberger for the outstanding job he is doing.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve the additions/deletions made to the Governmental Education Center project. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell also presented a letter from Mr. Dan Owens, Library Director, stating that the benches in the children's area of the new Coastal Branch Library should be removed due to potential safety hazards. No additional increase or decrease will be incurred for removing the benches. Portable benches could be purchased at a later time.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept Mr. Owens recommendation to remove the benches from the children's area at the library due to safety concerns. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls stated that he hopes to obtain signatures of the constitutional officers on the final plans for the Governmental Education Center by next week in order to proceed.

Mr. Kellenberger presented a revised time-line for construction and proposed completion. Carlan Killiam submitted the time-line for the courthouse addition. After questions by the Board, Mr. Kellenberger stated that the courthouse addition is a project identified in their original contract. A GMP will be submitted at a later date for final changes and approval.

Mr. Bell along with Mr. Jack Arthur, Preble-Rish, addressed the Commissioners regarding damage White Construction is causing to CR-3280. A letter dated April 24,

2001, from White Construction Company, was submitted stating their proposal for the reconstruction of CR-3280. Mr. Arthur explained that White Construction is utilizing a borrow pit on that road to haul dirt for the construction of US 98. Approximately one-third of the dirt has been hauled, however, they could continue hauling for approximately two more years. He has prepared a counter proposal explaining that Preble-Rish would prepare the preliminary design to the standards that the county would have repaired the road in the event that White Construction had not caused any damage with Walton County being responsible for those cost of repairs. Preble-Rish would then prepare a full design at a width of 22'-24', reconstruction of the shoulders, leveling and an overlay that would hold up to the heavy traffic. The proposal states that White Construction would construct the re-designed roadway being responsible for the difference in cost above what the county would have originally spent on reconstruction.

Attorney Miller stated that it is appropriate to ask them or other contractors to provide costs of repairs from their damage and to reduce the weight limit.

Mr. Arthur stated that there has also been discussion with the owner of the pit to assist with funding the project. Attorney Miller stated that operations could be stopped if the damage continues causing further liability to the county. Mr. Bell stated that the owner of the clay pit is willing to help with the costs.

The Board directed Attorney Miller and Mr. Arthur to discuss this issue further with White Construction's attorney.

Discussion was held regarding weight limits and the possibility of issuing permits for contractors involved with hauling.

Vice-Chairman Rees questioned Mr. Arthur regarding the opening of Alligator Lake. Mr. Arthur stated that they have been issued permits from the Corp of Engineers in the past to open other lakes upon justification, as well as this one. He stated that it is becoming more difficult to obtain the permits and the Corp is urging them to become part of the Coastal Dune Lake Management Program. Mr. Arthur presented information to the Corp showing damage to the home located at Alligator Lake, which justifies the need for the permit.

Chairman Walker advised that he received a call from Mr. Bush, Department of Transportation, regarding the county accepting the Freeport section of US 331 upon the DOT constructing the new roadway. He stated that he voiced the Board's desires to accept responsibility of the road upon their 4-laning US 331. Attorney Miller advised that he has submitted a letter to Mr. Bush stating the Board's intentions.

Chairman Walker stated that public officials in Covington County, Alabama, have requested Walton County support them in their efforts to obtain federal funding to 4-lane US 331 from the Alabama state line, north to Montgomery. He requested the Board adopt a resolution of support because of the two roads in Walton County that lead to Alabama causing a large amount of traffic during times of evacuation. Okaloosa County has also been encouraged to adopt a resolution of support. Commissioner Pauls stated that he would like to include the 4-laning of US 331 in Walton County as part of the resolution.

Mr. Dewey Wilson, General Manager for Regional Utilities, appeared before the Board requesting approval to submit pay request #5 in the amount of \$200,458.81 for project #SP643050. Reimbursement is made at 75%, which totals \$150,344.11.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve for Regional Utilities Company to submit pay request #5. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Commissioners recessed briefly.

Vice-Chairman Rees called the meeting back to order.

Mr. Ken Little, Citizens Service Director, presented a memorandum of Understanding between Okaloosa-Walton Community College and the Walton County Public Library System to provide library services for the college's educational center students and faculty.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve the Memorandum of Understanding between Okaloosa-Walton Community College and the Walton County Public Library System and approve the Chairman's signature. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bill Childs, West Florida Regional Planning Council, appeared before the Board along with Ms. Lil Czeck, Director of Comprehensive Planning. Ms. Czeck gave an overview of their local housing programs and staff. She also thanked Walton County staff that assists her.

Mr. Childs told how this program originated and explained how the funds are generated through a tax on real estate, which was passed by legislation. He explained their goals and objectives and statutory requirements. He told about the substantial housing rehabilitation criteria and presented statistics of the average people who are helped by the program. He stated that West Florida Regional Planning Council also works with the following programs: First Time Homebuyer, Replacement Housing,

Optional Disaster Mitigation Recovery, and Residential Construction Mitigation Program.

Vice-Chairman Rees requested Mr. Childs to explain how other counties SHIP programs are organized relating to the Community Development Council (CDC). Mr. Childs explained that each county varies whether CDC or West Florida Regional Planning Council handles the SHIP program; some counties handle it in-house.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to adopt a resolution (2001-24) electing to participate in the State Housing Initiatives Partnership Program (SHIP). Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Walker accepted the Chair position back and called the advertised public hearing to order regarding Santa Rosa Beach Development Enterprises, Inc. who requested an abandonment of the easement portion of Lots 19 and 20, a subdivision of Government Lot 3, Section 8, Township 3 South, Range 20 West, (Hideaway Cove) in the Dune Allen area, north of 30A, on Allen Loop Road.

Mr. Dick Ousley and Mr. Cliff Cohen appeared before the Board regarding the abandonment. Mr. Ousley presented a map depicting the location of the proposed abandonment. Mr. Ousley stated that the property is five acres and located immediately north of Gulf Place Subdivision. He explained that the original survey of the lots included 33' access and utilities on the perimeter. He stated that they are attempting to relocate the easements as shown on the survey to the development road for the access. Hartman & Associates recommended the abandonment of the east 33' retaining 25' on the south side for storm water management, and 15' on the west side for an access to the easement.

Mr. Ousley stated that they have subdivision documentation requiring the homeowners association to maintain the storm water retention pond. Commissioner Pauls stated that particular wording needs to be included that will not obligate the county in the future.

Discussion followed regarding the three lowland areas on the property that retains water in addition to the access to the property. Mr. Bell advised that if the county retains the easement that they would have to cross over private roads and private property to obtain access to the easement.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to adopt a resolution (2001-27) approving the abandonment of that portion of easement as petitioned by Santa Rosa Beach Development Enterprises, Inc., to include language that each future buyer be made aware that the county is not responsible for storm water management. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Commissioners recessed for lunch and reconvened at 1:30 p.m.

Mrs. Kris Titus, Executive Director of the Tourist Development Council, appeared before the Board to present their strategic plan, which is for a three year period with the option for annual renewal. Mrs. Titus reviewed the top eleven areas of their Vision and stated that they align with the Chamber's goal and the Comprehensive Plan. She presented an overview of the critical success factors, scorecard and how changes will occur during the three year period.

Vice-Chairman Rees emphasized the importance of using the term "Beaches of Walton County" not "Beaches of South Walton". Mrs. Titus stated that from a marketing perspective the name should remain "Beach of South Walton" due to the millions of

dollars identifying this area by name. It would be detrimental to change the name at this time.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve TDC's 3-year strategic plan. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Ryan questioned if Mrs. Titus expects the new airport to increase accessibility and how she plans on attracting visitors from that point to Walton County. She stated that they would be researching transportation issues further. She also stated that they would begin looking outside of the drive market area to reach more individuals.

Mr. Tracey Howell, TDC, stated that they began working with the Genesis Group in 1999 on the Recreational Master Plan for South Walton. Since the tourism market has grown, they felt that it is time to address the recommendations in the master plan.

Mr. Howell introduced Mr. Brian Wheeler of the Genesis Group to explain the plan. Mr. Wheeler stated that the plan looks forward from 2000 to 2010. He gave an overview of the policy, programs, facilities, and the need for acquisition of property, enhancements, funding, maintenance schedules and benefits.

Chairman Walker stepped out and turned the Chair over to Vice-Chairman Rees.

Vice-Chairman Rees questioned if the plan will include identifying all of the beach accesses. Mr. Wheeler stated that it is not part of the plan. Mr. Don Crim requested the county to reach out to handi-capped individuals with their advertising because of the efforts that have been made to make the beach accesses handi-cap accessible.

Mrs. Titus responded to questions from the Commissioners stating that property acquisition has to be from the Board and TDC funds can improve and maintain the property.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve TDC's 2000 updated Recreation Master Plan as prepared by the Genesis Group. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Ms. Jackie Malone, United Fire District, appeared before the board requesting assistance with the purchase of a new fire truck.

Mr. David Henderson and Mr. Glen Scott of the United Fire District explained the need for the loan. Their current equipment is in excess of 18 years old. They have obtained three proposals of which Ferrara Fire Apparatus, Inc. responded with the lowest price of \$136,042.00 (state contract). Mr. Scott requested a 10-year loan from the Commissioners for a commercial pumper with galvanneal steel fire body, 1000-gallon ply tank, and a 1250 GPM waterous fire pump. He requested to borrow \$120,000 over a ten-year period with an annual repayment of \$12,000.00 interest free and they will provide the down payment in the amount of \$16,042.00.

Mr. Imfeld requested to put this package together for the upcoming budget year to avoid a budget amendment during this current year. Due to the urgency, the Board would like to proceed with discussions with Ferrara Fire Apparatus to determine when the invoice will be billed.

Motion by Commissioner Ryan, second by Commissioner Jones to approve a loan for the United Fire District in the amount of \$120,000.00 for the purchase of a pumper

truck, contingent upon successful negotiations with the vendor to postpone the invoice until the 2002 budget year. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. and Mrs. Mike Judkins appeared before the Board to inform them of a situation with a county employee, Dan Trotman, Code Enforcement Officer, that they feel the Board should be made aware of. Mr. Judkins expressed concern with Mr. Trotman's continual attacks against him and his business. He stated that many other violations exist in the area but he seems to be targeted on a regular basis. Mr. Judkins felt that the codes are not being enforced countywide and need to be.

Mrs. Judkins asked that the codes be enforced equally and stated that she feels they are being harassed. She advised the Board that they have met with Ms. Williams along with other staff regarding the situation and further requested the Board meet with Mr. Trotman as well.

Ms. Williams advised the Commissioners that she has addressed the concerns with Mr. Trotman removing him from his code enforcement duties in the Judkin's neighborhood. She advised that she is attempting to set a meeting with the neighboring business that seems to be in violation.

Commissioner Pauls suggested another method of handling code enforcement be established such as assigning officers by geographical location. The current method seems to create a complaint driven method for enforcement, whereas, a different method would create systematic code enforcement for consistency.

Vice-Chairman Rees stated that he feels the reorganization would help with this type of situation because this issue relates to long-term planning that would be handled

by one Division Director to oversee it along with other issues that relate. He also commented on the importance of management accepting feed back from the public.

Commissioner Ryan stated that he agreed with Mr. Pauls regarding the need for a better method of enforcement for a more fair system.

Chairman Walker returned.

Mr. Don Curenton, Chairman of the Walton Community Development Corporation Inc., informed the Board that a task force was recently formed to study the affordable housing needs of Walton County. A not-for profit organization has been formed and therefore he requested recognition of the Board to accept the CDC as a non-profit managing agency of affordable housing and ancillary services. Commissioner Ryan recommended staff review this issue further. The Board concurred that staff should review this issue further, along with Mr. Imfeld and Staff Attorney Walker.

Vice-Chairman Rees called to order the advertised public hearing to consider the Covell Tract land purchase.

Mr. Ronnie Bell and Mr. Rusty Floyd, Landfill Supervisor, appeared before the Commissioners and explained the site location, which is near the current landfill and runs east and south to adjoin Kidd Road. The property is comprised of 730 acres. The Timber Company previously presented a counter offer to the county of \$1,200.00 per acre with the right to retain their timber rights. The county refused the offer. They are now willing to accept \$950.00 per acre and allow the timber rights to be transferred to Walton County. Attorney Miller advised the Board that a second appraisal is necessary.

Ms. Linda Morse questioned if a contract has already been signed for the parcel in question. The Board advised her that they have not made any obligations at this time. Ms.

Morse addressed problems relating to leakage at the current landfill site. The Commissioners advised her that consistent testing shows that the contamination has not gone beyond county owned property. She stated that she is strongly opposed to the purchase of this property for a landfill.

Mr. Buddy Carter stated that he is aware of the need for additional landfill space, but spoke about the pollutants excreting from the landfill and felt that they will continue to do so. He spoke about the environmental and historical aspects associated with the covell property. He told about the number of artifacts that he has found and the value of the property to him as well as other individuals.

Ms. Geraldine McFadder, property owner on Kidd Road, stated that she is opposed to using this property for the landfill and requested the Board reconsider.

Mrs. Peggy Rhodes also spoke about the history of the land and told about the artifacts that she and her family have found over the years. She explained the heritage and the rich ancestry that the land has and requested to preserve the land.

Mr. Robert Henley also stated that the property is pristine and should be preserved.

Mrs. Fay Hall stated that she is opposed to the purchase.

Mrs. Janie Lindsey addressed the Board representing her real estate clients as well as herself, who are both opposed to the county purchasing the property for landfill expansion.

Mr. Rolf Arndt questioned if any EPA studies have been performed and also commented on the need of recycling.

Ms. Vicki Chapman also questioned if a contract for purchase had already been signed and requested the Board look at an alternative to this property.

Mr. Rusty Floyd explained the recycling efforts currently taking place at the landfill.

Commissioner Ryan recommended holding the second public hearing to further consider this purchase and proceed with a second appraisal on the property.

Commissioner Jones also agreed that the purchase of the property is necessary for future needs and further stated that there would be enough property to contain any possible contaminates.

Chairman Walker felt that the public has not been informed well enough and does not have a clear understanding of what will occur. He stated that the Board is sensitive to the environment; however, they are also looking out for future needs. The property contains more than enough acreage to allow for a sufficient buffer for protection.

Commissioner Pauls stated that the county should avail itself to the latest technology for operating efficiency. He felt that with the amount of acreage available, a good portion could be used for buffers. He was open to suggestions for alternate solutions.

Vice-Chairman Rees agreed that alternatives should be reviewed and agreed to set a date for a second public hearing. He also commented on protection of the historical areas that lie within the property by using buffers.

Mr. Lloyd Thompson commented on the need of an incinerator to prevent so much from going into the landfill in order to protect our future.

The Commissioners agreed to hold the second public hearing on May 22, 2001 at 3:30 p.m. to discuss this issue further.

Ms. Robbie Lund reported information to the Commissioners of an incident that recently occurred when the prisoners obtained personal information of an individual while they were working at the recycling facilities. She asked them to address the issue.

The Commissioners recessed briefly.

Chairman Walker called the meeting back to order.

Mr. Don Rutlan, 2WR-Holmes Wilkins Architect, Santa Rosa Beach, appeared before the Board and introduced Mr. Mike Watts to present the services their firm provides. Mr. Watts stated that they would be soon opening an office in South Walton. Mr. Watts stated that they would like to offer their services for construction plans of a new jail. They offer site analysis, staffing analysis and assistance with grant applications. Mr. Watts stated that a cost of \$35,000.00 per bed could be expected for construction costs and further stated that his firm would like to provide an assessment to the county at no cost. Attorney Miller advised that he would like to review the current contract with CarlanKilliam to determine if any violations would occur.

Chairman Walker advised of a letter from the Department of Corrections opposing the use of inmates to construct a work camp. The Board directed Attorney Miller to draft a letter to Senators Clary and Peaden and Representatives requesting inmate assistance.

Vice-Chairman Rees encouraged residents to be a good neighbor even before the ordinance is adopted.

Vice-Chairman Rees gave an update on the Lobbying services on behalf of Mr. Book. The session has been tough and many issues will not be addressed, however, they are working diligently.

Commissioner Pauls stated that Mr. Jon Buddy Simms has requested him to meet with Mr. Lamar Sykes regarding the pending lawsuit. Attorney Miller advised him not to meet without legal counsel from both sides present. He also advised that limitations should be set as to what would be discussed. Mr. Pauls would like an opportunity to meet with them in an attempt to reach a settlement. Any discussion would be brought back to the Board.

Motion by Vice-Chairman Rees, second by Commissioner Jones, to allow Commissioner Pauls and counsel to meet with Mr. Sykes in an attempt to reach an agreement with the limitation that discussion centers on a settlement. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Miller advised that he has spoken with Attorney Davis regarding the Animal Control Officers and they will continue to address this issue.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to accept CC#528, IBM 300 GL Computer, from the Clerk's Office for disposal. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Vice-Chairman Rees presented information regarding the Ethics Conference in Orlando. The Board agreed that they would be attending the conference.

Chairman Walker called to order the advertised public hearing to discuss The Palace Store.

Mr. Jack Baker, DAG Architects, and Mr. Jim Fuller, DRMP, Inc., spoke about the entrance to the store being closed off from Norwood Drive and shifting the entrance from Old Highway 98 to the west for better alignment. He stated that the plans have been changed. Commissioner Pauls questioned the issue of cross use with the adjoining landowner. Mr. Fuller stated that the turn radius would have to be changed. Mrs. Latilda Henninger, Planning Director, stated that deed restrictions could be placed on the recorded deed which depict a cross easement.

Mr. Ken Shannon, Planning Technician, presented a list of corrections and pending items needed for the project. Site plan revisions include: the removal of the entrance onto Norwood Drive, parking remaining at 22 spaces, and the driveway on CR 2378 was moved to align better with Winn-Dixie.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept the Planning Commission's recommendation and approve "The Palace Store" subject to the cross access agreement being available to this parcel and the conditions of the neighborhood agreement being made part of the development order. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Commissioner Jones to approve a request from the Clerk's Office for the disposal of records according to statute. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Al Fraizer appeared before the Board to request conceptual approval for tower site location. Mr. Fraizer explained that the property is located 7 miles east of US Highway 331, north of US Highway 98. St. Joe currently owns the property.

Motion by Commissioner Ryan, second by Commissioner Pauls to grant conceptual approval to Crown Castle for location of a communications tower. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. W.C. Bartlett appeared before the Board requesting the replacement of Beck Bridge Road. Mr. Bartlett presented pictures of the road he is currently using as access to his property, which is in very poor condition.

Discussion followed regarding why the bridge has not been replaced.

Motion by Commissioner Jones, second by Commissioner Ryan to approve to overturn a decision of the previous Board and replace the bridge on Beck Bridge Road. (FEMA approved) Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Walker requested the County Engineer look into placing a bridge on Wood Road or the possibility of extending the current bridge.

Attorney Rick Peterman, representing Ms. Martha Lang, appeared before the Board regarding the county's offer to purchase her property. Attorney Peterman stated that the closing was set for February and they now understand that the Board does not wish to purchase the property. He advised that Ms. Lang moved out acquiring moving expenses. Mr. Peterman stated that he met with Staff Attorney Walker regarding the contract and asks that the county abide by the contract.

Attorney Miller explained that an "out" clause does exist in the contract and read it for the record.

Commissioner Ryan stated that the property was not discussed solely for the purpose of the Human Society, which seems to be the reasoning for backing out of the

contract. He reiterated previous discussion of the property being purchased for the landfill and future operations. He stated that he feels the county has an ethical obligation to proceed with the contract.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to proceed with the purchase of the Lang property according to contract.

Commissioner Pauls felt that the county should place earnest money up with the contract. Commissioner Jones concurred.

Chairman Walker called for the vote. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Attorney Miller and Attorney Peterman will contact each other regarding the final closing.

Mr. Ken Little addressed the Board regarding downsizing by the Division of Forestry. He stated that he spoke with Mr. Jim Carls of the Division of Forestry who stated that the downsizing is being done by Legislation. The positions in Florida will be reduced from 100 to 35.

Motion by Commissioner Jones, second by Vice-Chairman Rees to adopt a resolution (2001-25) for the Chairman's signature opposing the reduction in personnel of the Division of Forestry by Legislation. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Little stated that Alabama has a priority to four-lane four different segments of US Highway 331 from Montgomery to the Florida state line. He discussed Florida's MPO priorities with them.

Motion by Commissioner Jones, second by Commissioner Pauls to adopt a resolution to submit to Alabama and Florida Legislators supporting the four laning of US

Highway 331. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls advised that he has a meeting with DOT regarding the entrance to Gulf Pines.

Chairman Walker stated that he was invited to visit the John Deere Manufacturing plant and questioned counsel if he could accept the trip or if it would be necessary for the county to reimburse them for travel expense. Attorney Miller recommended allowing the county to pay for the travel.

Attorney Miller advised that he is waiting on Mr. Rau, adjoining condominium owner to the county easement, to contact him or Commissioner Pauls to settle the issue relating to the Sandollar easement.

Attorney Miller told the Board that he has been working on the issue relating to Indian Woman Road pertaining to the individual whose home is situated in the middle of the Santa Rosa Plantation easement. He stated that the county has never accepted that portion of easement and that the citizens have always used it. Several residents are requesting the easement be opened, but the resident whose house is in the easement does not want it opened and is not willing to purchase the right-of-way. Attorney Miller and Commissioner Pauls will meet with him to discuss this issue further.

Mr. Miller informed the Board that he contacted Twin Cities Hospital regarding the HCRA bill. Walton County Health Department stated that the bill should be under \$10,000.00. He is awaiting additional information from the hospital.

Mr. Miller advised the Board that Mrs. Kathy Deaver is attempting to obtain a mortgage modification agreement with a standard mortgage company regarding C.W.

Fisher/Nursery Road. When the road was constructed, it was built on Mr. Fisher's property. Mr. Miller is waiting on release documentation and is still negotiating some costs involved. He will report back as soon as possible.

Mr. Miller stated that the Board might wish to take a position either for or against oil drilling in the gulf. Previous discussion regarding interference with Eglin and the county's height restriction brought concern that the drilling in the Gulf might also cause interference with Eglin's air testing space. The Board agreed to draft a resolution opposing oil drilling in the gulf.

Attorney Miller advised that he has a Quitclaim Deed to the Department of Transportation for a 15' easement on US Highway 98. Mr. Miller suggested that Board adopt a resolution approving the Quitclaim deed and the Chairman's signature, authorizing DOT to utilize the 15' easement.

Mr. Miller stated that the people that Mr. Cebold is buying from or selling to wants the board to consider executing a disclaimer of any of the Santa Rosa Plantation easements within the property. Mr. Miller stated that the only easement is a strip that goes down the west side of the property. Which Judge Lindsey ruled that it isn't a county easement because it is not a part of the platted lots. The easement depicted on the plat shows that it goes all the way to the gulf, but the easement itself does not. Mr. Miller will review this issue further to assure the Board that there is no public access that would be given up.

There being no further business, Commissioner Jones motioned to adjourn at 6:05 p.m., second by Vice-Chairman Rees. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

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

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