

MAY 8, 2001 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, May 08, 2001 at 1:00 p.m. at the Red Bay Community Center.

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.

Mrs. Patti Yates, Finance Supervisor, presented the Expenditure Approval List (EAL) consisting of the following bills for payment:

General Fund	\$453,123.86
County Transportation Trust Fund	163,766.87
North Walton Mosquito Control	1,479.38
Walton-DeFuniak Library	16,224.75
Solid Waste Enterprises	352,358.22
Mossy Head VFD	518.03
Glendale VFD	1,145.59
Darlington VFD	1,019.13
Liberty VFD	5,067.28
Red Bay VFD	630.02
Tourist Development Council	177,594.04
Section 8 Housing	31,686.14
Capital Projects Funds	11,925.00
Fine & Forfeiture	571,686.66
Local Option Gas Tax	23,332.24
Multi-Purpose Trust Fund	2,555.00

Motion by Commissioner Ryan, second by Commissioner Jones to approve payment of bills as presented on the EAL. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Commissioner Ryan to approve payment to Leavins Well Drilling in the amount of \$17,028.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Yates presented information regarding the lease of a postage machine and meter from Pitney Bowes for the Clerk's Office. She advised that the lease has 15 months remaining, but the meter is a manual meter that must be replaced by June 30. The Commissioners questioned if other vendors could provide this service and if they should be given an opportunity to bid on the service.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve amending the current lease and accept option #2 with the provision to advertise for competitive bids at the end of the current lease. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. William Imfeld, Financial Director, advised the Board that he received two quotes for the air conditioning system at the Agricultural Building. Professional Mechanical Technologies submitted a quote in the amount of \$103,800.00 and Air Conditioning and Heating Inc. of Santa Rosa Beach submitted a quote in the amount of \$96,428.00. Mr. Imfeld stated that he has been working directly with the air conditioning vendors in an attempt to have them install the system, however they would not due to the limited size of the system. Mr. Imfeld recommended awarding the quote to Air Conditioning and Heating of Santa Rosa Beach.

Motion by Commissioner Ryan, second by Commissioner Pauls to accept Mr. Imfeld's recommendation and award the quote to Air Conditioning and Heating in the amount of \$96,428.00 for the A/C unit at the Agricultural Building. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Imfeld advised that he has met with representatives of the Community Development Corporation (CDC) and Affordable Housing. He advised that they are seeking recognition as a non-profit agency. They are not seeking money from the county and plan to inform the Board of affordable housing needs and issues.

Ms. Lyn Stafford addressed the Board stating that a non-profit agency has priority with receiving help from the State and Federal agencies and this is one reason for their request.

Staff Attorney Walker addressed a request that Ms. Williams and Mrs. Titus serve on the CDC Board. He advised that county personnel serving on the Board could possibly cause a conflict in the future. The Board agreed to discuss this issue later in the meeting.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to accept a recommendation of Mr. Imfeld and adopt a resolution (2001-29) amending \$146,000.00 into Tax Collector Other Current Charges. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Commissioner Jones to adopt a resolution (2001-30) amending \$200,000.00 from the Deferred Revenue Account into the Library account. 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 for Regional Utilities to submit final pay request #6 in the amount of \$448,433.78 to DEP. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Rick Sutton of the Sheriff's Department advised the Board that the Burney Grant is now available, which is a 75/25 matching grant for drug enforcement. Mr. Sutton requested authorization to request the grant package. The Board asked Mr. Imfeld to review the request and proceed with requesting the information.

Mrs. Suedelle Wilkerson, Sheriff's Department Finance Office, appeared before the Commissioners requesting they adopt a resolution amending unanticipated revenues into the Sheriff's budget. Mrs. Wilkerson advised the Board that the Sheriff's Department received \$2,500.00 from Mr. Lance Greenwald for the fine & Forfeiture Fund and \$2,500.00 from Mr. William Burden for the K-9 Unit.

Motion by Vice-Chairman Rees, second by Commissioner Jones to adopt a resolution (2001-31) amending unanticipated revenue into the Sheriff's Fine & Forfeiture budget. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Ronnie Bell, Public Works Director, and Mr. Michael Bomar of Hartman & Associates appeared before the Board regarding an April 26 letter from the Florida Department of Environmental Protection. The letter denies a request from Walton County to allow Hartman & Associates alternative to the approved remedial action plan for the contaminated site at the landfill. Mr. Bell presented a recommendation to request additional time and ask why Hartman's alternative plan was denied.

Attorney Miller stated that he responded to the letter and they felt the timetable is too severe and could not be met. He stated that the net affect of implementing the 1998

plan would be to destroy the wetlands and he understood that DEP moved past that plan. The county moved forward with the hybrid plan, but Mr. Miller explained further why DEP did not accept that plan. Attorney Miller requested additional time to argue the county's case and obtain a consumptive use permit from the Water Management District for the 1998 plan or the hybrid plan. He recommended the Board approve a letter be sent asking DEP to reconsider. He has also requested another meeting be held to receive justification.

Motion by Commissioner Ryan, second by Commissioner Jones to proceed with submitting a letter to DEP asking for an extension and proceed with application for a Consumptive Use Permit.

Mr. Bomar explained to the Commissioners the remedial plan that was refused by DEP, which is the purification process of using a series of waterfalls, and further explained the approved plan. Chairman Walker stated that a meeting was held at which time the County was unprepared. It was his understanding that the county would then develop a plan to show that the county's finding refuted DEP's findings. Commissioner Ryan felt that the county should proceed with a plan that will not create additional problems. Mr. Bomar stated that charts and graphs have been presented to DEP and they were to respond, which they did with their denial. Mr. Bell explained that if the county proceeds with the recommendation from DEP and the plan should fail, the county would be responsible for repairing any damages. Commissioner Jones suggested offering a time frame as to the county's corrective actions. Attorney Miller stated that he would draft a letter to DEP and request they reconsider Hartman and Associates plan and to meet again with the county.

Chairman Walker called for a vote. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Chairman Walker suggested holding a fact-finding workshop to bring everyone together to find a resolution to the problem.

Mr. Bell presented the final floor plans for the South Walton Governmental and Educational Center. He advised that each constitutional officer has signed off on the plans and therefore recommends approval.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept Mr. Bell's recommendation and approve the final floor plans as presented. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Mr. Bell stated that Carlan Killiam would finalize the plans and submit them to Watkins Constructors.

Mr. Bell advised the Commissioners that there are three roads within the South Walton Governmental Education Center that need to be given an official road name in order to obtain the correct street addressing. The Board deferred this issue until the next meeting.

Discussion was held regarding the designation of one-way roads in District 5 on Driftwood and Ellis Roads. Mr. Bell requested to defer action pending further discussion. Commissioner Pauls stated that he would like the opportunity to hold public meetings to obtain community input.

Mr. Bell reported on the progress of the South Walton fire-based EMS. He advised that Attorney Walker has forwarded a copy of the signed agreement to him. Mr. Bell stated that he would be meeting with Mr. Les Hallman and Mr. Douglas to proceed with the terms of the contract. Another transition in progress is the Emergency Management Department. Meetings have been held with key staff in order to implement

the change by the June 11<sup>th</sup> date. Staff has been contacted by certified mail notifying each one that they must submit an application to reapply for their respective positions if they desire to do so.

Mr. Bell presented the final results from the newspaper-recycling contest at the elementary schools. A total of 20.13 tons was collected between the five participating schools with West DeFuniak Elementary collecting the most tons (7.86). Mr. Rusty Floyd of the Landfill will coordinate an awards ceremony that the Commissioners are invited to attend.

Mr. Bell advised that he is still attempting to obtain information relating to the value of the metal buildings. He advised that according to the parts list two complete buildings were delivered.

Mr. Bell stated that the county has received two consent agreements from DEP regarding the South Walton Governmental/Education Center for violations. One violation occurred on the south side of the existing landfill property where a wetlands permit had not been issued. The second violation was for an area that was cleared beyond the agreed upon permitted clearance area by DEP. Mr. Bell stated that he has spoken with both CarlanKilliam and Preble-Rish regarding the violations and both stated that it was due to lack of communications between themselves and have agreed that they will reimburse the county for the costs. The administrative fee amounts to \$2,097.00 and \$2,149.00.

Motion by Commissioner Jones, second by Vice-Chairman Rees to approve both consent agreements for payment, upon Attorney Miller's review, and approve to accept reimbursement from CarlanKilliam and Preble-Rish. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented a memorandum of understanding for work on CR 3280 between Walton County and White Construction. Mr. Bell advised that Mr. Miller, Mr. Cadenhead and Mr. Boulian have met and developed this memorandum. Mr. Bell requested to proceed with Attorney Miller and Attorney Walker drafting the final agreement. Attorney Miller discussed the issue of ongoing maintenance while the project continues. This issue will be brought back to the Board at their next meeting.

Mr. Dan Owens, Library Director, updated the Commissioners on the status of the library projects and ongoing programs. He spoke about the progress of construction at the Coastal Branch Library, which has a prospective opening date of July. He also stated that the Freeport branch is nearing completion. He addressed their plans for furnishing the two branches in addition to staffing needs, which he has discussed with Mr. Gary Mattison, Human Resource Director. Mr. Owens advised that they have considered expanding their hours with the addition of new programs and services that will be provided.

Mr. Owens advised the Board that the City of DeFuniak Springs has approved use of the Chautauqua Building by the Library for the summer reading programs without a charge. He stated that he would also be requesting they reinstate their annual donation of \$25,000.00 and for Freeport to reinstate their annual \$5,000.00 donation for the Freeport branch.

Staff Attorney Jonathan Walker presented the proposed draft of the revised Dog Ordinance, which is scheduled for a public hearing on June 12, 2001. Discussion followed regarding some minor changes the Commissioners recommended. The

Commissioners will voice further concerns to Attorney Walker and address this issue at the scheduled public hearing.

Ms. Williams presented a request from the Clerk of Courts Office for the disposition of the following surplus equipment:

CC#531-IBM 300 GL Personal Computer, CC#437-IBM PC Model N73  
CC#529-IBM 300 GL Personal Computer, CC# 498-IBM Lexmark Laser Printer

Motion by Commissioner Jones, second by Commissioner Ryan to accept surplus property from the Clerk's Office for disposal according to Florida Statute. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to grant a vehicle beach permit variance to Pyrotecnico of LA, L.L.C. as requested by Kimberly Eisinger for use only during their fireworks displays. 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 a request on behalf of Mr. Ronnie Bell to grant authorization to Mr. Charles Boulian, County Engineer, to be given spending authority up to \$10,000.00 while acting as Director of Public Works in Mr. Bell's absence. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams advised the Board that the City of DeFuniak Springs has plans to install an 8" water line and five (5) fire hydrants for the King Lake project and they are requesting the Board pay \$2,200.00 per hydrant. Discussion followed regarding whose responsibility it is to pay the cost. Attorney Miller stated that the city is using the county's right-of-way to install the hydrants and could be charged reasonable fees for its

use. Mr. Miller requested additional time to review this issue further. Ms. Williams advised the Board that phase II would consist of 22 hydrant locations.

Mr. Ken Little, Citizen Service Director, advised the Board that the agreement to administer the SHIP Program expires June 30<sup>th</sup> and requested direction whether to renew the contract or advertise for RFP's. West Florida Regional Planning Council is currently administering the program.

Motion by Vice-Chairman Rees, second by Commissioner Jones to proceed with advertising for RFP's for administration of the SHIP Program. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye.

Motion by Commissioner Jones, second by Vice-Chairman Rees to authorize Chairman Walker's signature on a letter of support to Mr. Eugene Wright, Chairman of the Emerald Coast Crime Stoppers Program, in support of the Walton County Sheriff's Department applying for and receiving moneys from the program. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Little presented a letter from Mr. Freddy Baker, Council on Aging, requesting to utilize three offices at the old hospital for his staff. Mr. Baker advised that he spoke with Mrs. Beasley, Supervisor of Elections, and she is willing to relocate her stored equipment to another room to allow Mr. Baker the use of the specified rooms. The Commissioners voiced concern with the possibility of the county using the space in the future and took this issue under advisement.

The Commissioners recessed until 5:00 p.m.

Chairman Walker called the meeting to order by opening the floor for public comment.

Ms. Linda Morse addressed the Commissioners regarding the proposed purchase of property near the landfill. Ms. Morse stated that a letter from DEP indicates that no action has been taken to contain the contamination at the current landfill. She also questioned why the county is purchasing the Lang property and its intended use. Ms. Morse requested the Board have an environmental assessment performed before purchasing the property and to also consider an assessment on the 730 acres also.

Motion by Commissioner Pauls, second by Commissioner Jones to direct staff to obtain a phase I environmental assessment on the Lang property. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye.

Mr. Bob Register stated that he feels the county does not have a use for this property.

Ms. Robin Newton spoke to the Commissioners regarding a problem with long distant charges on her cell phone due to her location and requested the Board research the issue. The Board directed Mr. Little to look into this matter.

Mr. Gary Mattison, Human Resource Director, advised the Commissioners that the implementation of the summer youth program is proceeding well. The search for personnel for positions created from the reorganization is still in progress. Mr. Mattison stated that three candidates would be selected and presented to the Board during the May 29<sup>th</sup> meeting. The position of Growth Management has received the least number of applicants.

Chairman Walker questioned Mr. Mattison regarding the responses from Emergency Management personnel currently employed by the Sheriff's Department. Mr. Mattison advised that the response has been good.

Chairman Walker stated that ARC has requested CPR and Red Cross training be provided by the county's Safety Officer. Attorney Miller advised drafting a hold harmless agreement to be signed by each trainee. Vice-Chairman Rees questioned if this training is also provided to other nonprofit agencies upon request and was advised that it could be.

Motion by Commissioner Jones, second by Commissioner Ryan to approve for county staff to provide CPR and Red Cross training to ARC staff. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Don Curenton, Walton Community Development Corporation, Inc. (CDC) , appeared before the Commissioners requesting they be accepted as a non profit managing agency of affordable housing and ancillary services. The corporation is dedicated to providing safe suitable and affordable housing to low and moderate income persons and those with special needs.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve to recognize the Walton Community Development Corporation as a non profit managing agency for affordable housing. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Curenton requested that Mrs. Kris Titus and Ms. Shirl Williams be allowed to serve on the Board of Directors. Discussion followed regarding the possibility of conflicts with county staff serving on their board.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to allow Mrs. Kris Titus and Ms. Shirl Williams to serve on the CDC's Board with the stipulation that

the Board of County Commissioners be advised of any conflicts and be willing to recuse themselves. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. David Scruggs, Vice Chairman of the Coastal Dune Lake Task Force, appeared before the Commissioners with an updated report on their plan of action. Mr. Scruggs explained the make up of the committee and the meetings that have been held and further presented their plan of action and a list of recommendations. He advised the Board that they have raised in excess of \$9,000.00 in private contributions that will be used to secure grants and other funding. In closing, Mr. Scruggs requested the Task Force Committee be appointed as an Advisory Group and be allowed to continue serving.

Mrs. Erica Mitchell, Choctawhatchee Basin Alliance, spoke about the possibility of mapping information that relates to the coastal dune lakes into the county's GIS system. She stated that they are also working to coordinate the water quality internship program through Okaloosa Walton Community College.

Motion by Vice-Chairman Rees, second by Commissioner Pauls approving for the Coastal Dune Lake Task Force to become an advisory board instead of a task force and report to the Growth Management Director. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Tim Durbin, American Tower, appeared before the Board requesting conceptual approval for a tower site located on the parcel approximately 700' east of Highway 331 south off of Rock Hill road.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to grant conceptual approval to American Tower for the requested tower site location. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Walker introduced Jason Newton, a member of the Boy Scouts, who was present to observe the meeting.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to authorize Chairman Walker's signature on the Broughton Family Partnership Development Agreement as presented by Attorney Miller. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

After further research, Attorney Miller advised the Board that they could solicit other architectural services to construct a work camp and not be in violation of their contract with CarlanKilliam. Mr. Bell stated that Sheriff Johnson would like to proceed.

Motion by Commissioner Jones, second by Vice-Chairman Rees to advertise for RFQ's for architectural services for construction of a work camp. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Discussion followed regarding an immediate solution to alleviate the overcrowding at the jail. The Commissioners agreed to hold a workshop with the necessary entities to determine the county's options for upgrading the jail

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve coordinating a meeting with the Department of Corrections, WR2 Architects, Ronnie Bell, County Staff, a representative from the Sheriff's Department, and any other necessary entities to conduct an assessment of the current jail facility to implement an upgrade as expeditiously as possible. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. The Board directed staff to notify the Sheriff of the meeting.

The Board scheduled a public hearing on June 26, 2001 at 1:30 p.m. to consider granting an exemption of ad valorem and personal property taxes for Preferred Homes.

Mr. Tom Powell, Walton County Economic Development Council, advised the Board that the exemption request is for a period of ten year.

Attorney Miller advised that the courts dismissed Ms. Nancy James' court challenge against the county. Her attorney will have an opportunity to file an amended complaint.

Attorney Miller discussed the situation regarding the severe damage occurring on county roads from overweight vehicles. He suggested hiring a professional firm to perform an assessment of the damage on roads throughout the county to determine a method for recovering the costs of damage. Mr. Bell advised that he has spoken with the Department of Transportation in an attempt to find a way to enforce weight limits. He will report back to the board at a later time.

Commissioner Jones reiterated the need to place discussion items and all action items on the agenda especially issues of controversial nature, out of consideration for the public.

Commissioner Pauls encouraged the other Commissioners to present their ideas for the county's web site to the MIS Department in order to update it as soon as possible. He again requested that county staff contact Mr. Robert Nelson and request that he update his Walton County website or remove it because the county now has their own web site. Ms. Ingle stated that her staff would continue to update the county's site as staff presents the necessary information.

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve the following minutes: April 10, 2001-Regular Meeting, April 17, 2001-Public Hearing,

April 24, 2001-Regular Meeting, and May 1, 2001-Regular Meeting. Ayes 5, Nays 0.  
Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Paul Trimble, Carlan Killiam, updated the Commissioners on the proposed parking for the courthouse expansion. He stated that they have looked at the city's requirements for parking and advised that parking would be fewer than 94 spaces to comply with the minimum parking requirements. They have considered surrounding property near the HUD building and Rushing property for additional spaces. They will continue working on this issue.

There being no further business, Commissioner Jones motioned to adjourn at 6:45 p.m.

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

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