

JUNE 12, 2001 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, June 12, 2001 at 1:00 -m. in the auditorium at Paxton High School.

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. Rhonda Skipper, Administrative Supervisor to the 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 by welcoming those present along with Paxton City Officials who were present.

Vice-Chairman Rees announced the loss of Mr. Chick Grant who passed away and requested a moment of silence in his honor.

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

General Fund	\$973,537.29
County Transportation Trust	286,319.64
North Walton Mosquito Control	1,665.94
Walton DeFuniak Library	9,886.47
Recreation Plat Fee	77,580.63
Solid Waste Enterprise	95,588.03
Mossy Head VFD	7,480.01
Darlington VFD	<1,552.50>
Liberty VFD	574.55
Red Bay VFD	353.62
Tourist Development Council	158,039.32
Multi-Purpose Trust	14,233.33
Fine & Forfeiture	556,686.66

Capital Projects Fund	\$391,668.07
Section 8 Housing	10,416.12
Glendale VFD	404.84

Motion by Commissioner Jones, second by Commissioner Rees to approve the payment of bills as presented on the June 1, 2001 EAL. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Pauls, second by Commissioner Jones to approve payment of the bills as presented on the June 8, 2001 EAL. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the payment of bills as presented on the June 15, 2001 EAL. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Vice-Chairman Rees to approve payment to Leavins-Hughes Well Drilling in the amount of \$24,578.50. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. (Grants Department)

Mrs. Yates advised the Commissioners that funds in the amount of \$59,539.89 were received for Hurricane Georges post storm recovery for the year 1999. She stated that the funds were never transferred to the Tourist Development Council and requested they be transferred at this time.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the transfer of \$59,539.89 into the TDC budget for 1999 post hurricane funds. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Alex Alford, Clerk's MIS Department, advised the Board that the EAL's should be online in approximately two weeks. They are also working on getting the board

packages online in the near future. Mr. Alford stated that he is attempting to upgrade the Commissioner's Internet for faster access.

Mr. William Imfeld, Financial Director, presented a draft of the Heavy Equipment Purchase/Disposal Policy for review. This item will be presented again for final approval at the next board meeting.

Mr. Imfeld presented the following information for Bid #00-052, Tri-Village Fire Department. Medic Masters \$49,764.00; Hackney \$62,266.00; Excellance \$68,653.01; John Glenn (SVI) \$69,381.00. Mr. Imfeld recommended the low bidder, Medic Master, who met all of the specifications.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept staff's recommendation, along with the recommendation of Tri-Village, and award bid #00-052 to Medic Masters in the amount of \$49,764.00, low bid. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Imfeld presented a resolution to accept \$9,500.00 in unanticipated revenues from Churchill Oaks, Inc. for the paving of East Hodges Road. Mr. Bell advised that Churchill Oaks is providing the engineering and storm water permit, they will pay for the paving and the county will pay for the base, which is included in the developers agreement.

Motion by Commissioner Jones, second by Vice-Chairman Rees to adopt a resolution (01-36) accepting unanticipated revenue from Churchill Oaks Inc. for the paving of East Hodges Road. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Imfeld presented another resolution for unanticipated revenues in the amount of \$6,000.00 for the Liberty Volunteer Fire Department. Additional MSBU fees collected will assist in the paving of the parking area at the Liberty Volunteer Fire Department.

Motion by Commissioner Jones, second by Vice-Chairman Rees to adopt a resolution (01-37) amending \$6,000.00 of unanticipated revenues into the Liberty Volunteer Fire Department's budget. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Walker called to order the advertised public hearing. Mr. Imfeld stated the purpose of the public hearing was to consider a budget transfer for EOC/911 to the Board of County Commissioners for unanticipated expenditures as detailed in Exhibit A. The transfer is due to the relocation of EOC/911 from the Sheriff to the Board of County Commissioners. In addition to transferring the funds, expenditures are needed for the purchase of furniture, equipment, computers and software. An amount of \$206,616.00 is being transferred from the Sheriff to the Board's budget. The Sheriff also earned \$167,000.00 of unanticipated revenues that would be transferred to the Board's Operating Fund. Expenditures in the amount of \$119,810.00 have been identified for the South Walton Sheriff's Sub Station. The cost of the necessary software is \$94,000.00.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to adopt a resolution (01-38) approving a budget amendment in the amount of \$206,616.00 from the Sheriff's budget (EOC/911) to the Board's budget. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to amend unanticipated revenues in the amount of \$167,000.00 into the Sheriff's budget. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Commissioner Pauls to approve expenditures in the amount of \$213,810.00 for the purchase of furniture, equipment and software for the South Walton Sheriff's Sub Station. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Imfeld explained the process for the upcoming budget session. He stated that two budget workshops would be needed in July. The dates will be set at a later time.

Mr. Richard Whitaker appeared before the Board and spoke about non-profit groups who receive funding from the county. He stated that last year the county supported non-profit groups in excess of \$1.5 million. He suggested that all non-profit groups not be allowed to participate in any political activities such as mail outs or political meetings. He felt that if they participate then they should not receive public funding. Discussion followed regarding the election law. The Commissioners requested for Attorney Miller to prepare a recommendation to present back to the Board.

Mr. Bell presented the Public Works issues on behalf of Mr. Charles Boulian, acting Public Works Director.

Mr. Thomas Piggott, President of the Daugeette Canal Improvement Association, appeared along with Mr. Bell to explain their request. Mr. Bell stated that he met with Mr. Boulian, Mr. Jack Arthur, Commissioner Rees and the homeowners association to discuss the storm water runoff issue. The association is proposing a joint venture to clean

out the canal. Mr. Boulian and Mr. Arthur have met with the Corp of Engineers, DEP and Game and Fish Commission to review the site.

Mr. Piggott stated that the subdivision was platted in 1958 and no maintenance has been performed on the canal since then. Approximately 32,000 yards of spoil need to be removed from the canal and bay. DEP will not allow a maintenance dredge. He explained that spoil sites need to be identified. The total estimated cost is \$153,140.00 of which one-third is for dredging of the bay and not the county's responsibility. Mr. Piggott stated that they have estimated the county's amount at \$51,570.00 and stated that Preble-Rish has agreed with that. Chairman Walker stated that Preble-Rish needs to submit a letter in writing that they concur with the amounts.

Mr. Bell stated that the proposal submitted by Mr. Piggott is for Attorney Miller's review and then would be presented back to the Board for a recommendation.

Mr. Thomas Stein, resident and dredging contractor, stated that the cost is being equally divided between the county and residents. He stated that the Association is expecting to contribute about 80% toward the cost and that the project should be performed before the road is paved to prevent damage. Commissioner Pauls questioned how the county's storm water master plan would correlate with this project. Mr. Bell advised that Hartman & Associates has reviewed the situation to determine possible methods to prevent the runoff. Chairman Walker questioned how the county could be sure that this is their problem and further requested specific causes that contributed to the problem. Attorney Miller advised the Board that the county is the one who placed the clay on the road; however, they did so at the request of the property owners. The Board took this issue under advisement.

Mr. Bell presented a letter from Mr. Wayne Miller, Supervisor of Administration and Operations, Walton County School Board, requesting assistance to stabilize the athletic field with clay at the new Freeport High School. The Commissioners requested that the amount of clay be specified before final approval is granted.

Commissioner Pauls questioned Mr. Bell regarding the status of the Mac Bayou traffic signal. Mr. Bell stated that he spoke with the Department of Transportation who is awaiting a response from the Governor and is considering developing a JPA. Mr. Boulian will be meeting with Mr. Keith Shores from DOT regarding Walton County projects. He advised that Walton County does have a temporary light that can be used. Mr. Bell will update the Commissioners as the information is relayed to him.

Mr. Bell presented a request for consideration of a Certificate of Public Convenience and Necessity for the South Walton Fire District. Mr. Bell recommended approval. Chairman Walker requested assurance that they will share cooperatively in providing services North of the bay when needed. Mr. Bell advised that the recent agreement provides mutual aide language.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the Certificate of Need for the South Walton Fire District. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell advised the Board the he met with the attorney and fire representatives of South Walton Fire District along with Commissioner Walker and Attorney Miller and the attorney for the City of Freeport regarding the South Walton fires. Issues discussed at the meeting included lack of communication and confusion at the time of the fires. Information from the hurricane conference regarding instant command was also

discussed at the meeting. A follow up meeting will be held to discuss any outstanding issues. Concerns were raised regarding liability for volunteer fire fighters. The attorney for the City of Freeport stated that they would not send any of their fire fighters to assist with fires in South Walton. Chairman Walker stated that the purpose of these meetings is to establish proper protocol to follow. Commissioner Pauls questioned the possibility of indemnification for the county. Chairman Walker stated that there is a need for an interlocal agreement stating who is in command. Attorney Miller stated that the Forestry Department should be part of the agreement because of the role they play. The Board agreed that the primary concern should be the protection of lives and property.

Mr. Bell presented a summary of the meetings held with the City of DeFuniak regarding the number of fire hydrants they plan to install in the King Lake project. Mr. Mike Standely, City Manager, stated that they would be installing three hydrants along the line as it is installed, which would be used as flushing hydrants. He also stated that the City would not share in the cost of the other ten hydrants. Mr. Bell is awaiting a letter from Mr. Standley to determine if the water lines would be sufficient for fire flow. Attorney Walker stated that the City is acting under the five-mile radius, providing voluntary service in that area and has not located any exemption to exempt the City from installing the hydrants. Discussion followed regarding a plausible way to enforce the City to install the hydrants. Attorney Miller agreed with Attorney Walker and also stated that the City could be notified that they are in violation of Florida Statute and county codes. Commissioner Ryan suggested putting the City on notice of requirements for future projects. Commissioner Pauls stressed the need to install the saddles now to allow for the hydrants to be installed at a later date.

Motion by Commissioner Jones, second by Commissioner Ryan to require the City of DeFuniak to pay 50% of the cost for installation of 13 fire hydrants, and if they choose not to participate then enforce the provisions of the Ordinance 92-4.

Mr. Roger Roy, Chief, Liberty Volunteer Fire Department, feels that the water flow is sufficient in that area for the structures that exist.

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

Mr. Bell presented a letter from Dalton Parker, Project Engineer for Watkins, regarding the reduction of space required for entry into the South Walton Sheriff's Sub Station. The change order request is to relocate the fuel tanks away from the building and the installation of a card reader system. The change amounts to an increase of \$22,507.39 and would come from Contingencies. Mr. Bell recommended approval. Included in the change is the addition of a 20' tall security light at the fuel station, which adds a cost of \$3,956.00. The Commissioners discussed other options for reducing the cost and Mr. Kellenberger explained what the light consists of. The Board requested Mr. Kellenberger prepare a reduced cost for an alternative light pole.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve the change order request for the fuel tank system with the exception of the lighting fixture. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented an invoice from CHELCO in the amount of \$27,670.00 for the electrical power to the Sheriff's Sub Station. Mr. Imfeld has reviewed the invoice and the funds will be taken from contingencies.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve payment in the amount of \$27,670.00 to CHELCO. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented information regarding CHELCO's request for a 5' easement on each side of the centerline for their electrical line. The recommended additional language to be included would state that any further use by CHELCO other than the use described shall require written consent by Walton County. The second statement would say that any damages on the right of way caused by CHELCO would be their responsibility to return to as good or better condition; and this is a non-exclusive easement. The committee recommended approval with the amended language.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve the right of way easement agreement with CHELCO with the amendment of the three additional items. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Gary Mattison requested to table the presentation of the pay scale revisions and interviews until June 19, 2001 at a special meeting. The Board agreed to hold a special meeting beginning at 9:00 a.m.

Mr. Mattison advised the Board that the orientation for the summer youth program would be held on Monday, June 18th and requested the Commissioners speak to the students.

Mr. Mattison recommended Ms. Heather Wellman for the position of Public Information Officer at a beginning wage of \$23,900.00 (pay grade 13). Ms. Wellman

would begin on June 25th, reporting directly to the Board of County Commissioners, with a six-month probationary period.

Motion by Commissioner Ryan, second by Commissioners Pauls to approve the hiring of Ms. Heather Wellman as the Public Information Officer at a beginning salary of \$23,900.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Mattison presented his recommendation for the position of Director of Legal Services. Mr. Gary Vorbeck accepted the position at a beginning annual salary of \$95,000.00 (pay grade 23) and is willing to begin on July 16, 2001.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept the recommendation for the hiring of Mr. Gary Vorbeck, Director of Legal Services, at a beginning salary of \$95,000.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Brian Kellenberger presented a price reduction of approximately \$1,100.00 for the lighting fixture at the South Walton Sheriff's Sub Station.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the original light pole at the original proposed cost. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Jones stated that the first team meeting was held regarding the expansion of the courthouse in DeFuniak Springs. Mr. Kellenberger stated that the project can be completed up to 95% without direct disruption and the building would then be connected to the existing building. He further reported on the proposed parking issues during the construction phase. Chairman Walker requested a written report be presented at the next meeting explaining what type of interruptions can be expected.

Vice-Chairman Rees requested Attorney Miller report further on non-profit groups and to clarify if it is permissible for them to conduct surveys.

The Commissioners recessed until 5:00 p.m.

Chairman Walker called the meeting back to order by welcoming the public and commenting on this Board's efforts in working for the people. Mr. Walker also introduced his family who was present in the audience. He proudly announced that his daughter, Elizabeth, recently graduated from Harvard College and his son Jonas graduated earlier from the University of Florida.

Chairman Walker recognized Mr. Lyn Zorn who has served on the Planning Board for two years. Mr. Zorn was presented with plaques for his dedicated service from the Commissioners and the Planning Department.

Mr. Walker introduced Commissioner Ryan's wife, Anne, and other elected officials who were also present in the audience.

Chairman Walker called to order the advertised public hearing to consider the amended Animal Control Ordinance.

Attorney Jonathan Walker presented the proposed ordinance and pointed out the new language. The Board reviewed the changes and made several recommendations. Chairman Walker stated that the intent of the ordinance is to protect the welfare of people and animals. Discussion was held regarding the definition of "Animal".

Ms. Melissa Forberg addressed the Board regarding Florida Statute 588.12, which identifies the definition of "Animal".

Ms. Patsy Register, Humane Society, explained the various types of calls they receive for numerous kinds of animals.

Ms. Pat Ram stated that animals that run lose off of the owners property are a nuisance to other people.

Mr. Winfred Hall stated that hunting dogs are not vicious and will not bite. He commented on how well this ordinance has worked in the past.

Ms. Linda Morse stated that the surrounding counties have definitions that work and Walton County can make it work as well.

Discussion was held regarding Section V, which requires all affidavits of complaint to be sworn and notarized by a registered notary public. Ms. Register stated that this reduces the number of complaints.

Ms. Ram submitted a petition from residents who feel that they should not be required to file a written report and identify themselves because of retaliation from neighbors. She stated that reports should be taken anonymously.

Mr. Jerry Kelly, Northwest Florida Dog Hunters Association, stated that he feels reports should not have to be notarized.

Councilman Sherman Johnson of Paxton stated that they do not have the personnel to enforce this ordinance. He requested to enter into an interlocal agreement that will allow the residents of Paxton to receive the same service as the remaining county at the same cost. The Commissioners stated that the City of Paxton would need to adopt the county's ordinance so it could be enforced in the same manner.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to adopt the newly revised Animal Control Ordinance (2001-07) as amended. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The Commissioners recessed briefly.

Judge Lewis R. Lindsey and Judge David Green appeared before the Commissioners requesting use of the old Supervisor of Elections Office during the vacancy. Judge Lindsey stated that they need the additional space for visiting Judges.

Motion by Vice-Chairman Rees, second by Commissioner Jones to allow the Judges to utilize the old Supervisor of Elections Office. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Judge Lindsey stated that the Legislature and Supreme Court has certified a new Circuit Court position for the First Circuit and Walton County will receive half of the position. He was hoping to approach the Chief Judge about placing the permanent office in Walton County for that position. He advised that Walton County has the largest caseload per Judge in the Circuit.

Chairman Walker called to order the advertised public hearing regarding the E911 Addressing Ordinance. Mr. Walker stated that he has concerns with issuing fines for individuals who will not post their addresses. Attorney Miller stated that the ordinance needs to be enforced if it is adopted. Vice-Chairman Rees agreed, but stated that he would like to see the ordinance written in a more positive manner for people to realize the benefits of the ordinance. Attorney Miller voiced concern that the County could be held liable if they fail to enforce the ordinance. The Commissioners discussed removing the fine in Article 15 of the ordinance for the first year. Commissioner Pauls suggested establishing a graduated fee scale for subdivisions. Chairman Walker asked Mr. Bigham to implement a fee schedule as part of the ordinance. Mr. Tommy Matthis questioned if the County would consider placing block numbers on public roads at certain intervals.

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve the E911 Addressing Ordinance as amended. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Dewey Wilson, President and General Manager of Florida Community Services Corporation, stated that he has been working with St. Joe/Arvida Corporation regarding their DRI. Mr. Wilson stated that he has requested property from them to put in rapid rate percolation ponds. The area selected is North of their present spray field and North of the Intercoastal waterway, in an area known as Devil's Swamp. He estimates that they can perk 3-4 million gallons a day from that property. Water Management is purchasing the surrounding property and has agreed to cut 100 acres out of the center for Regional Utilities. Advanced wastewater treatment will be used. Mr. Wilson stated that Arvida is willing to trade the purchase price for credit of tap fees for a dollar value of \$250,000.00-\$300,000.00. Mr. Wilson explained that the County is required to approve the purchase of any property Regional Utilities purchases.

Motion by Commissioner Ryan, second by Commissioner Pauls to grant approval to Regional Utilities to purchase the 100 acres from St. Joe/Arvida. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Wilson presented a request on behalf of CARE, who would like to utilize property owned by Regional Utilities. He stated that his Board members have no objections, but final approval must be granted from the Board of County Commissioners. The property is located on Wagonwheel Road and their intended use is for an animal control shelter. Regional Utilities would review any construction plans for prior

approval. The Board stated that they do not have enough information to make a decision at this time.

Ms. Ella Kero, Director and Treasurer for CARE, thanked the Commissioners for their efforts in adopting the revised animal control ordinance. She stated that CARE is in need of a building to house animals and care for them. Ms. Kero asked for the Commissioners blessings for the use of Regional Utilities properties. Vice-Chairman Rees advised Ms. Kero that the Commissioners would like time to allow Mr. Bell to review this request further. Commissioner Pauls asked Ms. Kero what the intended use of the building would be and if the building would become a county building because of it being located on property owned by Regional Utilities.

Mr. Winfred Hall wanted the Commissioners to be aware that he has always received excellent treatment from the Humane Society.

Mr. Jerry Flater, CARE, advised the Board that they are not here to compete with the Humane Society, but to augment their services to better the county.

Leisure Oaks final plat was presented for approval. Attorney Miller reviewed the plat and advised that it is in order.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve Leisure Oaks final plat for recording. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye. Commissioner Jones abstained from voting because the Leisure Oaks project belongs to his brother.

A resident of the Mossy Head area appeared before the Commissioners explaining a situation she encountered with the Humane Society. She explained that she had taken a litter of kittens to the Humane Society to obtain help in finding them a home. When she

changed her mind and returned the next morning to retrieve the kittens, she found that three of the four had already been put to sleep. She felt that they act much too quickly when putting animals to sleep and questioned the Commissioners regarding this practice. She was advised that staff would research the matter and report back. She then left with Mr. Dale Anderson, Humane Society President, and other Humane Society staff to discuss the situation further.

Mr. Ken Little, Citizen Services Director, appeared before the Board and stated that the SHIP contract is soon to expire. West Florida Regional Planning Council is the only organization that responded to the advertisement for proposals. Mr. Little recommended allowing West Florida Regional Planning Council to continue providing the services under the SHIP Housing Program.

Motion by Commissioner Jones, second by Commissioner Ryan to approve for West Florida Regional Planning Council to administer the SHIP Program for Walton County. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Little advised the Commissioners that previous action had been taken, which allowed the Council on Aging to utilize the old hospital as an assisted living facility. Mr. Little explained that a resolution of support was adopted but never drafted and asked for direction. Chairman Walker explained that the previous motion was made to assist the Council on Aging with securing legislative funding, which was not successful; therefore the resolution is not needed at this time.

Mr. Little presented a letter from the South Walton Mosquito Control requesting permission for the Bureau of Entomology and Pest Control to spray for dog flies.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to grant permission to the Bureau of Entomology and Pest Control to operate an aircraft over South Walton to spray for dog flies. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Little presented a list of surplus equipment from Section 8 Housing (HUD). The equipment is operational, but is being upgraded.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to accept the surplus equipment for disposal per Florida Statute. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Russ Aldrich, Emerald Coast Associates, appeared before the Commissioners requesting a tenant name change on a development order, which was continued from the last meeting. Attorney Rick Peterman was also present. Attorney Miller reminded the Commissioners that Mrs. Henninger, Planning Director, cited the requirements that would require the development order be sent back to the Planning Commission for an amendment. He also commented that there is no legal justification for turning them down based on the name chosen for the project. Mr. Edmonds explained the process the owner went through to obtain the development order. He stated that the people were opposed to the aesthetics of the building because of what Wings is known for. Commissioner Pauls questioned who the other two tenants in the building would be. Mr. Edmonds stated that Wings has decided to occupy the entire building. The Commissioners could not find any legal reason for denial.

Motion by Commissioner Ryan, second by Commissioner Pauls to proceed with the name change on the development allowing the tenant to use the name Wings. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Miller addressed the North Florida oil drilling issues. He stated that the Board might consider inclusion of a 150-mile buffer to protect the coastline and oppose the lease of certain acreage in the Gulf of Mexico without a required buffer. The Board took this issue under advisement.

Mr. Miller reported that he has reviewed the policy for tabling issues. He stated that there are not any limits on the amount of times an issue can be tabled. The Board agreed to continue following Roberts Rule of Order to conduct their meetings.

Attorney Miller advised the Commissioners that an agreement was previously approved with Mr. Lee Perry and St. Joe/Arvida for the construction of homes in the Bear Creek area. He stated that St. Joe is seeking credit for their commitment to affordable housing. Mr. Perry stated in an original letter that this would take care of all of their affordable housing commitments in South Walton. Mr. Miller stated that they have now limited their affordable housing satisfaction to the WaterColors project, Deer Lake and several others before affordable housing would have to be addressed again. Mr. Miller stated that the county would be able to recognize that they have satisfied their WaterColor commitment for affordable housing and then apply this development to the county's comprehensive plan. The Board requested additional information before any decision is made.

Mr. Miller advised that the litigation against the county and three Commissioners, regarding Inlet Beach, has been dismissed.

Commissioner Pauls questioned Attorney Miller regarding the Holiday Road code violation issue. Mr. Miller advised that a date to hear this issue has not yet been set.

Attorney Miller is awaiting information from Attorney Theriaque regarding the Treasure Island Marina case and will report any information he obtains as soon as possible.

Mr. Miller stated that the Sikes Concrete case is set for mediation, however, Mr. Sikes is attempting to settle the issue. Commissioner Pauls stated that he also is looking for areas where an agreement can be made, but has not found any.

Mr. Miller advised that Attorney Sauer has requested a copy of the surveys on the Sandollar Condominium regarding the encroachment. He also stated that he has spoke with the condominium manager from Cybony regarding beach access.

Commissioner Rees requested an update regarding the Andalusia beach walkover. Attorney Walker stated that he has spoken with Attorney Theriaque, representing Mary Byrd, and Attorney Lisa Walters, representing the Grove By The Sea Homeowners Association. Attorney Walker stated that he is ready to present this issue to the Board with the attorneys present. Attorney Miller stated that the Board has previously heard this issue and felt that the next step would be for their attorneys to address this in a legal manner.

Dr. Joe Johnson of Paxton asked the Commissioners for assistance in correcting a problem with addressing in Paxton. Dr. Johnson stated that the addressing system in Paxton conflicts with the 911 addressing. The post office is contracted under other postal services, which creates confusion with addresses. He explained the problems with receiving mail and stated that Paxton needs to be given physical addresses. People are

not able to locate places of business because of the system being used. Dr. Johnson offered several options to correct the problem. The Board took this issue under advisement.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve the minutes of May 22, 2001-Regular Meeting and May 29, 2001-Special Meeting. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams presented a letter from Sheriff Johnson recommending the Byrne Grant Funds, for drug enforcement, in the amount of \$65,014.00 be awarded to the City of DeFuniak Springs Police Department.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the distribution of \$65,014.00 from the Byrne Formula Grant Program to the City of DeFuniak Springs. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams presented a letter from Mrs. Judy Robinson, requesting the following individuals be appointed to the Competency Board: Allen Taylor, Plumbing; Robert Barley, Specialty; Susan Rau, Lay Person; and George Schissler, Lay Person.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve the appointments as requested. After discussion about meeting these individuals the motion was withdrawn.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve a disposition request on behalf of Ms. Ingle, Clerk of Courts, for the destruction of records as approved pursuant to Florida Statutes. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Jones to accept surplus property (CC#400-Sharp Copier) from the Clerk of Courts for disposal. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams advised the Board that the Sheriff's Department previously turned two surplus vehicles over to the Commissioners and is now requesting the vehicles back. Chairman Walker stated that the Sheriff needs to be aware that he has no authority to dispose of surplus property. His surplus equipment is released to the Board of County Commissioners for proper disposal.

Motion by Vice-Chairman Rees, second by Commissioner Jones to approve the Sheriff's request and return two cars to his department. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams submitted a request from the Competency Board for consideration of amending Ordinance 95-22. The amendment would require a passing score of 75% on the Block Test. The Competency Board based this request on requirements of surrounding counties.

Motion by Commissioner Pauls, second by Commissioner Ryan to set a public hearing for the second meeting in July to consider amending Ordinance 95-22. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Williams presented an amendment to an Agreement to Initiate, regarding the Mossy Head land exchange, by the Forestry Service. Attorney Miller approved of the amendment. Chairman Walker voiced concern with the amount of funds being spent on this project. Ms. Williams advised that Mr. McFarland's contract has a maximum price.

Attorney Miller advised that this amendment prevents the county from having to obtain another appraisal.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve the amendment to the original Agreement to Initiate with the Forestry Service for the Mossy Head Land Exchange. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve the amendment to the original Exchange Agreement for the Liberty County property and authorize Chairman Walker's signature. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls questioned if the agreement contains an out clause in the event of environmental problems. Attorney Miller stated that an out clause is needed and he will review the agreement and contact the Commissioners before signatures are obtained.

Mr. Ken Basso, resident of Richardson Road, Mossy Head, asked the Commissioners for an update on the paving status of his road. Commissioner Jones advised that the road has high priority but a date certain has not been set.

Mr. Don Crim asked the Board if they county still owns the sea-doo slides that the Sheriff's Department had. Ms. Williams stated that she would inquire into the matter.

Mr. W.C. Eckles commented on the outstanding job the South Walton Sheriff's Department is doing. He also asked the Board not to turn the old hospital into an assisted living facility.

Vice-Chairman Rees expressed his appreciation to Attorney Miller for his services to the Board.

Vice-Chairman Rees commented that the dates for the National Association of Counties Conference in Pennsylvania, July 13-17, would conflict with the budget workshops and recommended not attending.

Commissioner Rees stated that he, along with Commissioner's Ryan and Pauls, participated in the Strategic Partnership Initiative dealing with Transportation, Regional Water Supply and Regional Service Water Quality/Stormwater. He questioned what other Commissioners might have gained from the workshop. The Commissioners agreed to prepare a report.

Commissioner Pauls commented on the extreme importance of placing a light at Mac Bayou Road and Highway 98. He requested the Board commit to this project in order to save a life. He stated that he would discuss this further with Mr. Bell.

Commissioner Pauls commented on the 2001 Road Improvement Program Book as provided by Mr. Bell. He suggested that this be created on an annual basis or even a 5-year plan like the MPO uses. He wants to be able to advise the public on certain road issues and be assured that it is done according to schedule.

Commissioner Pauls requested that staff develop an ordinance in accordance with the 30-A Task Force recommendations. The recommendations were approved by a previous Board of Commissioners, but never translated into an ordinance.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve for staff to draft an ordinance for the 30-A Task Force recommendations. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Commissioner Ryan to advertise for consultants for the Noise Ordinance. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls stated that the Empress Condominium Homeowners Association has requested the county enter into a right-of-way/improvement agreement along Old 98/Scenic Gulf Drive. He stated that he is reluctant to enter into the agreement without a corridor plan. Commissioner Pauls will continue working with them, along with the Public Works Director. He also stated that he is working with Tracey Howell of TDC to identify all beach accesses, private or public. Mr. Pauls will present a corridor plan at a later date including crosswalks, beach access and parking on the south side of the road.

Mr. Sherman Johnson stated that Commissioner Powell of Paxton is in support of 4-laning U.S. Highway 331 from Florala to Opp and asked the Board to support the 4-laning from DeFuniak to Florala. Chairman Walker advised him that the Board has already adopted a resolution regarding this issue in an attempt to obtain federal funding. Commissioner Pauls stated that he also spoke with Senator Prescott and Governor Bush regarding this issue.

There being no further business, Commissioner Ryan motioned to adjourn at 9:30 p.m., seconded by Commissioner Pauls. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

APPROVED: _____
Herman L. Walker, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court