

JUNE 25, 2001 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Monday, June 25, 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.

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

Chairman Walker called the meeting to order and welcomed Ms. Heather Wellman to the staff.

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

General Fund	\$406,231.36
County Transportation Trust	366,351.12
N.W. Mosquito Control	10,338.79
Walton-DeFuniak Library	7,563.82
Recreational Plat Fee	117,664.00
Solid Waste Enterprise	313,816.29
Mossy Head VFD	795.81
Darlington VFD	1,209.16
Liberty VFD	1,055.06
Red Bay VFD	1,206.61
Glendale VFD	823.79
Tourist Development Council	55,819.78
Section 8 Housing	130,371.76
Driftwood Debt Service	110.10

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

On behalf of the Grants Department, Mrs. Yates presented a request for payment to Dixie Abstract in the amount of \$95,556.75 for property acquisition through the Hazard Mitigation Grants Program for the Whitbeck/Martin Property.

Motion by Vice-Chairman Rees, second by Commissioner Ryan to approve the purchase of property through the Hazard Mitigation Program in the amount of \$95,556.75. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. William Pennington, Finance Director for the Clerk of Courts, appeared before the Board to update them on the status of RFP's for banking service. Five proposals were received and reviewed by the Clerk's Finance Committee. Upon review of the proposals, the committee recommended AmSouth Bank, low bid. Mr. Pennington was able to negotiate their already low bid by another \$2,144.00 for a total of \$25,916.00, which includes armored car service.

Motion by Vice-Chairman Rees, second by Commissioner Jones to concur with the Clerk of Courts choice for selecting AmSouth Bank for their banking services. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. William Imfeld, Financial Director, appeared before the Commissioners and began his presentation by complementing Mr. Pennington on his efforts in working with the proposals and his professionalism.

Mr. Imfeld presented a budget amendment request in the amount of \$5,907.00 for grant funds received for the Glendale Volunteer Fire Department. The grant requires a match of \$1903.00

Motion by Commissioner Ryan, second by Commissioner Jones to adopt a resolution (01-39) approving a budget amendment for unanticipated revenue in the amount of \$5,907.00 for grant funds received for the Glendale Volunteer Fire Department. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Imfeld presented the Heavy Equipment Purchase/Disposal Policy for review.

The Commissioners set two budget workshops on July 7th and July 12th, 2001 beginning at 9:00 a.m. A third meeting will be held on July 13th if necessary.

Mr. Imfeld stated that the playground equipment for the Wee Care Park needs to be purchased or the County could possibly lose the grant funding if not done so by July 31st. He stated that the equipment has been located and the state contract price is \$47,413.00.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the purchase of playground equipment off of state contract in the amount of \$47,413.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Lana Barley, Tourist Development Council, advised the Board that the contract with Bohan Carden & Cherry needs to be renewed at this time. The contract is for a 3-year period and renewable each year.

Attorney Miller stated that the contract contains a provision that Walton County would indemnify the agent for any loss that may incur from any claim due to advertising.

He feels that it should not be in the contract. Mrs. Barley stated that she would contact TDC's attorney regarding the provision.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to approve the renewal of Bohan Carden & Cherry's Marketing contract contingent upon recommendation from Council for consideration of striking the last sentence of paragraph 17, indemnification clause. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Barley stated that bids were let for cleaning services at TDC and only one response was received. Shirley Wright bid on the services at a cost of \$250.00 weekly and a first time charge of \$400.00. TDC recommended approval.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to accept TDC's recommendation to award the cleaning service bid to Shirley Wright as stated. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Attorney Walker will draft a one-year contract including a termination clause.

Mr. Ronnie Bell, Emergency Response Director, presented a 911/addressing list and pointed out problems with similar named roads that are located in an area with the same phone exchange. He stated that now is the time to make residents aware so they can post their addresses correctly. Mr. Bell stated that he would be working with the Public Information Officer, Ms. Heather Wellman, on informing the public. Another problem he made the Board aware of is that some roads that have been platted do not even exist. Mr. Bell stated that he would continue working to obtain consistency with the addressing. He will be working with the Commissioners and will be setting up community meetings.

Mr. Brian Kellenberger, Watkins Engineers & Constructors, appeared before the Commissioners to offer a guaranteed Maximum price proposal for the parking/infrastructure at the Walton County Governmental/Education site in the amount of \$766,918.00. The project is to be completed in 2 phases. The duration for phase I of the project is based on two months working time before the building portion becomes active. Mr. Imfeld stated that the costs are reasonable in review of previous contracts. Commissioner Pauls stated that he has reviewed the contract and brought to the attention of the other Board members that Chelco's primary power installation budget of \$45,000.00 is not included in the GMP budget. Commissioner Pauls stated that a savings in the amount of \$171,000.00 has resulted because of some recommended changes he has made to the site work.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to approve the guaranteed maximum price proposal in the amount of \$766,918.00 for the project qualifications and assumptions. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Kellenberger advised the Commissioners that his firm was invited to provide the GMP for the Chamber of Commerce. He stated that if allowed to do so, it would reduce the county's cost because of the shared resources. The Board concurred.

Vice-Chairman Rees questioned Mr. Bell about an update on the meetings held regarding the fires in South Walton. Mr. Bell stated that he held an emergency preparedness meeting with the emergency agencies.

Mr. Bell also stated that he met with representatives from CARE about the use of property owned by Regional Utilities for an animal shelter. He advised that the property was not suitable and they would continue looking for other possible sites.

Mr. Bell presented a list of items that are being donated to the Coastal Branch Library for the Commissioners review.

Mr. Bell offered suggestions for possible uses of the Lang property, which included landfill expansion, county facilities/offices, not-for profit organizations, or recreational facilities. This item was placed on the action item agenda for further study.

Mr. Bell stated that he received a letter from the Baptist Hospital requesting a CON for a helicopter pad in Walton County. The Board requested to schedule this as an agenda item for further review. Discussion was held regarding Sacred Hearts need for a helicopter pad in the future and the need to coordinate between the two hospitals. Mr. Bell will attempt to obtain additional information.

Mr. Charles Boulian, County Engineer, presented the bid results for Perkins Road. Bids were received from APAC, Bullard, Gulf Coast and Gum Creek submitted a No Bid. Mr. Boulian stated that the bid from Bullard was not complete therefore making Gulf Coast the low bidder in the amount of \$156,342.05. The Commissioners questioned why Bullard did not meet the requirements. Mr. Boulian stated that he has attempted to contact Bullard and was not able to reach them.

Motion by Commissioner Jones, second by Commissioner Pauls to award the bid to Gulf Coast in the amount of \$156,342.05 for the paving of Perkins Road. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Boulian presented an update on Sweet Water Lane. He stated that the right of way is approximately 40', which is not adequate for paving. Mr. Allen Brown is researching this issue and will submit a report at a later date.

Mr. Boulian stated that he is trying to develop a preliminary scope of work on CR30-A. Commissioner Pauls stated that three traffic studies have already been conducted. Mr. Boulian stated that they are working on a traffic study/master plan to include the overall issues. Commissioner Pauls stated that a corridor plan is also needed.

Mr. Boulian stated that representatives of the Daugeette Subdivision are currently working to determine what they perceive as the county's responsibility for dredging.

Mr. Boulian presented a prepared estimate for the requested work at the Freeport High School athletic field. He stated that he has prepared a topographical survey to determine the estimated costs to stabilize the field. The estimated cost is \$10,905.00. Vice-Chairman Rees questioned why the School Board would not bid it out. Chairman Walker questioned if this project cost would be presented to the School Board. Attorney Miller advised that the county has been supportive of the schools for many years in the past. Mr. Bell stated that interlocal agreements are provided that allow public use of the field. The Board voiced concern with the time required for county personnel to perform this work when they are behind with their own projects. They agreed that the School Board should be notified that the county does not have the available resources to assist with this project. Vice-Chairman Rees requested to open a dialogue with the School Board before any decision is made.

Mr. Boulian introduced Michael Bomar of Hartman and Associates and Mr. Michael Kennedy and Mr. Jack McNaulty from the Department of Environmental Protection.

Mr. Bomar presented an update on the groundwater management plan/remedial action plan for the landfill. Mr. Bomar presented a handout containing the current options with updated costs. The three plans include the approved RAP Plan, \$1,096,755.00; as approved by DEP, waterfall alternative, \$675,210.00; and the well and box alternative, \$666,410.00. These costs include the total operation and maintenance costs for a 20-year period. Mr. Bomar explained the process for water purification and recommended using alternative III, the wells and box method. He stated that this method provides for lower operational maintenance for landfill staff. Mr. Bomar stated that he is looking for direction from the Board to proceed and requested to advertise for bids for the recovery wells and piping, prepare final documents for DEP and also work with CHELCO to run the electrical service to the site. Chairman Walker voiced concerns regarding costs and wanted assurance from Hartman & Associates that they will stand behind their recommendation in the event that this method fails to work properly. Mr. Bomar stated that these prices were taken from previous bids the county received and that they will stand behind their work as the county's consulting engineer.

Commissioner Pauls questioned using this plan and the possibility of having to revert to the approved plan. Mr. Kennedy explained that even if the county used the approved plan and it failed, then it would still be the county's responsibility to correct the problem.

Mr. Kennedy addressed the Commissioners explaining that the project was first approved in 1998 and further explained how the remedial plan was developed. He also explained about the various procedures being used at different landfills. Mr. Kennedy stated that the consent agreement applies to the approved plan only.

Commissioner Ryan stated that the purpose of the plan that Hartman and Associates developed was created to be as simple as possible. He felt that the engineering principals are the same in all of the plans. If any one of these plans are used and fails, then another plan would have to be used. Another advantage using Hartman's plan is that the wetlands would not be impacted.

Discussion was held regarding the change in plans from using the waterfall alternative to using the wells and box alternative. Mr. Bomar explained that the costs for the waterfall alternative increased due to additional equipment that would be required by DEP. The additional equipment would require additional monitoring and cause operating expenses to increase also.

Mr. Greg Preble, Preble-Rish, stated that he prepared the original plan along with several experts. He explained that he patterned this design after other successful systems. He further explained how the plan works and that construction costs would not exceed \$250,000.00. Mr. Preble also stated that the Commissioners need to consider the costs of implementing an alternative plan if the first plan fails. He requested to be allowed to prepare the project for bids if granted the project.

Mr. Boulian stated that DEP is wanting to move forward quickly. Mr. Kennedy stated that the county is currently out of compliance with the permit. He also stated that he wants to Board to make a sound decision that will correct the problem. Mr. Kennedy

stated that he would allow the county time to bid this project. Attorney Miller questioned Mr. Kennedy if the county would be fined further for destroying the wetlands. Mr. Kennedy stated that they would not impose any additional fines.

Commissioner Pauls stated that he would like to give Hartman and Associates the opportunity to bid the design and build for the well and box alternative, and allow Preble-Rish to bid the approved RAP for comparison. Mr. Kennedy explained that there is still a process to go through for the well and box alternative because they have not received all of the information. Once the plan is submitted it would take approximately 30 days for approval from DEP.

Motion by Commissioner Jones, second by Commissioner Ryan to direct Mr. Michael Bomar of Hartman & Associates to present the well and box alternative to DEP. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to direct Preble-Rish to proceed with bids for design/build in 30 days for their approved RAP plan and Hartman & Associates to proceed with bids for design/build in 30 days for their proposed wells and box alternative. Both plans are to include projected maintenance cost for a 20-year period and presentations will be at the August 14th meeting at 5:00 p.m. by both firms. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Vice-Chairman Rees requested an update on the 30-A bike path at the Wheelhouse. Attorney Miller advised that he has met with Mr. Arthur and Mr. Flowers, who both agreed that the bike path should run off of county property onto private property owned by Mr. Steiner at Seagrove Villas. Mr. Miller spoke with Mr. Steiner and he refused to discuss the right of way. Mr. Steiner stated that there seems to be plenty of

right of way on the south side where the public is currently parking and that Mr. Flowers has two vacant lots adjacent to his restaurant where he can park overflow. This issue will be discussed again at the next meeting.

Mr. Miller advised the Board that he spoke with Mr. Parish to determine if there were any bonding requirements in the state's contract and he was advised that there were not any. The White contract, regarding the 3280 project, is ready to submit to them.

Mr. Gary Mattison, Human Resource Director, presented his recommendation for the position of County Administrator, Mr. Michael Underwood. Mr. Mattison recommended hiring Mr. Underwood at a beginning salary of \$68,500.00, upgrade the position to the Sr. Management retirement rate (additional \$1,300.00 county contribution), and a relocation allowance in the amount of \$2,500.00. Any remaining benefits would be taken care of by Mr. Underwood.

Motion by Commissioner Jones, second by Vice-Chairman Rees to accept Mr. Mattison's recommendation to hire Mr. Michael Underwood as the County Administrator at the recommended salary and retirement rate and provide a relocation allowance. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Aye. Chairman Walker was opposed to the relocation fee and the Sr. Retirement classification. Attorney Miller recommended a contract be drafted for this position that provides a termination clause. After further discussion, the Board took no action regarding a contract.

Mr. Mattison stated that he negotiated with Mr. Jack Arthur regarding the Growth Management (GM) position. He was agreeable to accept the Growth Management or Public Works position but requested use of a vehicle, a salary of \$75,000.00, and that health and dental insurance be provided at no cost to him. The GM position does not

include a vehicle, but the Public Works position does. His salary would be \$78,500.00 to cover the cost of insurance.

Commissioner Pauls commented that the Public Works position and Growth Management should be at the same pay grade. He suggested that the Mr. Arthur could assist with building inspections and planning issues. Parks and Recreation could also be placed under Mr. Arthur if he were to accept. Commissioner Pauls stated that he would approve the use of a county vehicle for the GM position; however, he would like to be consistent with the provisions for providing health insurance.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to increase the Growth Management position from pay grade 20 to 22, equal to the position of Public Works Director. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye.

Motion by Commissioner Pauls, second by Commissioner Jones to relocate the Parks/Recreation Division under the Growth Management Division Director. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye.

Motion by Commissioner Jones, second by Commissioner Pauls to offer Mr. Jack Arthur the position of Growth Management with a beginning salary of \$78,630.00 and the use of a vehicle while on the job. Ayes 3, Nays 2. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Naye. (The vehicle is not to be driven home.) Vice-Chairman Rees pointed out the fact that Mr. Arthur could add significant value to the county. Chairman Walker stated his objection is to the salary increase.

Mr. Mattison presented the position of Public Work/Transportation Director. He stated that he would like to proceed with an offer to Mr. Russ Barry at the direction of the

Board. Mr. Mattison recommends an annual salary of \$65,000.00 and full-time use of a vehicle.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to present Mr. Barry an offer for the position of Public Works/Transportation Director with an annual salary of \$65,000.00 and the full-time use of a vehicle. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Mr. Barry was present and accepted the position beginning on Monday, July 2nd, 2001.

Mr. Mattison advised that Mr. Gary Vorbeck would begin his position on July 16th as Director of Legal Services and Mr. Michael Underwood would begin on July 23rd as County Administrator.

The Board recessed for Lunch and reconvened at 1:30 p.m.

Chairman Walker called to order the advertised public hearing to consider a request by Princeton Preferred Homes. Mr. Tom Powell, Walton County Economic Development Council (EDC), appeared before the Commissioners requesting the adoption of an ordinance, which grants an Ad-Valorem tax exemption for Preferred Homes. Mr. Terry Kelly is requesting to build a 90,000 square foot manufacturing plant in Freeport, employing approximately 80 people. Mr. Powell, on behalf of the EDC recommended granting the request at 100% for the full 10-years. He also suggested the Board place a time limit for taking advantage of the exemption stating that the business must be complete by a certain time frame. Attorney Miller reminded the Commissioners that if the business is not complete by January 1 they would automatically be exempt for that year.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to adopt an ordinance (2001-40) accepting EDC's recommendation to grant a 100% exemption for 10 years with a time limit for construction to be complete by March 31, 2002. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Aye.

Mrs. Dianna VanHorn appeared before the Board on behalf of American Red Cross to express their appreciation to those businesses that assisted with the South Walton Fires. Mrs. VanHorn stated a number of individuals and businesses in the area assisted in providing food and drinks to the firefighters totaling an excess of \$3,000.00. She asked the County Commissioners to join in their efforts in showing appreciation to these businesses. The Commissioners requested Mr. Little to draft a letter thanking those individuals and businesses for their help.

Mr. Ken Little, Citizen Service Director, appeared before the Board to request approval of the PHA Certifications of Compliance, for Section 8 Housing, along with the Chairman's signature. The Board discussed the number of vouchers currently assigned and the process to obtain additional vouchers.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve the Certifications of Compliance with the PHA Plans and Related Regulations. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Little advised that an organizational meeting has been set for the Redistricting Committee to meet. Vice-Chairman Rees requested to appoint Rebecca Perrott to serve on the Redistricting Committee in place of Ms. Cindy McClary. The Board concurred.

Mr. Little presented a request on behalf of the Christmas Reflections Committee to decorate the Courthouse at Christmas this year. Mr. Tom Powell addressed the Board

regarding the structure of the committee. He stated that they are appointed by the City of DeFuniak Springs to oversee the program. Discussion followed regarding the need for a policy regarding liability and certain requirements. Vice-Chairman Rees suggested having Mr. Little contact Mr. Simms to discuss this issue further.

Attorney Jonathan Walker appeared before the Board requesting a public hearing to consider amending Ordinance 98-5 regarding motor vehicles on bike paths. Attorney Walker stated that the ordinance currently prohibits motorized vehicles on the county's bike paths. The amendment would include the prohibition of any vehicle propelled by power other than human, muscular power.

Motion by Commissioner Pauls, second by Vice-Chairman Rees to hold a public hearing on July 24th at 2:45 p.m. to consider amending Ordinance 98-5. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Walker updated the Board on his research regarding an occupational license. He stated that he has received a copy of Okaloosa County's ordinance and have begun creating a draft. Attorney Walker requested the Board appoint several members of the community to assist in drafting this ordinance. He explained that Florida Statutes mention an equity study commission be used to draft this ordinance. The Chamber of Commerce expressed their interest is assisting. Attorney Walker will work with Pam Tedesco of the Chamber to appoint some individuals to assist. The Commissioners took this issue under advisement. Commissioner Pauls commented on better consistency with land uses with an occupational license in place.

Attorney Walker presented a request on behalf of Mrs. Angie Biddle, Grants Department, to advertise for RFP's to identify a demolition contractor for the river buy

out homes. Mrs. Biddle recommended a contractor be retained under contract to keep someone on call at all times. The Board recommended contracting with three contractors and circulating the work between them.

Motion by Commissioner Ryan, second by Commissioner Pauls to advertise for RFP's for contractor demolition services for three contractors for a one-year period. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Walker presented information regarding the Communications Services Tax Resolution. The new telecommunication law mandates that counties choose how they want their permit fees collected for the following year. Attorney Walker presented two options the county could choose from. He stated that the county could charge permit fees for telecoms and cables but a cap of \$100.00 will be placed on the collection of each permit. The second option would be to discontinue charging permit fees and elect to have an increase of .24 percent on the current tax rate. Attorney Walker recommended using the .24 conversion rate for the best cost savings to the county.

Motion by Commissioner Pauls, second by Commissioner Ryan to accept Attorney Walker's recommendation to increase the tax conversion rate to .24 on telecommunications. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Walker presented his legal opinion regarding the use of inmates to construct Christmas decorations at the Lake Yard for the Christmas Reflections Committee. He stated that Florida Statutes 951.23 section 9.05 (f) allows for inmates to voluntarily work for charitable or non-profit organizations under the following conditions: they shall be supervised by an employee of the facility or other County or

municipal employee, or the work shall have the prior written approval of the officer in charge or designee.

Attorney Walker advised the Board that he relayed the information to Mr. Mike Standley, City of DeFuniak Springs, regarding the County's offer to divide the cost for the installation of fire hydrants. Mr. Standley is to present the information to the City Councilmen. Chairman Walker advised that he spoke with some of the City's Councilmen and they agreed to install the hydrants if the County will contribute \$11,000.00. The location of the hydrants to be installed is on Caswell Road and Martin Road.

Motion by Commissioner Jones, second by Commissioner Ryan to convey information to the City that the County will pay the City \$11,000.00 for complete installation of 13 fire hydrants, permitting they are installed within 18 months. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Walker advised the Board that he relayed the County's decision from a past meeting that they do not desire a reduction in use or closure at the Andalusia walkover. Attorney David Theriaque contacted him indicating that he will be responding in writing. This item will be addressed at a later time. He further notified Mr. Charles McMillan to make any needed repairs at that walkover.

Chairman Walker called to order the advertised public hearing regarding an amendment to Ordinance 97-13. Attorney Jay Scheyd, representing Ms. Lillie Belcher, appeared before the Board requesting the ordinance be revised prohibiting traffic from traveling on her portion of the beach, which she claims is private property according to her deed. He stated that Ms. Belcher is making the request for safety reasons.

Ms. Bert Sloss stated that there was a sign posted stating “No vehicular traffic”, but the sign has been relocated. Mr. Bell advised that the sign was moved to adhere to the measurements of the ordinance.

Mr. Van Ness Butler stated that he previously sold the property to the Belchers and the neighboring property was turned over to the State. He feels the Belcher’s have a right to be excluded from vehicular traffic being allowed to travel across her property.

Ms. Sloss also requested that no vehicles be allowed to travel on private property.

Mr. E.B. Pinkston, homeowner at Grayton Beach, questioned how any individual can claim the beach as private property and stated that he wants it left as it is.

Mr. Chris Noble thanked the Board for the ability to get onto the beach. He is disabled and has no other way to get down there. Mr. Noble stated that he is not even able to get to the beach via the beach walkovers. This is the only access for him and he asked the Commissioner to keep it open and preserve it for handicap access. Mr. Arnie Covell agreed.

Mr. Jim Bishop, resident of Seagrove Beach, stated that there is already limited access and asked the Commissioners not to take away any more. He stated that the beach should be open to everyone.

Mr. Don Crim was also opposed the closing of any beach accesses. He advised that the Inlet Beach access was closed by the property owners.

Mr. Sam Wesley stated that originally, there were five beach accesses and now only one.

Ms. Sloss reiterated that the request is only to close that portion of private property, not the entire access, and that pedestrian traffic would still be allowed. She also

commented that the State owned properties adjacent to her do not allow vehicular traffic either.

Mr. Jody Wesley stated that Grayton Beach is the only location to launch boats from and asked the Board to maintain the traditional use of the beaches.

Mr. Gene Wesley asked the Board to seriously consider this issue before placing any further restrictions on the beach.

Attorney Scheyd stated that the use of the beach has changed by individuals and his client has concerns. They feel that they have a right to limit the access because her property goes to the mean high water line. He stated that there is an implied grant of easement for pedestrians on the beach.

Leslie Brovo stated that the Belcher's could have chosen to be excluded at the time the original ordinance was drafted, but chose not to be included for fear of retaliation. Ms. Belcher explained the reason she did not request to be included at that time and further stated that she is now concerned for the safety of her children and grandchildren who play in her back yard, which is the beach.

Commissioner Pauls felt that vehicle use should not be extended beyond the State owned lands. Attorney Miller advised that there is no adverse hostile possession right created because permits allowed the use of the beach.

Vice-Chairman Rees stated that he is concerned that if the State closes their land then there would not be any access to the beach. Attorney Miller advised the Board that the lease from the State comes to an end in the year 2036.

Commissioner Ryan questioned what consequences would occur if the beach were to be destroyed by a natural disaster and was renourished with State funds. This issue remains a concern.

Commissioner Pauls stated that a policy is needed regarding private beaches versus public beaches.

Mr. Patrick Miller addressed the Commissioners stating that there is only one beach access and asked the Board to keep it open. The beach access is used by people to launch boats and it is needed.

Commissioners Jones stated that he would have a difficult time closing it until the ownership can be identified. Commissioner Pauls stated that he has concerns with public use on private property. Attorney Miller quoted a portion of Florida Statute stating that the public has a right to latterly traverse. Vice-Chairman Rees suggested not making any changes at the present time. He further requested the public to respect the property owners, their children and others on the beaches. No action was taken.

Ms. Rena Prater, District 2 resident, appeared before the Board requesting emergency maintenance be performed on her road. She stated that Mr. Arnie Pryor, Distirct 2 Road Foreman, visited the site and stated that the area needs to be built up with dirt before any grading would help. Vice-Chairman Rees stated that he would like a policy to go along with the Road Grading Policy for cases like this. Chairman Walker stated that he has a sample he would bring for review.

The Board directed Ms. Prater to utilize the Private Road Grading Policy and pay the \$50.00 at this time until a policy could be drafted.

Mr. Brian Kellenberger presented an update on the proposed courthouse addition. He stated that the engineer working on the plans should have the construction documents to him by July 2nd. Mr. Kellenberg requested the employees in the North portion of the building be relocated for safety reasons. He explained that the structure would be 4-stories with 6,000 square feet. Staff would need to be relocated for approximately two years. The Commissioners agreed that a needs study should be performed to determine where the employees would be relocated and the related costs. Chairman Walker requested Ms. Williams prepare a report.

Mrs. Sue Carter, Tax Collector, wanted to be assured that there would be adequate parking. The Board advised her that they have requirements that must be met according to City standards.

Mr. Lee Perry appeared before the Board regarding the affordable housing project for Bear Creek. He stated that he is working on the final agreement to present to St. Joe in order to satisfy the affordable housing issue of Specific Condition 16 for WaterColors. Commissioner Pauls stated that St. Joe/Arvida has agreed to fund the future development at Bear Creek. Mr. Green stated in a letter that they initially funded 50 lots providing funding to develop the lots, with no required public funding.

Motion by Commissioner Ryan, second by Vice-Chairman Rees to allow Mr. Perry to proceed with the Bear Creek Development. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. This satisfies the affordable housing requirements for WaterColor.

Commissioner Jones stated that if restrictions are going to be placed on the developments for affordable housing then specifics need to be stated.

Ms. Williams presented certificates of training for three Humane Society employees: Tonya Rhodes, Patsy Register, and Scott Wheeler and requested they be appointed as Animal Control Officers. The Board agreed to appoint the Humane Society as the Animal Control Authority, but not the individuals.

Motion by Commissioner Ryan, second by Commissioner Jones to appoint the Humane Society of Walton County, Inc. as the Animal Control Authority. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell stated that he spoke with Mr. Jack Arthur and Mr. Boulian, who recommended moving forward on the bike path at the Wheelhouse. Their recommendation was to place the bike path on the backside of the right of way (South side of CR30-A) and to place barriers, which would provide space for parallel parking.

Motion by Vice-Chairman Rees, second by Commissioner Pauls to accept staff's recommendation to proceed with the bike path as stated. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Mr. Miller will contact Mr. Flowers and parking will be addressed at a later time.

Commissioner Ryan voiced concern regarding changes made to the Animal Control Ordinance. He felt that the leash law was nullified with the changes that occurred. Commissioner Pauls wants a leash law South of the Bay. Chairman Walker asked staff to review the ordinance and report back to the Board.

Commissioner Ryan stated that he feels holding workshops to discuss issues such as this would allow for better discussion before something is adopted.

Commissioner Ryan stressed the need for a traffic light at the intersection of U.S. Highway 331 North and U. S. Highway 90 West. He stated that the City is providing him

with traffic statistics for that location. Mr. Bell reminded the Board that DOT performed a traffic study at that intersection and found that the intersection does not warrant a light according to the statistics.

Commissioner Ryan informed the Board of a situation regarding an elderly lady who sells peanuts to supplement her income. She is required by the County to buy a \$250.00 vendors permit and he requested she be exempted.

Motion by Commissioner Ryan, second by Commissioner Jones to grant Ms. Burnham an exemption from the required \$250.00 vendors permit. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Commissioner Pauls requested to have staff look at a realistic vendors fee.

Commissioner Ryan advised the Board that the District 4 Yard was broken into. He stated that security lights needs to be installed. The Board agreed to direct the new Public Works Director to look into this matter.

Commissioner Pauls presented information from Mr. Jimmy Rogers regarding the traffic signal at the Mac Bayou intersection. He stated that he is looking for progress to be made soon. He thanked Mr. Bell for his work in moving this project forward.

Commissioner Pauls mentioned that the situation with health care providers needs to be addressed. He has encountered problems with the providers and is also concerned with the costs.

Chairman Walker requested clarification for discussion of agenda items and how much latitude should be allowed for items not on the agenda. Commissioner Jones stated that he is in favor of placing items on the agenda whenever possible. When this issue was discussed at Red Bay, he suggested that any item needing action or any action causing

debate should be placed on the agenda. Every effort would be made to get the item on the agenda; however, there would be times that items come up for discussion. Discussion was held regarding unrelated items that are brought up at special meetings versus non-agenda items at a regular meeting. The Commissioners felt that a regular meeting allows for more flexibility.

There was no public comment.

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

APPROVED: _____
Herman L. Walker, Chairman

ATTEST: _____
Martha Ingle, Clerk of Courts