

JANUARY 22, 2002 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, January 22, 2002 at 9:00 a.m. in the Boardroom of the Walton County Courthouse.

The following Board members were present: Commissioner Tim Pauls, Commissioner Herman L. Walker, Chairman Lane Rees and Commissioner Gene Ryan, Mr. Michael Underwood, County Administrator, Attorney Gary Vorbeck, Director of Legal Services, and Ms. Martha Ingle, Clerk of Courts, were also present. Vice-Chairman Larry D. Jones arrived later in the meeting.

Commissioner Pauls led with prayer followed by the Pledge of Allegiance the American Flag.

Chairman Rees called the meeting to order and asked for a moment of silence in honor of the passing of Mr. Philip Anderson, former Clerk of Court.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve the consent agenda consisting of the following minutes and the Expenditure Approval List: January 7, 2002-Land Use Hearing, January 8, 2002-Regular Meeting, and January 14, 2002-Workshop. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

General Fund	\$737,084.29
County Transportation Trust	429,825.90
Mott Signs	7,950.26
Walton County Library	9,191.06
Solid Waste Enterprises	177,540.01
Mossy Head VFD	1,930.38
Glendale VFD	236.71
Darlington VFD	1,372.83
Liberty VFD	723.25

Red Bay VFD	493.68
Capital Projects	100,614.39
Tourist Development Council	140,184.95
Section 8 Housing	260.80
General Fund Court Facilities	447.83
Fine & Forfeiture	9,223.93
N. W. Mosquito Control	4,805.89
Local Option Gas Tax	20,063.16

Mr. William Imfeld, Financial Director, presented a resolution requesting to roll forward \$5,753.00 of unobligated 2001 funds for Tri-Village Volunteer Fire Department to complete outfitting of a fire rescue vehicle.

Motion by Commissioner Walker, second by Commissioner Ryan to adopt a resolution (2002-03) approving to roll forward \$5,753.00 unobligated (along with \$49,764.00 obligated but unspent). Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Imfeld presented a resolution requesting to transfer money from the County Transportation Fund to purchase unneeded culverts from the Wee Care Park project.

Motion by Commissioner Walker, second by Commissioner Ryan to adopt a resolution (2002-04) approving the transfer of monies to purchase culverts from the Wee Care Park project. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Russ Barry, Public Works Director, appeared before the commissioners requesting approval for engineering services for roads on the 2002 paving list. He advised that Public Works received the following proposals for surveying, design, hydraulic modeling, and permitting: LaGrange/George Ellis/Holly Point Road-\$32,800; C.J. Laird Road-\$38,000; Dr. Roberts/Oakwood Lakes Blvd paving-\$46,900; Oakwood Lakes Blvd. Hydrologic/Hydraulic Model for road elevation-\$49,400; McKinnon Bridge Road-\$76,070; Williams Road-\$74,519; J.W. Hollington Road-\$43,486.

Motion by Commissioner Walker, second by Commissioner Ryan to approve the proposals for engineering services as stated. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

Discussion followed regarding capabilities for in-house paving. Commissioner Walker felt that county staff should be able to prepare simple design work without having to contract all of it out. Mr. Barry advised that these particular roads have special issues to be concerned with.

Motion by Commissioner Ryan, second by Commissioner Walker to approve additional language to the paving contract for liquidated damages for failure to comply with the current contract. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Barry advised that the Northwest Florida Water Management District has requested permission to replace a culvert on Bunker Road with a bridge. There will be no cost to the county. Design work has been submitted and Public Works concurs that it will provide ecological benefit to Walton County, as it will improve water movement in a wetland.

Motion by Commissioner Pauls, second by Commissioner Walker to approve the request by the NWF Water Management District to replace the culvert with a bridge. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

Chairman Rees voiced his appreciation for the meeting held between DEP, county staff, and other members of the county. He also expressed appreciation to Mr. Bruce Ward who coordinated transportation for the individuals to tour various sites throughout the county.

Mr. Barry requested to postpone the discussion of paving bids.

Mr. Lloyd Thompson, District 3 resident, appeared before the commissioners regarding McCullough Road. He stated that it was his understanding that this road would begin being maintained and it has not been. Mr. Barry stated that he would check into the matter. Mr. Thompson also stated that when Commissioner Infinger left office, he was told that monies were left specifically for the paving of Thompson Road, McCullough, and Harrison Road. He commented that Dr. Garcia lives in this area and has contributed a lot to the community and he wants to see the roads paved. Mr. Barry advised that Thompson Road is on the paving list and is currently under design.

Mr. Barry presented an update on the status of proposed paving. While paving continues on some roads, evaluations are taking place on the bids for other roads. He stated that an economic study is being performed to determine if it would be more beneficial for county crews to perform the paving.

Discussion was held regarding the cease and desist orders on various project. He advised that the CORP would require 31 acres for mitigation of property involved with construction at the South Walton Annex, a 10 to 1 ratio. Commissioner Walker asked that the public be informed of this so they know why delays are occurring in various projects.

Mr. Barry also presented an update on maintenance of the bike paths. He stated that he met with various firms who have the necessary equipment and that he would present a recommendation back to the Board at a later date.

Mr. Barry advised that he met with the CORP, DEP, and representatives from the Division of Wildlife regarding the opening of the dune lakes. He stated that a determination has to be made as to what level they will be opened. Mr. Barry advised that there are funds in the budget to perform a study to make the necessary determination.

Discussion was held regarding flooding of septic tanks and the need to open the lakes. Commissioner Pauls stated that residents need to hook onto sewer when available.

Mr. Barry advised that after further research, it would cost an estimated \$44,500.00 to replace the scales at the landfill. He stated that he is attempting to obtain valid cost comparisons and would present this information at the next meeting.

Discussion was held regarding traffic studies on CR 30A. Mr. Barry stated that he does not want to duplicate any previous study.

Mr. Barry advised the Board that the county auction would be held on January 31, 2002 beginning at 10:00 a.m. and will be held at the county yard on Woodyard Road.

Mr. Gary Mattison, Human Resources Director, presented the revised personnel policy. He stated that the policy will continually be a work in progress and would be presented to the Board from time to time. Discussion was held regarding the use it or lose it policy for comprehensive and overtime. Mr. Mattison advised that there is no policy regarding “use it or lose it” however, division heads have been asked to carefully scrutinize that amount of overtime allowed. Commissioner Pauls stated that more flexibility is needed to allow employees to perform necessary duties. He stated that he does not want to see the employees who have given their best lose out.

Dr. James Richburg, President, Okaloosa-Walton Community College, appeared before the commissioners with a report on the status of a future college in south Walton. He advised that enrollment is up 7% and the next expansion would occur at the Governmental/Education Center. He spoke about the College Foundation and the process used to acquire land. Once land is acquired, the college would begin working with the State to obtain funding. Dr. Richburg requested the Board not place a five-year reverter

clause on the deed. He explained that it would place a cloud on it and could possibly hinder legislative funding. He asked the Board to authorize the sale of the land to the College Foundation so they could move forward as rapidly as possible. He also stated that they would be willing to add a clause to the deed that the property could only be used for an educational purpose, similar to the educational center in DeFuniak Springs. Commissioner Walker requested assurance from the college as to a facility being constructed and stated that he is not willing to commit to deeding the property over to the college foundation without their commitment.

Dr. Richburg stated that the college committed to a facility in 1993 by adopting a resolution. However, statistics do not support the need for a facility in south Walton and legislation would not support funding at the present time. He advised that the college would be holding classes at the new south Walton high school and they would be documenting the need for a facility. Commissioner Ryan spoke about the limitations on the property and the allowable facilities that can be placed on the site. He also reminded the Board of a previous agreement with the college of a 10-year reverter clause and stated that he is in favor of granting them their request.

Commissioner Pauls questioned Dr. Richburg as to reimbursement costs for the property and infrastructure. Dr. Richburg stated that all related costs incurred by the county would be reimbursed when the college receives their appropriations from the State.

Dr. Richburg assured the commissioners that a college facility would be constructed in the Governmental/Education Center, but is unsure as to specific timing.

Ms. Nancy James questioned Dr. Richburg as to the number being used to determine the need. Dr. Richburg advised that they were counting everyone possible. He further stated that a goal of 4-6 years is more realistic for construction to begin. Dr. Richburg commented that they would be calling on the Board of County Commissioners to help obtain appropriations from Legislation.

Motion by Commissioner Ryan, second by Commissioner Pauls to draft an agreement conveying property in the Governmental/Education Center to Okaloosa-Walton Community College with a 10-year reverter clause and language stipulating that the facility is to be constructed comparable to or better than the DeFuniak Springs OWCC Campus and contingent upon final review of the contract by the Board. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye. Dr. Richburg will prepare the agreement for review.

Chairman Rees Welcomed Mr. Mike Standley, DeFuniak Springs City Manager.

Mr. Ken Little, Citizens Service Director, presented a request by the City of DeFuniak Springs asking the Board pledge SHIP funds to leverage a CDBG application by the City of DeFuniak Springs. Mr. Little explained that the SHIP Partners Board has met and recommended approval. Commissioner Pauls questioned if this opportunity would be available to other municipalities. Ms. Jackie Malone, Chair of the SHIP Partners Board, explained that the cities could obtain their own CDBG funding. Commissioner Ryan questioned what standards are used to determine approval for rehabilitation. Mr. Standley stated that the properties are identified and approved by SHIP guidelines.

Motion by Commissioner Pauls, second by Commissioner Walker to approve the City of DeFuniak Springs request for a pledge of \$150,000.00 in SHIP funds as a match for their CDBG application and the Chairman's signature on the submittal letter. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Little presented an update on county owned property and its location. He stated that he is presently working with Hartman & Associates to get the maps into a digital format that can be viewed in the county GIS system.

Motion by Commissioner Walker, second by Commissioner Pauls to approve Mr. Ron Boone, Lobbyist, to support legislative language being presented by Representative Don Brown supporting a waiver of permitting and mitigation on paving dirt roads. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye. Commissioner Ryan wanted assurance that Mr. Boone coordinates with Mr. Brown. Commissioner Walker suggested the Board adopt a resolution in support of the legislative bill as being presented by Representative Brown and encourage other counties to also adopt a resolution.

The Commissioner recessed briefly.

Chairman Rees brought attention to a newspaper article about mentoring and offered his appreciation to those in our community who serve as mentors. He also pointed out several other articles highlighting tourist sites in this area.

Commissioner Walker and Commissioner Ryan did not present any items for discussion.

Commissioner Pauls spoke about Inlet Beach and stated that he feels the Board acted properly by supporting the amendment to the Inlet Beach Neighborhood Plan. He felt that it's time to receive an update on the availability of water and sewer service. In

March 2000 the Board requested Inlet Beach to work with Regional Utilities in developing that master plan, which should have been presented within six months. Chairman Rees advised that a meeting was scheduled with Mr. Underwood, Mr. Vorbeck, Regional Utilities and himself to allow newly hired staff to get an overview of the situation. Another meeting is scheduled on February 1 that will also include the Inlet Beach Water Board. Chairman Rees feels that it is important to proceed in a fair manner and commented on the Board's commitment to getting sewer and water.

Commissioner Pauls stated that he is willing to support action during the interim that would not allow any development inconsistent with the LSA recently approved by the Board.

Commissioner Ryan reminded the Board of previous commitments made by Inlet Beach and deadlines that have been missed. He felt there is a strong need for Regional Utilities to take over the Inlet Beach Water System. He commented on the number of inspections that Inlet Beach has failed and does not feel that they can continue to maintain the water system and water quality. Mr. Underwood stated that he would review Ordinance 85-15 regarding jurisdiction over water and sewer systems.

Ms. Valarie Simmons, Inlet Beach resident, presented pictures depicting the poor quality and discoloration of their water. She stated that samples were given to the Health Department.

Commissioner Pauls updated the Board on the status of the right of way policy and 30A ordinance. The ordinance itself deals with many of the right of way issues and he wants assurance that the language will be consistent and will apply with other right of

ways in the county. He stated that he would continue working on policy that would provide consistency.

Commissioner Pauls stated that he would like to proceed with developing the occupational license. The Board agreed to move forward.

Commissioner Pauls reminded the Board that Mr. Eric Zwerling, Noise Consultant, would appear at the next meeting with a report on the noise ordinance.

Mr. Underwood stated that Legislature has approved \$1.9 million in appropriations for the bike paths along the 30A Corridor. He requested approval from the Board for the Chairman's signature on an agreement with the Department of Environmental Protection.

Motion by Commissioner Pauls, second by Commissioner Walker to approve the agreement with the Department of Environmental Protection for legislative appropriations for the bike paths. Ayes 4, Nays 0. Pauls Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls informed the Board that he has been in contact with Ms. Laura Haddock and is in the process of scheduling meetings with the Corridor Advocacy Group for discussions relating to the scenic corridor.

Mr. Underwood presented an update on the current status of all county grants, funding and progress on each of the grant projects.

Chairman Rees spoke about the importance of working with Mr. Booke for legislation in order to move forward with appropriations for an assisted living facility and fire departments.

Mr. Underwood updated the commissioners on various ongoing projects. He stated that the Sheriff's Substation has been completed for a cost of \$1.5 million and the Coastal Branch Library has been completed at a cost of \$1.7 million. The GEC Center, 23,400 square foot courthouse annex, has a completion date set for October 2002 along with the greenways, landscape and trails. The Chamber of Commerce is scheduled for completion in October and the school is near completion. He stated there are environmental issues being worked out regarding the road named Community Way.

Commissioner Jones arrived.

Mr. Underwood continued his report regarding wetlands and permitting necessary to obtain entrance to the new District 5 site behind the GEC Center. Discussion followed regarding construction of a facility for the District 5 yard.

Motion by Commissioner Pauls, second by Commissioner Ryan to proceed with plans for constructing a building for the District 5 yard. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood further stated that a review committee would meet and visit various jail sites in order to gather information relating to the operational procedures for the jail. The information gathered will be used to determine the site location for the new jail.

Mr. Underwood advised that renovations of the courthouse have been placed on hold pending possible renovations to the old hospital. He advised that staff in the courthouse has to be relocated upon completion of renovations to the old hospital, which is expected to be around the fall of 2002.

A date of February 8, 2002 has been set for closing on the Mossy Head property exchange with Liberty County and will be held in Tallahassee.

Mr. Underwood advised that DEP has made continual revisions to the landfill remedial action plan as submitted by Preble-Rish. One revision consisted of relocating some of the monitoring wells, additional monitoring wells, revised zone of discharge, and a plan showing the location of existing wetlands and seeps.

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

Ms. Melissa Pilcher, Regional Utilities, appeared before the Board requesting approval to submit pay request #5 in the amount of \$356,569.41.

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

Commissioner Jones explained some problems that exist at Imperial Lake and Tantara Subdivision, District 3. The lakes were constructed poorly and some of the dams are broke and others are about to break, which would cause severe damage to the lakes. These areas are private property therefore placing limitations on what the county can do. Mr. Jones stated that discussions have been held regarding the possibility of creating a special taxing district (MSBU). He stated that he contacted Ms. Virginia Delegal, Nabors, Giblin & Nickerson, to look into creating a special taxing district to provide a mechanism to raise funding for these projects.

Attorney Vorbeck stated that Ms. Delegal is the leading expert in the State regarding special assessments. He stated that a special assessment must benefit the property and it must be determined how the costs will be divided so that it can be paid

back. He stated that one concern is the private nature of the property and questioned if any public benefit would be received from it. Mr. Vorbeck stated that an engineering study would need to be performed and those costs would need to be apportioned between each property.

Mr. Tim Roberts, Imperial Lakes Home Owners Association, addressed the Board stating that an MSBU would be a way to provide the necessary capital to proceed with the project to prevent further damages. He stated that the homeowners are already paying assessments, however, they do not have an immediate financial method for making the necessary repairs. He stated that the property owners do not want the roads to become public. Mr. Vorbeck stated that the next step would be to determine the costs involved.

Commissioner Walker stated that he would like signed documents from the property owners that they are in agreement to an MSBU. Mr. Roberts commented that the developer still owns the majority of the property.

Commissioner Walker stated that the county has no business dealing with the dams.

Mr. Vorbeck stated that he would contact Ms. Delegal and request her to attend the next Board meeting to address the commissioner's questions.

Commissioner Jones also informed the Board that the residents of Tantara Subdivision would like to create a mechanism that would allow their roads to be graded. Commissioner Pauls questioned if there would be a mechanism that would require the property owners to pay. This issue will also be addressed when Ms. Delegal is present.

Mr. Brad Pickles, Tourist Development Council, informed the Board that they were awarded the Coastal Impact Assistance Program Grant in the amount of \$102,590.00 and requested the Board approve receipt of the funds.

Motion by Commissioner Ryan, second by Commissioner Pauls to accept grant funds in the amount of \$102,590.00 for the TDC. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Walker stepped out.

Mr. Pickles presented a request on behalf of the TDC to bid out the vegetation project soliciting homeowners for the planting of sea oats.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve for TDC to advertise for bids for the planting of sea oats. Ayes 4, Nays 0. Pauls Aye, Jones Aye, Rees Aye, Ryan Aye.

Mr. Jack Arthur, Growth Management Director, presented a request along with his recommendation to approve a development order extension for Tullis Commercial Project, Order #01126.

Motion by Commissioner Pauls, second by Commissioner Jones to grant a one time, one-year extension on the Tullis Commercial Development Order. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Arthur presented the Science Applications International Corporation (SAIC) GIS 2002 contract extension for approval.

Motion by Commissioner Walker, second by Commissioner Pauls to approve the contract with SAIC for GIS services. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls questioned the GIS work being performed by the Property Appraiser's Office and if the two are compatible. Mr. Brent McBroom advised that the two systems would eventually incorporate with each other. Mr. Underwood stated that various departments are working on the GIS in different directions; however, they would layer together. Mr. McBroom stated that the systems are compatible and also commented on the importance of keeping the systems working together.

Ms. Ingle advised the commissioners that the MIS Department has the web site ready and are awaiting information from the Board to place on it.

Mr. Ronnie Bell, Emergency Response Director, presented a Memorandum of Understanding between Walton County EMS and Tri-Village Fire District for establishing dispatch protocols, roles and responsibilities of first responders.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve the Memorandum of Understanding between the EMS and Tri-Village. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented a request from the Walton County Sheriff's Office for surplus equipment. They are requesting that an EMS unit be transferred to them to use as a crime scene vehicle. The Mossy Head Volunteer Fire Department requested a second unit to use as a rehab service vehicle.

Motion by Commissioner Ryan, second by Commissioner Jones to approve to transfer surplus equipment as requested. Ayes 5, Naves 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Bell presented for review, the animal control contract with Animal Control of West Florida, which includes the scope of services and pay schedule. After Mr. Bell

reviewed the contents of the ordinance Dr. Anderson spoke about the contents and the CPI. Commissioner Walker voiced concern regarding the contracts requirement to pay for a minimum of 3,000 animals per year and requested assurance that this many animals would be picked up if that is what the county has to pay for. Mr. Bell reminded the Board that this was the lowest proposal without having to construct a new facility.

Dr. Anderson gave an overview of his background and education. Members of the audience spoke about their desire to see the money being spent in Walton County not out of the county. Ms. Sara Comander questioned how the number of animals being picked up could be verified. Mr. Bell explained that the calls for animal pick-up would be dispatched to Dr. Anderson from the EOC Office.

Motion by Commissioner Ryan to approve the contract incorporating the CPI, with the understanding that the contract provides for termination by either party. Commissioner Pauls agreed to second the motion without inclusion of the CPI. Commissioner Ryan agreed to the amended motion without the CPI language.

Dr. Anderson stated that he is looking to fulfill the contract for a five-year period and feels that it is reasonable to expect cost increases during that period. Mr. Imfeld explained that the average increase for the CPI is 3%. Commissioner Jones stated that 3-6 months would give the Board ample time to review the contract to determine how effective it is working. Commissioner Walker felt that the contract is too costly and does not save the county any money.

Several members of the audience spoke against awarding the contract to a firm out of Walton County.

Dr. Anderson stated that he would hire at least one Walton County resident and asked the commissioners to support this contract. Discussion was held regarding the termination of the contract.

Chairman Rees called for a vote on the motion. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Aye.

Attorney Vorbeck presented his recommendation to appoint Mr. Bill Wyrrough to serve as the Code Enforcement Attorney. Mr. Vorbeck stated that Mr. Wyrrough is currently serving on the Planning Board, but does not feel that would create a conflict.

Motion by Commissioner Pauls, second by Commissioner Jones to accept Attorney Vorbeck's recommendation to appoint Mr. Wyrrough to serve as Code Enforcement Attorney. Commissioner Walker voiced concern with possible conflicts that could occur with Mr. Wyrrough serving in both positions.

Commissioner Pauls amended his motion stating that if Mr. Wyrrough accepts the position that he would step down from serving on the Planning Board. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Vorbeck advised that a meeting was held with the parasail organizations and county staff to discuss the ordinance, along with Commissioner Pauls. Discussion was also held regarding the need to codify all beach ordinances. Due to the lack of time before the season begins on February 1, 2002, the recommendation from the meeting was to amend the ordinance to allow those currently permitted for 2001 to extend their permit for 2002. Commissioner Pauls stated that this emergency ordinance maintains the status quo while providing the Board the ability to grant additional permits based on need. Mr. Vorbeck stated that those holding current permits would still be required to apply for

renewal and would not preclude others from applying during the year. The ordinance also provides a method to request a variance.

Mr. Scott Patrick, Beachfun Water Sports, Inc., appeared before the Board to request issuance of a permit. He stated that he was granted a permit in the year 2000 and denied in 2001. Commissioner Pauls stated that the 2001 permits were issued on a first come first serve basis. He also stated that the new ordinance was written with a provision to allow for variances to be granted. The current ordinance will remain in effect.

Ms. Angela Rogers, General Manager of the Crescent, stated that she supports the ordinance as amended allowing for variances.

Motion by Commissioner Pauls, second by Commissioner Ryan to declare the amended emergency Parasail Ordinance as an emergency. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Dave Meadows voiced his concern over the language of the current ordinance.

Motion by Commissioner Pauls, second by Commissioner Walker to adopt the amended Parasail Ordinance. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. The public hearing on February 5, 2002 regarding this issue will be cancelled.

Ms. Heather Wellman advised the commissioners that she submitted a letter requesting a revision to the logo. She will report back as soon as she receives a response.

Mr. Underwood stated that to proceed with courthouse renovations the employees must be relocated. He advised that he has contacted Mr. Paul Donofro, Architect, to discuss the renovations at the old hospital. He submitted a draft agreement

for Professional Services and Architectural Services. The costs of the project are estimated to cost approximately \$1 million for renovations of the old hospital. Mr. Donofro agreed to provide the services for a rate of 7 ¼ percent of the accepted general contract amount. The scope of services was also attached and Mr. Underwood requested the Board award the contract to Mr. Paul Donofro.

Attorney Vorbeck advised that additional language would be added to assure that Mr. Donofro would visit the job site to assure the work is being performed in compliance to the contract. Mr. Vorbeck stated that a provision would also be added regarding the environmental assessment in the event undesirable environmental results are reported providing for termination of the contract.

Mr. Paul Donofro stated that he spoke with Mr. Mike Waters of Southern Earth Sciences regarding the work he is performing to determine what types of asbestos has been found and associated costs.

Motion by Commissioner Walker to accept the agreement with Donofro at a rate of 6.75 versus 7.25 as agreed by Mr. Donofro. The motion died for the lack of a second.

Commissioner Pauls questioned the details of the scope of services and what is included. Mr. Donofro explained that 25 sets of bid documents are included, which should be sufficient for this project. He explained that he is willing to include 30 sets of bid documents if needed, but is unable to reduce his rate to 6.75 %.

Motion by Commissioner Jones, second by Commissioner Pauls to approve the contract with a fee of 7% including additional language to the scope of work as discussed by Attorney Vorbeck. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye. Attorney Vorbeck also requested approval to add language terminating the

contract in the event the asbestos is too severe. Mr. Donofro will not proceed with a large amount of expenditures until the environmental report is complete.

Mr. Imfeld requested approval for the Clerk's Office to prepare a check in the amount of \$772,400.00 for closing on the Mossy Head property due to the closing taking place before the next meeting.

Motion by Commissioner Jones, second by Commissioner Ryan to permit the Clerk's Office to prepare a check in the amount of \$772,400.00 for closing on the Mossy Head property. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Ms. Nancy James reminded the commissioners of the meeting to be held by the South Walton Community Council on Thursday evening with Mr. David Taylor. Ms. James also informed the Board that she attended a conference pertaining to growth management. The main issue discussed was coordination between local government and the School Boards. She stated that a development proposal would be created addressing adequate schools.

There being no further business, the meeting was adjourned at 4:00 p.m.

APPROVED: _____
Lane Rees, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court