

MAY 14, 2002 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, May 14, 2002 at 4:00 p.m. in the Commissioner’s Boardroom of the Walton County Courthouse.

The following Board members were present: Commissioner Tim Pauls, Vice-Chairman Larry D. Jones, 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.

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

Chairman Rees called the meeting to order.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the consent agenda consisting of the following items. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

1. EAL Approval

General Fund	382,229.55	
County Transportation Trust		1,894,555.24
Fine & Forfeiture		545,744.28
North Walton Mosquito Control		1,422.69
Walton County Library		17,233.31
Recreation Plat Fee		5,584.88
Solid Waste Enterprises		98,042.51
Mossy Head VFD		10,627.57
Glendale VFD		109.90
Darlington VFD		319.35
Liberty VFD		3,447.41
Red Bay VFD		3,204.48
Capital Projects Fund		330,096.22
Section 8 Housing		20,471.60

Multi Purpose Trust Fund	19,143.67
Tourist Development Council	275,995.25
Tax Deed Surplus Trust	3,741.59
Debt Service	170.00

2. Approval of Minutes: April 23, 2002, Regular Meeting
3. Resolution Amending Budget for Unanticipated Grant Revenue for Child Dependency Grant-In-Aid (2002-27)
4. Resolution to Amend Budget for Unanticipated Grant Revenue for County Road 1883(CIGP Grant Program) (2002-28)
5. Surplus Equipment Request
6. Records Disposition Request
7. Renewal of Joint Funding Agreement Between the U.S. Department of Interior and Walton County
8. Contract with Department of Corrections for Landfill Work Squad

Mr. Ronnie Bell, Emergency Response Director, presented the proposed resolution that would declare the week of May 19-25, 2002 as Emergency Medical Services Week. The resolution shows the commissioner's support of those Walton County emergency medical professionals who perform their duties under stressful and high-risk situations. Mr. Bell also informed the commissioners that several employees would be traveling to Tallahassee to participate in the State EMS sponsored EMS Week activities and to display one of the new ambulances.

Motion by Commissioner Walker, second by Commissioner Ryan to adopt a resolution (2002-25) recognizing the week of May 19-25, 2002 as Emergency Medical Services Week in Walton County. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

On behalf of the Walton County Board of County Commissioners, Chairman Rees recognized the following Emergency Medical Personnel for their labor. Mr. Eddie River, AirHeart; Matt Douglas and Bobby Martin, Walton County EMS; and Les Hallman, South Walton Fire District.

Mr. Bell also advised the Board that EMS has received a Rural Matching Grant in the amount of \$117,188.00. The grant, 90/10 match, will be used for construction of the Mossy Head EMS Station and to upgrade necessary equipment.

Mr. Gary Mattison, Human Resources Director, updated the Board on the vacancy of the Public Information Officer. He stated that the committee is working on this and he will report back to the Board soon.

Mr. Mattison presented the revised job description for the position of Construction Manager. He stated that 23 people have responded. He explained that he also considered staffing alternatives for this position, whether to employ the individual or to contract this position. Mr. Mattison stated that the Human Resource Department recommended this position being an employed position.

Commissioner Jones recommended two minor changes to the wording in the job functions section. Commissioner Pauls questioned why the qualifications require a degree in Engineering. Mr. Mattison will revise the job description as recommended.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the job description of Project Construction Manager with the recommended language changes. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Mattison advised that two applicants have responded for the County Engineer's position.

Mr. Russ Barry, Public Works Director, appeared before the Board and requested that his first item on the agenda be deferred until the next meeting.

Mr. Barry updated the commissioners regarding St. Joe Land. He stated that during the year 2000, the Corps saw several roads that were constructed with either no

permits or inadequate permits. As a result of this, they issued a cease and desist order. When they found six roads inadequately permitted they turned the case over to the Environmental Protection Agency in Atlanta, Georgia. Mr. Barry explained that a mitigation plan has been developed to help overcome the elimination of wetlands caused by the roads that the county has paved, which amounts to approximately 30 acres. The Board approved the purchase of land during their February meeting for the purpose of mitigation. St. Joe has presented an offer to sell the county 159 acres for \$1,750.00 per acre. Mr. Barry recommended approval of the purchase of property from St. Joe. He explained that purchasing 159 acres would allow mitigation in one area and also allow for a conservation easement on the remaining portion. He requested to proceed with the purchase of property through the Legal Services Department utilizing funds from Public Works Contingencies. Mr. Barry stated that the Corps has recommended this land. Mr. Don Crim voiced concern with the amount of money being paid for the property

Motion by Commissioner Pauls, second by Commissioner Ryan to accept Mr. Barry's recommendation and approve to proceed with the purchase land from St. Joe contingent upon staff approval of the contract. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Aye. Commissioner Walker expressed that he is not opposed to Mr. Barry's recommendation, but is opposed to the requirements from DEP.

Mr. Jack Arthur, Growth Management Director, presented the names of individuals willing to serve on the Contractor's Competency Board to fill the terms of three people whose terms are expiring. The Commissioners requested additional information on each person before making their decision.

Mr. Arthur requested the Board set a public hearing to revise the Contractor's Fee Ordinance and a public hearing to amend the ordinance to the Land Development Code as it pertains to the Scenic 98/331 buffer.

Motion by Commissioner Walker, second by Commissioner Pauls to set public hearings on June 11, 2002 to consider amending the Contractor's Fee Ordinance and the Land Development Code Ordinance. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Kris Titus, Executive Director of the South Walton Tourist Development Council, appeared before the commissioners requesting approval to award a bid. She presented information relating to the dune restoration bid in the amount of \$91,686.00. Mrs. Titus stated that Nautilus Environmental Systems Inc. submitted the low bid. The county received a grant from the Coastal Impact Assistance Program to cover the cost of this dune restoration project in the amount of \$102,000.00

Motion by Commissioner Walker, second by Commissioner Pauls to award the low bid to Nautilus Environmental Systems Inc. in the amount of \$91,686.00 for dune restoration. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Chairman Rees voiced his appreciation to TDC for their contribution to Tourism Week.

Mrs. Titus also presented information regarding the Long-range Beach Erosion Control Budget Plan. She requested the board adopt a resolution showing they are in support of a beach erosion plan. The resolution would allow TDC to continue working with DEP for continued funding.

Motion by Commissioner Pauls, second by Commissioner Walker to adopt a resolution (2002-26) in support of a beach erosion plan. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Titus also announced that the TDC has once again won the Blue Wave Award for all 13-beach communities and three state parks. She advised the Board that she, along with Brad Pickles and Tracy Howell would be traveling to Washington D.C. later in the week to receive their award. Mrs. Titus was informed that they would be recognized as the premier beach community in the nation because all of the beaches participated for a second year in a row.

Chairman Rees announced that the Florida Association of Counties would hold their annual meeting in Collier County June 26-28. He therefore requested the commissioner's to change their regular meeting from June 25 to Friday, June 21st. The commissioners agreed.

Commissioner Walker did not present any items for discussion.

Commissioner Jones presented the Lake Tantara and Imperial Lakes issues for discussion. Discussion was held regarding the feasibility of expending funds on these projects. Commissioner Jones reminded the board that Lake Tantara is in need of road maintenance. He stated that there are also other needs but the important need is road maintenance. He felt that if the work can be performed and the cost assessed to their property it would be a benefit to them. Commissioner Walker voiced concern about assessing property owners without their consent.

Attorney Vorbeck questioned if it would be possible for Mr. Barry to develop a budget for maintenance and pass the costs on to the property owners in the Lake Tantara

area; the commissioners agreed. Mr. Vorbeck also questioned if the Imperial Lakes homeowners would pay the \$25,000.00 they have collected for engineering work in order to proceed with the next step.

Commissioner Jones also stated that there is a dam on King's Lake Road that is leaking and in need of repairs. If the dam were to break, it could cause severe damage and the loss of a road. He stated that there may need to be a joint participation agreement through an MSBU with the property owners to correct the problem.

Motion by Commissioner Jones, second by Commissioner Ryan to request the Lake Imperial residents to proceed with their study for engineering and ask Mr. Barry to provide a proposed budget for the Lake Tantara residents for actual costs to maintain their roads on a monthly or quarterly basis. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

For clarity, Attorney Vorbeck stated that the residents of Imperial Lakes would use their own money for the study and Ms. Virginia Delegal could possibly help design the study.

Mr. Underwood commented that the staff has discussed the King's Lake situation and further stated that it is a county maintained road and is a dangerous situation. Commissioner Walker advised that the Ten Lake Homeowners Association has requested the county to assist in the same manner with one of their dams that is leaking. Therefore, Commissioner Walker requested that Ten Lakes also be considered. This issue will be discussed further at a special workshop set to discuss road issues.

Commissioner Ryan requested the board adopt a resolution implementing what was agreed to with the Corps and DEP before paving or constructing a county road.

Chairman Rees called to order the advertised public hearing to consider final plat approval for Preserve at Burnt Pine, Phase II. Ms. Jennifer Christensen, Planning Technician, stated that staff recommended approval of the 20 lot single-family subdivision, which is part of the Sandestin DRI.

Motion by Commissioner Walker, second by Commissioner Pauls to accept staff's recommendation and approve the Burnt Pine, Phase II, final plat for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

The commissioner's recessed briefly.

Mr. Mike Rutland, 2WR Architects, appeared before the board regarding the construction and delivery approach for the jail project. Mr. Rutland stated that the options are the construction manager process or the design hard bid and build approach. He stated that they are moving through the design development stage of the project and are about 75% complete. Mr. Rutland explained the differences between the construction manager process and hard bid approach and requested that the commissioners make a decision today as to which method they wish to use. Discussion continued regarding the pros and cons of each method.

Mr. Brian Kellenberger, Watkins Construction, explained that he felt the construction manager approach is the best delivery method for this project and why. He explained that the hard bid could be costly to the county. With this process the county would know the guaranteed maximum price, whereas with the hard bid method prices could change.

Mr. Steve Christopher spoke to the commissioners and explained that he feels this project leans toward a construction manager. He disagrees that a general contractor could

be pre-qualified. He further explained that a construction manager uses an open book process whereas a general contractor does not.

Mr. Richard Whitaker suggested writing a policy before the bidding process begins.

Motion by Commissioner Walker, second by Commissioner Ryan to approve the construction manager process for construction of the jail. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Discussion followed regarding the need to begin the advertisement process for request for qualifications for a construction manager. Commissioner Walker recommended combining the construction of the jail and courthouse as a joint project to be overseen by a construction manager. Mr. Rutland agreed and stated that it would be a cost savings to the county.

Officer Jimmy Macon and Officer Danny Garner appeared before the board with a request for additional funding for the School Resource Officers in the amount of \$56,182.86. Mr. Underwood voiced comments on behalf of Mr. Imfeld who stated that the Sheriff has approximately \$50,000.00 in his contingencies that could be used and the county could fund the remaining balance. Commissioner Ryan stated that the SRO program is one of the best programs for crime prevention in youth.

Motion by Commissioner Ryan, second by Commissioner Jones to approve the Sheriff's request to fund \$56,182.86 for equipment for the additional school resource officers if the grant is approved.

After further discussion, Commissioner Ryan amended his motion to approve for the Sheriff to proceed through the grant application process and to discuss with county

staff the possibility of using funds from his contingencies. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Aye.

Attorney Vorbeck presented information relating to the dedication of right-of-ways. A Dedication of Right-of-Way form was presented for use.

Attorney Kira Honse presented a draft ordinance relating to the Small County Surtax. The ordinance is being amended to allow for other uses to include economic development, infrastructure and incentive needs.

Motion by Commissioner Walker, second by Commissioner Ryan to set a public hearing on June 11, 2002 to consider adoption of the amended small county surtax ordinance. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Michael Underwood, County Administrator, presented a request for approval to extend the lease of the property located on south CR 393 for an additional six months. The property is currently leased from the S.W. Fire District for the Zone 3 Maintenance Office.

Motion by Commissioner Walker, second by Commissioner Pauls to approve to extend the lease of the Zone 3 Office for an additional six months. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood presented on behalf of the City of DeFuniak Springs Police Department a request for a letter of endorsement for their DUI grant.

Motion by Commissioner Walker, second by Commissioner Jones to submit a letter of endorsement on behalf of the City of DeFuniak Springs Police Department for their DUI grant. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood advised the Board that he was contacted by Mr. James McHenry, owner of the building where the State Attorney's Office is located, requesting a long-term lease. Mr. McHenry is requesting a 5-year lease by the county or he intends to lease it to another individual. Commissioner Walker reminded the board that it would cost a substantial amount to relocate because of necessary wiring, computer lines and phone lines. The commissioners discussed a long-term lease and stated that they need to be able to term lease the building or sublease it.

Motion by Commissioner Jones, second by Commissioner Walker to approve to negotiate a long-term lease of the building from Mr. McHenry with the possibility of subleasing it. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls requested that the board remove Tang-O-Mar Road from the county's maintained road list. He explained that the road is private and should never have been placed on the list. The road was inadvertently added to the list.

Motion by Commissioner Pauls, second by Commissioner Walker to remove Tang-O-Mar Road from the county's maintained road list. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls presented a request to change the speed limit to 10 mph on Sea Grade Road, Sea Oats Road, Gulf Point Road, and Sand Dunes Road. The commissioners requested that this be presented to Public Works for their recommendation.

Commissioner Pauls requested authorization to double stripe that portion of CR 30-A from Flamingo Village to the intersection of CR 393. The board also recommended that this request be sent to Public Works.

Commissioner Pauls requested that the board consider removing the Oyster Lake causeway, restore the area and replace the roadway with a pedestrian/bike bridge. Mr. Pauls explained that this area floods repeatedly and is causing erosion to the existing road. This item will be forwarded to Public Works for review.

Commissioner Pauls presented a request for the board to consider an ordinance regarding lighting. Commissioner Rees advised that the Design Review Board is reviewing this issue. Ms. Nancy James, South Walton Community Council, also addressed the issue. Discussion followed regarding the need to develop an ordinance that provides safe lights for the turtles. Growth Management will review this issue.

Commissioner Pauls reminded the board of the goals each commissioner previously set and stated that he would like to see these followed up on. Chairman Rees agreed that setting goals and abiding by them is very important.

Commissioner Pauls announced that there would be a resolution presented at the next MPO meeting regarding a special study area on Highway 98. He expressed the importance of this issue due to funding and the need for a solution to alleviate the traffic and transportation problems in that area. Commissioner Pauls stressed the need for our Public Works Director, Growth Management Director, and Administrator to attend the MPO meetings or to appoint a representative who will speak out for Walton County. The board agreed to direct the Public Works Director and Growth Management Director to attend the meetings and to allow Mr. Underwood to use his discretion when he should attend.

Chairman Rees opened the floor for public comments.

Mr. Mike Judkins appeared before the board and questioned if a traffic control unit could be designated for Highway 98. He stated that it is needed for safety. Mr. Judkins also spoke about not being allowed to be placed on the agenda. The commissioner's explained that the public is welcome at all meetings and is allowed to speak at any time during the public comment portion of the meeting. Mr. Judkins spoke about the quasi-judicial hearings and the public having to hire their own attorney. Mrs. Shari Judkins expressed that the rules need to be applied to everyone equally.

Mr. Richard Whitaker appeared before the board requesting a clarification for what a county maintained road is and what criteria apply.

Mr. Don Crim questioned the status of the buildings originally purchased for the distribution center. Mr. Underwood advised that they are scheduled to go out for bids and stated that one will be constructed at the Emergency Operations Center.

Ms. Nancy James addressed the board and commended them on the job they are doing.

There being no further business, the meeting was adjourned at 7:35 p.m.

APPROVED: _____
Lane Rees, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court