

MAY 28, 2002 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, May 28, 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, 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 Herman L. Walker and Vice-Chairman Larry D. Jones arrived a few minutes late.

Chairman Rees asked for a moment of silence in honor of Memorial Day and those who serve our country now and in the past. He then led with prayer followed by the Pledge of Allegiance to the American Flag. Chairman Rees called the meeting to order.

Chairman Rees recognized Ms. Pam Tedesco, Executive Director of the Walton County Chamber of Commerce. Mr. Rees presented a resolution recognizing the week of June 2-8, 2002 as “Chamber of Commerce Week” in Walton County.

Motion by Commissioner Pauls, second by Commissioner Ryan to adopt a resolution (2002-29) recognizing June 2-8, 2002 as Chamber of Commerce Week in Walton County. Ayes 3, Nays 0. Pauls Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Ryan, second by Commissioner Pauls to approve the consent agenda consisting of the following items. Ayes 3, Nays 0. Pauls Aye, Rees Aye, Ryan Aye.

1. Expenditure Approval List	
General Fund	467,315.03
County Transportation Trust	211,177.48

Fine & Forfeiture	46,996.41
North Walton Mosquito Control	2,454.04
Walton County Library	11,589.11
Recreation Plat Fee	2,832.83
Solid Waste Enterprise	292,575.21
Mossy Head VFD	1,645.55
Glendale VFD	406.84
Darlington VFD	81.09
Liberty VFD	536.09
Section 8 Housing	131,532.44
Multi Purpose Trust Fund	78.00
Tourist Development Council	187,657.10
Red Bay VFD	76.36
Driftwood Debt Service	511.05
Local Option Gas Tax	21,481.08
Capital Funds Project	70,833.32

2. Approval of the following minutes:
 - February 26, 2002-Regular Meeting
 - April 23, 2002-Regular Meeting
 - April 24, 2002-Land Use Hearing
 - May 7, 2002-Land Use Hearing
 - May 14, 2002-Regular Meeting
3. Resolution to accept unanticipated revenues to be used for a car seat check point.
4. Request Signature of Board Chairman on application for Revenue Sharing 2002-2003 Fiscal Year.
5. Resolution to amend budget for unanticipated revenues from the Emergency Management HAZ-MAT Grant.
6. Approval of amendment to Workfare Contract to increase contract amount by \$5,000.00 for a total of \$152,510.00.
7. Approval of Chairman to sign letter of intent to continue participation in Workfare program.
8. Approval to purchase equipment for 911 dispatch.
9. Records disposition request.

Commissioner Walker and Commissioner Jones arrived.

Commissioner Ryan requested the Expenditure Approval Lists be presented to each commissioner in disk format to reduce the amount of paper.

Mr. William Imfeld, Financial Director, presented a letter on behalf of the Walton County Health Department requesting pre-approval by the Board of County

Commissioners for a patient to have a colonoscopy performed. Mr. Imfeld advised that the patient meets the requirements under the Health Care Responsibility Act.

Motion by Commissioner Pauls, second by Commissioner Ryan to approve the request for patient treatment for a colonoscopy under the Health Care Responsibility Act. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Alex Alford answered the commissioner's questions regarding placing the EAL's online. He explained that the EAL could be placed online, however, due to the slow speed caused by the dial up connection at some of the commissioner's offices, he would rather wait. Mr. Alford stated that he would provide the EAL's in disk format.

Mr. Gary Mattison, Human Resources Director, presented the applicant who was selected by the Personnel Committee for the position of Public Information Officer, Mr. Brian Rick. Mr. Mattison explained that this position reports directly to the County Administrator. Commissioner Walker stated that he is not prepared to make a decision on this position because he has not received the applicant's information in time to review. He stated that he was not given ample opportunity to review the resume or meet the applicant and is opposed to the manner in which the Human Resource Department handled the process. He stated that this item was not placed on the agenda in a manner that would inform him as to what action was being requested, nor was he informed that applicants had been selected and would be present. He felt he was purposely circumvented from knowing.

Mr. Underwood explained that this position has gone completely through the hiring process and is being presented for board approval. Commissioner Ryan also

commented that staff has screened the applicants and has selected the person for this position.

Mr. Brian Rick was present and gave a brief explanation of his background and experience. He stated that he has a diverse background and has a lot to offer Walton County.

Discussion followed between Mr. Rick and the commissioners regarding the importance of communications in this position. Mr. Rick agreed and explained that various methods must be used to get the public involved and made aware of issues. Mr. Rick explained that the primary function of this position would be to convey information to the public and responding to media inquiries. Commissioner Jones questioned Mr. Rick as to what he saw as his first duty on the job. Mr. Rick explained that it would be an exploration phase to find out what is most needed and to meet individually with each commissioner.

Motion by Commissioner Ryan, second by Commissioner Jones to accept staff's recommendation and hire Mr. Brian Rick to fill the position of Public Information Officer and allow Mr. Mattison to proceed with negotiations. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Aye. Commissioner Walker stated that he is opposed to the procedure used, not the applicant.

Mr. Mattison presented the applicant selected for the position of County Engineer, Mr. Daniel Arner. Again, Commissioner Walker voiced concern with staff procedures and not being made aware that this applicant would be present. Commissioner Walker commented on the importance of this job and the need to be very selective for who will

fill the position. The selection committee consisted of Mr. Mattison, Mr. Underwood, Jack Arthur, Russ Barry, and Bill Imfeld.

Mr. Arner addressed the commissioners and explained his background. Commissioner Walker questioned Mr. Arner regarding his experience in designing roads. Mr. Arner stated that he has never designed a road, but has performed the physical work of constructing a road. Mr. Arner also stated that he would continue to reside in Gulf Breeze.

Mr. Barry explained that he recommended this individual because of his background regarding traffic issues.

Motion by Commissioner Ryan, second by Commissioner Pauls to accept staff's recommendation to hire Mr. Daniel Arner and allow Mr. Mattison to begin salary negotiations. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Aye. Commissioner Walker stated that he is opposed to staff's procedure for hiring in addition to Mr. Arner residing out of Walton County.

Mr. Mattison advised that Mr. Marvin Collier is the applicant selected for the Construction Manager's position. He also stated that this position reports to Mr. Underwood.

Mr. Collier appeared before the Board and presented an overview of his 25 years of experience, the last ten years being with the Army Corps of Engineers. He stated that he could help Walton County look at long-term issues.

Commissioner Jones commented that this is a critical area and many issues are involved such as projects being completed in a timely manner, staying within the budget,

and maintenance issues. Commissioner Pauls agreed and also sees this as a very important position.

Mr. Mattison advised that this position is equivalent to the position of County Engineer and would report directly to the County Administrator.

Motion by Commissioner Jones, second by Commissioner Ryan to accept staff's recommendation and approve to hire Mr. Marvin Collier as Construction Manager and allow Mr. Mattison to begin negotiations. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. Commissioner Walker stated that he is opposed to the procedure that staff used; however, he is in favor of the candidate.

Mr. Russ Barry, Public Works Director, appeared before the commissioners and updated them on the status of the cease and desist orders from the Environmental Protection Agency. Mr. Barry advised that the EPA has been notified that the county has purchased property to be used for mitigation. He stated that the mitigation plan is near complete, the land survey will be conducted very soon and both items will be given to the EPA next week. He feels that the county will be able to proceed with work within 30 days on the roads that have been delayed.

Mr. Barry introduced Attorney Amy Perry who was present to request construction of right-of-way for the Ciboney Condominiums. He stated that he has reviewed the issue regarding a beach walkover and recommends approval. Mr. Barry stated that he has not had communications with the TDC regarding this issue.

Attorney Perry stated that Ciboney is requesting to build a walkover over the county's right-of-way. She explained that the condo owners had been told that they had beach access when they purchased their condos and they do not. Ms. Perry further

explained that Ciboney has negotiated a contract for the purchase of a parcel of land that would grant beach access. However, Ciboney would need permission from the county to build the walkover over the county's right-of-way. She also advised that the walkover would be for private use by the owners at Ciboney. Ciboney Owners Association would maintain the access. Commissioner Walker voiced concern with restricting the public from using the access; Commissioner Pauls agreed and stated that the same problem exists with other condominiums.

Attorney Vorbeck stated that Mr. Barry is currently working on a right-of-way policy and advised the commissioners that there must be a public benefit for someone to use the county's right-of-way.

Commissioner Pauls suggested tabling this issue until the Beach Activities Coordinator can be involved. The board agreed to delay this issue pending further review.

Mr. Paul Donofro, Donofro & Associates, appeared before the board to present final preliminary plan review for the hospital renovations. Mr. Donofro presented the drawings and further explained the portion of the building that will be demolished and that portion which will be converted into office space. He also presented drawings of the buildings exterior and parking area. The total interior square footage will be approximately 20,000 square feet. The commissioners stated that advertisements have been sent out and they are awaiting bids for the removal of asbestos.

Further discussion took place regarding security at the new facility. Commissioner Pauls stated that Mr. Dan Trotman is looking into security issues for other county facilities in order to connect them all into a central alarm system at the Emergency Operations Center.

Ms. Mary Collins, Chair of the Walton County Juvenile Justice Council, appeared before the commissioners to provide an update of their current activities of the Walton County Juvenile Justice Council. Ms. Collins asked for more public support and requested the commissioners attend their meetings as well.

The commissioner's recessed briefly.

Mr. William Pennington, Clerk Finance Director, presented the Investment Report for quarter ending March 31, 2002. He stated that the committee is very pleased with the investments. He advised that the Sun Trust account has now been closed and the FLGT has dropped as a reaction to the bond market. Mr. Pennington also spoke about an adjustment that was made in previous years in the amount of \$82,000.00 causing an error. He explained that the account had not been reconciled and Ms. Ingle has since requested the Finance Department reconcile them. The Finance Department has reconciled the Cash Account and found a bookkeeping error locating the \$82,000.00.

Chairman Rees questioned Mr. Pennington about the Distinguished Budget Presentation Award. Ms. Ingle advised that the Clerk's Office has submitted their financial report to the GFOA for the Financial Statement, which will take approximately three months.

Mr. Rick Sutton, Investigator for the Walton County Sheriff's Department, appeared before the board regarding the Byrne Grant. Mr. Sutton stated that he is applying for the grant to secure funds for additional equipment that will help with drug enforcement. Commissioner Walker questioned if the Sheriff has the necessary matching funds in his budget. Mr. Sutton explained that the grant is a 75/25 match and the Sheriff's portion would be \$15,000.00 and would be budgeted in next year's budget.

Ms. Linda Morse questioned who would pay the matching portion. The commissioners agreed that it should come from the Sheriff's budget. Mrs. Biddle, Grants Coordinator, stated that she spoke with the Sheriff who said it would be part of his next year's budget. She also advised that all grants are reviewed as part of the audit.

Motion by Commissioner Walker, second by Commissioner Ryan to support the application process and require the Sheriff to provide the matching funds for the grant from his budget. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Ken Little, Citizens Service Director, appeared to present information regarding Section 8 Housing and bid information for the library. Commissioner Walker reminded Mr. Little of previous discussion that occurred regarding the need to request additional allotments for more housing. Mr. Little advised that inquiries were made, however, Walton County is currently at their limit.

Mr. Little Presented information regarding the Library Services and Technology Act Grant. The grant is \$90,000.00 with \$50,000.00 match. The county advertised for RFP's to provide software for the library automation. Five proposals were received and The Library Corporation was the low bidder at \$51,800.00.

Motion by Commissioner Walker, second by Commissioner Ryan to approve staff's recommendation and award the library automation proposal to The Library Corporation in the amount of \$51,800.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Little presented the Administrative Plan for Section 8 Housing and requested the board adopt it as revised. Commissioner Pauls mentioned the favorable letter received

by the Jacksonville office regarding Section 8 Housing Authority and stated that Walton County earned 120 points out of 120 possible points.

Motion by Commissioner Walker, second by Commissioner Jones to approve the Section 8 Housing Administrative Plan. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Pauls questioned Mr. Little about a senior citizens center in south Walton. Mr. Little stated that the request was to allow them to use the meeting room at the Coastal Branch Library. Mr. Little will follow up with Mr. Freddy Baker of the Council on Aging.

Mr. Little advised the commissioners that he is continuing to work on property owned by county and would present what information he has at the next meeting.

Mr. Ronnie Bell, Emergency Response Director, presented an EMS Rural Matching Grant Application request on behalf of the Glendale Volunteer Fire Department. The grant is a 90/10 matching grant and Glendale has their matching portion in their budget. The grant would be used for the Jaws of Life.

Motion by Commissioner Walker, second by Commissioner Jones to grant approval to the Glendale Volunteer Fire Department to submit a grant application for the EMS Rural Matching Grant for a total of \$13,195.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood addressed the issue regarding Animal Control Service for the City of Paxton. He explained that he has received a request from the Mayor for assistance. Mr. Bell explained that Paxton is not under contract with anyone for animal control services. Mr. Bell further explained that he is limited to the amount of help he is

able to provide and stated that he agreed to provide animal traps for their use. Commissioner Walker requested approval for Mr. Bell to accept animals from the City of Paxton if Paxton catches them. Attorney Vorbeck stated that an Interlocal Agreement can be drafted between the county and Paxton to include any charges for the service.

Motion by Commissioner Walker, second by Commissioner Jones to accept dogs from the City of Paxton that they have caught.

Commissioner Pauls felt that an interlocal agreement should be established first. Discussion followed regarding who would be responsible for paying for the disposal of the animals. Attorney Allen Ramey, representing the City of Paxton, stated that Paxton cannot afford to pay for animal control services. Commissioner Walker volunteered to pay for the disposal of animals for one month if the board would not agree to pay.

Chairman Rees called for a vote on the motion to accept the animals from Paxton. Ayes 3, Nays 2. Pauls Naye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye. The county will cover the expenses.

Mr. Gary Vorbeck, Legal Services Director, informed the commissioners that Attorney Ramey had questioned him regarding a surety bond for his client, Mr. Robert Grantham, is constructing a subdivision. The county's ordinance requires that 110% of the costs be put up to cover improvements not yet completed. Mr. Arthur advised that in the past the county has only received irrevocable letters of credit. Attorney Vorbeck advised that the county's ordinance does provide other methods of security. Attorney Ramey questioned if the county would accept a surety bond as stated in the ordinance.

Mr. Arthur addressed the board and questioned if a letter of credit should be presented in this case or would the board approve a surety bond. He explained that it had

been past policy to only accept letter of credits. Mr. Grantham explained that if required to put up the money for a letter of credit that he would not have the funds to complete the project.

Mr. Mike Judkins addressed that commissioners requesting this issue be tabled until it could be placed as an agenda item due to the length of discussion and not being on the agenda.

Commissioner Jones recommended that Mr. Arthur work with Attorney Ramey and his client to resolve the issue and report back to the board.

Attorney Vorbeck informed the board that the county has been served with a lawsuit from Black Creek of Northwest Florida, Inc. as the Plaintiff.

Mr. Underwood advised the commissioners that a workshop for private road issues/policies has been set for June 12, 2002 at 9:00 a.m.

Mr. Underwood presented a request on behalf of Mr. Daniel Dickey for a beach variance for the week of June 29 through July 6, 2002. Mr. Dickey is disabled and will utilize an ATV to access the beach.

Motion by Commissioner Pauls, second by Commissioner Jones to grant Mr. Dickey a vehicle beach permit variance for the week of June 29 through July 6, 2002 to use an ATV. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood presented a renewal request on behalf of Pyrotech for a fireworks display permit on June 8, 2002. Ms. Shirl Williams advised that this is a renewal and Pyrotech is required to provide insurance. Commissioner Pauls requested that these requests be sent through Mr. Ken Wilder, Beach Activities Coordinator, in the future.

Motion by Commissioner Pauls, second by Commissioner Ryan to grant a fireworks display permit to Pyrotech for June 8, 2002. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood advised that it was agreed upon by the commissioners to consolidate the courthouse and jail construction projects and allow one construction firm to handle both projects. After reviewing Watkins Constructors contract it was determined that it was included in their master contract to include the construction of the courthouse and jail facility. The commissioners stated that their work is acceptable and they have the ability to perform.

Mr. Underwood addressed Commissioner Walker's concern regarding the presentation of candidates for employment. He felt that an opportunity was given to meet with the applicants and apologized for the lack of communications. Again, Commissioner Walker voiced his feelings for the way the situation was handled by the Human Resource Department. Commissioner Jones agreed that better effort should be given next time.

Commissioner Pauls stated that he would like to see the Directors present their reports to the board on pending issues and the progress made.

Commissioner Pauls advised the board that the Boys Club is taking over the proposed YMCA site on CR 30A. However, he advised that a development order or any permits were never issued and they need to be made aware of the process that must be followed. Mr. Underwood stated that they have had difficulties communicating with Planning and Zoning. Code Enforcement has stopped some of their work. He stated that this is a major development according to the size of the project. He advised them that the county must follow the Land Development Code and Comprehensive Plan.

Each of the other commissioners scheduled on the agenda did not present any items for discussion.

Chairman Rees opened the floor for public comment.

Mr. Judkins addressed the commissioners regarding any possible bribery that may have taken place. He commented that any bribes should be reported even if not accepted. He also spoke about accepting special favors from developers, contractors, or anyone.

Mr. Richard Whitaker questioned what controls spending, regarding how often it can be spent, for those individuals with a \$25,000.00 spending limit. The commissioners explained that the budget controls the limits on expenditures.

Chairman Rees spoke about ethics as addressed by the Florida Statutes and stated that the commissioners have been given training on how to handle these issues.

Mrs. Shari Judkins addressed the board regarding Holiday Road. She voiced concerns regarding safety issues that still exist such as no visibility on the curve. No parking signs are needed and there are drainage problems that need corrected. Mrs. Judkins asked the board to look into these issues. Commissioner Pauls stated that he has visited the site and will address this issue further.

There being no further business, the meeting was adjourned at 5:20 p.m.

APPROVED: _____
Lane Rees, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court