

SEPTEMBER 12, 2002 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Thursday, September 12, 2002 at 4:00 p.m. at the Choctaw Beach Community Center.

The following Board members were present: Lane Rees, Chair, Larry D. Jones, Vice-Chair, Commissioner Tim Pauls, Commissioner Herman L. Walker, and Commissioner Gene Ryan. Mr. Michael Underwood, County Administrator, and Attorney Gary Vorbeck, Director of Legal Services were also present.

Commissioner Rees called the meeting to order and asked those present to honor the victims of September 11, 2001 in a moment of silence.

Commissioner Jones led with prayer followed by the Pledge of Allegiance to the American Flag led by Commissioner Pauls. The Commissioners welcomed Mr. Don Crim back after his surgery and time of recovery.

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

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|-------------------------------|------------|
| 1. EAL Approval               |            |
| General Fund                  | 392,883.52 |
| County Transportation Trust   | 544,645.52 |
| Fine & Forfeiture             | 560,757.55 |
| Mosquito Control-State        | 12,729.33  |
| North Walton Mosquito Control | 26,003.75  |
| Walton County Library         | 18,363.54  |
| Recreation Plat Fee           | 15,268.96  |
| Solid Waste Enterprise        | 305,847.12 |
| Mossy Head VFD                | 559.86     |
| Darlington VFD                | 1,253.80   |
| Liberty VFD                   | 746.76     |

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| Local Option Gas Tax  | 50,002.54  |
| Capital Projects Funds  | 195,859.70   |
| Tourist Development Council   | 328,629.08   |
| Section 8 Housing   | 1,047.04   |
| SHIP  | 14,872.00  |
| Glendale VFD  | 46.04  |
| Red Bay VFD   | 182.37   |
| 2. Approval of Minutes:   | August 12, 2002: Special Meeting<br>August 27, 2002: Regular Meeting |
| 3. Surplus Equipment Request by the Clerk                                     |  |
| 4. Records Disposition Request by the Clerk                                   |  |
| 5. Renewal of Certificate of Public Convenience and Necessity                 |  |
| 6. Request to Purchase a "Bobcat" Type Skid Steer Vehicle<br>for the Landfill |  |

Mr. Ronnie Bell, Emergency Response Director, appeared before the Board regarding a request from the Tri-Village Fire Department to change the tax assessments for their fire district from a flat fee to a millage rate. Mr. Bell explained that Tri-Village is an independent fire district and was established around 1982. Mr. Bell requested approval for the fire department to proceed with advertisement to hold public hearings before putting a referendum on the ballot.

Mr. Vernon Thowe, Chairman of Tri-Village Fire District, presented information relating to their request and explained that their fire department receives approximately \$27,000.00 annually from the fees collected. Mr. Thowe stated that because of the lack of volunteers, they need to hire a paid fire fighter.

Mr. Allen Ramey, Attorney for Tri-Village, explained that they are only asking for the commissioner's support at this point. He stated that they would advertise to hold public hearings and would also have to draft the necessary wording to put a referendum on the ballot. This issue would have to come back before the Board of County Commissioners for approval after the public hearings have been held.

Commissioner Walker stated that they have placed funds in the budget to begin implementing fire-based EMS and would like to see it implemented countywide. He encouraged Tri-Village to work toward fire-based EMS.

Motion by Commissioner Walker, second by Commissioner Ryan to approve for Tri-Village Fire District to proceed through the process for changing their tax assessments from a flat fee to millage rates.

Commissioner Pauls questioned the effect a referendum would have on proceeding with the countywide fire-based EMS. Mr. Thowe stated that it should not have any effect. Commissioner Walker commented that Tri-Village would most likely want to relinquish themselves from this process if the fire-based EMS were to be implemented.

Ms. Betty Fraizer addressed the commissioners stating that she has been a resident of Walton County since 1960. She voiced her appreciation for the fire department and stated that they are doing a good job. However, she felt that they need to notify more residents in order to make them aware of what they are attempting to do. Mr. Rees advised Ms. Fraizer that the fire department is only asking for authorization to move forward with notification to the residents and no action would be taken at this meeting.

Several other members of the audience addressed concerns with the lack of proper notification. Again, Mr. Rees assured them that public hearings would be held to allow input from residents.

Mr. Don Crim stated that the change would also affect other fire departments. He stated that the other independent districts need to be considered.

Mr. Thowe stated that the Tri-Village Fire District would be responsible for paying the costs for putting this issue on the ballot.

Commissioner Rees called for a vote on the motion for them to proceed with advertising for public hearings regarding this issue. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Russ Barry, Public Works Director, updated the Board on the status of CR 3280. He advised the commissioners that the road has deteriorated to the extent that it needs to be rebuilt and paved. Mr. Barry presented four alternatives that could be taken, but recommended alternative 2 using contractors to rebuild and pave the road. He also advised that the design for the road is complete and can be let within the next two weeks upon direction of the Board. He further stated that if this method is used that it would take approximately 25% of next year's paving budget for this one road. An alternative to that could be to remove those roads from the contracted list and pave using in-house crews. Commissioner Ryan stated that he would support this only if it would not affect the county road-paving program already established. Mr. Barry stated that the deterioration of CR 3280 is much more pronounced than other county roads on the paving list. He stated that the roads in the program could still be paved; they would just be switched from being contracted to being done using the in-house paving crew. He felt strongly that action needs to be taken because of the condition of the road.

Ms. Nancy Graves stated that she lives off of CR 3280 and advised that the road is dangerous. She stated that patching has been done repeatedly on the road until it needs to be repaved.

Mr. David Kramer stated that he owns property off of CR 3280 and agreed that the road is in severe need of repairs. He asked that the road also be widened for safety reasons.

Commissioner Ryan did not disagree that the road is in need of paving; however, he did not want to change the current road-paving program that has already been adopted.

Commissioner Pauls stated that he is in favor of paving CR 3280 and asked what effects it would have on the road-paving program. Mr. Barry stated that he would prepare information showing the cost factors involved with the change.

Commissioner Jones agreed that the road needs to be repaved, however, he also requested additional information regarding cost factors.

Commissioner Rees agreed that CR 3280 is in need of being improved for a variety of reasons.

Motion by Commissioner Jones, second by Commissioner Ryan to allow Mr. Barry to prepare documentation relating to the cost factors for continuing the road-paving plan and to allow Public Works to continue working on the bid documents with Legal Services for paving CR 3280 and to prepare a synopsis of how the road-paving program will be affected.

Commissioner Walker voiced concern with funds being rolled back into the General Fund that was specifically designated to each district for paving. There was originally \$1 million set aside for each district and \$2 million for District 5. He wants assurance that the unused portion of funds remains designated to each respective district.

Commissioner Rees stated that he wants to rely on the recommendation of hired staff when making the necessary decisions needing to be made. He stated that the needs of the entire county should be considered.

Commissioner Rees called for a vote on the motion for Mr. Barry to prepare the necessary documentation relating to the paving of CR 3280. Ayes 5, Nayes 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. This information will be presented back at the last meeting in September.

Mr. Barry requested authorization to relocate the trailers, currently being used as the South Walton Annex, to the Public Works Complex for additional office space. He stated that additional space is needed for the County Engineer. He has received estimates for relocating the trailers, but would obtain written quotes before moving forward. The estimate he received is for \$18,000.00.

Commissioner Pauls questioned if Mr. Barry has researched other related costs involved, such as reestablishing the utility connections and if he considered who would use the remaining space in the building. Mr. Barry stated that he would bring quotes back before relocating the building and a plan for the use of the building. Commissioner Jones agreed that a plan needs to be presented before making a final decision. (Tape 1/side 2) Mr. Barry stated that the buildings need to be completely moved by October 14th in order to complete paving of that area at the annex. Mr. Ryan stated that whoever moves the building needs to be made aware of the structural configuration of the trailers due to interior support walls being removed during the initial setup. Mr. Barry will present cost proposals for relocating the trailers at the next meeting.

Commissioner Rees called for a vote on relocating the trailers. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Barry presented a draft policy for the maintenance and repair of community centers for review. Mr. Jones stated that he wants the policy written in a manner that does not bind the county to perform every task requested. The county needs to have discretion when providing assistance. He also suggested changing the wording in number 3 from “will approve” to “may approve”.

Mr. Bell reported on the tropical depression located in the Gulf of Mexico. It has not been determined where the depression will make landfall. Another conference call will be held in the morning for more updated information.

Mr. Jack Arthur, Growth Management Director, presented the recommended appointees for the Wetlands Work Group. The group consists of the following individuals: Lloyd Blue, Wayne Bodie, Van Ness Butler, Jr., John Dalton, Eric Forman, Ross Hamilton, Bill Higgins, Beverly Kraska, Tome McGee, Anita Page, Mary Rosenheim, Richard Stafford, Leigh Vanderels, and Todd Wilkinson. Their task is to make modifications to the Comprehensive Plan and perhaps the Land Development Code to develop a comprehensive, easily understood wetlands policy. The current policy would be rewritten. Mr. Arthur explained that the current policies are neither clearly written nor understandable. Commissioner Walker stated that he agrees with appointing a committee if they are attempting to bring consistency to the current plans; however, if they are attempting to rewrite the policies then he feels that only the stakeholders need to be involved. He stated that if they do not own wetlands then they do not need to serve on

the committee. Both Commissioner Walker and Mr. David Kramer asked to serve on the committee.

Motion by Commissioner Pauls, second by Commissioner Jones to approve the individual appointments to the Wetlands Workgroup in addition to Mr. David Kramer and for this group to publicly meet and present a final recommendation back to the Board. Ayes 3, Nays 2. Pauls Aye, Jones Aye, Walker Naye, Rees Aye, Ryan Naye.

Mr. Lloyd Blue stated that he reviewed the list of individuals appointed and saw the diversity and the abilities of those who volunteered to serve on this committee.

Mr. Arthur requested authorization to submit a FRDP Grant application for completion of the Wee Care Park Phase III. The Parks and Recreation Department would like to apply for a grant in the amount of \$150,000.00 from the Florida Recreation Development Assistant Program. The required match is 25% or \$50,000.00 of in-kind labor.

Motion by Commissioner Walker, second by Commissioner Ryan to approve to submit a grant application for the Wee Care Park Phase III in the amount of \$150,000.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Pat Markey, Parks and Recreation Manager, requested approval to advertise for donations of small boats that can be used on the mini golf course. The course will have a “shipwreck” theme. They authorized Mr. Markey to proceed.

Commissioner Walker questioned Mr. Markey regarding the donation for materials for the nature walk for that part to be constructed over the wetlands. He stated that Preble-Rish needs to proceed with the designs in order to move forward with the walkover and not lose the donation.

Mr. Arthur presented a written application from the Sandestin Lion's Club requesting a temporary sign permit.

Motion by Commissioner Ryan, second by Commissioner Walker to approve the issuance of a sign permit on behalf of Sandestin Lion's Club. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Jennifer Christensen, Planning Secretary, presented the First Floor, Watercolor Town Center Homes South, Building M3B, final plat for approval. Mrs. Christensen stated that staff recommended approval. No one voiced any objections to the final plat.

Motion by Commissioner Pauls, second by Commissioner Walker to accept staff's recommendation and approve the final plat for First Floor, Watercolor Town Center Homes South, Building M3B for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented the Second and Third Floors, Watercolor Town Center Homes, South, Building M3B final plat for approval. Staff recommended approval. There were no objections voiced.

Motion by Commissioner Pauls, second by Commissioner Walker to accept staff's recommendation and approve Second and Third Floors, Watercolor Town Center Homes, South, Building M3B final plat for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Watercolor Town Center Homes South, Building M3A final plat for recording. Staff recommended approval. No one voiced opposition.

Motion by Commissioner Walker, second by Commissioner Ryan to approve Watercolor Town Center Homes South, Building M3A final plat for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Palmeira Villas final plat for approval. Staff recommended approval.

Motion by Commissioner Walker, second by Commissioner Pauls to accept staff's recommendation and approve Palmeira Villas final plat for recording. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye. (Tape 2)

Mr. Dewey Wilson, President and General Manager of Regional Utilities, appeared before the Board advising that they have received a request to reserve the option to purchase the Rock Hill well sites. He explained that South Walton Utilities is selling 5000 acres, excluding their well sites, to Mr. M.C. Davis. Mr. Davis has also purchased 15,000 acres and all the land from Champion International from Black Creek up Choctawhatchee River and north of Highway 20 to the farm. He intends to put this property into wildlife preservation. Mr. Davis is requesting to obtain the first option to purchase the well sites in the event this use is ever discontinued. Mr. Wilson stated that he does not expect the use of these wells to ever be discontinued during our lifetime. He also stated that wildlife preservation has pros and cons. Commissioner Walker questioned why the county would ever want to give Mr. Davis this option not knowing what lies in the future. Attorney Vorbeck stated that he would like the opportunity to discuss this issue further with the parties involved. Commissioner Pauls spoke about the effects on the county by taking this amount of property outside of the normal ad-valorem tax situation. He also questioned the effect on the Seven Runs Creek area and asked if Mr.

Davis could possibly appear before the Board to answer questions. Mr. Wilson stated that he would meet with Mr. Vorbeck and Mr. Davis to discuss this issue further.

Mr. Wilson also informed the Board that he has received the contract for the \$1.5 million grant for the sewage expansion in south Walton and requested approval for the Chair to sign the contract accepting the grant funding.

Motion by Commissioner Walker, second by Commissioner Pauls to approve the contract accepting \$1.5 million in grant funding for the sewer expansion for south Walton. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Vorbeck advised the Board that he is near completion on the contracts for the funding of discretionary organizations and needs any feedback from the commissioners before finalizing them.

Mr. Marvin Collier, Construction Manager, presented information regarding the site lighting at the South Walton Courthouse Annex. Mr. Collier presented two options for the additional lighting. A residential grade system could be installed in the amount of \$12,625.00 or the commercial grade in the amount of \$14,800.00. Mr. Collier recommended the commercial grade lighting because it is made of superior quality and would last many years longer than the residential grade system. He explained that this lighting is for the walkway areas surrounding the courthouse and the courtyard on the south side of the annex.

Motion by Commissioner Walker, second by Commissioner Pauls to accept Mr. Collier's recommendation for the commercial grade lighting in the amount of \$14,800.00. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Underwood advised that Mr. and Mrs. Judkins, who were scheduled on the agenda, decided not to appear before the Board today.

Mr. Underwood explained that he has negotiated with the property owners of lots 935-940, which lie directly to the east of the Walton County Jail. These lots are needed for parking in order to proceed with construction of the jail. The price negotiated for four of the lots amount to a total of \$85,000.00 and the two remaining lots total \$15,000.00.

Mr. Don Rutland, 2WR, explained the location of those lots in relation to the jail. He stated that these lots are needed for parking because when the new courthouse construction is completed, this side will be the front of the new courthouse. Commissioner Jones questioned if the designed parking plans will cover the needs for the jail and courthouse. Mr. Rutland stated that it would. Mr. Rutland recommended the purchase of the property. Mr. Underwood recommended purchasing the property if the commissioners plan is to proceed with construction as presented by 2WR. Commissioner Walker pointed out that the alternative would be to construct the parking deck, which would be much more costly.

Motion by Commissioner Walker, second by Commissioner Pauls to accept the recommendation and approve the purchase of lots 935-940 for a total amount of \$100,000.00 to be used for a parking area. Ayes 4, Nays 1. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Naye.

Commissioner Pauls announced that each of the Commissioners should have received information from the Environmental Protection Agency regarding the Consent Agreement. He stated that the information requires the county to re-permit the roads that were under the consent order. He advised the public that the process would take

additional time. He expressed his concern to those wanting CR 3280 repaved; however, he spoke about the poor, and dangerous, conditions of other roads such as J.D. Miller Road, which is being used as an access road to the new South Walton High School.

Commissioner Ryan spoke about the “span of control” when setting up any organization and the capabilities of those in charge being able to manage it. He explained the current situation under the Growth Management Department regarding the Parks and Recreation Department.

Motion by Commissioner Ryan, second by Commissioner Walker to relocate the oversight of the Parks and Recreation Department from Growth Management to the County Administrator. Mr. Underwood stated that, after discussing this issue with both Mr. Arthur and Mr. Markey, he agrees with the change.

Commissioner Rees questioned if Mr. Underwood has a better span of control than Mr. Arthur. Mr. Underwood felt that it would run smoother. Commissioner Pauls also questioned the change and wants assurance that the job will get done. Mr. Ryan explained that Mr. Underwood’s job is more of an oversight job to see that it gets done and Mr. Arthur, being a Division Head, works more closely with the operation. Commissioner Jones agreed that Growth Management’s agenda is full and feels that perhaps the Parks and Recreation Department will work better under Mr. Underwood.

Commissioner Rees called for a vote on the motion to relocate Parks and Recreation under the County Administrator. Ayes 3, Nays 2. Pauls Naye, Jones Aye, Walker Aye, Rees Naye, Ryan Aye.

Commissioner Jones did not present any topics for discussion.

Commissioner Walker voiced concern with the conditions of various roads throughout the county. He felt that it is ludicrous that those roads have to be re-permitted as long as this project has been going on.

Commissioner Rees announced that the week of September 17-23 is U. S. Constitution Week.

Commissioner Rees opened the floor for public comments.

Mr. David Kramer publicly thanked both Commissioner Ryan and Commissioner Walker for the opportunity to be able to work with them. He stated that he respects them for their opinions and then thanked them for their public service.

Mrs. Dari Bradley appeared before the commissioners asking for support for the nomination of her father, Dr. Edward O'Donnell, for the Presidential Medal of Freedom nomination. She requested the Chairman sign a letter that will be submitted to the President of the United States supporting the nomination. She read the letter that will be submitted into the record. The letter explained the award and why her father deserves the award. The letter outlined Mr. O'Donnell's experience. Mr. O'Donnell was a resident of Walton County.

Motion by Commissioner Ryan, second by Commissioner Walker to approve the request for the Commissioner's support for the nomination of Dr. Edward O'Donnell for the Presidential Medal of Freedom. Ayes 5, Nays 0. Pauls Aye, Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mr. Waylon Davis, Choctaw Beach Community, addressed the commissioners regarding the draft Community Center Policy and also introduced Mr. Tom Maxwell,

Chairman of the Community Center. He spoke about the conditions of various community centers and the need for county support. He spoke about the need for funding to correct problems and to enhance their center. Commissioner Rees asked Mr. Underwood to speak with Mr. Davis to address the funding issues and budgeted items.

There being no further business, the meeting was adjourned at 6:10 p.m.

APPROVED: \_\_\_\_\_  
Lane Rees, Chairman

ATTEST: \_\_\_\_\_  
Martha Ingle, Clerk of Court