

FEBRUARY 25, 2003 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, February 25, 2003 at 8:00 a.m. in the Boardroom of the Walton County Courthouse.

The following Board members were present: Larry Jones, Chair, Tim Pauls, Vice-Chair, Commissioner Lane Rees, Commissioner Kenneth Pridgen, and Commissioner Ro Cuchens. Mr. Michael Underwood, County Administrator, Attorney Gary Vorbeck, Director of Legal Services and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Rees led with prayer followed by the pledge of allegiance to the American Flag. Chairman Jones called the meeting to order.

Sheriff Ralph Johnson appeared before the commissioners regarding a meeting he had with Senator Clary about the Career Service Act for Sheriff Department employees. Senator Clary requested that Walton County adopt a resolution in support of the Act. Sheriff Johnson explained that the Act would protect the employees from termination in the event of a new Sheriff being elected. It will also allow a new Sheriff the ability to remove his top staff, relocate other personnel, and also provide for an appeal board.

Motion by Commissioner Cuchens, second by Commissioner Rees to adopt a resolution (2003-05) supporting the Career Service Act for Sheriff Department employees. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

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

1. EAL Approval	
General Fund	\$ 613,666.10
County Transportation	\$ 221,358.92
Fine & Forfeiture	\$ 1,448.40
Section 8 Housing	\$ 115,133.26
N.W. Mosquito Control	\$ 1,557.73
W. Co. Library	\$ 20,972.53
Recreation Plat Fee	\$ 6,634.60
Solid Waste Enterprise	\$ 196,766.69
Mossy Head VFD	\$ 2,507.31
Glendale VFD	\$ 9,121.93
Darlington VFD	\$ 912.12
Liberty VFD	\$ 3,016.58
Red Bay VFD	\$ 3,452.84
Local Option Gas Tax	\$ 30,304.96
Capital Projects Fund	\$ 6,498.90
SHIP	\$ 20.34
Tourist Dev. Council	\$ 188,496.23
Mott Sign Grant	\$ -
Debt Service Hospital	\$ -
Spec. Law Enforcement	\$ -
Driftwood Debt Service	\$ 210.23
2. Minutes of February 04, 2003 – Strategic Workshop	
February 04, 2003 – Workshop	
February 04, 2003 – Land Use Hearing	
February 11, 2003 – Regular Meeting	
3. Mosquito Control Grant	
4. Surplus Ambulances from EMS	
5. Surplus a Computer from Clerk’s Office	

Mr. William Pennington, Finance Director for the Clerk of Courts, appeared before the commissioners to present the Investment Report for the quarter ending December 31, 2002. He reported that the investments are doing well. There were a couple investments that were changed to gain better returns. Mr. Pennington advised that the 2002 Audit Report has been completed with zero adjustments on the Clerk’s side and only one adjustment on the Board’s side. This is compared to 150 adjustments three

years ago. He advised that the Clerk would be submitting their report to GFOA for the award for Excellence In Financial Accounting.

Chairman Jones called the advertised public hearing to order to consider final plat approval on several projects. Mrs. Jennifer Christensen, Planning Technician, advised that South Walton Business Center has been continued and would not be presented.

Ms. Christensen presented the final plat for Santa Rosa Place Apartments. The project consists of 19-quadplex lots and is located on the east side of Don Bishop Road. Staff recommended approval.

Motion by Commissioner Cuchens, second by Commissioner Pauls to accept staff's recommendation and approve Santa Rosa Place Apartments final plat for recording. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Ms. Christensen presented the final plat for Vineyard At Raven Oaks, Phase II. The project is a 10-lot single-family residential subdivision located north of US Highway 98 in Sandestin. Staff recommended approval

Motion by Commissioner Pauls, second by Commissioner Pridgen to accept staff's recommendation and approve Vineyard At Raven Oaks, Phase II final plat for recording. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Dewey Wilson, President and General Manager of Florida Community Services, appeared before the commissioner requesting to hold a public hearing to consider extending their franchise service area. The additional franchise area would include acres North of the Intercoastal waterway and South of the Choctawhatchee River.

Motion by Commissioner Rees, second by Commissioner Pauls to approve to hold a public hearing to consider extending the franchise area for Florida Community Services. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bill Steadley-Campbell appeared before the commissioners regarding historical markers. Mr. Campbell advised that there are locations in south Walton that he would like to include in his previous request. He stated that each marker is \$1,500.00 and the State will fund one-half. Mr. Campbell requested funding to assist with the cost of the following four markers: Knox Hill Academy, Euchee Valley Presbyterian Church, Eucheeanna Settlement and Cowpen Creek Indian Battle at Antioch.

Commissioner Rees commented that T. T. Wentworth, the great uncle of Commissioner Rees' wife, started the historical marker program in Escambia County, Florida in 1935. Commissioner Rees is very supportive of the program and voiced concern that property owners be contacted as some may not want to have markers on their property.

Motion by Commissioner Cuchens, second by Commissioner Rees, to approve to sign a letter of intent to provide matching funds in the amount of \$3,000.00, contingent upon Mr. Campbell obtaining permission from the property owner to place the sign on private property. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye. The commissioners requested that Mr. Campbell work through the budget process for funding in the upcoming budget.

Mr. William Imfeld, Financial Director, appeared before the Board regarding the RFP's submitted for legal advertisements. Mr. Imfeld presented the additional information requested regarding newspaper circulation. Commissioner Pauls questioned

if both newspapers are considered legal papers. Mr. Imfeld advised that both papers qualify as legal papers according to State Statute for this purpose. Chairman Jones suggested comparing the cost per thousand of circulation.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to award the proposal to the DeFuniak Herald Breeze for legal advertisements. Ayes 4, Nays 1. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Naye.

Ms. Sue Parsonnet, Cultural Arts Association, appeared before the Board requesting approval to fly ArtsQuest flags along CR 30A, Highway 98 and adjoining roads. She explained that they are a non-profit organization and give back to the community. This year they awarded three scholarships.

Motion by Commissioner Pauls, second by Commissioner Cuchens, to approve the request on behalf of the Cultural Arts Association to fly ArtsQuest flags as stated. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye. ArtsQuest will be held May 11-12 at Baytown.

Ms. Lynda Morse appeared before the commissioners regarding statements about animal control at the last meeting. She stated that the Humane Society presented information about animal control services, which she felt was inaccurate and misleading. Ms. Morse commended Dr. Anderson, Animal Control Services of West Florida, for the services he provides to Walton County and asked the Board to continue using his services.

Ms. Morse asked the commissioners if they would consider adding a link to the county website linking people to a site she created. The site will present information regarding animal welfare and show pictures of animals that have been picked up and

taken to Dr. Anderson's facility. She stated that she created the website and welink.net has agreed to provide web hosting and domain name service and will also contribute a single-site license of Microsoft FrontPage web authoring software. There will be no cost to the county for the first two years. Ms. Morse presented a package of information for each commissioner to review along with a petition of over 200 names of individuals who wish for animal control services to remain with Dr. Anderson. Ms. Morse presented the website for the commissioners to see and explained each page. She further stated that Walton County Animal Control would electronically submit her the information for her to upload onto her site. She stated that all she is requesting is that a link to her website be added to the county's website. Ms. Morse stated that she would provide a disclaimer on her website if needed. She also requested that Mr. Bell be given authorization to submit the pictures to her electronically. Commissioner Pauls stated that further discussion needs to be held regarding the details and be presented back to the Board.

Commissioner Rees questioned what the county's responsibilities were for providing this information. Commissioner Pauls commended Ms. Morse for the great job she has done on developing the website. He felt that this would be a great benefit to the animals as well. He further questioned if there needs to be a county site. Chairman Jones commented that providing the information to the public is the key. Commissioner Rees suggested that Ms. Deborah Thatcher, PIO Officer, be involved in getting the information to the public.

The commissioners asked that Ms. Morse meet with staff to work out further details and report back to the Board at the next regularly scheduled meeting.

Mr. Jack Abbit appeared before the Board on behalf of the Cultural Arts Association with an update on their funding. He stated that they received \$25,000 in support of the Educational Giving Program. The program provides a mini-grant program for teachers, scholarship program for need-based students and the scholarship program for students. Mr. Abbit commented that because of funding received from Walton County they were also able to obtain additional funding from the private sector. Mr. Abbit stated that they are in the process of choosing a Selection Committee for awarding the funds. He closed by expressing their appreciation to the county for their assistance.

Mr. Ken Little, Citizens Service Director, presented a departmental update for the commissioner's review. He also advised the Board that the County Extension Service placed third out of 42 who participated in the Florida State Fair.

The commissioners recessed briefly.

Mr. Russ Barry, Public Works Director, appeared before the Board with a request to purchase a road paving roller and asphalt distributor. Both pieces of equipment were leased from Joe Money Machinery who will allow the county to apply their lease payments to the amount of purchase price. Monies are available in the local option gas tax fund. The equipment is estimated to have a life of 5-years. The cost of the roller is \$66,112.00 and the asphalt distributor is \$55,907.00. Commissioner Cuchens questioned if a decision should be made while alternative paving methods are still being researched. Mr. Barry recommended proceeding with the purchase of the equipment due to the cost savings offered.

Motion by Commissioner Pauls, second by Commissioner Rees to accept staff's recommendation and approve the purchase of the equipment. Ayes 4, Nays 1. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Naye, Pauls Aye.

Mr. Barry explained a situation relating to Goodwin Creek Road. He stated that an agreement was made between the previous Board and the Magnolia Landing Development Company to design, permit and pave a road leading from Bayloop road into the development; approximately one-third of a mile. Both parties agreed to share the costs of paving, however, the agreement expired in 2002. Mr. Barry explained that a right-of-way problem does exist. There is currently a 33-foot right-of-way between the entrance of Bayloop Road and the entrance to Magnolia Landing Estates. Mr. Barry presented several options for handling the problem. He recommended adding the project to the road-paving list and pave it when it appears in order of priority.

Mr. Underwood explained the background relating to this project and stated that the county had previously agreed to pave the road, but it was forgotten about during the transition of the Public Works Director.

Commissioner Cuchens stated that he was told the right-of-way problems were previously settled. The current problem is that all of the runoff drains onto one lady's property. He stated that the county has been given permission to use the retention pond next door. Commissioner Cuchens stated that the road is only one-third of a mile and should have already been paved. Commissioner Pauls agreed that the road should have been paved, however, it needs to be done properly and with the proper right-of-way.

Commissioner Cuchens also advised that the funds are no longer available from the development for paving. Mr. Barry stated that the cost of the project is estimated at

\$131,000.00 and could be less if the county performs the work. Mr. Underwood asked that information be brought back to the Board for review.

Mr. Barry presented his recommendation for increased road paving along with costs and possible funding sources. The 2003/04 list are roads that designs and permits are complete along with the estimated construction cost. He also presented several funding sources that could be used for obtaining \$40 million for paving of the listed roads. The following options were presented: bonding, short-term financing, short-term bonding, or pay-as-you-go. Mr. Barry requested direction from the Board.

Chairman Jones stated that he would prefer the accelerated pay-as-you-go option. Bonding could be considered later, once this process is underway. Chairman Jones stated that he supports that method as a way of getting started. Commissioner Rees also agreed.

Commissioner Cuchens asked Mr. Imfeld about the best possible options regarding long-range/short-term bonding. Mr. Imfeld stated that one concern with acquiring short-term bonding is that data will soon be available from the Mack Bayou Study. He felt that the county should avoid a short-term bonding issue and then need another bond upon completion of the study. He stated that it would be better to wait until all of the data is available to determine all of the projects that need bonding, and then it can be done at one time.

Commissioner Cuchens questioned where the funding would come from for the accelerated paving plan. Mr. Imfeld stated that it is a combination of the existing local option gas tax; additional monies are coming in from the termination of the Lucky 13 bond issue, Ad Valorem tax and the constitutional gas tax. Revenues from the Landfill can also be devoted to infrastructure. Mr. Imfeld stated that there is currently \$3 million

in the paving budget. He advised that funding is available at 1.29% from the Florida Association of Counties, but is limited to a time frame of five-years.

Discussion was held regarding bidding the paving projects out. Commissioner Pauls explained that this was done in the past, but the work was never performed because of right-of-way issues. Mr. Underwood suggested looking at this in segments. He recommended selecting certain roads for each commissioner. He suggested paving the roads in small segments. Mr. Barry stated that he would gather the necessary information and present it back to the Board.

Mr. Barry presented a request to purchase base seal material for road preparation in the amount of \$55,000.00.

Motion by Commissioner Pauls, second by Commissioner Rees to approve the purchase of base seal material in the amount of \$55,000.00. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Attorney Vorbeck presented information from the law offices of Becker & Poliakoff, P.A. regarding a complaint that was brought against the county for workman's compensation premiums that were not paid. Upon completion of the audit, it showed that \$80,000.00 in premiums was not paid. They have agreed to settle for \$60,000.00. Mr. Gary Mattison, Human Resources Director, explained that the insurance company at that time was Governmental Risk Insurance Trust (GRIT), who has since filed for Chapter 11 bankruptcy. He stated that after the bankruptcy is complete the county is hoping to receive back about \$180,000.00.

Motion by Commissioner Rees, second by Commissioner Cuchens to approve payment in the amount of \$60,000.00 for past premiums owed to GRIT. Ayes 5, Nays 0.

Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye. Mr. Vorbeck thanked Mr. Albert Milton for his cooperation in this matter.

Mr. Ronnie Bell, Emergency Response Director, appeared before the commissioners to present his departmental information. Commissioner Cuchens questioned Mr. Bell regarding the issue relating to drainage problems on Goodwin Road. Mr. Bell stated that when he left the position of Public Works Director they were still attempting to obtain the necessary right-of-way.

Mr. Bell presented a Memorandum of Understanding between Walton County EMS and the City of DeFuniak Springs Fire Department. DeFuniak Springs has already approved the Memorandum.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve the Memorandum between Walton County EMS and the City of DeFuniak Springs as requested. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell presented a letter and resolution previously adopted by Gulf County regarding a Federal Disaster Declaration. Mr. Bell recommended that Walton County adopt a similar resolution regarding dirt roads because FEMA no longer includes dirt roads in their disaster assessment. Mr. Bell stated that he would also like to add public beaches in the resolution. Commissioner Pauls agreed that a resolution of this nature is needed. Erosion becomes a critical issue during a storm.

Motion by Commissioner Pauls, second by Commissioner Rees to accept Mr. Bell's recommendation, in addition to the recommended changes, and adopt a resolution

regarding Federal Disaster. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell requested authorization to apply for the Wireless 911 Rural County Grant in the amount of \$80,000.00 for the public safety answering point (PSAP). The grant requires no matching funds. The purchase of this equipment was budgeted, however, if the grant is obtained, the budgeted funds could be put back in the budget.

Motion by Commissioner Pridgen, second by Commissioner Pauls to approve for Mr. Bell to submit application for the grant. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell presented an agreement between the State of Florida and the Division of Emergency Management for Walton County to develop a county terrorism annex plan. The Comprehensive Emergency Management Plan (CEMP) now requires this plan. Each county is funded \$25,000.00 to develop this plan.

Motion by Commissioner Pridgen, second by Commissioner Rees to approve the agreement with the State of Florida to proceed with developing the terrorism annex plan. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell presented his monthly Division Report for review by the commissioners.

Mr. Bell advised the Board on Mrs. Melissa Beasley's health conditions. Mrs. Beasley, Supervisor of Elections, has recently been diagnosed with Leukemia and is in need of blood donations. He informed the Board that a blood drive has been set up for March 6th and requested the commissioner's support by allowing employees to be able to donate blood during work hours if they need additional time to do so. The Board concurred.

Mr. Bell presented the Annual Animal Control Report for review.

Ms. Lynda Morse stated that she spoke with Mr. Bell, Mr. Little and Mr. Alford from the MIS Department. They were in agreement that a link could be added to the county's website if the Board agreed to do so.

Mr. Mike Lane, Planning Director, presented the Strategic Plan and a progress report for the Planning/Zoning Department. He briefly reviewed the progress report stating that he has met with Kimley-Horn to discuss the contract and scope of work for the Comprehensive Plan update. He also stated that the Mack Bayou Study is progressing well. Mr. Lane advised that a new Senior Planner, Carl Hammons, will begin work this week. Mr. Underwood advised that the Mack Bayou Sector Study Meeting will be held March 20th.

Commissioner Pauls commented that the Planning Department has made progress and is doing a great job. He questioned Mr. Lane regarding the phone lines and if phone calls were getting through any better. Mr. Lane stated that there are currently six lines in their department, all of which roll over to the next available line. He stated that a permanent position is needed for the switchboard. Mr. Underwood commented that they are working to improve the communications problems at the north end office. He also stated that they are researching the possibility of installing an electronic directory in the lobby of the South Walton Courthouse Annex to assist people. Mr. Mattison explained that many people go to the reception desk located in the front lobby and wait for someone to help them; therefore he recommended moving the desk. He also explained that a switchboard position in the Planning Department was not budgeted. Commissioner Cuchens stated that a permanent switchboard/receptionist is needed in the Planning

Department. Mr. Mattison stated that he would work with Mr. Imfeld regarding budgeting for that position and report back to the Board. It was the consensus of the commissioners to fill the switchboard/receptionist for the Planning Department.

Mr. Mattison presented the activity report for his department. Mr. Mattison informed the Board that the county now has 150 days without any loss time accidents.

Mr. Underwood announced that the members have been selected for the Impact Fee Task Force. The following individuals were selected: District 1 - Ron Pugh, Maurice Gilbert and Albert Butler; District 2 – Gus Andrews, Butch Lawrence and Jimmy Burgess; District 3 – Malcolm Patterson, Pam Tedesco, Jim Anders, alternate – Lloyd Blue; District 4 – Ricky Rookis, Arthur Petrey and Ronnie Brannon; District 5 – Britt Green, Mike Flynt and Tom McGee, alternate – Tom Powell.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to accept the nominations to the Impact Fee Task Force. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Underwood stated that negotiations have been held with Kimley Horn, the firm who will be updating the Comprehensive Plan. The contract has been prepared and they have submitted cost estimates for various tasks that have to be completed. Mr. Underwood advised the Board that it would work better if the commissioner's were involved as part of the panel during the public hearing process to be better informed. The Board concurred. The contract amount is \$181,000.00.

Mr. John Sewell, Kimley-Horn, addressed the commissioners regarding the process and stated that there will be a series of meetings held and have been scheduled on the fourth Monday night of each month.

Commissioner Pauls requested the Board consider approving the contract with Kimley-Horn including Task 9, Future Land Use Map, because of its importance.

Motion by Commissioner Pauls, second by Commissioner Rees to approve the contract with Kimley-Horn, including Task 9. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Commissioner Rees requested to schedule a public hearing on April 8th to discuss the Noise Ordinance with Mr. Eric Zwerling. The Board concurred.

Commissioner Rees announced that the tourism industry was up 27.42% for December and over 19% for 2002.

Commissioner Pridgen and Chairman Jones did not present any items for discussion.

Commissioner Cuchens advised the Board that he has had several requests from the volunteer fire departments that would like to acquire some of the Sheriff's Department surplus vehicles. Mr. Underwood stated that the cars belong to the Sheriff and it would be his decision. Staff will discuss the issue with the Sheriff and report back to the Board.

Commissioner Cuchens stated that he would like to see President's Day be added to the list of county holidays. He felt that it would be an appropriate day to celebrate.

Motion by Commissioner Cuchens, second by Commissioner Rees to observe President's Day as a county holiday. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Commissioner Cuchens questioned the Board about the dips in Highway 331 in front of the Governmental Education Center. The Board stated that DOT has just recently

paved that road and agreed that the road should be repaired. The Board asked Mr. Bell to follow up with D.O.T.

Commissioner Cuchens also advised the Board that the budget for the Florida Shell Fish Industry is almost being depleted. He stated that our area depends on the Shell Fish Industry and stated that he would like to adopt a resolution in support of saving the funding. The Board concurred to draft a resolution for review.

Commissioner Cuchens questioned when construction would begin on CR 3280. Mr. Underwood advised that the contract has been drafted and has already been sent to the contractor. Once he approves it the contractor has 60 days to commence work. Commissioner Cuchens requested staff to follow up with the contractor.

Commissioner Pauls announced that the 30-A Scenic Corridor Advocacy Group is continuing to meet and is in the final stages of being able to complete the letter of intent to DOT. He also stated that he would like to review the Beach Ordinance as soon as it is ready.

Mr. Bell advised the Board that he spoke with Mr. Jimmy Rogers, DOT, who stated that he would look into the issue relating to the dips in Highway 331. He will report back.

There being no further business, the meeting was adjourned at 11:10 a.m.

APPROVED: _____
Larry D. Jones, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court