

AUGUST 12, 2003 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, August 12, 2003 at 4:00 p.m. in Courtroom A of the Walton County Courthouse.

The following Board members were present: Larry Jones, Chairman, Commissioner Lane Rees, Commissioner Kenneth Pridgen, and Commissioner Ro Cuchens. Mr. Michael Underwood, County Administrator, and Attorney Gary Vorbeck, Director of Legal Services, were also present.

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

Chairman Jones presented the consent agenda consisting of the following items:

1. EAL Approval

General Fund	\$ 1,125,043.15
County Transportation	\$ 693,356.99
Fine & Forfeiture	\$ 740,644.53
Mosquito Control State	\$ 2,948.20
Section 8 Housing	\$ 140,084.88
N.W. Mosquito Control	\$ 6,302.33
W. Co. Library	\$ 27,158.20
Recreation Plat Fee	\$ 20,485.86
Solid Waste Enterprise	\$ 254,433.51
Mossy Head VFD	\$ 621.10
Glendale VFD	\$ 218.03
Darlington VFD	\$ 2,344.33
Liberty VFD	\$ 7,070.85
Red Bay VFD	\$ 1,432.60
Local Option Gas Tax	\$ 305,029.69
Capital Projects Fund	\$ 404,295.55
SHIP	\$ 8,189.00
Tourist Dev. Council	\$ 370,942.19
Mott Sign Grant	\$ -

Debt Service Hospital		
Spec. Law Enforcement	\$	-
Driftwood Debt Service	\$	-

2. Approve Minutes of July 9, 2003-Budget Workshop
July 22, 2003-Regular Meeting
July 28, 2003-Joint Meeting
3. Disposal Request of Equipment from the Clerk's Office
4. Surplus Request of Office Equipment from the Clerk's Office
5. Approve Resolution to Amend the Budget for Unanticipated Grant Revenues for the Wireless 9-1-1 Grant (2003-54)
6. Disposal Request of Equipment from District 3
7. Approve Resolution to Amend the Budget for Unanticipated Grant Revenues for the Urban Stormwater Retrofit Project for the Holiday Shores Grant (2003-55)
8. Approve the Small County Agreement for the Landfill
9. Surplus Request of Equipment from the Clerk's Office
10. Advertise for a Public Hearing on September 9, 2003 to Consider a Parking Ordinance

Motion by Commissioner Pridgen, second by Commissioner Rees to approve the consent agenda as presented. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Dan Arner, County Engineer, appeared before the commissioners on behalf of Mr. Russ Barry, Public Works Director. Mr. Arner requested to realign the Public Works budget. He stated that there is a safety issue at the intersection of CR 3280 and SRA 331. C.W. Roberts has submitted a proposal in the amount of \$131,665.00 for repairs to that intersection. He also stated that the Public Works Department is attempting to address pedestrian and vehicle safety on Scenic Gulf Drive.

Motion by Commissioner Rees, second by Commissioner Pridgen to approve to realign \$200,000.00 in the Public Works budget from their contingency line item. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Arner presented a request on behalf of Back Forty Timber asking the county for permission to use, on a temporary basis, a parcel of land south of the county's clay pit on McKinnon Bridge Road. He felt that permission would also need to be granted from David Kramer, who owns some of the land being accessed. Mr. Arner recommended that a pre-assessment of the road be completed and that they be required to obtain a bond to cover any damages that might occur.

Motion by Commissioner Rees, second by Commissioner Cuchens to approve the Chairman's signature on a contract once it's drafted by Legal Services allowing Back Forty Timber temporary access across county property on McKinnon Bridge Road. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Arner presented a request from the Northwest Florida Water Management District asking the county to provide the equipment and manpower to clear an approximate 1100 foot long, 25 foot wide roadway immediately to the east of Tilly Landing. The work includes the dewatering of a 360-foot stretch of the road. The road will be open to the public. The Board felt that additional information is needed before making a decision.

Mr. Arner presented a request to re-stripe Scenic Gulf Drive. Public Works has recommended that the entire length of the road be marked as a "No Passing Zone" due to the high volume of traffic and speeding issues.

Motion by Commissioner Rees, second by Commissioner Cuchens to approve the request by Public Works to re-stripe Scenic Gulf Drive for safety reasons. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Arner requested the Board approve the low bid in the amount of \$74,625.00 from C.W. Roberts for the extension of the turn lane on Highway 98 at Poinciana Drive. C.W. Roberts submitted the only responsive bid. This expenditure is accounted for within the grant revenues.

Motion by Commissioner Rees, second by Cuchens to award the low bid to C.W. Roberts in the amount of \$74,625.00 for the extension of the turn lane on Highway 98 at Poinciana Drive. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Imfeld presented a proposed resolution amending the budget to recognize the remaining \$65,000.00 of grant allocated for the Poinciana Traffic Light in addition to \$70,000.00 for paving of the turn land and ancillary costs.

Motion by Commissioner Rees, second by Commissioner Pridgen to adopt a resolution (2003-56) approving a budget amendment as stated to cover costs related to the Poinciana Traffic Light. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Dan Arner, County Engineer, advised that the Landfill has requested to purchase a loader instead of the dozier. He explained that the price of the dozier was higher than budgeted and therefore requested to purchase the loader, which costs \$80,376.83 and is less than the dozier.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to approve the purchase of a loader at the state contract price of \$80,376.83 from Nortrax. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Underwood presented amendment request No. 2 to the contract with 2WR Holmes/Wilkins Architects, Inc. for the Walton County Jail/Courthouse traffic study. The

City of DeFuniak Springs required the study prior to proceeding with any new construction at these locations. Mr. Underwood stated that the cost of the study performed is \$13,500.00 and requested the Board approve payment.

Motion by Commissioner Pridgen, second by Commissioner Rees to approve payment in the amount of \$13,500.00 and amendment No. 2 to the 2WR Holmes/Wilkins Architects, Inc. contract. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Donald Shumpert appeared before the Board regarding the condition of Senterfitt and Ezra Brannon Roads. Mr. Shumpert stated that he has requested assistance from the county, but has not received any. The Board asked Mr. Underwood to discuss the issue with Mr. Barry.

Mr. Arner, Randy Lingerfelt, Foreman, Paul Cich, Assistant Foreman, addressed the Board regarding Mr. Shumpert's concerns and stated that they have spoken with him and have visited the site many times. Mr. Arner stated that there are right-of-way and wetlands issues on these roads that have not been resolved.

Mr. Lingerfelt explained the steps that his crews have taken to correct the problem. However, it has not satisfied Mr. Shumpert. Mr. Cich stated that he too has communicated with Mr. Shumpert to address the problems.

Mr. Ken Little, Citizens Service Director, advised that the SHIP Housing Partnership Committee discussed a forgiveness policy for those applicants deemed eligible to receive a Deferred Payment Loan for substantial rehabilitation activities. Most rehabilitation projects have a life span of ten to fifteen years. He stated that the current policy requires that the loan must be repaid when the house is either sold, rented, leased,

or the unit is no longer utilized as the homeowner's principal residence. Mr. Little stated that the SHIP Committee is recommending that the time period be reduced to twelve years.

Motion by Commissioner Cuchens, second by Commissioner Rees to adopt a resolution (2003-57) approving the request by the SHIP Housing Partnership Committee to change the forgiveness policy from 15 years to 12 years. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Little presented a subordination request on behalf of Mr. Lewis R. Lindsey Jr., who is refinancing his home. Mr. Little stated that Mr. Lindsey received \$5,000.00 through the First-Time Home-Buyers Program. He advised that the recommendation of the SHIP Partners Committee was not to subordinate the loan at this time.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to accept the recommendation of the SHIP Committee and not approve subordinating the loan at the present time. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Little requested the appointment of Mr. Joseph Burton to the Contractor's Competency Board in place of Mr. Aaron Bradshaw.

Motion by Commissioner Rees, second by Commissioner Pridgen to approve the appointment of Mr. Joseph Burton to the Contractor's Competency Board. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Little requested approval to advertise for RFP's for the Single-family Revenue Mortgage Bonds. He also asked that RFP's be drafted to provide for a three-year term.

The Board agreed to allow Purchasing to draft the RFP for the Single-family Revenue Mortgage Bond Program, including a service period of three-years, for advertisement.

Mr. Bell presented for consideration, an agreement between the Florida Department of Community Affairs and Walton County, for an update of the Hazards Analysis data for Walton County. In-house staff performs the analysis and the county would receive \$5,047.00 upon its completion.

Motion by Commissioner Pridgen, second by Commissioner Cuchens to approve the agreement with DCA for the analysis. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Bell presented the Continuity of Operations (COOP)/Terrorism Annex Agreement, between DCA and the County, containing a modification to extend the termination date. Staff recommended approval of the modification.

Motion by Commissioner Rees, second by Commissioner Pridgen to approve the modification to the Continuity of Operations Terrorism Annex Agreement with DCA. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Bell explained to the Board that Dr. Ruben Garcia is the current Medical Director for Walton County and is presently covered under the County's liability insurance. However, in the past, he was not. Mr. Bell recommended that the County pay for an attorney to represent Dr. Garcia for any lawsuits involving Walton County EMS, while he was the Medical Director before the existing contract was signed.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to accept Mr. Bell's recommendation that Legal Services designate an attorney to represent Dr.

Garcia in any litigation involving Walton County EMS and that the County pay for the services of the attorney appointed to represent him. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Bell presented the Joint Funding Agreement between U.S. Geological Survey, United States Department of the Interior and Walton County requesting to continue the program of hydrologic data collection on the Choctawhatchee River near Bruce and the Shoal River in Mossy Head. The funds to pay Walton County's share is paid from the Emergency Management Trust Grant.

Motion by Commissioner Pridgen, second by Commissioner Rees to approve the agreement with the U.S. Geological Survey for hydrologic data collection as stated. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Lamar Sikes appeared before the commissioners regarding the proposed ferry service. Mr. Sikes presented maps showing the location of the ferry. He stated that there were still questions being asked, but he is still willing to work with the community. He also agreed that he would not put any asphalt or concrete plant on the north side of the canal.

Discussion followed regarding the condition of the roads and the possibility of placing a weight limit on them. Concerns were voiced regarding St. Joe's use of the road by their logging trucks. Mr. Sikes stated that he would consider leasing the ferry to the county or to the community.

Mr. Mike Brown, Bunker resident, addressed the commissioners voicing his concerns. One concern being the condition of the roads. A second concern he discussed related to whether Mr. Sikes would be issued a license or a franchise. He also questioned

who owns the property at the ferry landing, rates for usage, and the application process that Mr. Sikes would be required to go through. The Commissioners instructed staff to draft a franchise agreement for review and comments.

Attorney Clayton Adkison appeared before the Board requesting that Daughtery Road be adopted as a county maintained road. He advised that it has been maintained for many years. (Commissioner Rees stepped out)

Motion by Commissioner Cuchens, second by Commissioner Pridgen to add Daughtery Road to the county's maintained road list. Ayes 3, Nays 0. Pridgen Aye, Jones Aye, Cuchens Aye.

Mrs. Charlene Rushing appeared before the commissioners representing the residents of Paradise Island. She spoke about flooding problems that they are experiencing. Mrs. Rushing stated that all of the surrounding lakes are higher and therefore flow into Kings Lake, causing the flooding problems. She voiced concerns that the spillway might break, causing the lake to drain. (Commissioner Rees returned)

Mr. Arner presented information from Mr. Matt Zinke, Public Works, regarding the history of the dam and the county's past participation in paving over the spillway. Mr. Zinke voiced concerns with the liability the county would take on if it were to replace the pipe and the dam were to fail. However, after discussion, it was decided that the county could lower the road in the location of the emergency spillway and repave that portion of road. Mr. Zinke, along with Mr. Rick Tooke, Surveyor, has physically obtained data regarding elevations. Mr. Arner estimated that it would cost \$200,000.00 to make the necessary repairs. He therefore recommended that the homeowners adjacent to the lake

either form a homeowners association or a MSBU to generate the funds necessary to correct the problems.

Chairman Jones questioned the possibility of lowering the spillway. Mr. Arner stated that it could be. Attorney Vorbeck stated that the county could perform the work as long as it is determined that it serves a public purpose. The commissioners felt that this road does serve a public purpose. Mr. Arner stated that he could prepare the projected costs for lowering the road over the spillway and present it back to the Board at the next meeting.

Mr. John T. Lewis, resident of Paradise Island, stated that the road level use to be lower and the island never flooded. The Board concurred that Public Works should proceed with the necessary steps to lower the spillway at Paradise Island.

Mr. James Rushing addressed the Board regarding the need to resurface Paradise Island Road. He also stated that Kings Lake Road is in desperate need of being repaved from Highway 331 to Paradise Island Road.

The Commissioners recessed briefly.

Mr. Herman Chrishon, resident of Walton County, addressed the Board. He spoke in opposition to the hiring of out-of-county contractors and employees. Mr. Chrishon feels that the residents of Walton County should be hired to fill vacant positions that become available. He stated that the County is losing money by hiring out-of-county employees. Mr. Chrishon also spoke about the number of minorities that are employed for Walton County. He stated that out of 416 County employees, 19 of them are of minority races. Mr. Chrishon said that all he is asking for is a fair share.

Mr. G. Earl Garner, President of Child Safety Shelters, Inc., addressed the Board concerning a program for school bus shelters. Mr. Garner provided information to the Commissioners in regards to a meeting with the School Board. He stated that the School Board has given their approval of the program to provide shelters for the school bus children on approved county highways. Commissioner Rees asked Mike Lane, Planning Director, if the approval of this program would meet the Scenic Corridor guidelines. Staff was directed to further review the program in regards to safety issues and the Scenic Corridor guidelines.

Mr. Gary Mattison, Human Resources Director, requested that the second hearing of the Compensation Plan be continued for additional language. Mr. Mattison spoke about the number of new positions requested for the next year. He stated that the number of new positions requested has decreased from 28 to 11. The Board expressed their appreciation to Mr. Mattison for the hard work and progress concerning this matter.

Mr. Mattison responded to the comments made by Mr. Chrison. He stated that a previous report showed that 91% of the County employees were residents of Walton County. Mr. Mattison has worked with the community leaders to receive their input.

Attorney Mary Kramer addressed the Board concerning a Purchase and Sale Agreement with the Palms of Dune Allen. Attorney Vorbeck submitted a draft of the agreement and requested the Board's approval to allow the Chairman to sign the agreement.

Motion by Commissioner Cuchens, second by Commissioner Rees, to approve the agreement and authorize the Chairman to sign the agreement. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Attorney Vorbeck submitted a draft of the Stipulated Settlement Agreement with the Department of Community Affairs. Mr. Vorbeck reviewed the changes that were approved by the Board and agreed to by the DCA. He requested that a time be scheduled to hold a Public Hearing in regards to the agreement.

Motion by Commissioner Rees, second by Commissioner Pridgen, to set a Public Hearing for the Stipulated Settlement Agreement on August 26, 2003. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Attorney Vorbeck presented for review a proposed ordinance drafted by Mr. Imfeld. The ordinance would allow the authorized purchasing authority of the County to give preference to local contractors, in an amount of two percent of the bid price, not to exceed \$10,000.00. The Board expressed their appreciation to Mr. Imfeld for his time and efforts.

Attorney Vorbeck stated that he had heard that the Judge signed the order on Watkins. This would release the County of projects with no bid price, but would not be a complete settlement with Watkins.

Mr. Underwood, on behalf of Vice-Chairman Tim Pauls, requested that another Commissioner be selected to serve on the Workforce Development Board. Mr. Pauls is unable to attend the meetings because of conflict. Commissioner Kenneth Pridgen was appointed to serve in the place of Mr. Pauls on the Board.

Mr. Underwood stated that three Commissioners would need to be appointed as members of the Value of Adjustment Board. The suggested dates of the VAB Meeting are scheduled for October 6th and 7th with the October 13th as an alternative date, as required.

Motion by Commissioner Rees, second by Commissioner Pridgen, to appoint Commissioner Cuchens, Commissioner Pridgen, and Commissioner Pauls as members of the Value of Adjustment Board and to approve the dates set for the VAB Meeting. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Commissioner Rees spoke in tribute to Bob Hope. He proudly announced the promotion of Walter Anderson as NFL Head Referee, Rees' brother-in-law and native of Walton County. Commissioner Rees commended Mr. Dewey Wilson for working with Mr. Bob Mitchell, Operations Manager, and Mr. Roberts, President of Inlet Beach, in regards to the sewer in Inlet Beach. Mr. Rees stated that they have all met on several occasions to discuss the issue.

Mr. Wilson stated that the Environmental Protection Agency has become more stringent on water and sewer companies. The EPA will not permit lift stations at Inlet Beach unless they have full backup power pumps and staff to maintain them. Mr. Wilson briefly discussed the process of installation of a sewer system throughout Inlet Beach. He requested that the Board allow him to present his proposal at a later date. It was agreed that Mr. Wilson would make his presentation on August 26, 2003.

Commissioner Pridgen addressed the Board concerning a request for approval on a lease agreement between Walton County and the School Board on approximately 2.75 acres located in the town of Gaskin. This would be a 30-year lease at a fee of \$1.00 per year.

Motion by Commissioner Pridgen, second by Commissioner Rees, to approve a lease agreement between Walton County and the School Board. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Mr. Don Chambers, resident of Inlet Beach, stated that Mr. Roberts has said that Inlet Beach doesn't have sufficient funds to install a sewer system. The Board explained that Mr. Wilson would present his proposal at the meeting on August 26th. Mr. Mike Parsonette questioned if the hook-up costs will be addressed in Mr. Wilson's presentation. The Board stated that all concerns would be addressed.

Commissioner Pridgen requested the Board's approval to apply for a grant, in the amount of \$200,000.00, from the Florida Recreation Development Assistance Program to design and construct a small park in Gaskin, Florida.

Motion by Commissioner Pridgen, second by Commissioner Rees, to approve the request to apply for grant money, \$200,000.00, from FRDAP to design and construct the park. Ayes 4, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye.

Chairman Jones requested that the Commissioners review the report from Baskerville-Donavan in regards to the Industrial Park located in Mossy Head. He stated that there are several situations, which will require attention as the Board tries to move forward with the development of the area.

Mrs. Lynda Morse questioned a previous vote from the Board to build and furnish an animal facility. Chairman Jones stated that request for proposals went out and are now being reviewed.

There being no further business, the meeting was adjourned at 7:00 p.m.

APPROVED: _____
Larry D. Jones, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court