

JULY 27, 2004 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, July 27, 2004 at 8:00 a.m. in Courtroom B of the Walton County Courthouse.

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

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

The consent agenda was presented consisting of the following items:

1. EAL Approval	
General Fund	\$ 542,131.98
County Transportation	\$ 1,051,359.59
SHIP	\$ 29,219.00
Fine & Forfeiture	\$ 67,059.71
Debt Service Hospital	\$ 214,340.00
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 293.30
Tourist Dev. Council	\$ 78,108.23
N.W. Mosquito Control	\$ 3,288.52
W. Co. Library	\$ 13,681.58
Recreation Plat Fee	\$ 22.60
Public Safety- 911	\$ 11,104.82
Solid Waste Enterprise	\$ 250,723.99
Mossy Head VFD	\$ 5,524.23
Glendale VFD	\$ 3,774.09
Darlington VFD	\$ 46,602.80
Red Bay VFD	\$ 7,636.87

Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	5,000.00
Driftwood Debt Service	\$	625.00
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	25,642.90
Capital Projects Fund	\$	43.30
Imperial Lakes MSBU	\$	30,387.13
Totals	\$	2,386,569.64

2. Approve minutes of June 29, 2004 – Regular Meeting
July 07, 2004 – Budget Hearing
3. Surplus Equipment
4. Resolution for Solid Waste Landfill
5. Records Disposition Request
6. Increase Fixed Asset Threshold

Motion by Commissioner Pauls, second by Commissioner Cuchens to approve the consent agenda as presented. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

The Division Activity Updates were presented for review. Commissioner Rees asked Mr. Barry for an update on the coastal dune lake permit. Mr. Barry stated that Walton County is working to obtain the necessary permits of the four coastal dune lakes. He stated that DEP has asked the county to catalog all of the vegetation around the four lakes. The county has responded and supplied the requested information. The county is continuing to communicate with DEP and has requested an update from them, which should be presented in August. He urged the commissioners to contact DEP. Commissioner Rees stated that he has contacted DEP and asked if there was further action the Board could take.

Mr. Marvin Collier requested approval of an invoice for clearing the lot at 5th and Sloss Avenue. He stated that it was originally a separate contract to construct the parking

lot, which was not accepted. The lot has now been cleared and will be constructed as a parking lot at a later date.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve payment of the invoice in the amount of \$42,576.00 for clearing of the lot. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Collier presented a change order request to the jail contract reducing the amount of the contract by \$147,379.08. He presented a list of the proposed change order showing in detail each change. Mr. Collier further explained that they have added a jail entry tower and Kynar Finish 24 gauge roof panels. He stated that he is removing the items under #12 until a later time.

Motion by Commissioner Pauls, second by Commissioner Pridgen to approve the change orders to the jail contract. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye. He stated that the courthouse is ahead of schedule and the jail is on schedule.

Mr. Collier explained that at the time the EOC building contract was awarded the exhaust fan and lighting was not part of the contract. He explained the need for them and requested approval to add it at this time. The total change is \$31,500.00.

Motion by Commissioner Cuchens, second by Commissioner Cuchens to approve the change order to the EOC building contract. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye. Parking lot improvements will be made by adding gravel.

Mr. Collier stated that the parking lot modifications would be discussed at a later time.

Mr. Don Crim asked if the other metal building would be used. Mr. Bell stated that they have proposed for it to be constructed at the landfill.

Mr. Collier requested approval to provide a threshold inspector for both the jail and the courthouse projects. He presented the low bid, submitted by Hatch Mott MacDonald, in the amount of \$98,000. He explained that this is an independent inspector who inspects every phase of each project. Mr. Collier explained the required qualifications for the inspector. Mr. Bell questioned the competitive negotiations act and if it should be bid out. The board agreed to address this issue further.

Mr. Gary Mattison, Human Resource Director, appeared before the Board and presented the revised Dress Code Policy. Commissioner Cuchens questioned the wearing of uniform shorts. Mr. Mattison stated that he spoke with the insurance company and they feel that it would place the county at a higher risk due to more exposure. Commissioner Rees questioned the language of the policy regarding the wearing of jewelry and whether it is designed for safety or for appearance.

Motion by Commissioner Cuchens, second by Commissioner Rees to approve the Dress Code Policy as presented. Ayes 5, Nayes 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Mattison presented information relating to the county's health insurance. He stated that the majority of employees are under the HMO Plan. He stated that there will be a 28% increase if the current plan is left in place. He stated that an insurance committee has considered several options to keep the costs down. One option the committee considered was to eliminate the HMO Plan. One problem is that there is a reduction in participating physicians. The HMO plan is the favored plan by employees

due to a \$500 deductible under the PPO Plan. He stated that the committee would like to consider an alternative that only creates a 21% increase. BCBS is willing to lock into the 21% rate with some changes. The other alternative was to eliminate the HMO, and retain the PPO Plan, which would create only a 13% increase. He stated that if the Board chose this option then they could advertise for quotes to see what options are available. This could be done by January 1, 2005. He stated that BCBS would also have the option to bid. Commissioner Pauls commented that if the county paid the increase for the employees under the PPO Plan that it would still cost less than the 28% increase. He stated that the county needs to consider the best alternatives for providing adequate health care services. Chairman Jones suggested allowing it to remain as it is, with the 28% increase until January, when all other options can be considered. The Board agreed to leave the health insurance as it is while researching other alternatives. Ms. Ingle asked the Board to consider that the Constitutional Officers have budgeted for the current rates with some allowance for increases, but not that much of an increase. Commissioner Pauls spoke about increases in health care and indigent care.

Mr. Chuck Parker addressed the Board regarding a construction problem at his home. A county building inspector visited the site and the agreed that it is the fault of the contractor. The contractor has failed to respond to the problem. Mr. Billy Bearden stated that the contractor is State certified. He said that he contacted the contractor out of courtesy and he agreed to correct the problem. Commissioner Pauls stated that this is not under the jurisdiction of the county since he is a State contractor. Chairman Jones stated that this is a warranty issue because the Certificate of Occupancy had already been issued. Commissioner Cuchens asked if the county could send a letter requesting the

contractor correct the problem. The Board directed Mr. Parker to address the issue with DBPR. Mr. Bearden agreed to submit a letter to the contractor out of courtesy.

Mr. Frank Williams appeared before the Board regarding a lot split on Bay Grove Road. He stated that he purchased a lot with the intentions of splitting the lot to build on one portion of it. He stated that the original deed showed the property was two separate lots. Commissioner Pauls recommended that Mr. Lane review the information presented by Mr. Williams. Mr. Williams will meet with Mr. Lane to discuss the issue.

Mr. Chrishon, scheduled on the agenda, was not present.

Mr. Russ Barry, Public Works Director, appeared before the board requesting approval to perform work on private property. He stated that a pond, located on Thompson Road, has been filling with silt from the county's right-of-way. He is asking to be allowed to remove the silt. He stated that he would accept quotes for the work, which is estimated at \$5,000 to \$7,000. Commissioner Pauls voiced concern with numerous locations in the county that have the same problem. He questioned what steps would be taken to prevent this problem from occurring again. Mr. Barry stated that they are seeking an easement to put in an inlet box allowing the silt to settle in the box before entering the pond.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to approve Mr. Barry's request to work on the Thompson property to correct the problem. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry removed the proposed LDC changes for discussion. This issue will be addressed at a later time.

Mr. Barry presented a change order request for J.D. Miller Road. The item is for the removal of unsuitable materials. There was a total of 1,751 cubic yards removed and replaced with clean fill. This created an increase in the contract in the amount of \$78,795.00.

Motion by Commissioner Cuchens, second by Commissioner Pauls to approve the change in the amount of \$78,795.00. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Commissioner Rees asked Mr. Barry for an update relating to the white sand protection. The LDC states that the County Engineer will not allow sand that will discolor the existing sand. He further stated that they are trying to develop a chart to use as a guideline. This will be presented at a later date.

Mr. Barry presented a change order for Boy Scout Road. The change increased the contract in the amount of \$17,015.16.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to approve the change order for Boy Scout Road. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Barry requested a change to the road paving list. He stated that Public Works is unable to obtain sufficient right-of-way to complete the paving of South Long Road and asked to replace it with CR 1883 North. He stated that work could begin on CR 1883 within 2-3 weeks.

Motion by Commissioner Pridgen, second by Commissioner Cuchens to approve replacing South Long Road with CR 1883 North on the road paving list. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Mr. Ed Baltzley, Interim Emergency Response Director, appeared before the commissioners advising that they have received three grants dealing with Homeland Security. Mr. Baltzley recommended approval and acceptance of the contract and funds.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to adopt a resolution (2004-50) approving and accepting funds from the EOC Enhancement Grant in the amount of \$13,869.00. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Motion by Commissioner Pridgen, second by Commissioner Cuchens to approve and accept funds from the Local Exercises Grant in the amount of \$8,510.00 (Resolution 2004-50). Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Motion by Commissioner Pridgen, second by Commissioner Cuchens to approve and accept funds from the All Discipline Training Grant in the amount of \$8,075.00 (Resolution 2004-50). Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Ms. Montée Posey, Parks and Recreation, appeared before the Board requesting approval of usage forms for the facilities at Freeport Middle School and Paxton High School for the soccer program.

Motion by Commissioner Cuchens, second by Commissioner Rees to approve the Chair's signature on the usage forms as requested for the soccer program. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Willie O'Neal appeared before the Board regarding the possibility of installing sidewalks on Norwood Road. Commissioner Cuchens suggested that Mr. Barry contact Mr. Norwood to discuss the issue further.

The information relating to the TDC was pulled from the agenda.

Mr. Bell presented the Interlocal Agreement between the County and the City of Freeport relating to code enforcement. The services are being provided, but a written agreement is needed. He requested approval of the agreement.

Motion by Commissioner Cuchens, second by Commissioner Pridgen to approve the Interlocal Agreement with the City of Freeport for growth management services. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Mr. Bell presented information from DOT that they have revisited their decision regarding the installation of a traffic signal at the intersection at SR 30 (US 98) and CR 395. They have now decided that a traffic signal is warranted. Chairman Jones commented on the tragedy it has taken to warrant the light. Commissioner Pauls also spoke about the same type of situation occurring at Chat Holley. Commissioner Cuchens asked Mr. Bell to present this issue to the TCC Committee before the next TPO meeting and ask DOT if they can install the light at CR 395 now. Commissioner Pauls stated that the county might consider pursuing the installation and seeking reimbursement from DOT. Mr. Bell stated that the county could fund the installation of the light and the State could reimburse the county.

Mr. Bell reminded the Board of a request from Ms. Pat Carter who previously requested the county surplus land located off of German Club Road. She stated that she owns the property surrounding the lot. She requested the county surplus the land allowing her to bid on the property. Chairman Jones reminded the Board that the land was deeded to the county in lieu of an easement.

Motion by Commissioner Cuchens, second by Commissioner Pauls to approve to surplus the land and advertise it for sale. Ayes 5, Nays 0. Jones Aye, Rees Aye, Pauls Aye, Cuchens Aye, and Pridgen Aye.

Chairman Jones asked for a report on the ladies softball team. Mr. Bell stated that their score was 0-3 for the 11/12 year old girl's team from the county. He spoke about their hard work to make it to State playoffs and their competition. He also reported on the boy's team who also did well. The commissioners congratulated both teams.

Mr. Vorbeck spoke about the Inlet Beach Water System. Mr. Dewey Wilson stated that he met with Mr. Mitchell, the engineer, and the attorney for Inlet Beach. The proposal was that they would relinquish the area north of Highway 98 to Regional Utilities for sewer. They would keep the water north of 98 but would install sewer on the south side themselves. Regional Utilities would build a sewer pumping station and Inlet Beach would pay their pro-rata share, which should total approximately \$320,000 or \$140.00 per residential unit. Mr. Wilson stated that they have an agreement to provide up to 100,000 gallons of water per month. Mr. Vorbeck stated that Inlet Beach will have an annual meeting in August and wants to put the offer in writing. Mr. Wilson's intent was to sewer the whole area and Inlet Beach would then take over the south end. Mr. Wilson can add to the contract that Regional Utilities would install low pressure force mains throughout the south portion and allow Inlet Beach to repay them for the tap fees if they choose to maintain the south side. Mr. Vorbeck stated that allowing Regional Utilities to proceed with the work would accomplish the task, and then Inlet Beach could reimburse Regional Utilities. The contract is currently written that Inlet Beach would place sewer on the south side, but the contract can be changed at anytime. Commissioner Pauls stated

that Regional needs to put the sewer in on the south side also. Chairman Jones felt this is a step to move the project along. Mr. Wilson stated that he wants the contract to end by September 1 since bond monies are involved. The commissioners agreed to revise the contract stating that Regional Utilities would also install sewer on the south side and all necessary components. Inlet Beach would be responsible for reimbursing Regional Utilities.

Motion by Commissioner Cuchens, second by Commissioner Pauls to approve for Regional Utilities to send a written settlement offer to Inlet Beach stating that Regional Utilities will provide sewer service for both North and South Inlet Beach, is reimbursed by Inlet Beach, and will agree to dismiss the lawsuit. The offer will expire September 1, 2004. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Attorney Vorbeck presented language for the straw ballot relating to the MSBU for south Walton. The commissioners will review this issue further.

Mr. Vorbeck stated that the language in the turtle ordinance needs further clarification. This item will also be reviewed further.

Commissioner Pauls presented a letter from Eva Armstrong, Division of State Lands, in response to the meeting regarding surplus lands in south Walton. The surplus lands will be used as exchange potentials to acquire out parcels within Tops'1 State Park and Point Washington State Forest. All but one parcel will be removed, which is the 10 acre tract next to Helen McCall Park. Her letter further states that the State will pursue the exchanges for 12 months and will then contact the Walton County to see if the county is still interested in purchasing any remaining parcels. Commissioner Pauls stated that they agreed to submit the exchange parcels to the Walton County Planning Department

with regard to land use classifications. He asked for the Chair to sign a letter asking the Division of State Lands to submit to the county, those exchange parcels, for land classifications. The County will pursue the purchase of the land adjacent to Helen McCall Park in an attempt to get them to recognize a lower appraisal. The Board concurred.

Commissioner Cuchens and Commissioner Pridgen did not present any items for discussion.

Commissioner Rees advised that Curtis Golden, State's Attorney, asked him to serve on the interview committee for the Medical Examiner.

Commissioner Rees also asked Mr. Wilson to report on the land that Regional Utilities would like to access. Mr. Wilson stated that Christian International has asked to purchase a parcel of land previously purchased by Regional Utilities. The property is approximately two acres and would only be used as a buffer. The property is located on the north side of Highway 98. Christian International has offered to purchase it at full cost.

Motion by Commissioner Cuchens, second by Commissioner Pauls to approve to allow Regional Utilities to sell the property to Christian International. Ayes 5, Nays 0. Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye

Mr. Wilson requested the Board adopt a resolution to DEP. He stated that he is trying to obtain an easement to go through the State Forest near Eastern Lake out to Highway 98 so they can install a water/sewer transmission line. There will not be any impact to wetlands. Commissioner Pauls suggested an exchange with the State in addition to another 10 acres, for the property adjacent to Helen McCall Park.

Motion by Commissioner Cuchens, second by Commissioner Pauls to approve for a resolution to be sent to the Department of Environmental Protection. Ayes 5, Nays 0.

Rees Aye, Pridgen Aye, Jones Aye, Cuchens Aye, Pauls Aye.

Chairman Jones opened the floor for public comments. There were no public comments.

There being no further business, the meeting was adjourned at 9:35 a.m.

APPROVED: _____
Larry D. Jones, Chair

ATTEST: _____
Martha Ingle, Clerk of Court