

JULY 23, 2013 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting July 23, 2013 at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner Kenneth Pridgen, Chairman; Commissioner Sara Comander, Vice Chairman; Commissioner Bill Chapman; Commissioner Bill Imfeld; and Commissioner Cindy Meadows. Mr. Gerry Demers, Interim County Administrator; and Attorney Mark Davis, Interim County Attorney; were also present.

Commissioner Comander led the invocation and the pledge to the American Flag. Chairman Pridgen called the meeting to order.

Mr. Demers presented the following additions and deletions to the agenda:

1. Addition: Administration-Mr. Larry Jones, Special Project Coordinator: Easement allowing CHELCO to establish electrical service to the east portion of the Mossy Head Industrial Park
2. Addition: Continued Public Hearing-Amended and Restated Final Assessment Resolution for Fire Rescue Services
3. Deletion: Citizens Request: Ms. Karen Meadows and Ms. Amy Stoyles-Second Annual 30A 10K Road Race to be held on Thanksgiving Day at Rosemary Beach

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the agenda additions and deletions as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the agenda. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve the Consent Agenda as follows. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

1. Approve Minutes of July 5, 2013-Special Meeting, July 9, 2013-Workshop; July 9, 2013 Regular Meeting and July 11, 2013-Budget Workshop.
2. Approve Expenditure Approval List (EAL) for payment

General Fund	\$	254,737.79
County Transportation	\$	450,877.96
SHIP	\$	17,732.50
Mosq. Control State	\$	4,885.23
Section 8 Housing	\$	140,651.74
Tourist Dev. Council	\$	602,598.17
N.W. Mosquito Control	\$	4,858.48
Solid Waste Enterprise	\$	233,364.11
Bldg. Dept./Enterp. Fund	\$	400.19
Imperial Lakes MSBU	\$	2,517.66
Inmate Canteen Fund	\$	18,934.41
<u>Capital Projects Fund</u>	<u>\$</u>	<u>338,390.60</u>
Totals	\$	2,069,948.84

3. Approve to surplus/dispose of equipment and vehicles for the auction
4. Approve annual contract for maintenance with Century Link Products and Services for the E-911 Equipment as Walton County's Primary PSAP at the Walton County Sheriff's Office and the Secondary PSAP at the DeFuniak Springs Police Department
5. Approve a **Resolution (2013-41)** amending the budget for FY 2012-2013 to recognize Deferred Vessel Improvement Projects in the amount \$24,867
6. Approve a **Resolution (2013-42)** amending the budget for Debt Service for FY 2012-2103 to recognize Sales Tax Revenue in the amount of \$2,160,000
7. Approve a **Resolution (2013-43)** amending the budget to roll forward revenues and expenditures in the Debt Service Fund from FY 2011-2012 into FY 2012-2013 in the amount of \$1,805
8. Approve to designate up to \$2,000 from District 2 Recreational Plat Fee Funds for the Paxton Park Project
9. Approve to submit the FY 2013-2014 Consolidated Small County Solid Waste Management Application to the Florida Department of Environmental Protection
10. Approve to submit County Incentive Grant Program (CIGP) Grant Application for resurfacing County Highway 30A from County Highway 393 east to U.S. Highway 98

Mr. Wilmer Stafford, Public Works Director, requested approval to award ITB 013-020: CR2 Pave Shoulders Phase I and Phase II to APAC in the amount of \$3,267,918.10. Commissioner Imfeld questioned if there would be a Phase III. Mr. Stafford stated that the ITB for Phase III should be sent out this week. He reported that Phases I and II are going from C.R. 1087 to S.R. 83. Commissioner Imfeld asked if the anticipated costs of Phases I, II and III are within the Public Works budget. Mr. Stafford replied that it is. Commissioner Comander stated the projects would be paid for through grant monies.

Motion by Commissioner Comander, second by Commissioner Imfeld, to award ITB 013-020: CR2 Pave Shoulders Phase I and Phase II to APAC in the amount of \$3,267,918.10. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Larry Jones, Special Projects Coordinator, briefly discussed the U.S. Highway 331 Corridor Design and Development Standards and presented a draft for review and comments. He asked that the draft be returned with corrections and comments to him within the week. He also asked that two Public Workshops be held to receive public input prior to final approval. Mr. Jones stated that the revised draft would be presented at the August 13, 2013 Regular Meeting.

Mr. Jones requested that an easement allowing CHELCO to establish electrical service to the east portion of the Mossy Head Industrial Park (MHIP) be approved.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve an easement allowing CHELCO to establish electrical service to the east portion of the Mossy Head Industrial Park. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones reported that Love's Travel Stops & Country Stores is interested in developing within the MHIP. He briefly discussed the history of Love's Travel Stops & Country Stores and

their many locations throughout the country. He stated that the family oriented establishment will provide approximately 80 jobs and several million dollars in fuel and retail sales. Mr. Jones also announced that with the introduction of Love's, two national franchise restaurants will also locate to the area. He discussed the contract details, the responsibilities of each party involved, and requested approval of the Love's Mossy Head Industrial Park Tenant agreement.

Mr. Bill Gleason, Love's Travel Stops and Country Stores, spoke regarding to the locating of the establishment in Walton County.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the Love's Travel Stops & Country Stores Mossy Head Industrial Park Tenant agreement.

Commissioners Imfeld and Comander expressed their gratitude for all of the hard work and dedication that has gone into developing the MHIP and increasing the economic development of the county.

Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers requested to award RFP 013-021: Group Health Insurance to Blue Cross and Blue Shield (BC/BS) as the highest ranked firm. He reported that the consultant received only two proposals. He stated that there will not be any changes in the amount that is paid by the employees.

Motion by Commissioner Comander, second by Commissioner Meadows, to award RFP 013-021: Group Health Insurance to Blue Cross and Blue Shield as highest ranked firm. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Chapman expressed concern with the current HMO policy with BC/BS. He reported that some of the doctors and facilities on the list of providers did not accept the BC/BS HMO policy. Mr. Demers stated that the HMO option will no longer be available.

Mr. Demers requested approval to enter into a contract with Clary-Glenn Funeral Homes for Indigent/Unclaimed Burial Services. He reported that the cost of indigent burial would be \$895.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve to contract with Clary-Glenn Funeral Homes for Indigent/Unclaimed Burial Services. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Comander thanked Clary-Glenn Funeral Homes for assisting the county.

Mr. Demers distributed the current County Attorney Agreement. He referred to a paragraph on Page 2 Section C3 addressing the inability of the attorney to properly perform the duties of County Attorney. He reported that Attorney Toni Craig, County Attorney, has been out on sick leave since December 19, 2012; has exhausted all sick leave options, and is applying for long-term disability. Her acceptance into the long-term disability program will make her employment with the county ineffective. He recommended severing Ms. Craig's employment with the county to begin the process to employ a new County Attorney.

Motion by Commissioner Comander, second by Commissioner Chapman, to sever the employment of Attorney Toni Craig and begin the process to employ a new County Attorney.

Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers presented a **Resolution (2013-44)** amending the budget to move \$368,627 from the Solid Waste/Landfill Fund Reserves to fund the Mossy Head Industrial Park Improvements into the Capital Projects Fund for FY 2012-2013.

Motion by Commissioner Comander, second by Commissioner Meadows, to call to order the Public Hearings to consider a budget amendment resolution to move \$386,627 from Solid Waste/Landfill Fund Reserves to fund the MHIP. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

There was no public comment.

Motion by Commissioner Comander, second by Commissioner Imfeld, to adopt **Resolution 2013-44** amending the budget to move \$368,627 from the Solid Waste/Landfill Fund Reserves to fund the Mossy Head Industrial Park Improvements into the Capital Projects Fund for FY 2012-2013. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Chapman, to close the Public Hearing. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers presented a **Resolution (2013-45)** amending the budget in the Section 8 Housing Fund to bring forward reserves into the Voucher Rents Expense Line Item for FY 2012-2013.

Motion by Commissioner Chapman, second by Commissioner Imfeld, to open the Public Hearing to consider a budget amendment resolution in the Section 8 Housing Fund to bring forward reserves into the Voucher Rents Expense Line Item for FY 2012-2013. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

There was no public comment.

Motion by Commissioner Chapman, second by Commissioner Comander, to adopt **Resolution 2013-45** amending the budget to bring forward Section 8 Housing Fund reserves into the Voucher Rents Expense Line Item for FY 2012-2013. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Chapman, to close the Public Hearing. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers stated that this is a continuance of the Public Hearing held on July 16, 2013 to consider the Amended and Restated Final Assessment Resolution for Fire Rescue Services. He stated that the public comment portion of the hearing was closed on July 17, 2013.

Motion by Commissioner Comander, second by Commissioner Chapman, to re-open the Public Hearing to consider the Amended and Restated Final Assessment Resolution for Fire Rescue Services. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Imfeld discussed the chart from Government Services Group (GSG) with the different percentage options and what the impacts of the different percentages would be to the county.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to approve the **Resolution 2013-46** as presented with the 19.75% rates (\$75 residential; \$0.12 Commercial; \$0.01 Industrial/warehouse; \$0.12 Institutional; and \$0.07 land per acre).

Commissioners Meadows thanked all of the Walton County fire departments for their hard work and dedication to protecting and serving the citizens of the county.

Commissioner Chapman questioned the equipment supplies chart indicating the equipment inventory at specific stations and stated that some stations are lacking equipment. Chief Brian Coley, Walton County Fire, reviewed what equipment is available at each station.

Commissioner Comander stated that during the previous Public Hearings it became obvious that an assessment is needed for all of the fire departments. She questioned if all of the stations are needed and if there is a possibility to return to Volunteer Fire Departments (VFD). She suggested that the assessment of each station begin immediately.

Commissioner Meadows questioned the total percentage the MSBU will pay. Mr. Demers stated 19.75%. Commissioner Comander felt that with the MSBU, the amount that is annually budgeted for fire service should be reduced beginning next budget cycle.

Chairman Pridgen discussed the difficulties in providing services in an area with such a large area of land and so few stations. He voiced opposition to the per acre tax. He agreed that an assessment is needed to determine what fire services are needed. Chief Coley stated he understood that costs needed to be cut, but EMS also needed to be considered. He expressed that too much of a budget cut will remove a level of ALS protection for the outlying areas.

Commissioner Comander stated that it's more than just saving that one house, but it is also neighboring structures and land which are also in danger.

Commissioner Chapman discussed the reduction of the ISO rating due to the close proximity of fire hydrants and fire stations. He expressed concern that the funds are not available to provide multiple fire stations throughout the county. He agreed that a full assessment is needed. He suggested that Chief Coley and Mr. Brady Bearden, Support Services Director, perform the assessment and bring the information back to the Board.

Commissioner Meadows said that \$80,000 was used to determine possible fire assessments and felt that the \$75 is a reasonable amount.

Commissioner Chapman asked Attorney Davis about the legalities of the \$0.07 per acre. Attorney Davis said that if there is a current MSBU, under case law you have to assess for every type of land and structure being responded to. The \$0.07 per acre is essentially recovering the cost of what is paid to the Division of Forestry.

Commissioner Chapman felt that the \$75 is too much and voiced concern for those who are on fixed incomes. Commissioner Meadows stated that there are a lot of fixed incomes throughout the county and spoke in favor of the \$75 and felt that it would make it more equitable for those low income people receiving assistance. Commissioner Chapman voiced concern with the possibility of DeFuniak Springs, Freeport, Argyle and Liberty all raising their MSBU rates to be in line with this MSBU. Commissioner Imfeld stated that during the Budget Workshop it was discussed that the stipends will be stopped if the MSBU is passed. He felt that the county is trying to move in the right direction with fire services. He stated that EMS costs are a different issue that will be addressed later on.

Commissioner Meadows felt that this is the first step in the process to meet the fire service needs.

Commissioner Comander stated that this is being done to provide better services to the unincorporated areas of the county and that the only other option would be to remove all fire services.

(Motion as stated prior to discussion: Motion by Commissioner Imfeld, second by Commissioner Meadows, to approve the **Resolution 2013-46** as presented with the 19.75% rates

(\$75 residential; \$0.12 Commercial; \$0.01 Industrial/warehouse; \$0.12 Institutional; and \$0.07 land per acre)).

Ayes 3, Nays 2. Pridgen Nay, Comander Aye, Chapman Nay, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Chapman, to close the Public Hearing. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Mark Davis, Interim County Attorney, requested approval of a Retainer Agreement with Nabors, Giblin & Nickerson, P.A. to provide representation to Walton County as its Land Use Attorney. He reported that the contract is for \$175 per hour and that Nabors, Giblin & Nickerson have agreed not to charge for travel.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the Retainer Agreement with Nabors, Giblin & Nickerson, P.A. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Davis presented a report from Attorney Thomas Wheeler, Constangy Law Firm, regarding the Hostile Workplace Complaint filed by Mr. Tom Baker, HUD Director. He requested approval of the report as presented and to direct legal staff to draft policies as recommended in the report. Mr. Demers stated that the HUD Office and Mr. Baker have been relocated to the OMB office.

Motion by Commissioner Meadows, second by Commissioner Chapman, to approve the reports as presented and direct legal staff to draft policies as recommended in the report.

Commissioner Chapman discussed the possibility of DeFuniak Springs and County HUD offices consolidating. He directed staff to contact the HUD office in Jacksonville, FL to learn what procedures needed to be followed to begin the consolidation.

Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Comander commended Mr. Bagby and Mr. Jones on the outstanding job conducting the south Walton Sports Complex workshop.

Mr. Dave Sell, TDC, briefly discussed the four tracts of land being leased from the Bureau of Land Management; the tracts are all beach accesses. He requested acceptance and approval of the Bureau of Land Management-Approval of Land Patents for Recreation and Public Purposes. This will not change the current management plan for those beach accesses, but will change the compliance schedule from once a year to every five years.

Motion by Commissioner Comander, second by Commissioner Chapman, to accept and agree to the conditions of the Bureau of Land Management-Approval of Land Patents for Recreation and Public Purposes. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jim Bagby, TDC Executive Director, reported that the Army Corps of Engineers has approved the beach nourishment request and will send the request for Congressional approval and funding. He also stated that requests are being issued for nominees for the Van Ness Butler Tourism Award.

Commissioner Imfeld questioned, in regards to the Army Corps of Engineers, which Federal fiscal year the funds would be released. Mr. Bagby was hopeful that the monies would

be released during the next fiscal year, but stated that there was a possibility that it would not be received until the following fiscal year.

Mr. Ron Mosley, Air Methods Corporation, requested renewal of the Certificate of Public Convenience and Necessity with no changes to the terms of the contract.

Motion by Commissioner Comander, second by Commissioner Meadows, to renew the Certificate of Public Convenience and Necessity as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Meadows recognized the Public Works employees for their diligent work to address the flooding issues throughout the county during the past few weeks of storms. She asked if there was a way to get emergency permits in advance. Mr. Stafford replied that Mr. Scott Caraway, Public Works, would address the permitting process. He discussed the recent problems pumping out flood waters and stated that Regional Utilities has had the same issues. Discussion continued on the need for a more efficient pump. Commissioners Chapman, Imfeld and Meadows thanked Public Works and emergency staff for their quick response during the recent floods.

Mr. Caraway addressed the permit issue raised by Commissioner Meadows. He stated that contact has been made with DEP and the Water Management District and that emergency permits are available. He reported that staff will be required to provide a scope of work and an evaluation of the affected area. Mr. Caraway said that field permits could be acquired to pump the water onto the beach but that would cause issues for private beach front property owners.

Commissioner Comander had no items to present.

Commissioner Imfeld discussed the possibility of establishing fire stations east and west of the City of Freeport. He requested that staff be directed to work with the Freeport City

Council to determine the placement of these stations, what will be needed structurally, staffing solutions insuring that any existing fire fighters impacted by these new stations be given first opportunity for employment assuming they will be willing to go through the certification process, and have all of the information complete and presented at the first Budget Hearing in September. Chairman Pridgen felt that the assessment of all the fire stations north of the bay should be completed to see what is actually needed. Commissioner Comander stated that she would like for the Board to meet with the new Freeport City Council to discuss fire services for the area. Commissioner Meadows agreed that the issue needed to be addressed prior to the first Budget Hearing and that a meeting with the City Council was also needed.

Commissioner Chapman had no items to present.

Chairman Pridgen had no items to present.

Ms. Dotty Nist, Beach Breeze, asked if the fire assessment resolution included the maximum rate of \$150. Commissioner Imfeld stated that it was consistent with the total resolution and the amount under \$150 had to be chosen. He said that the \$150 is for coming years.

Mr. Allen White questioned whether the \$0.07 per acre included conservation lands as well. Attorney Davis stated that in the original study conservation lands were not included but was added into subsequent studies. He said that property owners with conservation land would receive two bills; the regular ad valorem bill and the Fire Assessment MSBU bill.

Mr. Hunter Byrd questioned if the WCEDA would be collecting \$116 million in fees and fines. The Board was not aware of any fines to be collected and stated that the WCEDA does not have the authority to collect fees or fines. Mr. Byrd also asked how many councils and boards

the County pays for. Ms. Dede Hinote, Assistant County Administrator, stated that she would research the issue and contact Mr. Byrd.

Mr. Mac Carpenter, Planning Manager, requested to approve the West Florida Regional Planning Council SHIP Administration Contract Modification. The addendum addresses the Legislative language that reduces the 10% Administrative Fee to 3% for this program year.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the West Florida Regional Planning Council SHIP Administration Contract Modification. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Wayne Dyess, Planning and Development Director, requested to continue the U.S. Highways 98/331 Scenic Corridor Outdoor Display Ordinance to August 13, 2013 to be held at the Walton County Courthouse in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter. He stated that citizens requested more time to review the ordinance.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue the U.S. Highways 98/331 Scenic Corridor Outdoor Display Ordinance to August 13, 2013 to be held at the Walton County Courthouse in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Dyess requested to continue the Floodplain Management Ordinance to August 13, 2013 to be held at the Walton County Courthouse in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter. He stated that citizens had requested more time to review the ordinance. Attorney Davis stated that the notice was legally sufficient. Commissioner Meadows asked if this was an all-new ordinance. Mr. Dyess reported that the State has a new model ordinance and this Floodplain ordinance follows the State model.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue the Floodplain Management Ordinance to August 13, 2013 to be held at the Walton County Courthouse in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Imfeld stated that he had a conflict with the next issue and submitted Form 8B Memorandum of Voting Conflict.

Mr. Dyess requested to continue the Sandestin Owners' Association (SOA) Office Building issue to August 13, 2013 to be held at the Walton County Courthouse in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter.

Motion by Commissioner Meadows, second by Commissioner Comander, to continue the SOA Office Building issue to August 13, 2013 to be held at the Walton County Courthouse in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter. Ayes 4, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld abstained, Meadows Aye. **(Form 8B Memorandum of Voting Conflict-Imfeld)**

There being no further items to discuss, the meeting was adjourned at 10:13 a.m.

Approved:  _____
Kenneth Pridgen, Chairman

Attest:  _____
Alex Alford, Clerk of Court and County Comptroller