

APRIL 26, 2011 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on April 26, 2011, at 9:00 p.m., at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner Larry Jones, Chair; Commissioner Scott Brannon, Vice-Chair; Commissioner Kenneth Pridgen; Commissioner Cecilia Jones; and Commissioner Sara Comander. Mr. Gerry Demers, Acting County Administrator; and Attorney Lynn Hoshihara, County Attorney; were also present.

Commissioner C. Jones led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman L. Jones called the meeting to order.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the Agenda additions and deletions as follows. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

1. Addition: Administration 5(e)-Beach Safety Week Resolution
2. Addition: County Attorney-Update
3. Addition: Commissioner Brannon-De-obligate unspent General Fund monies for use in road design for connector roads
4. Deletion: Public Works 3(c)-Request from Jimmy Kearce to discuss Tantara Road conditions
5. Deletion: Commissioner Brannon-Canoe Trails Project presentation

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the Consent Agenda as follows. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

1. Approve Expenditure Approval List (EAL)

General Fund	\$	717,646.29
County Transportation	\$	456,552.53
Section 8 Housing	\$	134,294.02
Tourist Dev. Council	\$	29,646.07
N.W. Mosquito Control	\$	1,984.18

W. Co. Library	\$	1,639.66
Recreation Plat Fee	\$	25,689.85
Solid Waste Enterprise	\$	19,909.04
Inmate Canteen Fund	\$	11,763.10
Capital Projects Fund	\$	225,267.75
Totals	\$	1,624,392.49

2. Approve Minutes of April 12, 2011 Regular Meeting and April 15, 2011 Special Meeting
3. Approve a Resolution **(2011-39)** declaring the week beginning May 1, 2011 as National Arson Awareness Week, as requested by Captain Gloria Whitehurst with the Florida Department of Financial Services
4. Approve to use \$12,000 of District 1 Recreational Plat Fees for a pedestrian safety lighting project
5. Approve the Quarterly Reports for October-December 2010 and January – March 2011 as submitted by Leigh Morrison of the Life Enrichment Senior Center
6. Approve Amendment no. 2 to the Agreement for Professional Auditing Services with Carr, Riggs, and Ingram, LLC for an additional year-through September 11, 2012
7. Approve for Extension Services to purchase an exterior storage shed
8. Approval of the Hazard Mitigation Grant Program (HMGP) Grant Agreement for the Post-Disaster Redevelopment Plan
9. Approval of Work Squad 517 with the Department of Corrections
10. Approval of Amendment No. 1 to the Professional Services Agreement for Pharmaceutical Services
11. Approve a Resolution **(2011-38)** to amend the budget for the Supervisor of Elections for a voting Access for Individuals with Disabilities Grant in the amount of \$3,517
12. Approve a Resolution **(2011-37)** to amend the budget for an unanticipated grant for the US 331 Construction LAP for the Florida Department of Transportation in the amount of \$5,193,950
13. Approve a Resolution **(2011-36)** to amend the budget to recognize unanticipated revenues in the Clerk of Courts accounts in the amount of \$72,475 for Fiscal Year 2010-2011
14. Approve waiver of water and sewer impact fees for the Boys and Girls Club to Regional Utilities
15. Approve lease renewal with Freeport Industries for the District 1 and District 4 Commission offices
16. Approve a letter of support of the Gulf of Mexico Hydrological Restoration Inventory and Prioritization Grant Project
17. Approve a Resolution **(2011-34)** declaring the month of May as Blue Star Mothers of America Month

Chairman L. Jones announced that due to a conflict, Commissioner Brannon would be joining the meeting at a later time.

Ms. Mary Lou Reed, Workforce Development Board, submitted the June 30, 2010 audit and gave a brief update on Workforce activities. She requested to appoint Ms. Scarlet Phaneuf, Economic Development Alliance; and Ms. Kity Whitney, Walton Area Chamber of Commerce; to the Workforce Development Board. Ms. Reed stated that an additional appointment would be made at the next Commission meeting.

Motion by Commissioner Pridgen, second by Commissioner Comander, to appoint Ms. Scarlet Phaneuf and Ms. Kity Whitney to the Workforce Development Board. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Brady Bearden, Support Services, presented for second reading the revision to Policy 5: Conditions of Employment-Personnel Policies and Procedures. He recommended approval.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the revision to Policy 5: Conditions of Employment-Personnel Policies and Procedures. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Lyle Seigler, Public Works Director, presented the prioritization of roads list to be considered for application through Small County Outreach Program (SCOP) and Small County Road Assistance Program (SCRAP) Programs. He recommended McKinnon Bridge and Walton Bridge Roads for the SCOP funding and Lakewood Highway (C.R. 285 N) for the SCRAP funding.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve McKinnon Bridge and Walton Bridge Roads for the SCOP funding and Lakewood Highway (C.R. 285 N) for the SCRAP funding applications. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler presented ITB 011-018 Administrative Service for Walton County CDBG Economic Development FFY 2009 CDBG application cycle. He requested approval for staff to begin negotiations with the top ranked firm, Fred Fox Enterprises.

Motion by Commissioner C. Jones, second by Commissioner Comander, to approve staff to begin negotiations with Fred Fox Enterprises as the top ranked firm in response to ITB 011-018 Administrative Service for Walton County CDBG Economic Development FFY 2009 CDBG application cycle. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler presented ITB 011-017 Walton County Dixie RV Superstore CDBG Engineering Services. He requested approval for staff to begin negotiations with Preble Rish as the top ranked firm.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve staff to begin negotiations with Preble-Rish as the top ranked firm in regards to ITB 011-017 Walton County Dixie RV Superstore CDBG Engineering Services. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Seigler requested to reject all bids associated with ITB 011-013 Helen McCall Parking Lot Improvements. He stated that the scope of work has been expanded and additional parking spaces are being proposed. Staff would like to work with Finance and Commissioner C. Jones regarding the expansion.

Motion by Commissioner C. Jones, second by Commissioner Comander, to reject all bids associated with ITB 011-013 Helen McCall Parking Lot Improvements. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Jennifer Christensen, Planning and Development, presented for first reading the amendment to the Boys and Girls Club Development Agreement. The changes are limited to exhibit C that switches some of the retention areas. She requested to schedule a second hearing for May 10, 2011.

Motion by Commissioner Comander, second by Commissioner C. Jones, to move the issue forward to a second hearing on May 10, 2011. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Christensen requested to advertise an RFQ for Professional Services for Planning Development Services. She stated that the Planning Division has utilized the Continuing Services contract through Public Works. The existing contract does not cover all of the services required for Planning and Development Services. Chairman L. Jones requested to review current in-house engineering capabilities. Commissioner Comander asked if Ms. Christensen had met with Mr. Seigler to determine the reason for inefficiencies. Ms. Christensen stated that currently Preble-Rish is assisting in the review process under the continuing services contract and understood that there was a lack of professional engineers to perform the needed services. Chairman L. Jones stated that all options need to be reviewed.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to advertise for RFQ: for Professional Services for Planning Development Services and to review in-house capabilities through Public Works. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Ms. Kim Kirby, City of DeFuniak Springs Manager, requested to amend the Natural Gas Franchise Area agreement. She stated that the original contract included a portion of the Okaloosa Gas District service territory. The amendment would reflect the DeFuniak Springs

Service territory and exclude the Okaloosa Gas District service territory. Chairman L. Jones asked if there were any other service infringements. Ms. Kirby stated that there were none.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the amendment to the Natural Gas Franchise Agreement with DeFuniak Springs. Ayes 4, Nays 0. L. Jones Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Commissioner Brannon joined the meeting.

Mr. Gerry Demers, Acting County Administrator, presented a Joint Resolution **(2011-40)** of the Coastal Counties of the Northwest Florida Panhandle Region relating to the Deepwater Horizon oil spill.

Ms. Anita Page, South Walton Community Council, stated that she supported the resolution but felt that the language needed editing and discussed the recommended changes. Mr. Demers stated that this is still in draft form and that it would be presented in eight other counties prior to the final copy being presented to the Legislature. Chairman L. Jones asked when the final resolution would be submitted. Mr. Demers said that he would contact the drafter of the resolution with the suggested changes. He reported that the final resolution would be delivered to Congress on May 10, 2011 by an Escambia County Commissioner. Chairman L. Jones stated that this is an important resolution and voiced concern regarding the approval of a draft version. Commissioner Brannon asked if the resolution would be the same for all counties involved. Mr. Demers stated that it would.

Commissioner Brannon asked if any other counties had adopted this resolution. Mr. Demers stated that Wakulla County would be the first to adopt it. The document will then be taken to each county involved for original signature. Discussion ensued regarding document language.

Chairman L. Jones presented two options for consideration: 1. hold a special meeting to review the final resolution before approval; 2. designate the Chairman, County Attorney and County Administration to review the final draft prior to signature. He stated that with option two the document would not be signed if the recommended changes had not been made.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to adopt a Joint Resolution (2011-40) of the Coastal Counties of the Northwest contingent upon review of the final draft by the Chairman, County Attorney and County Administration. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Demers requested approval of an Interlocal Agreement regarding the Creation of, Membership in, and Operation of the Northwest Florida Military Sustainability Partnership.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the Interlocal Agreement regarding the Creation of, Membership in, and Operation of the Northwest Florida Military Sustainability Partnership. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Demers requested that a Commissioner and an alternate be appointed to the partnership committee.

Motion by Commissioner Pridgen to appoint Chairman L. Jones. Motion died for lack of a second.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to appoint Commissioner Comander to the Northwest Florida Military Sustainability Partnership. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to appoint Mr. Demers as alternate to the Northwest Florida Military Sustainability Partnership. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Demers announced that the Solid Waste Public Workshop had been canceled. The reschedule date will be announced at the May 10, 2011 Commission meeting.

Mr. Demers presented for adoption a resolution (2011-35) declaring May 22-28, 2011 as Beach Safety Week.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to adopt Resolution 2011-35 declaring May 22-28, 2011 as Beach Safety Week.

Motion withdrawn.

Ms. Bridget Reagan, Walton Area Chamber Commerce, briefly discussed the Resolution and requested approval.

Motion by Commissioner Brannon, second by Commissioner Comander, to adopt Resolutions 2011-35 declaring May 22-28, 2011 Beach Safety Week. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Attorney Lynn Hoshihara, County Attorney, presented a brief update on Beasley Allen, the firm hired to handle BP claims. The Short Form Joinder was filed on April 20, 2011 to preserve the county's rights but does not preclude the county from reaching a settlement with BP.

Commissioner C. Jones asked if any public forums had been scheduled. Attorney Clay Atkinson, local counsel for Beasley Allen, stated that plans are being made to schedule the meetings. He discussed the Natural Resource Damage Assessment (NRDA) process and the importance of public input.

Ms. Dawn Moliterno, Tourist Development Council Executive Director, presented an update of TDC activities.

Chairman L. Jones called to order the Public Hearing to consider an ordinance amending Ordinance 2009-03 to clarify the definition of "Point Source of Light."

Mr. Richard Folkes spoke in opposition to the language change citing that increased bonfires would endanger the sea turtles. Discussion ensued regarding the affects of bonfires on turtles nesting season, and the inclusion of bonfires and campfires within the ordinance.

Motion by Commissioner Comander, second by Commissioner Pridgen, to reject the amendment to Ordinance 2009-03 as presented.

Chairman L. Jones directed staff to review the ordinance regarding bonfire/campfire regulations.

Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Chairman L. Jones called to order the continued Public Hearing to consider the proposed Certificate of Land Use Compliance Ordinance.

Attorney Hoshihara reported that the recommended changes directed by the Board during the April 12, 2011 meeting have been made to the ordinance.

Commissioner Comander felt that the ordinance being presented still had many areas of concern and should be rejected. She suggested that issues be addressed separately and also felt that the Land Development Code (LDC) should have clearer definitions of residential and non-residential uses. She felt that the noise ordinance should be revisited and suggested that LDC Chapter 12 be revised to increase Code Enforcement fines.

Commissioner Pridgen suggested reviewing Chapter 162 of State Statute and return with recommendations for more efficient means of enforcement. Commissioner C. Jones felt that

Code Enforcement staff should be increased to effectively enforce the regulations. Commissioner Brannon stated that clearer definitions were crucial to efficient enforcement. Discussion ensued regarding seasonal Code Enforcement employees.

Commissioner Brannon discussed the noise ordinance, and felt that Code Enforcement should be better equipped to handle all of the activities. Chairman L. Jones stated that a document needs to be provided so that Code Enforcement and the Sheriff's office would have a basis for enforcement. Commissioner Comander asked Attorney Hoshihara to obtain assistance from Attorney Gary Vorbeck and/or any other outside counsel in preparing a document for presentation within the next 60 days. Chairman L. Jones said that each Commissioner will be responsible for submitting their ideas and changes to staff. Attorney Hoshihara stated that the business certificate component would be presented to the Planning Commission and then brought back to the County Commission.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to deny the ordinance as presented and for staff to make changes as directed. Ayes 4, Nays 1. L. Jones Nay, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Richard Veldman discussed the placement of the Certificate of Compliance.

Sheriff Adkinson discussed the civil issues involved. He voluntarily offered to return an FTE to the county to increase Code Enforcement staff.

Mr. Chuck Hinson stated that time frames should be set in the noise ordinance.

Commissioner C. Jones discussed the issue of panhandling and soliciting at intersections. She asked that the Panhandling Ordinance be revisited. Commissioner Comander agreed and felt that the ordinance should apply county wide.

Commissioners Comander and Pridgen had no items to present.

Commissioner Brannon requested to de-obligate General Funds-Operation monies to Public works for engineering services for Indian Creek Ranch and McKinnon Bridge Roads in the amount of \$200,000.

Motion by Commissioner Brannon, second by Commissioner Comander, to de-obligate monies from the General Fund-Operating to Public Works funds for engineering services for Indian Creek Ranch Road and McKinnon Bridge Road in the amount of \$200,000. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Chairman L. Jones discussed the current search for a County Administrator. He stated that the top four candidates have been interviewed and requested that each Commissioner submit their first and second choice candidates in which to begin negotiations. The choices were submitted to the Clerk for ranking.

Chairman L. Jones asked that someone be appointed to perform the negotiations and present a compensation package to the top ranking candidate. The Board concurred to appoint Attorney Hoshihara to obtain comparable salaries from surrounding counties; and to negotiate conservatively with the top candidate. He stated that due to the absence of two Commissioners at the May 10 meeting he suggested that Attorney Hoshihara present her recommendations at a scheduled Special Meeting.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to recognize Mr. Greg Kisela as the top ranking candidate; and direct Attorney Hoshihara to present the compensation package and begin negotiations with Mr. Kisela. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

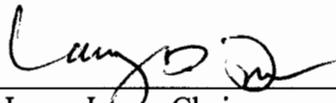
Motion by Commissioner Comander, second by Commissioner C. Jones, to recognize Mr. Ernie Padgett as second ranking candidate; and direct Attorney Hoshihara to present the

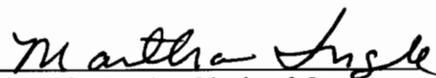
compensation package and begin negotiations with Mr. Padgett should negotiations fail with Mr. Kisela. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Motion by Commissioner Comander, second by Commissioner Pridgen, to schedule a Special Meeting to be held on May 9, 2011 at 9:00 a.m. at the DeFuniak Springs Courthouse for the purpose of hearing the County Attorney's recommendations for the County Administrator position. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Pridgen Aye, C. Jones Aye, Comander Aye.

Mr. Bill Bard, representing the Friends of the Walton County Animal Shelter, reported that the Animal Shelter came in 46th in the Nationwide Internet Vote to participate in the ASPCA \$100,000 Challenge.

There being no further items to discuss, the meeting adjourned at 10:34 a.m.

APPROVED 
Larry Jones, Chair

ATTEST 
Martha Ingle, Clerk of Courts