

SEPTEMBER 27, 2011 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, September 27, 2011, at 9:00 a.m., at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner Larry Jones, Chairman; Commissioner Scott Brannon, Vice-Chair; Commissioner Sara Comander; Commissioner Kenneth Pridgen; and Commissioner Cecilia Jones. Mr. Greg Kisela, County Administrator; Mr. Gerry Demers, Assistant County Administrator; and Ms. 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.

Mr. Kisela presented the following changes to the agenda for approval:

ADDITION:

1. Public Comment – Ms. Suzanne Harris

DELETION:

1. Public Comment – Mr. Herman Chrishon

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the changes to the agenda as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve the Consent Agenda as follows. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

1. Approve Expenditure Approval List (EAL)

General Fund	\$	1,087,268.24
County Transportation	\$	717,409.50
Mosq. Control State	\$	754.75
Section 8 Housing	\$	147,368.19

Tourist Dev. Council	\$	638,752.05
N.W. Mosquito Control	\$	10,646.59
W. Co. Library	\$	2,072.32
Recreation Plat Fee	\$	3,855.00
Public Safety- 911	\$	22,692.15
Solid Waste Enterprise	\$	12,911.12
Bldg Dept/Enterp. Fund	\$	944.68
Inmate Canteen Fund	\$	11,687.11
Capital Projects Fund	\$	152,292.62
Totals	\$	2,808,654.32

2. Approve Minutes of September 13, 2011 Special Meeting, September 13, 2011 Regular Meeting and September 12, 2011 Budget Hearing
3. Approve Resolution **(2011-71)** to amend the budget for the Sheriff's Fund by \$13,289 for the commission on the sale of the helicopter
4. Approve to surplus various items from several Walton County offices
5. Approve Resolution **(2011-72)** to amend the budget to recognize lease proceeds for the purpose of purchasing two ambulances in the amount of \$213,440
6. Approve a Resolution **(2011-73)** to order the assessment rolls be extended prior to completion of Value Adjustment Board Hearings as requested by the Tax Collector
7. Approve Resolution **(2011-74)** to amend the budget for the Supervisor of Elections in the amount of \$41,782
8. Approve Certificate of Public Convenience and Necessity for Emergency Medical Services provided by the South Walton Fire District
9. Approve Florida Division of Emergency Management SHSGP Agreement for Post Disaster Redevelopment Plan Federal Grant in the amount of \$34,798 for the PDRP and \$5,000 for County Specific Training for a total of \$39,798 of grant funds
10. Approve Amendment No. 2 to the Agreement with Northwest Florida Water Management District for Repair and Improvements to River Landing and Dead River Landing Recreation Areas – Choctawhatchee River Water Management
11. Approve for the Sheriff's Office to submit two grant applications: one for 9-1-1 equipment maintenance for approximately \$15,000 with Century Link and the other for equipment – 10 headsets and 6 Universal Power Supplies for approximately \$3,600 total

Mr. Jacob Williams, Walton County 4-H, presented Resolution **(2011-75)** for adoption proclaiming October 2nd through October 8th as Walton County 4-H Week.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt Resolution **(2011-75)** as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Ms. Holly Holt, Walton County Health Department Interim Administrator, requested approval of a contract between Walton County and Florida Department of Health for operation of the Walton County Health Department for fiscal year 2011-2012 (CORE Contract) and adopt Resolution **(2011-76)** establishing a fee schedule.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to approve the Walton County Health Department CORE contract and adopt Resolution **(2011-76)** as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Ms. Mary Lou Reed, JobsPlus, requested approval of the Regional Workforce Plan Modification Program Year 2011-2012 to extend the workforce plan for the next two years. She briefly discussed the workforce plan which describes every program and all the services that are provided through the JobsPlus One Stop System.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the Regional Workforce Plan Modification Program Year 2011-2012 as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, L. Jones Aye.

Commissioner Comander announced Ms. Reed's retirement and expressed appreciation for her services for Walton County. Ms. Reed introduced Ms. Linda Sumblin, Executive Director starting October 1st. Ms. Sumblin expressed her appreciation for the support that Walton County provides.

Ms. Reed requested approval of Mr. Ron Shaw, Florida Transformers Inc., for the private sector member representing Walton County in the Workforce Board.

Ms. Reed expressed appreciation to Commissioner Pridgen for being a representative for the Workforce Council.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve Mr. Ron Shaw for the private sector member as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Chairman L. Jones called the public hearing to order to approve a Resolution **(2011-77)** to bring money from the assigned General Fund Reserves into the Public Works Fund to fully fund the Local Agency Participation (LAP) Agreement for the widening of State Road 83 (US 331).

Mr. Kisela stated that this would allow fund removal and amend the LAP and JPA, then award the contract.

Chairman L. Jones asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to adopt Resolution **(2011-77)** as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Starsky Harrell, Public Works Director, requested approval of the Local Agency Program (LAP) Supplemental Agreement No. 1 for the widening of State Road 83 (US 331). The purpose of the agreement is to add \$1,730,021 in additional FDOT funding necessary to cover the construction and CEI contracts for the US 331 widening project (Segment I). The segment is approximately 1.6 miles from Owl's Head to the north side of the Nokuse Plantation. He recommended approval.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the LAP Supplemental Agreement No. 1 as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell requested approval of an amendment to the Joint Participation Agreement (JPA) between Walton County and FDOT, Contract No. API 13 for the widening of State Road 83 (US 331) from Owls Head to the North Nokuse property line. This amendment will provide funding for post design services and unencumber funds in the amount of \$420,000 to provide additional funding for the multi-lane reconstruction. He recommended approval.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the JPA agreement amendment as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell requested to award ITB #011-025 for Widening of State Road 83 (US 331) to CW Roberts for the amount of \$8,643,492.31. The construction area is from Owl's Head to the Nokuse Plantation. There were five contractors that attended the pre-bid hearing, but only CW Roberts submitted a bid. He recommended awarding the bid to CW Roberts contingent upon DOT's execution of the LAP and JPA amendments.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve the request as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell requested to award ITB #011-010 for Highway 2 Road Improvements to Murphree Bridge for the amount of \$166,212.50. He also requested rejecting the bids for Collinsworth Road and allow in-house crews to perform the work.

Motion by Commissioner Pridgen, second by Commissioner Comander, to award ITB #011-010 to Murphree Bridge for the amount of \$166,212.50 and reject all bids for Collinsworth Road as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell requested to award ITB #011-032 for Thermoplastic Striping to the highest ranked bidder, Roadscape North Florida, Inc.

Motion by Commissioner Brannon, second by Commissioner C. Jones to award ITB #011-032 to Roadscape North Florida, Inc. as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell requested approval of the presented Right-of-Way Agreement for SRG Properties, Inc. to modify the right-of-way in front of Pompano Joe's and Scenic Gulf Drive. This will improve safety of the area by eliminating the current parking between the restaurant and the road, defining a loading zone, and stormwater improvements. He recommended approval.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve the right-of-way agreement with SRG Properties as presented.

Commissioner Comander questioned if sidewalks could be included. Mr. Harrell stated that there are not currently sidewalks. Commissioner Comander recommended that SRG Properties look into that option as well.

Commissioner C. Jones amended the motion to recommend SRG Properties look into adding a sidewalk to the right-of-way improvements, second by Commissioner Pridgen. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Harrell requested reimbursement of East Point Washington road paving, in the Audubon Point development. He briefly explained the process of which the road paving was to occur, but due to timing conflicts the developer completed the project. The county portion would have cost approximately \$40,085.98, which is the amount requested for reimbursement to the developer.

Brief discussion ensued regarding the timing conflicts and why the developer performed the work.

Ms. Mary Nielson urged the Board to verify all aspects of the project are complete and current before reimbursement.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to table the request until verification of no outstanding issues for the project. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Wayne Dyess, Planning and Development Director, requested to allow staff to begin the review of the LDC and Comp Plan in accordance with proposed methodologies presented.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Dyess requested approval to purchase the Cannon Wide Format Scanner/Printer as a replacement for the Planning Departments KIP 2051 System. The current system is about 9-10 years old and unable to repair.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve the purchase of the Cannon Wide Format Scanner/Printer as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Kisela discussed the FY 2011-2012 State and Federal Appropriation Priorities. A revised list was distributed. The purpose is to be more comprehensive than in past years to include some smaller projects that have opportunity for funding. He asked for consideration and approval of the priorities as presented.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the State and Federal Appropriation Priorities for FY 2011-2012 as presented. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Kisela requested to appoint Mr. Lee Perry in replacement of Mr. Hugh Marse on the Planning Commission. Mr. Marse resigned his position.

Motion by Commissioner Pridgen, second by Commissioner Comander, to appoint Mr. Lee Marse to the Planning Commission as requested. Ayes 5, Nays 0. L. Jones Aye, Brannon Aye, Comander Aye, Pridgen Aye, C. Jones Aye.

Mr. Kisela requested consideration of special counsel to review the Chat Holley property acquisition. Additional information concerning whether the county owned any of the property that was acquired during the property purchase for the intersection improvements. He briefly discussed the memorandum from GBW Lawfirm that was submitted stating that the county did not own property that was purchased in October 2010. The need for expertise of special counsel in real estate may also be needed at some time for assistance.

Commissioner Brannon questioned if the original title policy was currently in the possession of the county. Mr. Kisela explained that they have all the documentation that was provided in the closing packages.

Commissioner Brannon presented the Tourist Development Council update on branding implementation and beach maintenance due to the absence of Ms. Dawn Moliterno, TDC Director.

Attorney Lynn Hoshihara had no items to present.

Commissioner C. Jones had no items to present.

Commissioner Comander discussed the oversight in the Chat Holley land purchase and the need for outside legal counsel for clarity. She suggested staff members involved in the process be put on administrative leave during the review process.

Motion by Commissioner Comander, second by Commissioner Brannon, to place Attorney Hoshihara on administrative leave with pay until the Chat Holley issue is settled.

Chairman L. Jones questioned if the disciplinary action provision in the policies and procedures are being reviewed and followed during this process. Commissioner Brannon explained that the Board has authority to determine disciplinary action.

Commissioner Pridgen stated that legal counsel is needed for the County on a daily basis. Commissioner Comander explained that there is other legal counsel on staff.

Commissioner C. Jones expressed concern for premature actions and stated that the State Attorney's Office is reviewing the matter as well.

Brief discussion ensued.

Ayes 2, Nays 3. L. Jones Nay, Brannon Aye, Comander Aye, Pridgen Nay, C. Jones Nay. Motion failed due to lack of majority vote.

Mr. Tony Anderson, Ms. Dawne Miller, and Ms. Suzanne Harris spoke regarding the Chat Holley land acquisition process.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve hiring outside legal counsel to review all aspects of the Chat Holley land acquisition process.

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

Commissioner Pridgen had no items to present.

Commissioner Brannon will discuss the Douglass Crossroads Park at a later date.

Chairman L. Jones had no items to present.

Chairman L. Jones asked for public comment.

Mr. Geary Senterfitt discussed an abandoned roadway which leads to his property located on Quiet Water Trail.

Mr. Buddy Wright, Public Works, explained that Mr. Senterfitt has acquired all the information regarding the abandonment of the roadway. He suggested reviewing all the documents provided by Mr. Senterfitt and meet with Legal to determine a plan of action. Mr. Wright explained that they want to help Mr. Senterfitt, but a thorough review of his information and that of Public Works is needed first.

The Board concurred to allow Public Works to review the information and bring it before the Board at the next meeting.

The request by Mr. Herman Chrishon was removed from the agenda.

Discussion ensued regarding the Chat Holley land acquisition process and the following audience members spoke on the issue: Ms. Suzanne Harris, Ms. Bonnie McQuiston, Ms. Mary Nielson, Mr. Randy Gardner, and Mr. David Kramer.

Mr. William Bishop and Ms. Deborah Bishop briefly discussed privatization of Correctional Institutions in Florida. Mr. Bishop presented a resolution and urged the board to oppose privatization.

Commissioner Comander suggested submitting any information regarding the privatization of Correctional Institutions to the County Administration office, then present the issue for approval on October 25th.

Ms. Sandy Luchtefeld questioned when the Code Board Attorney position would be filled. Mr. Kisela answered that there have not been any volunteers but applications are being accepted.

Mr. Bob Sullivan suggested allowing the County Attorney to serve on the Code Board.
Commissioner Comander stated that the County Attorney cannot represent both.

There being no further business, the meeting was adjourned at 10:35 a.m.

APPROVED _____
Larry Jones, Chairman

ATTEST _____
Martha Ingle, Clerk of Courts