

APRIL 24, 2012 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida held a Regular Meeting on April 24, 2012 at 9:00 A.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

Chairman Brannon announced that Sheriff Adkinson has requested that the public no longer be allowed to enter into the courthouse using the west entrance. For security reasons, everyone will be required to enter through the east entrance.

The following Board members were present: Commissioner Scott Brannon, Chairman; Commissioner Kenneth Pridgen, Vice-Chairman; Commissioner Larry Jones, and Commissioner Cecilia Jones. Mr. Gregory Kisela, County Administrator; and Attorney Toni Craig, County Attorney; were also present. Commissioner Sara Comander was absent due to illness.

Commissioner Pridgen led the invocation and the pledge to the American flag. Chairman Brannon called the meeting to order.

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

1. Addition: Consent Agenda 12-Approve a Resolution proclaiming May 6 through 12, 2012 as National Arson Awareness Week
2. Addition: Administration 2b-Approve to schedule and advertise for a Public Workshop to discuss the FY 2012-13 Budget/Capital Projects
3. Addition: County Attorney 5-Request authority to review and join in ongoing multi-county litigation and defend and settle action against Agency for Healthcare Administration and other parties regarding Medicaid back-billing and reimbursement.

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$	546,110.34
County Transportation	\$	187,577.22
SHIP	\$	10,130.00
Section 8 Housing	\$	148,826.74
Tourist Dev. Council	\$	236,595.13
N.W. Mosquito Control	\$	16,547.20
Recreation Plat Fee	\$	6,218.09
Solid Waste Enterprise	\$	33,638.94
Bldg Dept/Enterp. Fund	\$	328.32
Imperial Lakes MSBU	\$	2,517.66
Inmate Canteen Fund	\$	12,449.04
Daughette Subdivision	\$	3,000.00
Capital Projects Fund	\$	238,072.33
Totals	\$	1,442,011.01

2. Approve Minutes of April 3, 2012 Special Meeting and April 10, 2012 Regular Meeting
3. Approve a **Resolution (2012-17)** to authorize and establish a fee for cremation authorization services by the Medical Examiner's Office
4. Approve to surplus two desks for the Tax Collector's Office and one OKI copier from the District 4 Freeport Office
5. Approve the purchase of a Sony Video Camera-Pro Grade in the amount of approximately \$1,500 and a MacBook Pro 15" Laptop for approximately \$1,750 for the Public Information Manager
6. Approve to hold a Public Workshop on May 10, 2012 at the Walton County Courthouse Annex from 1:00 p.m. to 4:00 p.m. for Public Records Training for Commissioners and key personnel
7. Approve the 26<sup>th</sup> Annual Sandestin Triathlon to be held August 18, 2012 at 6:30 a.m. and Request for Temporary Closing/Special Use of State Road Form to cone off the two southern most lanes of U.S. 98 for four hours for bicycles from U.S. 98 East from the Market Shops at Sandestin to C.R. 30A
8. Approve transfer of \$7,000 from District 1 Recreational Plat Fees to the Red Bay Account
9. Approve transfer of \$5,000 from District 1 Recreational Plat Fees to the Douglass Crossroads Park Account
10. Approve a **Resolution (2012-18)** proclaiming the first week of May as Correctional Officers and Employees Week
11. Approve Release of Lien for Code Enforcement Action against emerald Coast Convenience Stores, Inc. 10247 Highway 98, Miramar Beach, Florida
12. Approve a **Resolution (2012-20)** proclaiming May 6 through 12, 2012 as National Arson Awareness Week

Mr. Greg Kisela, County Administrator, requested permission to schedule and advertise for a Public Workshop to discuss the Walton County Recycling Program. He recommended that

the meeting be held on May 24, 2012 at 4:00 pm at the South Walton Annex. Chairman Brannon asked if the Board would be in attendance. Mr. Kisela reported that the Board is invited but the meeting is intended for citizen input on levels of expectation for the recycling program.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve the request to schedule and advertise for a Public Workshop for May 24, 2012 at 4:00 p.m. at the South Walton Courthouse Annex to discuss the Walton County Recycling Program. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Mr. Kisela requested approval of the dirt to pave projects for Fiscal Year (FY) 2011-2012 as presented. He reported that the projects would cover a total of 2.34 mile project and would cost \$393,120.

Motion by Commissioner Pridgen, second by Commissioner L. Jones, to approve the dirt to pave projects for FY 2011-2012 as presented in the amount of \$393,120. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Mr. Kisela requested approval of the Small County Outreach Program (SCOP) and Small County Road Assistance Program (SCRAP) Grant applications for Indian Creek Ranch Road and C.R. 181C.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve the Small County Outreach Program (SCOP) and Small County Road Assistance Program (SCRAP) Grant applications for Indian Creek Ranch Road and C.R. 181C. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Mr. Kisela requested permission to advertise for bids for the Darlington School Renovation/Asbestos Abatement Project. Commissioner L. Jones asked if these bids would be for the Scope of Service. Mr. Kisela stated yes.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the advertisement for bids for the Darlington School Renovation/Asbestos Abatement Project. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Mr. Kisela presented the Mossy Head Wastewater Service Area Strategic Plan-Interlocal Agreement with the Walton County School Board (WCSB). The agreement would allow the WCSB to take over the operation and maintenance of the Mossy Head School Wastewater Package Plant. He also briefly discussed the Mossy Head Industrial Park and the issues related to its operations. He recommended approval of the interlocal agreement.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to approve the Mossy Head Wastewater Service Area Strategic Plan-Interlocal Agreement as presented. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Mr. Kisela requested approval to schedule and advertise for a Public Workshop to discuss the FY 2012-13 Budget/Capital Projects. He recommended that the workshop be held on May 15, 2012 at 10:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

Motion by Commissioner C. Jones, second by Commissioner Pridgen to approve to schedule and advertise for a Public Workshop to discuss the FY 2012-13 Budget/Capital Projects to be held on May 15, 2012 at 10:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida. Ayes 4 Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Attorney Toni Craig, County Attorney, stated that all attempts would be made to resolve issues prior to filing further litigation. All settlements would be brought to the Board. She reported that the agenda items that she will present have actions exceeding the \$25,000 value.

Attorney Craig requested authority to file, defend, and settle legal action against Mr. William Howell for contract value reimbursement of \$40,000 and Code Enforcement action. She

submitted a letter from Mr. Howell's attorney. Attorney Craig stated that she would meet with Mr. Howell and attempt to resolve the issue before moving forward.

Ms. Annette Howell discussed the removal of the soil and the issues related to the contract. She asked that the county remove the soil as agreed upon.

Chairman Brannon reported that he has a conflict of interest with the issue and submitted FORM 8B abstaining from any vote taken on the issue.

Commissioner L. Jones questioned why the soil had not been removed. Mr. Kisela stated that there were discrepancies with the soil analyses and it was determined after entering into the agreement that the soil could not be utilized for road stabilization. Discussion continued regarding the soil testing and the Code Enforcement action.

Commissioner L. Jones requested that this issue be tabled until the May 8, 2012 meeting. The Board concurred to table the issue.

Attorney Craig asked to table the Sandestin Owners Association for indemnification arising from the Driftwood HOA v. Walton County cases (06-CA-333; 07-CA-112; and 07-CA-290). The item will be presented at the May 8, 2012 Regular Meeting. Chairman Brannon asked if the Sandestin Owners Association had recently joined a current litigation against the county. Attorney Craig stated that they had not.

Attorney Craig requested authority to join in with ongoing multi-county litigation and defend and settle legal action against the Department of Juvenile Justice for juvenile detention costs for FY 2009-2010. Chairman Brannon asked what other counties were involved in the litigation. Attorney Craig stated Okaloosa, Nassau, Seminole, Orange, Pinellas, Bay, Hernando, Miami-Dade, and Broward. She reported that this was a State wide issue.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to authorize Attorney Craig to join in with ongoing multi-county litigation and defend and settle that legal action against the Department of Juvenile Justice for juvenile detention costs for FY 2009-2010. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Attorney Craig requested authority to review and join ongoing multi-county litigation and defend and settle action against Agency for Healthcare Administration and other parties regarding Medicaid back-billing and reimbursement.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to authorize Attorney Craig to review and join ongoing multi-county litigation and defend and settle action against Agency for Healthcare Administration and other parties regarding Medicaid back-billing and reimbursement. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Attorney Craig requested authority to apply for a grant from the City, County, and Local Government Law Section of the Florida Bar for an intern to work in the County Attorney's office June, 2012 through August, 2012. She reported that the expected request amount is \$4,000. There will be no required county match.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to authorize Attorney Craig to apply for a grant from the City, County, Local Government Law Section of the Florida Bar for an intern to work in the County Attorney's office June, 2012 through August, 2012. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Ms. Dawn Moliterno, TDC Executive Director, presented for adoption a **Resolution (2012-19)** amending the budget for the expense of painting a welcome identifier on the Sandestin Water Tower in the amount of \$144,500.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to adopt a **Resolution (2012-19)** amending the budget for the expense of painting a welcome identifier on the Sandestin Water Tower in the amount of \$144,500. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Ms. Moliterno presented for consideration two individuals Ms. Carol Pauls, 30A Suites, and Mr. Gary Brielmayer, Hilton Sandestin Beach Golf Resort & Spa, for approval to the TDC Advisory Council Owner/Operator Seat appointment. The voting result was as follows: Ms. Pauls-2 votes, and Mr. Brielmayer-2 votes.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to table the issue until such a time that all the Commissioners could be present. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Ms. Moliterno presented and briefly discussed the 2012-2013 Strategic and Media Plan. She recommended approval.

Ms. Sandra Luchtefeld expressed concern with the 2012-2013 Strategic and Media Plan. She spoke against the assumption of the development of the Discovery Center, and the inclusion of residential issues under the TDC. Ms. Moliterno addressed Ms. Luchtefeld's concerns and stated the use of the term Discovery Center was a blanket term used to describe the existing TDC building and any possible future buildings. She stated that TDC revenue comes from visitors and that State Statute does not allow for TDC intervention into community issues.

Ms. Anita Page, South Walton Community Council, also addressed the development of a new Discovery Center and the inclusion of residential issues.

Ms. Mary Nielson felt that the plans should be tabled until the current Discovery Center issue has been resolved.

Ms. Moliterno stated that the language on page 8 could be changed to state “continue to maintain our Welcome Center” and the Discovery Center language could be struck.

Discussion ensued regarding the affect of the Strategic and Media Plan on the proposed TDC Budget. Ms. Moliterno stated that the requested approval would allow the proposed budget to be submitted to the county budget scrubs process and that the budget is subject to changes. Commissioner Pridgen voiced that changing the budget would change the Strategic and Media Plan.

Ms. Page stated that there was a reference to the “new Discovery Center” on page 12. Commissioner L. Jones addressed the use of the term Discovery Center, and felt that the term covered a broad concept. The term has now become synonymous with the development being considered on the forest property. He felt that the terminology should be changed. Discussion continued on the definition of Discovery Center and a possible name change. The Board concurred to change the language in the Strategic and Media Plan to state the “New Interactive Visitor Center.”

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to approve the Strategic and Media Plan with changes as discussed. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Ms. Moliterno presented the 2012-2013 proposed budget and recommended approval. She stated that an approval would allow the TDC to submit their budget into the county budgeting process. She reported that there was a 20% increase and discussed the areas which were increased. Discussion ensued regarding the placement of lifeguards and lifeguard towers.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to approve the 2012-2013 Proposed TDC budget for submittal to the budget scrubs process. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

Ms. Moliterno gave a brief update of the TDC activities and events.

Commissioner C. Jones presented The Florida Wildflower Foundation's La Florida-Land of Flowers-Community Grant Program. She recommended moving forward with the application process for the \$500 grant.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to move forward the Florida Wildflower Foundation's La Florida-Land of Flowers-Community Grant Program application process. Ayes 4, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye.

The Commissioners had no items to present.

There was no public comment.

There being no further items to discuss, the meeting was adjourned at 9:48 a.m.

  
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Martha Ingle, Clerk of Courts

  
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Scott Brannon, Chair