

WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: Code Compliance

POSITION: Code Compliance Officer

TYPE OF DISCIPLINE: ☐ Formal Counseling ☐ 1st Level Warning ☒ 2nd Level Warning
☐ Suspension ☐ Termination

DATE(S) VIOLATION OCCURRED: November 11, 2020

DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 – Section B General Provisions (3) (q) conduct that is disruptive, insubordinate, antagonistic, offensive or injurious to the County whether in relation to co-workers, other employees, superiors, elected officials or general workers.

On November 11, 2020, while employed as a Beach Code Compliance Officer Burgess attempted to enforce the (Breach Of Peace Ordinance) on a W/M subject who became argumentative and uncooperative. The subject refused to provide information for a citation, resulting in the Walton County Sheriff's Office being called to assist in obtaining the information for the citation. Deputy Travis McCabe arrived on the scene at Ed Walline Beach Access. According to a memorandum from the Walton County Sheriff's Office after Deputy McCabe arrived, he questioned why Officer Burgess was issuing citation for the violation. Officer Burgess stated in his report at that point he went back to his truck and retrieved his body camera so that he could document the encounter. Officer Burgess then stated to the Deputy McCabe that he did not mean any disrespect, but that was not what he was there for and it did not matter. When asked for clarification on the reason for the citation Officer Burgess began lecturing Deputy McCabe on his duties and Officer Burgess became argumentative toward Deputy McCabe. Officer Burgess's behavior toward Deputy McCabe violates the Walton County Policy & Procedure Manual and will not be tolerated.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

Review of the Walton County Personal and Policy Manual in reference to conduct with other employees or general workers. In the future you are to act in a polite, professional and courteous manner toward all co-workers, other employees, superiors, elected officials, constitutional office employees and the general public.

The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY:

Immediate Supervisor

Title

APPROVED BY:

Department Head

Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.

Employee's Signature

Witness

(MANDATORY)

DATE: 11/28/18

Walton County Code Compliance

To: HR
From: Buddy Burgess
cc:
Date: 12/4/2020
Re: Reprimand on 12/2/2020

In reference to the reprimand issued to me on 12/2/2020 I would like it to be known that I do not agree with the assessment of the situation or with the way it was handled by either party (Walton County Sheriff's Office and Walton County Code Compliance). With that being said, I enjoy my work and would like to continue to enjoy this wonderful opportunity with Walton County Code Compliance. In the documentation that was sent from Walton County Sheriff's Office it stated there have been multiple encounters between WCSO Deputies and myself in which they feel I did not handle myself appropriately even though I was only informed about 2 encounters in the past 4 years. In order to make amends and attempt to repair any damage I may have inadvertently caused with these encounters I have already started contacting deputies and supervisors that I remember have come to assist in the past and apologized for any issues I may have caused and asked for any input they may have in order to better myself and my abilities. I will be attempting to gather further information on said encounters in order to speak with the deputies and apologize for any issues I may have cause and clear up any misunderstandings about my intent. I greatly regret I was not notified sooner and given the opportunity to avoid this accumulation of what was stated as a history of complaints since I have only been made aware of two such incidents. As such I can only move forward and do everything within my abilities to ensure I act in a manner that may not be construed as inappropriate and further cultivate good working relationships with not only other agencies but all persons I come into contact with while performing my duties as a code compliance officer.

Thank you,

Buddy N. Burgess



MICHAEL A. ADKINSON, JR., SHERIFF
Office of the Sheriff, Walton County

Memorandum

DATE: 11/23/2020
TO: Captain Robert Gray
FROM: Lieutenant Dustin Cosson
COPIES:
SUBJECT: Code Enforcement Officer Buddy Burgess

On 11/12/2020 Sergeant Thomas Thillet contacted me in reference to an incident between Deputy Travis McCabe and Code Enforcement Officer Buddy Burgess.

Sergeant Thillet provided a video of the encounter for review.

On this same date I spoke with McCabe regarding the incident. McCabe stated immediately after he arrived and made contact with Burgess he became confrontational and would not discuss the reason for law enforcement assistance. McCabe informed me he simply asked for clarification on the reason for the citation and Burgess immediately began lecturing him on his duties and became argumentative.

The video provided corroborates McCabe's account of the incident. Burgess' attitude and demeanor throughout the video was extremely unprofessional and did not display the type of working relationships and interactions Deputy Sheriffs usually have with Code Enforcement Officers. This incident and behavior from Burgess is not the first negative encounter between members of the Walton County Sheriff's Office and Burgess. Burgess' repeated unprofessional behavior is creating a strain on the working relationship with Walton County Code Enforcement.

November 17,2020

This report is in reference to Access # CV-2020-0040179, Beach Code Compliance Officer Buddy Burgess. According to the report on November 11, 2020, Officer Burgess was attempting to drive off the beach using the beach drive on road at Ed Walline Beach Access. He observed two white male subjects carrying surfboards starting to walk down the same access road. It should be noted that there are signage advising the public not to block the emergency access road and to use the boardwalk to access the beach. In his report, Officer Burgess stated that he had made several attempts to have the two white males to stop and turn around and explain the hazards of blocking the emergency access roadway. In his report Officer Burgess stated that only one of the subjects stopped and talk to Officer Burgess. The other white male did not stop and continued to walk to the beach. Officer Burgess contacted this subject later identified as Chandler Johnson who refused to speak to Officer Burgess and became argumentative and uncooperative.

In the report, Officer Burgess stated that the Johnson subject said he would provide his information, but when Officer Burgess asked his name, he stated his name was Christian, when asked to spell it, he refused to continue. Officer Burgess informed the Johnson subject if he refused to cooperate, Officer Burgess would be forced to contact the Walton County Sheriff's Office and his refusal to sign and accept a citation would be a misdemeanor. At that point the Johnson subject stated, "You say that like it's supposed to scare me". Officer Burgess then went back to his vehicle and contacted the Walton Co. Sheriff's Office and Chandler entered the water. Officer Burgess no longer had contact with the two white males. Before the Deputy arrived, Officer Burgess contacted the SWFD Lifeguard working at Ed Walline Access asking if she knew the white male, she advised that she did not know his last name, but his first name was Chandler. Officer Burgess stated that he was walking back to his vehicle when the deputy arrived, and spoke to Officer Burgess, asking what was going on. Officer Burgess stated that he advised the deputy that he was trying to issue a citation for breach of peace, but subject refused to provide any information, sign or accept the citation. In the report, Officer Burgess advised that the deputy immediately began to question why Officer Burgess was trying to issue a citation for the violation. Officer Burgess further stated in his report, that he retrieved his body camera so that he could document the encounter. In Officer Burgess' report, it was stated that the deputy continued questioning what the citation was for and how it was appropriate for the situation. Officer Burgess stated to the deputy that he did not mean any disrespect, but that was not why he was there for and it did not matter. Officer Burgess advised the deputy, that if he refused to enforce a misdemeanor FS. .162.21 (6) that occurred in his presence then that was on the deputy. At this point according the report, the deputy started to raise his voice, and Officer Burgess ended the encounter and asked the deputy who his supervisor was, he said it was Sgt. Thillet. Officer Burgess advised that he would contact the

supervisor. A portion of the incident was captured on Officer Burgess Body Camera, which I was able to obtain a copy of the footage. No Citation was issued by Officer Burgess.

On November 23, 2020 I received a copy of an email from Major Donald Clark Director of Law Enforcement Walton County Sheriff's Office and a memorandum from Lieutenant Dustin Cosson to Captain Robert Gray in reference to the incident involving Code Compliance Officer Buddy Burgess and Deputy Sheriff Travis McCabe. The following are quotes from the email and the memorandum.

(Email)

Director Cornman,

Please see attached memorandum reference an interaction we had with Buddy Burgess on November 12, 2020. I routinely hear from my staff of negative interactions with Mr. Burgess in his official capacity as a Code Enforcement Officer. It has degraded to the point that staff members have lost confidence in his abilities to make common sense assessments of code violations. His behavior has also damaged the working relationship between Code Enforcement and the Sheriff's Office. We want, very much, to work alongside each other when serving our community however, I feel this is not possible with Mr. Burgess. At this point, I do not believe the working relationship with my staff and Mr. Burgess can be repaired. I wanted to bring this to your attention to mitigate any further degradation between our agencies.

(Memorandum)

On 11/12/2020 Sergeant Thomas Thillet contacted me in reference to an incident between Deputy Travis McCabe and Code Enforcement Officer Buddy Burgess. Sergeant Thillet provided a video of the encounter for review. On this same date I spoke with McCabe regarding the incident. McCabe stated immediately after he arrived and contacted Officer Burgess, he became confrontational and would not discuss the reason for law enforcement assistance. McCabe informed me he simply asked for clarification on the reason for the citation and Burgess immediately began lecturing him on his duties and became argumentative.

The video provided corroborates McCabe's account of the incident. Burgess' attitude and demeanor throughout the video was extremely unprofessional and did not display the type of working relationships and interactions Deputy Sheriffs usually have with Code Enforcement Officers. This incident and behavior from Burgess is not the first negative encounter between members of the Walton County Sheriff's Office and Burgess. Burgess' repeated unprofessional behavior is creating a strain on the working relationship with Walton County Code Enforcement.

After reviewing the reports and Officer Burgess Body Camera footage and the memorandum from the Walton County Sheriff's Office, it is my opinion that Beach Code Compliance Officer

Burgess should have given Deputy McCabe more information and explained the reason for the citation , especially after asking the Walton County Sheriff Office assistance on this case.

Case Details

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Date Complaint Recieved 11/11/2020

Complaint Recieved By Buddy Burgess

Location Parcel Number

Location Address

Future Land Use

Date Case Closed

11/11/2020

Case Resolution

Notice of Violation

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Violator Owner

Complainant

CHANDLER JOHNSTON

Case Narrative

11/11/2020

On this date I was attempting to drive off the beach at Ed Walline when two male subjects carrying surfboards started walking down the drive on. I made several attempts to get them to stop and turn around and explain the hazards of blocking the emergency access but only one of the male subjects stopped to speak with me. Mr. Johnston refused to speak with me and when I attempted to get his information he became argumentative and refused to cooperate. At one point Mr. Johnston said he would provide his informatio but when I asked for his name as it appeared on his driver's licens he claimed his name was Christian. When I asked him to spell it for me he started spelling and I appeared he did not no how to spell it so he then just refused to continue. I informed him if he refused to cooperate I would be forced to contact the Walton County Sheriff's Office and his refusal to sign and accept a citation is a misdemeanor. He stated, "You say that like it's supposed to scare me." I then returned to my vehicle and contacted the WCSO. Mr. Johnston entered the water to surf while I stood by for the WCSO. While I waited I placed my body cam inside my vehicl and went to speak with the life guard to see if she knew Mr. Johnston's name as at tha time I did not know his identity. The lifeguard said she did not know his last name but his first name was Chandler. As I was walking back t my vehicle the deputy arrived and walked down the boardwalk. He asked what was going on and I told him I was trying t issue a citation for breach of peace but the subject refused to provide in formation and sign and accept. The deputy immediately began to question why I was issuing the citation. Due to his dimeanor and the way he was asking the questions I stopped him momentarily so I could retrieve my body cam so there would be no question as to what was said between us. The deputy continued questioning what the citaiton was for and how I felt it was appropriate for the situation. I told him that I meant no disrespect but that was not what he was there for and it did not matter. He was adamant that he needed to know how the subject was in breach of peace. The deputy informed me tha if he went over there and asked the subect for his information but he refused he was going to walk away. I told him that if he chose to refuse to enforce a misdemeanor that occurred in his presence then that was on him. He was adamant that he could not do anything unless I explained to him how the subject was in breach of peace and refused to accept that he was only there to inforce F.S.S. 162. When the deputy started raising his voice I ended the discussion and asked him who his supervisor was. After asking multiple times he

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

finall told me it was Sgt. Thillet. I informed him I would be contacting his supervisor since he was refusing to assist and started walking back to my vehicle. As we both walked in the same direction th deputy continued to make condescendi remarks regarding code enforcement as a whole. The deputy ended up leaving without assisting and a citation was not issued.

Buddy Burgess

Case Closed

Case Hearing Date

Code Violation Description

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Violator Owner

Complainant

CHANDLER JOHNSTON

Case Narrative

11/11/2020

On this date I was attempting to drive off the beach at Ed Walline when two male subjects carrying surfboards started walking down the drive on. I made several attempts to get them to stop and turn around and explain the hazards of blocking the emergency access but only one of the male subjects stopped to speak with me. Mr. Johnston refused to speak with me and when I attempted to get his information he became argumentative and refused to cooperate. I informed him if he refused to cooperate I would be forced to contact the Walton County Sheriff's Office and his refusal to sign and accept a citation is a misdemeanor. He stated, "You say that like it's supposed to scare me." I then returned to my vehicle and contacted the WCSO. Mr. Johnston entered the water to surf while I stood by for the WCSO. A short time later Deputy McNab arrived and asked what the deal was. I explained to him I needed to issue a citation but the subject was refusing to provide his information and sign and accept it. The deputy started questioning what the citation was for. I told him that I meant no disrespect but that was not what he was there for and it did not matter. He was adamant that he needed to know how the subject was in breach of peace. The deputy ended up leaving without assisting and a citation was not able to be issued.

Buddy Burgess

Case Closed

Case Hearing Date

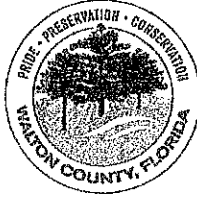
Code Violation Description

First Report

Done


WALTON COUNTY, FLORIDA
Board of County Commissioners

William "Bill" Chapman, District 1, *Chairman*
Danny Glidewell, District 2
Melanie Nipper, District 3
Trey Nick, District 4, *Vice-Chair*
Tony Anderson, District 5



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DeFuniak Springs, FL 32435
Phone: (850) 892-8155
Fax: (850) 892-8454
www.co.walton.fl.us

MEMO

TO: Buddy Burgess, Code Enforcement Officer
FROM: Tony Cornman, Code Compliance Director 
DATE: June 16, 2020
Subject: Walton County Disciplinary Action regarding WCSO Incident from 2/17/20

You are hereby notified that after reviewing all documents and evidence I have determined the best course of action is to dismiss any disciplinary action involving the above described incident. In the future I would encourage you to list all witnesses, evidence and/or recordings in your case reports that you may have so that your immediate supervisor can make the best-informed decision possible.

WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: TDC/Code Enforcement

POSITION: Beach Code Enforcement Officer

TYPE OF DISCIPLINE: ☐ Formal Counseling ☐ 1st Level Warning ☒ 2nd Level Warning
☐ Suspension ☐ Termination

DATE(S) VIOLATION OCCURRED: February 17, 2020

DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 – Section B General Provisions (3) (q) conduct that is disruptive, insubordinate, antagonistic, offensive or injurious to the County whether in relation to co-workers, other employees, superiors, elected officials or general workers.

While employed as a Beach Code Enforcement Officer (enforcing "Walton County Waterways and Beach Waterways Ordinance), on February 17, 2020 while attempting to enforce the Land Development Code involving a political sign you engaged in a verbal confrontation with Sgt. John Glenister of the Walton County Sheriff's Office.

When Sgt Glenister arrived on scene as you had requested, he advised you that that the sign was not in violation due to it having an exception based on it being a political sign. You began yelling at Sgt. Glenister and demanding that he enforce F.S. 162.21, which deals with individuals refusing to sign a code citation. You also indicated to Sgt Glenister that the individual with the sign was blocking the crosswalk and Sgt Glenister determined that he was not blocking the crosswalk. Your behavior directed toward WCSO and Sgt Glenister was unacceptable and will not be tolerated.

It should also be noted that this type of activity has previously been documented in a memo dated 12/04/2018 to employee (Buddy Burgess) file from Brian Kellenberger (supervisor). This memo documented an informal counseling session with you about a fire lane parking incident at Publix. During this incident you were attempting to enforce a parking violation which is not covered under your jurisdiction or authority and you acted with a short and abrasive attitude toward the complainant, quickly escalating to threatening to involve WCSO. During this meeting, Brian Kellenberger advised you about the need of a polite, professional and courteous service to our citizens/customers and reminded you that your area of responsibility is Chapter 22- Waterways and Beach Activities Ordinance which included the beach and TDC parks.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

Review of the Walton County Personal and Policy Manual in reference to conduct with other employees or general workers. In the future you are to act in a polite, professional and courteous manner toward all co-workers, other employees, superiors, elected officials, constitutional office employees and the general public. You are to work violations that are covered under your jurisdiction as a beach code enforcement officer unless asked or directed to assist in another situation.

The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY:


Immediate Supervisor

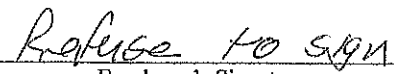
Code Manager 6-8-20
Title

APPROVED BY:


Department Head

BOE DIRECTOR 6/8/20
Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.


Employee's Signature


Witness

(MANDATORY)

DATE: 11/28/18


6/16/20

On 6/8/2020 I was informed by Danny Garner that I was being issued a written reprimand due to an incident that occurred on 2/17/2020. During this encounter I was contacted by 3 different deputies. The first Don Fernandez which did exactly as was requested of him. He stood by as I explained to the subject that he was in violation of Walton County Municipal Code with having the signage in the right of way and blocking the multi-use path. Deputy Fernandez explained to the subject that I was in a position to address such issues and required the subject to provide me with his information. Once I gathered the information I returned to my vehicle as did Deputy Fernandez. As we waited for the subject to comply Deputy Fernandez informed me Sgt Glennister wanted to speak with me on the phone. Sgt Glennister questioned the validity of the ordinance, but I provided him the section number for him to look. As I stood by Sgt Pullings arrived on scene and went to speak with the subject. A few minutes later he returned and informed me this was a civil matter due to the citation being a civil citation. I reminded him that failure to sign said citation is a misdemeanor to which he denied. Told him I just needed him to stand by while I attempt to issue a citation. He walked to his vehicle and left. Deputy Fernandez started to leave and I flagged him down to ask where they were going. He stated they were ordered by their LT to vacate the area immediately. I then contacted Lt. Brown and asked what the situation was as to them leaving. He said he told them to standby while I did what I needed to do and then leave. As we spoke Sgt Glennister pulled up. I ended my conversation with Lt. Brown and engaged Sgt Glennister. He immediately walked around to the passenger side of his truck and pulled out his computer and began telling me I was incorrect and could not issue the citation. I attempted multiple times to explain to Sgt Glennister the reason for his presence it to enforce Florida State Statute 162 if it arose and to standby to assure the peace. Throughout our entire contact I addressed him as Sgt Glennister and attempted to show him professional courtesy. He however continued to call me Buddy and stated he refused to standby. At that point I told him if he was not going to do his job he could go back to his truck. He stated he was leaving. I then contacted Lt. Brown again and explained that Sgt Glennister stated he would not stand by. Lt. requested I hand Sgt Glennister the phone. As they spoke on the phone Sgt Glennister lied to him and stated the subject had signage stating "Vote Trump" so they fell under political signage which he claimed was exempt. Lt. Brown ordered Sgt Glennister to stand by while I conducted my business. As I walked up to the subject Sgt. Glennister interrupted my business to inform the subject that I was going to write him a citation for a specific ordinance but he was in fact not in violation. The subjects finally agreed to relocate so as to not interfere with the foot traffic attempting to utilize the beach. After I relayed the information to Danny Garner regarding the case he and Brian Kellenberger reviewed my case notes. Danny later informed me, he and Brian both agree I was in the right by enforcing the land development code due to their location in relation to the public beach access.

In my written reprimand there are several issues to note. The first would be the fact that information regarding the incident that is referenced is from the WCSO deputies' statements and not from mine or Officer Ratcliff's statements. On the day that Danny Garner issued me the written reprimand he stated there were statements from 3 deputies and I informed him if there was then someone was lying as there were not 3 deputies there. I then requested copies of the deputies statements. The evening of the next day I received a copy of Sgt Glennister's statement. When I reminded Danny Garner I requested all the deputies' statements he informed me he only had a statement from Sgt Glennister. This means Danny Garner based this reprimand and the statements contained within solely on Sgt Glennister's

statement and completely ignored Dan Ratcliff's statement and my report. It states that I just began yelling at Sgt Glennister, demanding he enforce Florida State Statute 162. At no point did I yell or demand anything from Sgt Glennister as is corroborated by Officer Ratcliff.

The second would be the fact that it claims I stated they were blocking the crosswalk which I did not. My report stated they were blocking the multi-use path which is where half of their stuff was located on. As Beach Code Enforcement we ARE tasked with enforcement of multi-use path violations, Per Brian Kellenberger.

The reprimand letter cites a prior incident that was documented in a memo Brian Kellenberger placed in my personnel file. In this memo Brian Kellenberger states he received a complaint. Nowhere in this memo does it state these accusations were confirmed or if there was any supporting evidence to corroborate. During this informal session it was admitted by Brian Kellenberger that it was obvious the information the complainant provided was unreliable. When questioned as to how I made contact I informed Brian Kellenberger that I record every encounter I am able to and all he had to do was ask and I would show him how I always approach in a caring and appropriate manner in an attempt to get voluntary compliance. At that time my supervisor was Jeff McVay, not Brian Kellenberger. Jeff McVay, as the lead code enforcement officer found no validity in the complaint so I would not be receiving counseling on the situation. In the memo that is cited as the reasoning for this to be a written reprimand it states only there was a complaint. It doesn't state there was reason to believe the complaint was valid as Jeff McVay stated there was not. Brian Kellenberger ordered Jeff McVay to issue a written reprimand for the incident. Jeff McVay informed Brian that if he wanted me written up he needed to do it since Brian took the complaint. Brian once again ordered Jeff McVay to write it but Brian Kellenberger wanted to dictate the exact wording of the reprimand. Jeff McVay did as he was instructed to and provided the document to Brian but he also noted in the reprimand that it was "Per Brian Kellenberger." Jeff McVay would not sign it until Brian signed it but Brian would not sign it so it was never finalized. This information can be verified by contacting Jeff McVay. I have been in contact with him and he stated he would provide a statement to verify this information if needed.

A handwritten signature in black ink, appearing to be 'Buddy Burgess', with a stylized, cursive script.

Buddy Burgess

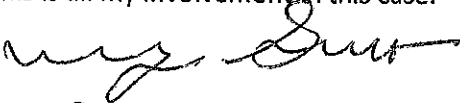
February 20,2020

On February 17,2020, while I was in South Florida I was contacted by TDC Beach Code Enforcement Officer Buddy Burgess via email advising about an incident that occurred on the multi-use path near Ed Walline Beach Access. In the email, Officer Burgess stated the incident involved some people that Officer Burgess was attempting to have them remove theirs table, signs and umbrella from county property/ right-a-way. Officer Burgess stated he had called the Walton County Sheriff's Office and they initially refused to stand by while he issued a citation and then attempted to undermine him by telling the subject that he was wrong and the person with the sign was not in violation. I advised by email that I would contact him on February 19, 2020 when I return to work. On February 19,2020 I met with Officer Burgess to go over his report. In the report, Officer Burgess stated that he had observed a group of people that had set up a sign (Donald Trump PAC), table and an umbrella on the multi-use path near the entrance of the Ed Walline Beach Access (see attached photograph). Officer Burgess stated that he contacted the subjects and introduced himself and attempted to explained to the group that the signage was not allowed according to the Land Development Code. In the report, Officer Burgess stated that one of the subjects Arthur Murphy only wanted to argue that it was his freedom of speech that allowed him to set up where he was located. Officer Burgess stated in his report, that he informed the subject that if they did not remove the items, Officer Burgess would have to contact the Walton County Sheriff's Office to become involved. In the report, Mr. Murphy stated that he had contacted the Sheriff's Office and they had given him permission. Please see attached copies of the interaction between the following officers, Officer Buddy Burgess code enforcement, Deputy Don Fernandez and Sgt. John Glenister with Walton County Sheriff's Office.

On February 19, 2020 I had a meeting with Lt Johnny Jorden, the South Walton County Zone Lieutenant for the Walton County Sheriff's Office . In this meeting Lt. Jorden advised that Sgt. Glenister had informed him of Beach Code Enforcement Officer Buddy Burgess behavior toward Sgt. Glenister during the incident on February 17,2019. Lt. Jorden stated that Officer Burgess had started yelling and verbally confronted Sgt. Glenister after Sgt. Glenister had informed Officer Burgess that due to the fact in Chapter Vi of the ordinance Sgt Glenister determined that in Section 6.02 a list of exempt signs defined as one of them being temporary signs for political candidacy, nonprofit organization. Lt. Jorden stated that based on this information, Sgt. Glenister advised Officer Burgess that due to the political nature of the signs and the exemption provided in the ordinances, the Sheriff's Office would not be involved in the case. Sgt. Glenister then left the scene. I advised Lt. Jorden this was the first time that I have heard about the verbal confrontation. I advised Lt. Jorden that I would contact Officer Burgess and advise him to be respectful with talking to an officer of the Walton County Sheriff's Office. I asked Lt. Jorden if this would affect the relationship between the two agencies, he advised that it would not. He advised that he was concerned about Officer Burgess's behavior in this case.

On February 20, 2020 I had a meeting, which I requested, with Captain Robert Gray supervisor of the Road Patrol division of the Walton Co. Sheriff's Office and Lt. Johnny Jorden at the Walton Co. Sheriff's Office. This meeting was to address some of the Sheriff's Office concerns about the interaction between the Sheriff's Deputies who responded to the incident at Ed Walline beach access multi-use path. Captain Gray advised that the Sheriff's Office felt the situation was a political matter and their reading of the section of the ordinance supported their action of not making any arrest if the subject involved refuse to sign the citation. He was also concerned about the way Officer Burgess handled the case and the involvement of the Sheriff's Office in the case. Captain Gray stated that the Sheriff's Office would always respond to a request from the Beach Code Enforcement Unit and would take action when it is appropriate and legal.

This is all my involvement in this case.

A handwritten signature in black ink, appearing to read "Danny Garner", written in a cursive style.

Danny Garner

TDC Beach Code Enforcement Unit Manager



Beach Operations Beach Code Enforcement

Memo

To: Employee File
From: Brian Kellenberger
Date: 12/4/18
RE: GB Publix SRB - Fire Lane Incident

Meeting Attendees: B. Kellenberger, J. Mcvay, H. Taunton, B. Burgess

Meeting Purpose: Informal counseling with Buddy Burgess for incident involving Fire Lane Code Enforcement effort at Grand Boulevard Publix - SRB. Discussed w/ B. Burgess complaint made by citizen of B. Burgess interaction concerning Fire Lane violation. Complainant stated B. Burgess attitude and demeanor was short and abrasive and quickly escalated to B. Burgess threatening to involve WCSO.

Discussed w/ B. Burgess BCE Dept requirement of polite, professional, courteous service. WCSO involvement is to be last resort. BCE area responsibility is Chapter 22 - Waterways and Beaches Activities and included the beach and TDC parks only.

B. Burgess explained his involvement with Publix Fire Lane issue was due to request by Publix Manager. B. Burgess often buys lunch at this store and has become friendly w/ Publix Management.

Case Details

Violation Number CV-2020-0032863 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Date Complaint Recieved 2/17/2020

Complaint Recieved By Buddy Burgess

Location Parcel Number

Location Address

Future Land Use

Date Case Closed 2/17/2020

Case Resolution

Written Warning

Number CV-2020-0032863 Violation Code Other please specify Case Status Closed
Location Gulf Place Beach Lead Investigator Buddy Burgess
or Proactive origination Proactive

or Owner

Complainant

UR MURPHY

ARCH AVE

ITA

07603

Narrative

2/19/2020 On this date I saw a group set up on the sidewalk in front of Ed Walline RBA. They had a table and umbrella set up on the sidewalk with signage placed at the stop sign on 30A and south of the sidewalk on TDC property. I made contact with the individuals, introduced myself, and explained to them the signage was not allowed. Mr. Murphy only wanted to argue that it was his freedom of speech that allowed him to set up there. I informed him if they did not remove the items I would have to have the Walton County Sheriff's Office get involved. He claimed he had spoken with the sheriff's office and they gave them permission to be there. They refused to comply so I discontinued our interaction and contacted the Walton County Sheriff's Office. When Deputy Fernandez arrived on scene he made contact with them and explained to them what I was attempting to convey. They continued to try to argue. I explained to him multiple times I was not going to argue and I needed his ID. He finally complied by providing me with his license. I issued him a written warning for violation of 6.01.02 and informed him he had to remove the items immediately. The female subject that was with Mr. Murphy urged him to pack up and address it later to which he said ok. During our interaction Deputy Fernandez attempted to verify who at the Walton County Sheriff's Office gave them permission to be there. It was found they had only contacted dispatch to notify them they would be set up at this location. I walked back to my vehicle where I waited for compliance. A short time later Deputy Fernandez walked up to me and advised his supervisor Ssgt Glennister needed to speak with me. Sgt. Glennister asked for the code number I was referring to as he was unable to easily locate it. I guided him to the section under land development code that prohibited the signage. He questioned the fact they were political signs. I informed Sgt Glennister that during our interaction Mr. Murphy informed me they were not political signs and he was covered by the First Amendment. I also informed Sgt Glennister the blockage of the multi-use path was another violation. A short time later Sgt Pullings arrived on scene and made contact with Mr. Murphy. After speaking with him Sgt Pullings approached my vehicle and informed me they had no business there due to this being a civil matter. I reminded Sgt Pullings that Florida State Statute 162 states if Mr. Murphy refuses to sign it is a misdemeanor. Sgt Pullings did not agree with my statement but said they would be logging his info and if it is found they are wrong they will send a warrant up for his arrest. I told Sgt Pullings I needed him to stand by while I attempted to issue Mr. Murphy a

County Code Violations at Ed Walline Regional Beach Access

During my shift on February 17, 2020 I, Ofc Ratcliffe, received a phone call from Ofc Burgess regarding multiple county code violations at the Ed Walline RBA. Ofc Burgess described the violations as follows:

2 subjects (W/F and W/M) manning table with informational signs on multi-use path, blocking crosswalk, and in ROW.

I voluntarily went to site to ensure my fellow officer's safety. While on site, I observed Ofc Burgess in his patrol vehicle with Dep Pullens standing next to him discussing the violations. I could hear Dep Pullens state to Ofc Burgess that this was a "civil matter" and the WCSO would not be involved with the county code violations. At this time Dep Pullens and another deputy left the area. Then Ofc Burgess contacted SO and asked them to return to the site because he needed to issue a citation to the subjects because they had ignored his previous warning. Dep Glenister arrived and Ofc Burgess and he got into a heated discussion over whether there was an existence of any county code violations. Dep Glenister asked me to read the county code which he had displayed on his laptop and I explained to him that it was not a matter of whether the SO agreed there was a violation or not, but that Ofc Burgess was requesting FSS 162 be enforced if the subjects refused to sign his citation. At this time Ofc Burgess approached the subjects to issue him a citation for the violations. Dep Glenister approached with him. At the same time Ofc Burgess was explaining the citation to the subject and that the subject would be committing a misdemeanor if he refused to sign, Dep Glenister informed the subject that the WCSO would not take any enforcement action if he chose not to sign. During this encounter, the subject decided to relocate his informational sign stand to the east approx. 20 yards so as to not block the crosswalk and create a hazard at the 393/30A intersection. This was the end of this incident.



Ofc Dan Ratcliffe

May 26, 2020



MICHAEL A. ADKINSON, JR., SHERIFF
Office of the Sheriff, Walton County

DATE: 2-21-20
TO: Lt. Jordan
FROM: Sgt. John Glenister
COPIES:
SUBJECT: 2020-00024377

LT,

Per our conversation, here is a synopsis of what occurred on incident 2020-00024377:

On 2-21-20, Dispatch informed me that a gentlemen by the name of Arthur Murphy contacted me regarding the incident. Murphy said he was displaying political signs in an effort to support the re-election of President Trump. Murphy stated that Code Enforcement Officer Buddy Burgess was going to issue him a citation for violation of Section 6.01.02 (No signs allowed on public property). I researched that particular ordinance and discovered that there was an exemption for the ordinance, Section 6.02 Exemptions: Temporary signs for political candidacy.

I then responded to the scene and informed Burgess of what I discovered. Burgess then became agitated and stated that Murphy had told him that the signs were not of political nature. I looked at the signs and saw Trump 2020 on it. I then informed Burgess that the signs were of political nature and that it would fall under the sign exemption. I then informed Burgess the Sheriff's Office would not get involved in this incident due to there being an exemption. Burgess began to yell at me and demanded I stay and enforce F.S. 162.21 which talks about individuals refusing to sign code enforcement citations. Burgess further stated that Murphy was blocking the crossway and walkway, which I determined that he was not.

I then walked over and spoke with Murphy. I explained to him that there was an exemption for political signs and that he was allowed to display them on the public right of way. I told Murphy that I was there simply to keep the peace. Burgess then issued a written warning and asked Murphy to move down the road a bit which Murphy complied.

John Glenister

Sergeant John Glenister
Walton County Sheriff's Office

Danny Garner

From: Danny Garner
Sent: Friday, June 5, 2020 9:50 AM
To: Danny Garner
Subject: Fwd: Allowed?

Sent from my iPhone

Begin forwarded message:

From: Buddy Burgess <Buddy@visitsouthwalton.com>
Date: February 17, 2020 at 3:57:39 PM CST
Subject: RE: Allowed?

I got them to move from in front of the crosswalk at our access. After that it belongs to street side code. I already got into it with WCSO and they have informed me they will not assist.

Sent from my Verizon, Samsung Galaxy smartphone

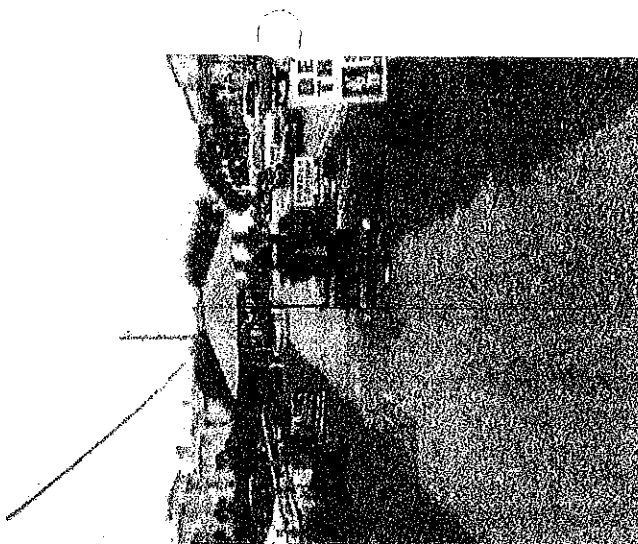
----- Original message -----

From: Josh Ervin <Josh@visitsouthwalton.com>
Date: 2/17/20 15:54 (GMT-06:00)
To: Group Email TDC Beach Code Enforcement <beachcodeenforcement@visitsouthwalton.com>
Subject: Fwd: Allowed?

Joshua R. Ervin
Beach Maintenance Manager
Walton County TDC
(850) 267-4578 | josh@VisitSouthWalton.com

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Date: February 17, 2020 at 3:17:28 PM CST
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This will need to go to Captain or above. Today's incident involved a Lt

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Sent: Monday, February 17, 2020 3:16 PM
To: Buddy Burgess <Buddy@visitsouthwalton.com>
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Thank you
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Sent from my iPhone

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We had an incident at Ed Walline a little while ago regarding trying to get some people to remove their signs from county property. I had to get the Walton County Sheriff's Office and they initially refused to standby while I issued a citation and then attempted to undermine me by telling the subject I was wrong and he was not in violation. There is too much info to convey in an email but when you get back we need to sit down with executive staff of Walton County Sheriff's Office regarding their conduct during this incident.

Thank you,

Buddy Burgess
Code Enforcement Officer
Walton County TDC
(850) 635-1903

Buddy@visitsouthwalton.com

<image001.png>

Please Note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication may be subject to public disclosure.

February 20, 2020

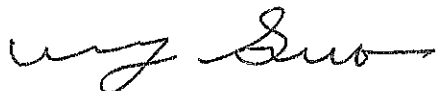
On February 17, 2020, while I was attending training in South Florida I was contacted by TDC Beach Code Enforcement Officer Buddy Burgess via email, advising about an incident that occurred on the multi-use path near Ed Walline Beach Access. In the email, Officer Burgess stated the incident involved some people that Officer Burgess was attempting to have them remove their table, signs and umbrella from county property/ right-a-way. Officer Burgess stated he had called the Walton County Sheriff's Office and they initially refused to stand by while he issued a citation and then attempted to undermine him by telling the subject that he was wrong and the person with the sign was not in violation. I advised by email that I would contact him (Burgess) on February 19, 2020 when I return to work. On February 19, 2020 I met with Officer Burgess to go over his report. In the report, Officer Burgess stated that he had observed a group of people that had set up a sign (Donald Trump PAC), table and an umbrella on the multi-use path near the entrance of the Ed Walline Beach Access (see attached photograph). Officer Burgess stated that he contacted the subjects and introduced himself and attempted to explain to the group that the signage was not allowed according to the Land Development Code. In the report, Officer Burgess stated that one of the subjects Arthur Murphy only wanted to argue that it was his freedom of speech that allowed him to set up where he was located. Officer Burgess stated in his report, that he informed the subject that if they did not remove the items, Officer Burgess would have to contact the Walton County Sheriff's Office to become involved. According to Officer Burgess's report, Mr. Murphy stated that he had contacted the Sheriff's Office and they had given him permission. Please see attached copies of the interaction between the following officers, Code Enforcement Officer Buddy Burgess, Deputy Don Fernandez and Sgt. John Glenister with Walton County Sheriff's Office.

On February 19, 2020 I had a meeting with Lt Johnny Jorden, the South Walton County Zone Lieutenant for the Walton County Sheriff's Office. In this meeting Lt. Jorden advised that Sgt. Glenister had informed him of Beach Code Enforcement Officer Buddy Burgess behavior toward Sgt. Glenister during the incident on February 17, 2019. Lt. Jorden stated that Officer Burgess had started yelling and verbally confronted Sgt. Glenister after Sgt. Glenister had informed Officer Burgess that Chapter 6.02 of the ordinance had a list of exempt signs which included temporary signs for political candidacy, nonprofit organization. Lt. Jorden stated that based on this information, Sgt. Glenister advised Officer Burgess that due to the political nature of the signs and the exemption provided in the ordinances, the Sheriff's Office would not be involved in the case. Sgt. Glenister then left the scene. I advised Lt. Jorden this was the first time that I have heard about the verbal confrontation. I advised Lt. Jorden that I would contact Officer Burgess and advise him to be respectful with talking to an officer of the Walton County Sheriff's Office. I asked Lt. Jorden if this would affect the relationship between the two agencies, he advised that it would not. He advised that he was concerned about Officer Burgess's behavior in this case.

On February 20, 2020 I had a meeting, which I requested, with Captain Robert Gray supervisor of the Road Patrol division of the Walton Co. Sheriff's Office and Lt. Johnny Jorden at the Walton Co. Sheriff's Office. This meeting was to address some of the Sheriff's Office concerns about the interaction between the Sheriff's Deputies who responded to the incident at Ed Walline beach access multi-use path. Captain Gray advised that the Sheriff's Office felt the situation was a political matter and their reading of the section of the ordinance supported their action of not making any arrest if the subject involved refused to sign the citation. He was also concerned about the way Officer Burgess handled the case and the involvement of the Sheriff's Office in the case. Captain Gray stated that the Sheriff's Office would

always respond to a request from the Beach Code Enforcement Unit and would act when it is appropriate and legal.

This is all my involvement in this case.

A handwritten signature in black ink, appearing to read "Danny Garner", with a stylized, cursive script.

Danny Garner

TDC Beach Code Enforcement Unit Manager

February 20,2020

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This is all my involvement in this case.

A handwritten signature in black ink, appearing to read "Danny Garner", with a stylized, cursive script.

Danny Garner

TDC Beach Code Enforcement Unit Manager

WALTON COUNTY

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: TDC/Code Enforcement

TYPE OF DISCIPLINE: ☐ Formal Counsel

☐ Sus

DATE(S) VIOLATION OCCURRED: February

DETAILS OF RULE OR REGULATION VIOLATION

Provisions (3) (q) conduct that is disruptive, insubordinate, or disrespectful, whether in relation to co-workers, other employees, or the public.

While employed as a Beach Code Enforcement Officer (Buddy Burgess), on February 17, 2020 while enforcing the Beach and Development Code involving a political sign you engaged in a verbal confrontation with Sgt. John Glenister of the Walton County Sheriff's Office.

When Sgt Glenister arrived on scene as you had requested, he advised you that that the sign was not in violation due to it having an exception based on it being a political sign. You began yelling at Sgt. Glenister and demanding that he enforce F.S. 162.21, which deals with individuals refusing to sign a code citation. You also indicated to Sgt Glenister that the individual with the sign was blocking the crosswalk and Sgt Glenister determined that he was not blocking the crosswalk. Your behavior directed toward WCSO and Sgt Glenister was unacceptable and will not be tolerated.

It should also be noted that this type of activity has previously been documented in a memo dated 12/04/2018 to employee (Buddy Burgess) file from Brian Kellenberger (supervisor). This memo documented an informal counseling session with you about a fire lane parking incident at Publix. During this incident you were attempting to enforce a parking violation which is not covered under your jurisdiction or authority and you acted with a short and abrasive attitude toward the complainant, quickly escalating to threatening to involve WCSO. During this meeting, Brian Kellenberger advised you about the need of a polite, professional and courteous service to our citizens/customers and reminded you that your area of responsibility is Chapter 22-Waterways and Beach Activities Ordinance which included the beach and TDC parks.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

Review of the Walton County Personal and Policy Manual in reference to conduct with other employees or general workers. In the future you are to act in a polite, professional and courteous manner toward all co-workers, other employees, superiors, elected officials, constitutional office employees and the general public. You are to work violations that are covered under your jurisdiction as a beach code enforcement officer unless asked or directed to assist in another situation.

The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY:

Immediate Supervisor

Title

APPROVED BY:

Department Head

Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.

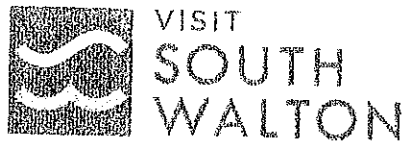
Employee's Signature

Witness

(MANDATORY)

DATE: 11/28/18

Left for
Winn in
a sealed
envelope
6-9-2020
1503 hrs



Beach Operations Beach Code Enforcement

Memo

To: Employee File
From: Brian Kellenberger
Date: 12/4/18
RE: GB Publix SRB - Fire Lane Incident

Meeting Attendees: B. Kellenberger, J. Mcvay, H. Taunton, B. Burgess

Meeting Purpose: Informal counseling with Buddy Burgess for incident involving Fire Lane Code Enforcement effort at Grand Boulevard Publix - SRB. Discussed w/ B. Burgess complaint made by citizen of B. Burgess interaction concerning Fire Lane violation. Complainant stated B. Burgess attitude and demeanor was short and abrasive and quickly escalated to B. Burgess threatening to involve WCSO.

Discussed w/ B. Burgess BCE Dept requirement of polite, professional, courteous service. WCSO involvement is to be last resort. BCE area responsibility is Chapter 22 - Waterways and Beaches Activities and included the beach and TDC parks only.

B. Burgess explained his involvement with Publix Fire Lane issue was due to request by Publix Manager. B. Burgess often buys lunch at this store and has become friendly w/ Publix Management.

Case Details

Violation Number CV-2020-0032863 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Date Complaint Recieved 2/17/2020

Complaint Recieved By Buddy Burgess

Location Parcel Number

Location Address

Future Land Use

Date Case Closed 2/17/2020

Case Resolution

Written Warning

Violation Number CV-2020-0032863 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Violator Owner

Complainant

ARTHUR MURPHY
241 LARCH AVE

BOGOTA

NJ

07603

Case Narrative

2/17/2020

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citation. Sgt Pullings walked to his truck and drove off. I flagged down Deputy Fernandez as he drove past and asked why they were leaving when I requested their assistance. Deputy Fernandez stated they were ordered by the Watch Commander, Lt. Ryan Brown, to leave. At that point I called WCSO dispatch and requested to speak with Lt. Brown. Lt. Brown stated he did not tell the deputies to leave. As I was speaking with him Sgt Glennister pulled up. I told Lt Brown I would speak with Sgt Glennister. Sgt Glennister informed me I was wrong and he would not stand by while I attempted to issue a citation. I informed Sgt Glennister he was there to enforce Florida State Statute 162 not discuss his thoughts on the ordinance. Sgt Glennister was steadfast that I was wrong and he would not assist while I issued the citation. I told him if he was going to be derelict in his duties by not doing his job he could leave. At that point I contacted Lt Brown and explained the issue with him. He asked me to hand the phone to Sgt Glennister to which I did. After he concluded the phone call he walked with me to make contact with Mr. Murphy. Before I could speak Sgt Glennister informed Mr. Murphy what I was about to write him a citation for but I was wrong and he was not in violation. I explained to Mr. Murphy that he was in violation and he will be getting cited for the violations. He wanted to argue that Sgt Glennister said he was not in violation. After a few minutes of trying to get through I explained to Mr. Murphy the issue at hand was he was in front of the beach access which is my responsibility. Anyone that utilizes the crosswalk to get to our beach access would have to walk through his setup. I explained to him that if he was set up anywhere away from any beach accesses it would be a different department and I would not have made contact with him. At that point he agreed to move to the east of his location. I made contact with Lt. Brown who had shown up while I was speaking with Mr. Murphy. I him to have a word with me to which he complied. I explained to him that WCSO was called in order to ensure Mr. Murphy signed the citation and I could conclude the encounter in a timely manner. Lt Brown stated it was a grey area and they did not want to get involved in the situation to which I stated that Sgt Glennister's actions got them involved. I also stated that Sgt Glennister's actions were at the very least unprofessional and were unacceptable to which he said he agrees and would handle that. At that point I concluded my contact and left the area.

Buddy Burgess

Citation

Hearing Date

Code Violation Description

Danny Garner

From: Danny Garner
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To: Danny Garner
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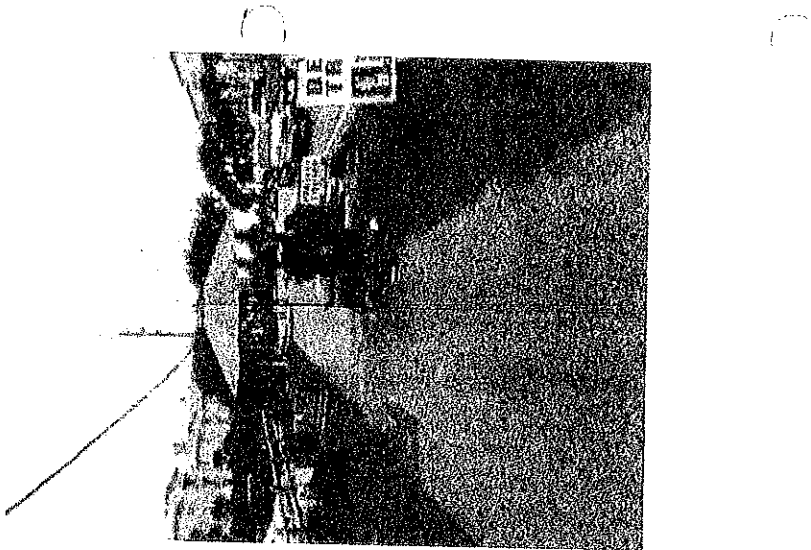
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WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: TDC/Code Enforcement

POSITION: Beach Code Enforcement Officer

TYPE OF DISCIPLINE: ☐ Formal Counseling ☐ 1st Level Warning ☐ 2nd Level Warning
☒ Suspension of 1-day ☐ Termination

DATE(S) VIOLATION OCCURRED: On or about April 30, 2020

DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 -- Section B General Provisions (3) (h) abuse, misuse or theft of public property, equipment facilities or supplies.

During a visit to the beach operations building while on FMLA, you entered a cabinet above the toolbox located in the mechanic shop area and removed the Autel Maxisys Elite Diagnostic Tool valued at over \$3000.00 which belonged to Walton County. You never asked to borrow, and you were never given permission to take or use the tool.

Once the Shop Foreman, Michael Knight, noticed the equipment was missing and sent an e-mail to all employees inquiring about the equipment did you contact Michael Knight by phone and explain the equipment was in your possession. You stated that you had borrowed the tool, without asking for permission or letting anyone know, because your scanner would not do what you needed. This also shows that you took the expensive county tool/equipment to use for your personal gain/use.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

Review of the Walton County Personal and Policy Manual in reference to abuse, misuse or theft of public property, equipment facilities or supplies. You are to not take, borrow or use any county tool or other equipment for personal gain/use unless given specific permission to do so.

The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY:

[Signature]
Immediate Supervisor

code manager
Title

APPROVED BY:

[Signature]
Department Head

Code Director
Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.

Refused to sign
Employee's Signature

Donna Walouingham
Witness (MANDATORY)

DATE: 11/28/18

On Sunday 5-3-20 I looked in the cabinet above the toolbox and found the Autel Maxisys Elite was missing. I looked around the shop and could not find it. I emailed Josh Ervin to let him know the tool was missing. He sent a group email asking for it to be returned. Buddy Burgess contacted me by phone and told me he had borrowed the tool and did not let anyone know or ask for permission. He told me his scanner would not do what he needed so he borrowed the Autel Maxisys Elite and forgot to return it. Adam Seigler and Harold Taunton picked up the tool and gave it to me.

Michael Knight

A handwritten signature in cursive script, appearing to read "Mike" or "Michael", written in dark ink.



VISIT
SOUTH
WALTON

May 29, 2020

Tony Cornman
Code Compliance Director
Walton County Board of County Commissioners
76 N 6th Street
DeFuniak Springs, FL 32433

Mr. Cornman,

The vehicle diagnostic computer (BCC 9112) is a piece of equipment that our shop foreman relies on to successfully complete his assigned tasks. Therefore, this equipment would not be loaned to any employee for their personal use since it is a capital asset and critical to the daily operation of our departmental function(s).

Sincerely,

Joshua R. Ervin
Beach Maintenance Manager

MEMO

TO: Buddy Burgess, Code Enforcement Officer
FROM: Danny Garner, Beach Code Manager
DATE: June 8, 2020
Subject: Pre-Disciplinary Hearing

You are notified that I have determined that your actions have warranted discipline above a written reprimand and a pre-disciplinary hearing is scheduled for June 9, 2020 at 1:30p to discuss charges and discipline.

*Removed from
Folder*

February 20, 2020

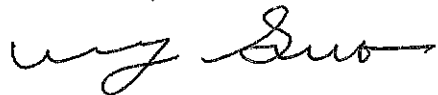
On February 17, 2020, while I was attending training in South Florida I was contacted by TDC Beach Code Enforcement Officer Buddy Burgess via email, advising about an incident that occurred on the multi-use path near Ed Walline Beach Access. In the email, Officer Burgess stated the incident involved some people that Officer Burgess was attempting to have them remove their table, signs and umbrella from county property/ right-a-way. Officer Burgess stated he had called the Walton County Sheriff's Office and they initially refused to stand by while he issued a citation and then attempted to undermine him by telling the subject that he was wrong and the person with the sign was not in violation. I advised by email that I would contact him (Burgess) on February 19, 2020 when I return to work. On February 19, 2020 I met with Officer Burgess to go over his report. In the report, Officer Burgess stated that he had observed a group of people that had set up a sign (Donald Trump PAC), table and an umbrella on the multi-use path near the entrance of the Ed Walline Beach Access (see attached photograph). Officer Burgess stated that he contacted the subjects and introduced himself and attempted to explain to the group that the signage was not allowed according to the Land Development Code. In the report, Officer Burgess stated that one of the subjects Arthur Murphy only wanted to argue that it was his freedom of speech that allowed him to set up where he was located. Officer Burgess stated in his report, that he informed the subject that if they did not remove the items, Officer Burgess would have to contact the Walton County Sheriff's Office to become involved. According to Officer Burgess's report, Mr. Murphy stated that he had contacted the Sheriff's Office and they had given him permission. Please see attached copies of the interaction between the following officers, Code Enforcement Officer Buddy Burgess, Deputy Don Fernandez and Sgt. John Glenister with Walton County Sheriff's Office.

On February 19, 2020 I had a meeting with Lt Johnny Jorden, the South Walton County Zone Lieutenant for the Walton County Sheriff's Office. In this meeting Lt. Jorden advised that Sgt. Glenister had informed him of Beach Code Enforcement Officer Buddy Burgess behavior toward Sgt. Glenister during the incident on February 17, 2019. Lt. Jorden stated that Officer Burgess had started yelling and verbally confronted Sgt. Glenister after Sgt. Glenister had informed Officer Burgess that Chapter 6.02 of the ordinance had a list of exempt signs which included temporary signs for political candidacy, nonprofit organization. Lt. Jorden stated that based on this information, Sgt. Glenister advised Officer Burgess that due to the political nature of the signs and the exemption provided in the ordinances, the Sheriff's Office would not be involved in the case. Sgt. Glenister then left the scene. I advised Lt. Jorden this was the first time that I have heard about the verbal confrontation. I advised Lt. Jorden that I would contact Officer Burgess and advise him to be respectful with talking to an officer of the Walton County Sheriff's Office. I asked Lt. Jorden if this would affect the relationship between the two agencies, he advised that it would not. He advised that he was concerned about Officer Burgess's behavior in this case.

On February 20, 2020 I had a meeting, which I requested, with Captain Robert Gray supervisor of the Road Patrol division of the Walton Co. Sheriff's Office and Lt. Johnny Jorden at the Walton Co. Sheriff's Office. This meeting was to address some of the Sheriff's Office concerns about the interaction between the Sheriff's Deputies who responded to the incident at Ed Walline beach access multi-use path. Captain Gray advised that the Sheriff's Office felt the situation was a political matter and their reading of the section of the ordinance supported their action of not making any arrest if the subject involved refuse to sign the citation. He was also concerned about the way Officer Burgess handled the case and the involvement of the Sheriff's Office in the case. Captain Gray stated that the Sheriff's Office would

always respond to a request from the Beach Code Enforcement Unit and would act when it is appropriate and legal.

This is all my involvement in this case.

A handwritten signature in black ink, appearing to read "Danny Garner", with a stylized, cursive script.

Danny Garner

TDC Beach Code Enforcement Unit Manager

February 20, 2020

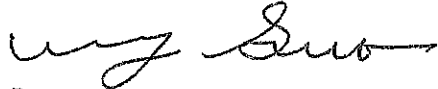
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always respond to a request from the Beach Code Enforcement Unit and would act when it is appropriate and legal.

This is all my involvement in this case.

A handwritten signature in black ink, appearing to read "Danny Garner", with a stylized, cursive script.

Danny Garner

TDC Beach Code Enforcement Unit Manager



MICHAEL A. ADKINSON, JR., SHERIFF
Office of the Sheriff, Walton County

DATE: 2-21-20
TO: Lt. Jordan
FROM: Sgt. John Glenister
COPIES:
SUBJECT: 2020-00024377

LT,

Per our conversation, here is a synopsis of what occurred on incident 2020-00024377:

On 2-21-20, Dispatch informed me that a gentlemen by the name of Arthur Murphy contacted me regarding the incident. Murphy said he was displaying political signs in an effort to support the re-election of President Trump. Murphy stated that Code Enforcement Officer Buddy Burgess was going to issue him a citation for violation of Section 6.01.02 (No signs allowed on public property). I researched that particular ordinance and discovered that there was an exemption for the ordinance, Section 6.02 Exemptions: Temporary signs for political candidacy.

I then responded to the scene and informed Burgess of what I discovered. Burgess then became agitated and stated that Murphy had told him that the signs were not of political nature. I looked at the signs and saw Trump 2020 on it. I then informed Burgess that the signs were of political nature and that it would fall under the sign exemption. I then informed Burgess the Sheriff's Office would not get involved in this incident due to there being an exemption. Burgess began to yell at me and demanded I stay and enforce F.S. 162.21 which talks about individuals refusing to sign code enforcement citations. Burgess further stated that Murphy was blocking the crossway and walkway, which I determined that he was not.

I then walked over and spoke with Murphy. I explained to him that there was an exemption for political signs and that he was allowed to display them on the public right of way. I told Murphy that I was there simply to keep the peace. Burgess then issued a written warning and asked Murphy to move down the road a bit which Murphy complied.

John Glenister

Sergeant John Glenister
Walton County Sheriff's Office

WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: TDC/Code Enforcement

POSITION: Beach Code Enforcement Officer

TYPE OF DISCIPLINE: ☐ Formal Counseling ☒ 1st Level Warning ☐ 2nd Level Warning
☐ Suspension of 1-day ☐ Termination

DATE(S) VIOLATION OCCURRED: On or about April 30, 2020

DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 – Section B General Provisions (3) (h) abuse, misuse or theft of public property, equipment facilities or supplies.

During a visit to the beach operations building while on FMLA, you entered a cabinet above the toolbox located in the mechanic shop area and removed the Autel Maxisys Elite Diagnostic Tool valued at over \$3000.00 which belonged to Walton County. You never asked to borrow, and you were never given permission to take or use the tool.

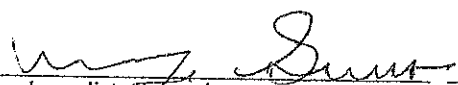
Once the Shop Foreman, Michael Knight, noticed the equipment was missing and sent an e-mail to all employees inquiring about the equipment did you contact Michael Knight by phone and explain the equipment was in your possession. You stated that you had borrowed the tool, without asking for permission or letting anyone know, because your scanner would not do what you needed. This also shows that you took the expensive county tool/equipment to use for your personal gain/use.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

Review of the Walton County Personal and Policy Manual in reference to abuse, misuse or theft of public property, equipment facilities or supplies. You are to not take, borrow or use any county tool or other equipment for personal gain/use unless given specific permission to do so.


The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY:


Immediate Supervisor

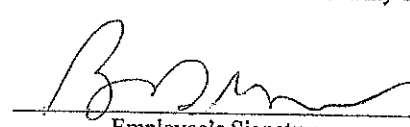

Title

APPROVED BY:


Department Head


Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.


Employee's Signature


Witness

(MANDATORY)

DATE: 11/28/18

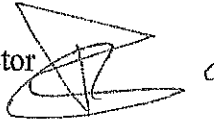
WALTON COUNTY, FLORIDA
Board of County Commissioners

William "Bill" Chapman, District 1, *Chairman*
Danny Glidewell, District 2
Melanie Nipper, District 3
Trey Nick, District 4, *Vice-Chair*
Tony Anderson, District 5



P.O. Box 1355
DeFuniak Springs, FL 32435
Phone: (850) 892-8155
Fax: (850) 892-8454
www.co.walton.fl.us

MEMO

TO: Buddy Burgess, Code Enforcement Officer
FROM: Tony Cornman, Code Compliance Director 
DATE: June 16, 2020
Subject: Walton County Disciplinary Action regarding tool incident on or about 4/30/20

REF: Chapter 11-Section B General Provisions (3) (h) abuse, misuse or theft of public property, equipment facilities or supplies.

You are hereby notified that after reviewing all documents and evidence, I have determined the best course of action is to reduce the disciplinary action listed from a one-day suspension to a first level warning regarding the above described incident. In the future you are not to remove any tools or any other items under the span of control of the beach operations shop foremen or anyone else unless you are given specific permission to do so or it is assigned to or belongs to you.

WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: TDC/Code Enforcement

POSITION: Beach Code Enforcement Officer

TYPE OF DISCIPLINE: ☐ Formal Counseling ☐ 1st Level Warning ☐ 2nd Level Warning
☒ Suspension of 1-day ☐ Termination

DATE(S) VIOLATION OCCURRED: On or about April 30, 2020

DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 -- Section B General Provisions (3) (h) abuse, misuse or theft of public property, equipment facilities or supplies.

During a visit to the beach operations building while on FMLA, you entered a cabinet above the toolbox located in the mechanic shop area and removed the Autel Maxisys Elite Diagnostic Tool valued at over \$3000.00 which belonged to Walton County. You never asked to borrow, and you were never given permission to take or use the tool.

Once the Shop Foreman, Michael Knight, noticed the equipment was missing and sent an e-mail to all employees inquiring about the equipment did you contact Michael Knight by phone and explain the equipment was in your possession. You stated that you had borrowed the tool, without asking for permission or letting anyone know, because your scanner would not do what you needed. This also shows that you took the expensive county tool/equipment to use for your personal gain/use.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

Review of the Walton County Personal and Policy Manual in reference to abuse, misuse or theft of public property, equipment facilities or supplies. You are to not take, borrow or use any county tool or other equipment for personal gain/use unless given specific permission to do so.

The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY: [Signature] Immediate Supervisor Code Manager Title

APPROVED BY: [Signature] Department Head Code Director Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.

Refused to sign Employee's Signature Monna Walingham Witness (MANDATORY)

DATE: 11/28/18

REDUCED
TO 1ST LEVEL
WARNING

MEMO

TO: Buddy Burgess, Code Enforcement Officer
FROM: Danny Garner, Beach Code Manager
DATE: June 8, 2020
Subject: Pre-Disciplinary Hearing

You are notified that I have determined that your actions have warranted discipline above a written reprimand and a pre-disciplinary hearing is scheduled for June 9, 2020 at 1:30p to discuss charges and discipline.



May 29, 2020

Tony Cornman
Code Compliance Director
Walton County Board of County Commissioners
76 N 6th Street
DeFuniak Springs, FL 32433

Mr. Cornman,

The vehicle diagnostic computer (BCC 9112) is a piece of equipment that our shop foreman relies on to successfully complete his assigned tasks. Therefore, this equipment would not be loaned to any employee for their personal use since it is a capital asset and critical to the daily operation of our departmental function(s).

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Ervin", written over a horizontal line.

Joshua R. Ervin
Beach Maintenance Manager

On Sunday 5-3-20 I looked in the cabinet above the toolbox and found the Autel Maxisys Elite was missing. I looked around the shop and could not find it. I emailed Josh Ervin to let him know the tool was missing. He sent a group email asking for it to be returned. Buddy Burgess contacted me by phone and told me he had borrowed the tool and did not let anyone know or ask for permission. He told me his scanner would not do what he needed so he borrowed the Autel Maxisys Elite and forgot to return it. Adam Seigler and Harold Taunton picked up the tool and gave it to me.

Michael Knight

A handwritten signature in black ink, appearing to read "Mr. Knight", written in a cursive style.

12.10.20-Entered into system-
EE rebuttal attached (Bn)

WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: Code Compliance

POSITION: Code Compliance Officer

TYPE OF DISCIPLINE:	<input type="checkbox"/> Formal Counseling	<input type="checkbox"/> 1 st Level Warning	<input checked="" type="checkbox"/> 2 nd Level Warning
	<input type="checkbox"/> Suspension	<input type="checkbox"/> Termination	

DATE(S) VIOLATION OCCURRED: November 11, 2020


DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 – Section B General Provisions (3) (q) conduct that is disruptive, insubordinate, antagonistic, offensive or injurious to the County whether in relation to co-workers, other employees, superiors, elected officials or general workers.

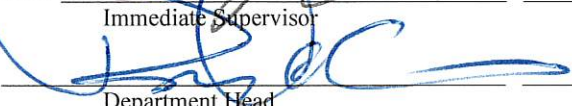
On November 11, 2020, while employed as a Beach Code Compliance Officer Burgess attempted to enforce the (Breach Of Peace Ordinance) on a W/M subject who became argumentative and uncooperative. The subject refused to provide information for a citation, resulting in the Walton County Sheriff's Office being called to assist in obtaining the information for the citation. Deputy Travis McCabe arrived on the scene at Ed Walline Beach Access. According to a memorandum from the Walton County Sheriff's Office after Deputy McCabe arrived, he questioned why Officer Burgess was issuing citation for the violation. Officer Burgess stated in his report at that point he went back to his truck and retrieved his body camera so that he could document the encounter. Officer Burgess then stated to the Deputy McCabe that he did not mean any disrespect, but that was not what he was there for and it did not matter. When asked for clarification on the reason for the citation Officer Burgess began lecturing Deputy McCabe on his duties and Officer Burgess became argumentative toward Deputy McCabe. Officer Burgess's behavior toward Deputy McCabe violates the Walton County Policy & Procedure Manual and will not be tolerated.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

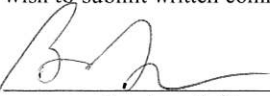
Review of the Walton County Personal and Policy Manual in reference to conduct with other employees or general workers. In the future you are to act in a polite, professional and courteous manner toward all co-workers, other employees, superiors, elected officials, constitutional office employees and the general public.


The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY:  Immediate Supervisor Title: code compliance manager

APPROVED BY:  Department Head Title: Code Director

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.

 Employee's Signature

 Witness (MANDATORY)

DATE: 11/28/18
12/07/2020



MICHAEL A. ADKINSON, JR., SHERIFF
Office of the Sheriff, Walton County

Memorandum

DATE: 11/23/2020
TO: Captain Robert Gray
FROM: Lieutenant Dustin Cosson
COPIES:
SUBJECT: Code Enforcement Officer Buddy Burgess

On 11/12/2020 Sergeant Thomas Thillet contacted me in reference to an incident between Deputy Travis McCabe and Code Enforcement Officer Buddy Burgess.

Sergeant Thillet provided a video of the encounter for review.

On this same date I spoke with McCabe regarding the incident. McCabe stated immediately after he arrived and made contact with Burgess he became confrontational and would not discuss the reason for law enforcement assistance. McCabe informed me he simply asked for clarification on the reason for the citation and Burgess immediately began lecturing him on his duties and became argumentative.

The video provided corroborates McCabe's account of the incident. Burgess' attitude and demeanor throughout the video was extremely unprofessional and did not display the type of working relationships and interactions Deputy Sheriffs usually have with Code Enforcement Officers. This incident and behavior from Burgess is not the first negative encounter between members of the Walton County Sheriff's Office and Burgess. Burgess' repeated unprofessional behavior is creating a strain on the working relationship with Walton County Code Enforcement.

November 17, 2020

This report is in reference to Access # CV-2020-0040179, Beach Code Compliance Officer Buddy Burgess. According to the report on November 11, 2020, Officer Burgess was attempting to drive off the beach using the beach drive on road at Ed Walline Beach Access. He observed two white male subjects carrying surfboards starting to walk down the same access road. It should be noted that there are signage advising the public not to block the emergency access road and to use the boardwalk to access the beach. In his report, Officer Burgess stated that he had made several attempts to have the two white males to stop and turn around and explain the hazards of blocking the emergency access roadway. In his report Officer Burgess stated that only one of the subjects stopped and talk to Officer Burgess. The other white male did not stop and continued to walk to the beach. Officer Burgess contacted this subject later identified as Chandler Johnson who refused to speak to Officer Burgess and became argumentative and uncooperative.

In the report, Officer Burgess stated that the Johnson subject said he would provide his information, but when Officer Burgess asked his name, he stated his name was Christian, when asked to spell it, he refused to continue. Officer Burgess informed the Johnson subject if he refused to cooperate, Officer Burgess would be forced to contact the Walton County Sheriff's Office and his refusal to sign and accept a citation would be a misdemeanor. At that point the Johnson subject stated, "You say that like it's supposed to scare me". Officer Burgess then went back to his vehicle and contacted the Walton Co. Sheriff's Office and Chandler entered the water. Officer Burgess no longer had contact with the two white males. Before the Deputy arrived, Officer Burgess contacted the SWFD Lifeguard working at Ed Walline Access asking if she knew the white male, she advised that she did not know his last name, but his first name was Chandler. Officer Burgess stated that he was walking back to his vehicle when the deputy arrived, and spoke to Officer Burgess, asking what was going on. Officer Burgess stated that he advised the deputy that he was trying to issue a citation for breach of peace, but subject refused to provide any information, sign or accept the citation. In the report, Officer Burgess advised that the deputy immediately began to question why Officer Burgess was trying to issue a citation for the violation. Officer Burgess further stated in his report, that he retrieved his body camera so that he could document the encounter. In Officer Burgess' report, it was stated that the deputy continued questioning what the citation was for and how it was appropriate for the situation. Officer Burgess stated to the deputy that he did not mean any disrespect, but that was not why he was there for and it did not matter. Officer Burgess advised the deputy, that if he refused to enforce a misdemeanor FS. 162.21 (6) that occurred in his presence then that was on the deputy. At this point according the report, the deputy started to raise his voice, and Officer Burgess ended the encounter and asked the deputy who his supervisor was, he said it was Sgt. Thillet. Officer Burgess advised that he would contact the

supervisor. A portion of the incident was captured on Officer Burgess Body Camera, which I was able to obtain a copy of the footage. No Citation was issued by Officer Burgess.

On November 23, 2020 I received a copy of an email from Major Donald Clark Director of Law Enforcement Walton County Sheriff's Office and a memorandum from Lieutenant Dustin Cosson to Captain Robert Gray in reference to the incident involving Code Compliance Officer Buddy Burgess and Deputy Sheriff Travis McCabe. The following are quotes from the email and the memorandum.

(Email)

Director Cornman,

Please see attached memorandum reference an interaction we had with Buddy Burgess on November 12, 2020. I routinely hear from my staff of negative interactions with Mr. Burgess in his official capacity as a Code Enforcement Officer. It has degraded to the point that staff members have lost confidence in his abilities to make common sense assessments of code violations. His behavior has also damaged the working relationship between Code Enforcement and the Sheriff's Office. We want, very much, to work alongside each other when serving our community however, I feel this is not possible with Mr. Burgess. At this point, I do not believe the working relationship with my staff and Mr. Burgess can be repaired. I wanted to bring this to your attention to mitigate any further degradation between our agencies.

(Memorandum)

On 11/12/2020 Sergeant Thomas Thillet contacted me in reference to an incident between Deputy Travis McCabe and Code Enforcement Officer Buddy Burgess. Sergeant Thillet provided a video of the encounter for review. On this same date I spoke with McCabe regarding the incident. McCabe stated immediately after he arrived and contacted Officer Burgess, he became confrontational and would not discuss the reason for law enforcement assistance. McCabe informed me he simply asked for clarification on the reason for the citation and Burgess immediately began lecturing him on his duties and became argumentative.

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After reviewing the reports and Officer Burgess Body Camera footage and the memorandum from the Walton County Sheriff's Office, it is my opinion that Beach Code Compliance Officer

Buddy Burgess should have handle the situation better with Deputy Sheriff Travis McCabe of the Walton County Sheriff's Office on November 11,2020. Officer Burgess should have advised Deputy McCabe the reasons for the law enforcement assistance. According to video footage When Deputy McCabe asked Officer Burgess for the reason for the citation , Officer Burgess immediately began lecturing Deputy McCabe on his duties and became argumentative.

Case Details

Violation Number	CV-2020-0040179	Violation Code	Other please specify	Case Status	Closed
BCC District	Gulf Place Beach	Lead Investigator	Buddy Burgess		
Complaint or Proactive origination	Proactive				
Complaint					

Date Complaint Recieved 11/11/2020

Complaint Recieved By Buddy Burgess

Location Parcel Number

Location Address

Future Land Use

Date Case Closed 11/11/2020

Case Resolution

Notice of Violation

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Violator Owner

Complainant

CHANDLER JOHNSTON

Case Narrative

11/11/2020

On this date I was attempting to drive off the beach at Ed Walline when two male subjects carrying surfboards started walking down the drive on. I made several attempts to get them to stop and turn around and explain the hazards of blocking the emergency access but only one of the male subjects stopped to speak with me. Mr. Johnston refused to speak with me and when I attempted to get his information he became argumentative and refused to cooperate. At one point Mr. Johnston said he would provide his informatio but when I asked for his name as it appeared on his driver's licens he claimed his name was Christian. When I asked him to spell it for me he started spelling and I appeared he did not no how to spell it so he then just refused to continue. I informed him if he refused to cooperate I would be forced to contact the Walton County Sheriff's Office and his refusal to sign and accept a citation is a misdemeanor. He stated," You say that like it's supposed to scare me." I then returned to my vehicle and contacted the WCSO. Mr. Johnston entered the water to surf while I stood by for the WCSO. While I waited I placed my body cam inside my vehicl and went to speak with the life guard to see if she knew Mr. Johnston's name as at tha time I did not know his identity. The lifeguard said she did not know his last name but his first name was Chandler. As I was walking back t my vehicle the deputy arrived and walked down the boardwalk. He asked what was going on and I told him I was trying t issue a citation for breach of peace but the subject refused to provide in formation and sign and accept. The deputy immediately began to question why I was issueing the citation. Due to his dimeanor and the way he was asking the questions I stopped him momentarily so I could retrieve my body cam so there would be no question as to what was said between us. The deputy continued questioning what the citaiton was for and how I felt it was appropriate for the situation. I told him that I meant no disrespect but that was not what he was there for and it did not matter. He was adamant that he needed to know how the subject was in breach of peace. The deputy informed me tha if he went over there and asked the subect for his information but he refused he was going to walk away. I told him that if he chose to refuse to enforce a misdemeanor that occurred in his presence then that was on him. He was adamant that he coud not do anything unless I explained to him how the subject was in breach of peace and refused to accept that he was only there to inforce F.S.S. 162. When the deputy started raising his voice I ended the discussion and asked him who his supervisor was. After asking multiple times he

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

finall told me it was Sgt. Thillet. I informed him I would be contacting his supervisor since he was refusing to assist and started walking back to my vehicle. As we both walked in the same direction th deputy continued to make condescendi remarks regarding code enforcement as a whole. The deputy ended up leaving without assisting and a citation was not issued.

Buddy Burgess

Case Closed

Case Hearing Date

Code Violation Description

Walton County Code Compliance

To: HR
From: Buddy Burgess
cc:
Date: 12/4/2020
Re: Reprimand on 12/2/2020

In reference to the reprimand issued to me on 12/2/2020 I would like it to be known that I do not agree with the assessment of the situation or with the way it was handled by either party (Walton County Sheriff's Office and Walton County Code Compliance). With that being said, I enjoy my work and would like to continue to enjoy this wonderful opportunity with Walton County Code Compliance. In the documentation that was sent from Walton County Sheriff's Office it stated there have been multiple encounters between WCSO Deputies and myself in which they feel I did not handle myself appropriately even though I was only informed about 2 encounters in the past 4 years. In order to make amends and attempt to repair any damage I may have inadvertently caused with these encounters I have already started contacting deputies and supervisors that I remember have come to assist in the past and apologized for any issues I may have caused and asked for any input they may have in order to better myself and my abilities. I will be attempting to gather further information on said encounters in order to speak with the deputies and apologize for any issues I may have cause and clear up any misunderstandings about my intent. I greatly regret I was not notified sooner and given the opportunity to avoid this accumulation of what was stated as a history of complaints since I have only been made aware of two such incidents. As such I can only move forward and do everything within my abilities to ensure I act in a manner that may not be construed as inappropriate and further cultivate good working relationships with not only other agencies but all persons I come into contact with while performing my duties as a code compliance officer.

Thank you,

Buddy N. Burgess

WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: Code Compliance

POSITION: Code Compliance Officer

TYPE OF DISCIPLINE: ☐ Formal Counseling ☐ 1st Level Warning ☒ 2nd Level Warning
☐ Suspension ☐ Termination

DATE(S) VIOLATION OCCURRED: November 11, 2020

DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 – Section B General Provisions (3) (q) conduct that is disruptive, insubordinate, antagonistic, offensive or injurious to the County whether in relation to co-workers, other employees, superiors, elected officials or general workers.

On November 11, 2020, while employed as a Beach Code Compliance Officer Burgess attempted to enforce the (Breach Of Peace Ordinance) on a W/M subject who became argumentative and uncooperative. The subject refused to provide information for a citation, resulting in the Walton County Sheriff's Office being called to assist in obtaining the information for the citation. Deputy Travis McCabe arrived on the scene at Ed Walline Beach Access. According to a memorandum from the Walton County Sheriff's Office after Deputy McCabe arrived, he questioned why Officer Burgess was issuing citation for the violation. Officer Burgess stated in his report at that point he went back to his truck and retrieved his body camera so that he could document the encounter. Officer Burgess then stated to the Deputy McCabe that he did not mean any disrespect, but that was not what he was there for and it did not matter. When asked for clarification on the reason for the citation Officer Burgess began lecturing Deputy McCabe on his duties and Officer Burgess became argumentative toward Deputy McCabe. Officer Burgess's behavior toward Deputy McCabe violates the Walton County Policy & Procedure Manual and will not be tolerated.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:

Review of the Walton County Personal and Policy Manual in reference to conduct with other employees or general workers. In the future you are to act in a polite, professional and courteous manner toward all co-workers, other employees, superiors, elected officials, constitutional office employees and the general public.

The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY:

Immediate Supervisor

Title

APPROVED BY:

Department Head

Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.

Employee's Signature

Witness

(MANDATORY)

DATE: 11/28/18

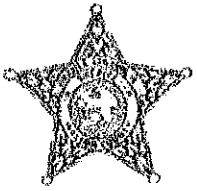
Walton County Code Compliance

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Date: 12/4/2020
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Thank you,

Buddy N. Burgess



MICHAEL A. ADKINSON, JR., SHERIFF
Office of the Sheriff, Walton County

Memorandum

DATE: 11/23/2020
TO: Captain Robert Gray
FROM: Lieutenant Dustin Cosson
COPIES:
SUBJECT: Code Enforcement Officer Buddy Burgess

On 11/12/2020 Sergeant Thomas Thillet contacted me in reference to an incident between Deputy Travis McCabe and Code Enforcement Officer Buddy Burgess.

Sergeant Thillet provided a video of the encounter for review.

On this same date I spoke with McCabe regarding the incident. McCabe stated immediately after he arrived and made contact with Burgess he became confrontational and would not discuss the reason for law enforcement assistance. McCabe informed me he simply asked for clarification on the reason for the citation and Burgess immediately began lecturing him on his duties and became argumentative.

The video provided corroborates McCabe's account of the incident. Burgess' attitude and demeanor throughout the video was extremely unprofessional and did not display the type of working relationships and interactions Deputy Sheriffs usually have with Code Enforcement Officers. This incident and behavior from Burgess is not the first negative encounter between members of the Walton County Sheriff's Office and Burgess. Burgess' repeated unprofessional behavior is creating a strain on the working relationship with Walton County Code Enforcement.

November 17,2020

This report is in reference to Access # CV-2020-0040179, Beach Code Compliance Officer Buddy Burgess. According to the report on November 11, 2020, Officer Burgess was attempting to drive off the beach using the beach drive on road at Ed Walline Beach Access. He observed two white male subjects carrying surfboards starting to walk down the same access road. It should be noted that there are signage advising the public not to block the emergency access road and to use the boardwalk to access the beach. In his report, Officer Burgess stated that he had made several attempts to have the two white males to stop and turn around and explain the hazards of blocking the emergency access roadway. In his report Officer Burgess stated that only one of the subjects stopped and talk to Officer Burgess. The other white male did not stop and continued to walk to the beach. Officer Burgess contacted this subject later identified as Chandler Johnson who refused to speak to Officer Burgess and became argumentative and uncooperative.

In the report, Officer Burgess stated that the Johnson subject said he would provide his information, but when Officer Burgess asked his name, he stated his name was Christian, when asked to spell it, he refused to continue. Officer Burgess informed the Johnson subject if he refused to cooperate, Officer Burgess would be forced to contact the Walton County Sheriff's Office and his refusal to sign and accept a citation would be a misdemeanor. At that point the Johnson subject stated, "You say that like it's supposed to scare me". Officer Burgess then went back to his vehicle and contacted the Walton Co. Sheriff's Office and Chandler entered the water. Officer Burgess no longer had contact with the two white males. Before the Deputy arrived, Officer Burgess contacted the SWFD Lifeguard working at Ed Walline Access asking if she knew the white male, she advised that she did not know his last name, but his first name was Chandler. Officer Burgess stated that he was walking back to his vehicle when the deputy arrived, and spoke to Officer Burgess, asking what was going on. Officer Burgess stated that he advised the deputy that he was trying to issue a citation for breach of peace, but subject refused to provide any information, sign or accept the citation. In the report, Officer Burgess advised that the deputy immediately began to question why Officer Burgess was trying to issue a citation for the violation. Officer Burgess further stated in his report, that he retrieved his body camera so that he could document the encounter. In Officer Burgess' report, it was stated that the deputy continued questioning what the citation was for and how it was appropriate for the situation. Officer Burgess stated to the deputy that he did not mean any disrespect, but that was not why he was there for and it did not matter. Officer Burgess advised the deputy, that if he refused to enforce a misdemeanor FS. .162.21 (6) that occurred in his presence then that was on the deputy. At this point according the report, the deputy started to raise his voice, and Officer Burgess ended the encounter and asked the deputy who his supervisor was, he said it was Sgt. Thillet. Officer Burgess advised that he would contact the

supervisor. A portion of the incident was captured on Officer Burgess Body Camera, which I was able to obtain a copy of the footage. No Citation was issued by Officer Burgess.

On November 23, 2020 I received a copy of an email from Major Donald Clark Director of Law Enforcement Walton County Sheriff's Office and a memorandum from Lieutenant Dustin Cosson to Captain Robert Gray in reference to the incident involving Code Compliance Officer Buddy Burgess and Deputy Sheriff Travis McCabe. The following are quotes from the email and the memorandum.

(Email)

Director Cornman,

Please see attached memorandum reference an interaction we had with Buddy Burgess on November 12, 2020. I routinely hear from my staff of negative interactions with Mr. Burgess in his official capacity as a Code Enforcement Officer. It has degraded to the point that staff members have lost confidence in his abilities to make common sense assessments of code violations. His behavior has also damaged the working relationship between Code Enforcement and the Sheriff's Office. We want, very much, to work alongside each other when serving our community however, I feel this is not possible with Mr. Burgess. At this point, I do not believe the working relationship with my staff and Mr. Burgess can be repaired. I wanted to bring this to your attention to mitigate any further degradation between our agencies.

(Memorandum)

On 11/12/2020 Sergeant Thomas Thillet contacted me in reference to an incident between Deputy Travis McCabe and Code Enforcement Officer Buddy Burgess. Sergeant Thillet provided a video of the encounter for review. On this same date I spoke with McCabe regarding the incident. McCabe stated immediately after he arrived and contacted Officer Burgess, he became confrontational and would not discuss the reason for law enforcement assistance. McCabe informed me he simply asked for clarification on the reason for the citation and Burgess immediately began lecturing him on his duties and became argumentative.

The video provided corroborates McCabe's account of the incident. Burgess' attitude and demeanor throughout the video was extremely unprofessional and did not display the type of working relationships and interactions Deputy Sheriffs usually have with Code Enforcement Officers. This incident and behavior from Burgess is not the first negative encounter between members of the Walton County Sheriff's Office and Burgess. Burgess' repeated unprofessional behavior is creating a strain on the working relationship with Walton County Code Enforcement.

After reviewing the reports and Officer Burgess Body Camera footage and the memorandum from the Walton County Sheriff's Office, it is my opinion that Beach Code Compliance Officer

Burgess should have given Deputy McCabe more information and explained the reason for the citation , especially after asking the Walton County Sheriff Office assistance on this case.

Case Details

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Date Complaint Recieved 11/11/2020

Complaint Recieved By Buddy Burgess

Location Parcel Number

Location Address

Future Land Use

Date Case Closed 11/11/2020

Case Resolution

Notice of Violation

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Violator Owner

Complainant

CHANDLER JOHNSTON

Case Narrative

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Buddy Burgess

Case Closed

Case Hearing Date

Code Violation Description

Violation Number CV-2020-0040179 Violation Code Other please specify Case Status Closed
BCC District Gulf Place Beach Lead Investigator Buddy Burgess
Complaint or Proactive origination Proactive
Complaint

Violator Owner

Complainant

CHANDLER JOHNSTON

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Buddy Burgess

Case Closed

Case Hearing Date

Code Violation Description

First Report

Done

ENTERED
06.22.2020
DW

WALTON COUNTY DISCIPLINARY ACTION FORM

EMPLOYEE'S NAME: Buddy Burgess

DEPARTMENT: TDC/Code Enforcement

POSITION: Beach Code Enforcement Officer

TYPE OF DISCIPLINE: ☐ Formal Counseling ☒ 1st Level Warning ☐ 2nd Level Warning
☐ Suspension of 1-day ☐ Termination

DATE(S) VIOLATION OCCURRED: On or about April 30, 2020

DETAILS OF RULE OR REGULATION VIOLATION (SPECIFIC): Chapter 11 – Section B General Provisions (3) (h) abuse, misuse or theft of public property, equipment facilities or supplies.

During a visit to the beach operations building while on FMLA, you entered a cabinet above the toolbox located in the mechanic shop area and removed the Autel Maxisys Elite Diagnostic Tool valued at over \$3000.00 which belonged to Walton County. You never asked to borrow, and you were never given permission to take or use the tool.

Once the Shop Foreman, Michael Knight, noticed the equipment was missing and sent an e-mail to all employees inquiring about the equipment did you contact Michael Knight by phone and explain the equipment was in your possession. You stated that you had borrowed the tool, without asking for permission or letting anyone know, because your scanner would not do what you needed. This also shows that you took the expensive county tool/equipment to use for your personal gain/use.

CORRECTIVE ACTION TO BE TAKEN BY THE EMPLOYEE:
Review of the Walton County Personal and Policy Manual in reference to abuse, misuse or theft of public property, equipment facilities or supplies. You are to not take, borrow or use any county tool or other equipment for personal gain/use unless given specific permission to do so.

The County reserves the right to take any further disciplinary action it deems appropriate, up to and including termination.

RECOMMENDED BY: [Signature] Immediate Supervisor Beach Code Manager Title

APPROVED BY: [Signature] Department Head Director Title

EMPLOYEE ACKNOWLEDGEMENT: I hereby acknowledge receipt of this notice. I (circle one) DO / DO NOT wish to submit written comments of my own about this matter.

[Signature] Employee's Signature
[Signature] Witness (MANDATORY)

DATE: 11/28/18