

NOVEMBER 22, 2016 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on November 22, 2016 at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner Sara Comander, Chairman; Commissioner Cecilia Jones, Vice-Chairman; Commissioner W.N. (Bill) Chapman; Commissioner Melanie Nipper; and Commissioner Tony Anderson. Mr. Larry Jones, County Administrator, and Attorney Mark Davis, County Attorney, were also present.

Chairman Comander recognized Chief Rick Talbot, who was present in the audience.

Chairman Comander called the meeting to order.

Motion by Commissioner Chapman, second by Commissioner Anderson, to elect Commissioner Jones as Chairman of the Walton County Board of County Commissioners for 2017. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Anderson, second by Commissioner Jones, to elect Commissioner Chapman as Vice-Chair of the Walton County Board of County Commissioners for 2017. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

The following addition was added to the agenda under Chairman Comander:

1) Regional Artificial Reef Grant Funding

Motion by Commissioner Chapman, second by Commissioner Jones, to approve the agenda with the addition. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

There were no items removed from the Consent Agenda for discussion.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve the Consent Agenda as follows. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

1. Approve Expenditure Approval List (EAL) excluding the Waste management expenditures

		WM	Total
General Fund	\$1,593,830.47		
County Transportation	\$ 203,082.22		
Fine & Forfeiture	\$4,931,546.07		
Mosq. Control State	\$ 735.00		
Section 8 Housing	\$ 1,706.46		
Tourist Dev. Council	\$ 197,697.44	\$ 9,420.51	
N.W. Mosquito Control	\$ 15,660.12		
Solid Waste Enterprise	\$ 242,564.93	\$ 233,707.22	
Bldg Dept/Enterp. Fund	\$ 22,816.49		
Capital Projects Fund	\$ 5,923.00		
Mossy Head Ind. Park	\$ 153.20		
Tax Increment Financing	\$ 16,967.00		
Totals	\$7,232,682.40	\$ -243,127.73	\$ 6,989,554.67

2. Approve Minutes of the November 7, 2016 Special Meeting and November 7, 2016 Regular Meeting
3. Request to approve the 2017 BCC Holiday Schedule
4. Request to approve the 2017 BCC Meeting Schedule
5. Request to approve a resolution (2016-89) declaring December 6, 2016 as Military Spouses Day
6. Request travel authorization for the board of county commissioners and staff to attend the attached conferences in accordance with the County Travel Policy
7. Request to approve a resolution (2016-90) amending the FY 2017 budget to roll forward revenues and expenditures for Projects, Encumbrances, and Grants from the FY 2016 budget into FY 2017
8. Request to approve a resolution (2016-91) certifying that grant funds from the 2017 Emergency Medical Services (EMS) County Grant will improve and expand the county pre-hospital EMS system and will not be used to supplant current levels of county expenditures
9. Request to approve and authorize the chairman to sign the lease agreement with Watersound Beach Club for beach safety flags
10. Request to approve and authorize the chairman to sign the interlocal agreement with the City of DeFuniak Springs for road and bridge taxes
11. Request to approve and authorize the chairman to sign the District Five lease extension agreement with Florida Community Services Corporation of Walton County, Inc. (70 Logan Lane)

12. Request to approve and authorize the chairman to sign the District One land lease renewal agreement with Guy Allen White and Joanne Bailey White (9450 Rock Hill road)
13. Request to approve Change Order No. 5 to Contract No. 015-034 for McKinnon Bridge Road Improvements with H & T Contractors, LLC increasing the contract time 119 calendar days
14. Request to approve Change Order No. 2 to contract No. 016-014 for the Western Lake Pedestrian Bridge Phase I with North Florida Construction, Inc.
15. Request to approve and authorize the chairman to sign the 2017 EMS County Grant Application

Commissioner Chapman announced his conflict of interest regarding the Waste Management expenditures and filed Form 8B: Memorandum of voting conflict with the clerk.

Motion by Commissioner Jones, second by Commissioner Anderson, to approve the Waste Management expenditures in the amount of \$243,127.73. Ayes 4, Nays 0. Chapman Abstain, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye. **(Form 8B: Chapman)**

Mr. Larry Jones, County Administrator, welcomed the newly elected commissioners and stated he, as well as staff would provide any assistance they may need.

Ms. Kim Kirby with Grit & Grace appeared before the board to present "Wild Wild Walton", a book authored by Ronnie McBrayer, a 2016 Playwright for production based on the book, to Mr. Dan Owens, Walton County Library Director. Grit & Grace donated the books for each of the Walton County Libraries. Ms. Kirby introduced the following individuals who were present: Mr. Brandon Elkins, board member and director; Mr. Ronnie McBrayer, author; and Mr. Mac Carpenter. She thanked the commissioners for their support and efforts in preserving the history of Walton County. The books can also be purchased for those interested.

Ms. Dede Hinote presented the Commissioner Board and Committee Assignments. Commissioner Comander and Commissioner Chapman agreed to continue serving in their current positions. Commissioner Jones requested to step down from the TDC Advisory Board. Commissioner Anderson agreed to serve on the TDC Advisory Board. Commissioner Jones also

requested to step down from the Northwest Florida Regional Transportation Planning Organization. Commissioner Nipper agreed to serve on the Northwest Florida Regional Transportation Planning Organization. Chairman of Board, Cecilia Jones, will serve on the Canvassing Board and the Economic Development Alliance Board (EDA).

Motion by Commissioner Jones, second by Commissioner Chapman, to approve the Commissioner Board and Committee Assignments as stated. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Jones, to award, approve, and authorize the chairman to sign Contract No. 016-012 for artificial reef construction and deployment services with David M. Walter d/b/a Walter Marine in the amount of \$799,998.40. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Jones, to award, approve, and authorize the chairman to sign Contract No. 016-013 for artificial reef construction and deployment services with David M. Walter d/b/a Walter Marine in the amount of \$340,542.30. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Jones, second by Commissioner Anderson, to award, approve, and authorize the chairman to sign Contract No. 016-035 for artificial reef construction and deployment services with David M. Walter d/b/a Walter Marine in the amount of \$168,000.00. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Nipper, to award, approve, and authorize the chairman to sign Contract No. 016-036 for artificial reef construction and deployment services with David M. Walter d/b/a Walter Marine in the amount of \$340,542.45. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Anderson, second by Commissioner Nipper, to award, approve and authorize the chairman to sign Contract No. 016-037 for the Hewett Bayou Stormwater Retrofit with the lowest, responsive, responsible bidder, RBM Contracting in the amount of \$818,797.50 using the designated FY 14/15 infrastructure funds in conjunction with FY 16/17 TIF to account for the remaining balance. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Jay Tusa, TDC Executive Director, welcomed the new commissioners and stated he is willing to assist in their transition.

Attorney Clay Adkinson, Attorney for the Tourist Development Council, requested the appointment of the TDC Chair and Vice-Chair for the Tourist Development Council.

Motion by Commissioner Jones, second by Commissioner Anderson, to appoint Mr. Tim Norris as Chairman of the Tourist Development Council Board. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye. Attorney Adkinson advised that Mr. Norris's appointment would be reconfirmed in December as he was re-nominated by his elected agency.

Motion by Commissioner Jones, second by Commissioner Chapman, to nominate Commissioner Tony Anderson as Vice-Chair of the Tourist Development Council Board. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Attorney Adkinson stated he would be present at the December meeting to request the appointment of three seats that will be vacated due to their terms expiring. He will also present some structural changes for consideration.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve Task Order 16-008 for engineering services with Atkins for the renovation of existing wooden

pedestrian bridges along the multi-use path along Scenic 30A in the amount of \$130,433.71 for design and permitting as presented by Mr. Brian Kellenberger, Director of Beach Operations.

Commissioner Nipper asked if these will be harmonious for all of C.R. 30A. Mr. Kellenberger stated they will have a standardized design. Commissioner Anderson asked if the project would begin immediately. Mr. Kellenberger stated construction would probably begin after the 2017 summer season.

Commissioner Chapman questioned the progress on the Red Fish project. Mr. Buddy Wright, Public Works, stated it is scheduled to start in 2017 after Labor Day. Commissioner Jones requested Public Works communicate with local businesses and place directional signage for patrons. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Jones, to call to order the advertised Public Hearing to consider an ordinance providing for amendments to Walton County Code Chapter 19, Section 19.76 Ad Valorem Taxation; Additional Homestead Exemption for certain qualified Senior Citizens.

Attorney Davis stated he had spoken with Mr. Patrick Pilcher, Property Appraiser, regarding the proposed ordinance which places an additional homestead exemption per statute for qualified seniors. He spoke about the hardship and confusion for seniors to report their proof of income every year and advised the statute allows the county to waive the yearly reporting. Qualifying seniors would be required to show proof initially, but would not be required to show proof every year thereafter. Commissioner Chapman questioned the reporting process if an individual's situation changes. Attorney Davis advised this rule applies to a very limited number of individuals. There were no public comments voiced.

Motion by Commissioner Chapman, second by Commissioner Nipper, to close the Public Hearing. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Nipper, to adopt an **ordinance (2016-26)** providing for amendments to Walton County Code Chapter 19, Section 19.76 Ad Valorem Taxation; Additional Homestead Exemption for certain qualified Senior Citizens. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Attorney Davis requested approval to hold a Special Meeting and a closed Executive Session on December 13, 2016 beginning at 2:30 p.m., or as soon thereafter as possible, at the courthouse annex in Santa Rosa Beach to discuss Edward Goodwin and Delaine Goodwin vs. Walton County, Florida, Case no.: 3:16-cv-00364-MCR-CJK.

The following individuals will be in attendance at the Executive Session: The Board of County Commissioners: Bill Chapman, Cecilia Jones, Melanie Nipper, Sara Comander, Tony Anderson; Larry Jones, County Administrator; Attorney Mark Davis, County Attorney; Attorney Sidney Noyes, Assistant County Attorney; Tim Warner, Bill Warner, and David Theriaque, Special Counsel, and a Certified Court Reporter.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve to hold a Special Meeting to conduct an Executive Session on December 13, 2016 at 2:30 as stated. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Attorney Davis presented a request authorizing staff to solicit bids for county owned parcel 29-4N-20-29000-021-0000 near Sexton Road in the Mossy Head and New Harmony area and find that the property has a value less than \$15,000.00. Public Works conducted an analysis

on the 1.25 acres and determined the property does not appear to be in the best interest of the county.

Motion by Commissioner Chapman, second by Commissioner Jones, to make a determination that county owned parcel 29-4N-20-29000-021-0000 near Sexton Road in the Mossy Head and New Harmony area has a value less than \$15,000.00 and thereby authorize staff to solicit bids for the sale of the parcel. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Commissioners Anderson and Nipper did not present any items for discussion.

Commissioners Jones and Chapman wished everyone a Happy Thanksgiving.

Chairman Comander requested approval for the Economic Development Alliance to utilize a surplus vehicle. Commissioner Jones asked if there is a vehicle not being utilized that could be transferred to the EDA. Mr. Jones stated they did have one they would transfer.

Chairman Comander stepped down and motioned to approve the transfer of a vehicle to the EDA, second by Commissioner Anderson. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Ms. Melinda Gates, Coastal Resource Liaison in the Environmental Department, stated the Natural Resource Damage Assessment associated with the BP monies has recently advertised for new projects and an update for old projects. The deadline to apply for additional grant funding for the projects is December 5th and there are two projects for consideration: 1) Regional Artificial Reef Project covering five counties and 2) the Estuary Program, which would help the bay. She requested approval to apply for grant funding.

Chairman Comander stepped down and motioned to apply for grant funding through the Natural Resource Damage Assessment as presented. Second by Commissioner Anderson.

Commissioner Nipper questioned if this would be in addition to the four projects approved earlier. Ms. Gates stated it is in addition. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Chairman Comander wished everyone a Happy Thanksgiving and reminded everyone of Hometown Christmas on Saturday.

Mr. Bob Hudson thanked Attorney Davis and Mr. Alex Alford for the Walton County Taxpayer's Association. Mr. Hudson stated they have been reviewing the availability of closed executive session manuscripts. There has not been any process in the past for making those transcripts available to public and he is now working with staff toward that goal. He commented on the amount of cases and the length of some cases. He encouraged the commissioners to close the cases that can be closed and felt the public should be aware of how issues are discussed and the legal ramifications when the county is being sued. He spoke about the number of cases and the successful conclusion of most cases. Again, Mr. Hudson thanked the Board and asked to make the records available as soon as possible.

Mr. Mike Bourque spoke about the drought and the number of vacant properties and questioned if Code Enforcement could do anything to make developers and realtors keep the underbrush cleaned out on their properties. Attorney Davis advised Mr. Bourque he would need to contact the Division of Forestry.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve a request by the Planning Department and move forward with advertising to amend Chapter 2.01.03(F) of the Walton County Land Development Code providing for Neighborhood Commercial uses; providing for severability and an effective date; and provide consistencies

between Land Development Code and Comprehensive Plan. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Dyess requested to continue the Public Hearing to Consider First Amendment to Essentially Built Out Agreement for Town of Seaside Development of Regional Impact to the December 13, 2016 Board Meeting.

Motion by Commissioner Chapman, second by Commissioner Jones to approve to continue the Public Hearing to Consider First Amendment to Essentially Built Out Agreement for Town of Seaside Development of Regional Impact to the December 13, 2016 Board Meeting. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Dyess presented a request to approve Chapter 11 Ordinance amending Walton County Land Development Code Chapter 11; amending the requirement in 11.01.02.C(4). This is the first reading and with approval the Adoption Hearing will be set for December 13, 2016.

Pursuant to Departmental Directive DD-2015-05, lot split applications in Neighborhood Infill must be considered a Major Development which requires Public Hearings and platting. The process of a Major Development application is very cumbersome, time consuming and expensive for applicants applying for a lot split. Currently all other lot split applications are reviewed in-house. Staff is requesting to streamline the process for lot splits Neighborhood Infill by amending the requirement in 11.01.02.C.(4) which requires that all Infill proposals in the NPA's be reviewed as a Major Development application and providing for compatibility standards.

Motion by Commissioner Chapman, second by Commissioner Jones, to open the Public Hearing to consider an Ordinance amending Walton County Land Development Code Chapter 11. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

There were no public comments voiced.

Motion by Commissioner Chapman, second by Commissioner Jones, to close the Public Hearing. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve setting the Adoption Hearing for December 13, 2016. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Nipper, to open the Public Hearing to consider the Coastal Dune Lake Protection Zone LDC Amendment Ordinance.

Mr. Mac Carpenter, Planning Department, presented the Coastal Dune Lake Protection Zone LDC Amendment Ordinance. Walton County is proposing to amend the Walton County Land Development Code, Chapter 4 to incorporate the implementing land development regulations for the Walton County Comprehensive Plan Policy C-1.4.1 Remedial Comprehensive Plan Amendment adopted on September 20, 2016, pursuant to the August 23, 2016 Compliance Agreement in 1000 Friends of Florida, Inc., et al vs. Walton County, Case No. 15-5619GM. Mr. Carpenter stated this is the first reading and requested the Adoption Hearing be set for December 13, 2016 at the Santa Rosa Beach Courthouse Annex.

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Jones, to close the Public Hearing.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve setting the Adoption Hearing for December 13, 2016 at the Santa Rosa Beach Courthouse Annex at 5:00 or soon thereafter. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Dyess advised that the Matrix Group is making progress with the Land Development Code updates and they will be posting information to a website as soon as it becomes available. Mr. Dyess will also get the information added to the county's website. The Matrix recently met with commissioner's and staff and identified over 600 issues they are currently working on. They have additional meetings scheduled with county staff in the near future. Commissioner Chapman requested for Mr. Dyess to bring the newly elected commissioners up-to-date on the information. Mr. Dyess stated he would meet with the new commissioners.

There were no Quasi-judicial items presented.

There being no further items to present, the meeting was adjourned at 9:38 a.m.

Approved: Cecilia A. Jones
Cecilia A. Jones, Chairwoman

Attest:



Alex Alford, Clerk of Court and County Comptroller