

OCTOBER 10, 2017 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on October 10, 2017 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

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

Chairwoman Jones recognized Major Joe Preston, Walton County Sheriff's Office.

Chairwoman Jones called the meeting to order.

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

1. Addition: Administration-Discussion regarding the rescheduling of the November 14, 2017 Regular Meeting to accommodate travel to the Florida Association of Counties (FAC) Legislative Conference in Sarasota County, FL. The item will be presented at 6:00 p.m.
2. Change presentation time: County Attorney-(Item 32) Request to set a Public Hearing to consider amended Ordinance 2017-12 (Sandestin NOPC; Walton County Case No.: 2017CA225). The item will be presented at 6:00 p.m. as requested by the Sandestin parties.

Ms. Coy Bowman spoke against waste burying.

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

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

General Fund	Total	WM
County Transportation	\$ 2,586,534.78	
SHIP	\$ 465,048.40	
Debt Service Hospital	\$ 6,261,755.96	
Tourist Dev. Council	\$ 140,553.56	
N.W. Mosquito Control	\$ 253,383.80	
W. Co. Library	\$ 1,181.31	
Tax Deed Surplus Trust	\$ 10,198.20	
Criminal Justice Ed Fund	\$ 793,612.44	\$ 380,701.26
Bldg. Dept./Enterp. Fund	\$ 3,413.09	
Imperial Lakes MSBU	\$ 698.65	
Mossy Head Ind. Park	\$ 547,652.32	
P-Card EAL	\$ 25,023.55	
Totals	<u>\$ 11,089,056.06</u>	<u>\$ 380,701.26</u>
Grand Total less WM		<u>\$10,708,354.80</u>

2. Approve Minutes of the September 19, 2017 Joint Workshop with the City of Freeport, September 25, 2017 Regular Meeting, and September 25, 2017 Budget Hearing
3. Request to approve the 2018 Local Option Gas Tax distribution percentages calculated per F.S. 336.025(4)
4. Request to approve the reappointment of Mr. Louis Svehla as the Walton County Board of County Commissioners Representative to the Early Learning Coalition of Okaloosa and Walton County
5. Request to approve and authorize the Chairwoman to sign a Letter of Support/Commitment for the Riverway South Apalachicola Choctawhatchee Organization and renew Walton County's membership for \$5,000.00
6. Request to approve a **resolution (2017-89)** amending the FY 2017 budget in the General Fund for unanticipated grant revenue in the amount of \$7,000.00 for the EMPG/CERT Grant
7. Request to approve a **resolution (2017-90)** amending the FY 2017 budget in the General Fund for unanticipated grant revenue in the amount of \$7,000.00 for the EMPG/Citizen Corps Grant
8. Request to approve and authorize the Chairwoman to sign the Flood Mitigation Assistance grant agreement, Agreement No.: 18FM-X8-01-76-01-XXX, Project No.:

- FMA-PJ-04-FL-2016-008, Federal Award ID No.: EMA-2016-FM-E007 from the Federal Emergency Management Agency, in the amount of \$522,996.21
9. Request to approve and authorize the Chairwoman to sign a contract modification for the 2016 Emergency Management Performance Grant (EMPG) to extend the grant deadline to October 31, 2017 and increase the grant amount by \$13,318.00 to reflect de-obligated funding that was awarded to Walton County
 10. Request to approve and authorize the Chairwoman to sign the FY 2017-2018 Discretionary Funding Agreement with the Early Learning Coalition of Okaloosa & Walton County
 11. Request to approve and authorize the Chairwoman to sign the 2017-2018 Interlocal Agreement between the City of DeFuniak Springs, Walton County, and Tri-County Community Council, Inc. relating to the operation of the Senior Center
 12. Request to approve and authorize the Chairwoman to sign the FY 2017-2018 Discretionary Funding Agreement with the Walton County Economic Development Alliance, Inc. contingent upon receipt of the 2017-2018 Strategic Plan (Exhibit A)
 13. Request to approve and authorize the Chairwoman to sign the FY 2017-2018 Discretionary Funding Agreement with the Walton County Citizens Advisory Council on Aging, Inc.
 14. Request to approve and authorize the Chairwoman to sign the FY 2017-2018 Discretionary Funding Agreement with the Chautauqua Offices of Psychotherapy and Evaluation, Inc. (COPE) for Baker Act Services
 15. Request to approve and authorize the Chairwoman to sign the FY 2017-2018 Discretionary Funding Agreement with the Chautauqua Offices of Psychotherapy and Evaluation, Inc. (COPE)
 16. Request to approve and authorize the Chairwoman to sign the FY 2017-2018 Discretionary Funding Agreement with the Walton Area Chamber of Commerce, Inc.
 17. Request to approve and authorize the Chairwoman to sign the FY 2017-2018 Discretionary Funding Agreement with the ARC of Walton County, Inc.
 18. Request to approve and authorize the Chairwoman to sign an agreement with BurrellesLuce Services, LLC for media monitoring services
 19. Request to approve and authorize the Chairwoman to sign the revised Contract No.: 017-021 with C.W. Roberts for the construction of the new sports park
 20. Request to approve and authorize the Chairwoman to sign Task Order No.: 17-13 Professional Engineering Services for a Southbound Right Turn Lane for C.R. 283 (Bay Drive)/U.S. Highway 98 Intersection with Polyengineering, Inc. in an amount not to exceed \$49,820.96
 21. Request to approve the purchase of 24x8 freestanding soccer goal (pair) with wheels in an amount not to exceed \$2,899.99 for the Recreation Department
 22. Request to approve the purchase of a Surface Pro laptop for Administration in an amount not to exceed \$1,800.00

23. Request approval to apply for FY 2017-2018 BearWise funding opportunity for the Florida Fish and Wildlife Conservation Commission (FWC) to cost-share with local governments (including Homeowner's Associations) to purchase bear-resistant equipment

Commissioner Chapman reported his voting conflict regarding the Waste Management expenditures and submitted Form 8B: Memorandum of Voting Conflict to the clerk.

Motion by Commissioner Anderson, second by Commissioner Comander, to approve the Waste Management EAL's in the amount of \$10,708,354.80. Ayes 4, Nays 0. Jones Aye, Chapman Abstain, Anderson Aye, Comander Aye, Nipper Aye. **(Form 8B: Chapman)**

Motion by Commissioner Comander, second by Commissioner Nipper, to approve and authorize the Chairwoman to sign the FY 2017-2018 Florida Department of Health Walton Core Contract and Fee **Resolution (2017-91)** as presented by Mr. Larry Jones, County Administrator. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. The only change in the fees is the cost of the influenza test.

Mr. Jones discussed two parcels located in the Lake Jackson area. He discussed the 90 acre parcel (Parcel No.: 26-6N-21-40000-011-0000) and its environmental assessment. There are approximately 63 acres of jurisdictional wetlands and 27 acres of uplands, a 3 +/- acre pond, and accessed through Clear Springs Road. The property could be used for a park or wetland mitigation. He recommended moving forward with communicating with the owners to discuss their intent to gift the property to the county.

Motion by Commissioner Chapman, second by Commissioner Anderson, to move forward with communicating with the owners of the 90 acre parcel (Parcel No.: 26-6N-21-40000-011-0000).

Commissioner Nipper addressed the mitigation bank and asked if the county had determined what would be mitigated. Mr. Jones stated the mitigation bank would allow the county

to use that property within the watershed to offset impacts on other lands. Mr. Scott Caraway, Public Works, explained the mitigation bank process for road and bridge construction and stated there was no mitigation bank at the north end of the county. Discussion continued on mitigation uses of the property.

Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones presented the 113 acre parcel located on Lake Drive in Paxton, Florida (Parcel No.: 26-6N-21-40000-002-0000) which is for sale. He stated the environmental assessment revealed 101 acres of jurisdictional wetland and 12 acres of uplands. This property could also be used for parks or mitigation projects. He stated the owner does not have an asking price. Mr. Jones recommended obtaining one appraisal and allowing staff to communicate with the owner to determine price negotiations.

Motion by Commissioner Chapman, second by Commissioner Anderson, to move forward with obtaining an appraisal on the 113 acre parcel (Parcel No.: 26-6N-21-40000-002-0000) and allow staff to communicate with the owner to determine price. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Comander, second by Commissioner Chapman, to award, approve, and authorize the Chairwoman to sign Contract No.: 017-019 Construction Contract for Oyster Lake Outfall Improvements 2017 with the lowest, responsive, responsible bidder, RBM Contracting Services, LLC in an amount not to exceed \$398,985.00 as presented by Mr. Jones.

Commissioner Chapman voiced concern with altering the natural flow of the outfall. Mr. Greg Graham, Public Works, discussed the history of the outfall's maintenance, the settlement agreement, and stated the project was to hard shore the outfall to keep it within the 50 foot

easement of the adjacent properties. Discussion continued on the effects of the maintenance on the outfall and the requirements of the settlement agreement.

Ayes 4, Nays 1. Jones Aye, Chapman Nay, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones requested to award ITB 017-026 HMGP Big Redfish Lake Bridge Improvements to the lowest responsive, responsible bidder, Murphree Bridge Corporation. He said there were alternates which include a shorter time frame.

Mr. Chance Powell, Public Works, discussed the alternate layouts and stated Alternates 3, 4, and 5 are for the repairs to the road, bike path, and utility relocation and would start October 23rd. The bridge contractor will not begin until November 1st. He discussed the differences between the 60 day contract and the 90 day contract. The 60 day contract has no time frame restrictions and will allow work to continue 24/7. Discussion was held regarding the work to be done, possible delays and determining to approve for a 60 or 90 contract.

Motion by Commissioner Anderson to approve and authorize the Chairwoman to sign Contract No.: 017-026 HMGP Big Redfish Lake Bridge improvement for the 90 day option. Motion was seconded by Commissioner Chapman with the addendum for Alternates 3, 4, and 5. Commissioner Anderson amended his motion to include the alternates.

Discussion ensued regarding the exclusion of Alternate 2.

Attorney Noyes stated that the bid must be awarded before voting on the contract and recommended setting aside the active motion until a motion to award could be made. The board concurred.

Motion by Commissioner Anderson, second by Commissioner Chapman, to award ITB 0170-026 HMGP Big Redfish Lake Bridge Improvements to Murphree Bridge Corporation as the

lowest, responsive, responsible bidder. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve and authorize the Chairwoman to sign Contract No.: 017-026 HMGP Big Redfish Lake Bridge improvement for the 90 day option for Alternates 3, 4, and 5.

Ms. Leigh Moore encouraged the board to include Alternate 2 and stated it would improve the aesthetics of the bridge.

Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jason Cutshaw, TDC Director of Administration, reminded the board of the upcoming Beach Ordinance Workshop on October 18, 2017 at 3:00 p.m. to be held at the Walton County Courthouse Annex in Santa Rosa Beach, FL. He reported the TDC bed tax collections for August were up 5.85% over August, 2016 for a total of \$2,228,309.00. There was an 8.7% year over year increase for a total of \$21,585,041.00 making this a record year for bed tax collections. Commissioner Comander commended Mr. Louis Svehla, Public Information Officer, on the work he has done to insure information regarding the workshop was sent out to the public.

Commissioner Anderson had no items to present.

Commissioner Comander discussed the work she and staff have been doing to work out an agreement with FDOT to allow public fishing from the causeway.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve a **resolution (2017-92)** authorizing the Chairwoman to sign the FDOT Maintenance Agreement for portions of the U.S. Highway 331 bridge causeway near the relief bridge as requested by Commissioner Comander. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve and authorize the Chairwoman to sign a maintenance agreement with the FDOT in exchange for the FDOT reopening a portion of the U.S. 331 Bridge causeway for parking and fishing as requested by Commissioner Comander. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Chairwoman Jones announced the two fish cleaning stations have been approved by FDOT.

Commissioner Nipper had no items to present.

Commissioner Chapman expressed his gratitude to the board and staff for their condolences during his mother's passing.

Chairwoman Jones announced the first Local Triumph Committee meeting would be held November 1, 2017 at the Walton County Courthouse in DeFuniak Springs, FL from 3:00 p.m. to 5:00 p.m.

Mr. Bob Hudson requested that funding sources be listed on agenda items requesting the use of county funds.

Ms. Suzanne Harris reported that the county beach flag pole on Edgewater property needed to be replaced and the old pole removed. Mr. Brian Kellenberger, TDC Beach Operations, said two poles were put up during the past week and that the broken pole would be removed.

Ms. Patricia Dowd addressed Black Creek of Northwest FL and expressed concern with the potential of a landfill being constructed within the project. Mr. Mac Carpenter, Planning and Development Director, stated it was not allowed.

Ms. Leigh Moore, Scenic Corridor Foundation, expressed her gratitude to the board for funding the maintenance of the U. S. 331 Median and supporting its dedication to Mr. Merlin Allan.

Mr. Brian Kellenberger gave an update on the pole replacements and stated the pole had been removed from Edgewater.

The meeting recessed at 4:45 p.m. and reconvened at 5:05 p.m.

Mr. Carpenter requested to approve staff's recommendation to implement a Mobility Fee/Impact Fee structure which would effectively replace the current Proportionate Fair Share structure use to mitigate the impacts of development on the county's transportation system.

Mr. Tim Whaler, Renaissance Planning-consultant to the Planning and Development Department, gave a brief overview of the Transportation Mitigation Strategies for Walton County and the benefits of Mobility/Impact Fee structure. He reviewed the steps needed to implement the Mobility/Impact Fee structure.

Motion by Commissioner Comander, second by Commissioner Nipper, to approve staff's recommendation to implement a Mobility/Impact Fee structure.

Commissioner Nipper asked if the program would be updated annually. Mr. Whaler replied an annual review of the program would be done with a scheduled update every five years.

Chairwoman Jones asked if there would be an ability to access the information for individual projects. Mr. Whaler said there are programs which help developers to calculate their potential fees. Mapping and documentation outlining the improvement will also be available.

Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to move forward with an RFP to complete the necessary Impact/Mobility Fee study use to establish the fee and other program parameters as requested by Mr. Carpenter. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Ms. Kristen Shell, Planning and Development-Planning Manager, requested approval to transmit the proposed amendments to the Future Land Use Element and the Economic Development Element to the State agencies for review. This issue was continued from the September 12, 2017 Regular Meeting. She said the board would need to decide if the Planning Commission recommendations would be included in the transmittal draft. She also said that an updated and adopted Bay/Walton Plan Sector map and Future Land Use map would have to be included with the transmittal draft. Ms. Shell briefly reviewed the two Planning Commission's recommendations.

Discussion was held on the impacts the Planning Commission recommendations would have on projects.

Mr. Randy Gardner spoke in support of the amendments.

A brief discussion was held regarding the Planning Commission recommendations and the updated maps.

Motion by Commissioner Anderson, second by Commissioner Nipper, to transmit to State agencies the Comprehensive Plan Text Amendments Part 2 Ordinance with the Planning Commission recommendations and the updated Bay/Walton Sector-Future Land Use Maps. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Carpenter requested to transmit to State agencies the Black Creek of Northwest Florida ordinance amending the Walton County Comprehensive Plan Future Land Use Map designation on 33.64 +/- acres from Urban Residential and Estate Residential to Business Park. He briefly discussed the changes and said a landfill of any type would not be allowed.

Motion by Commissioner Chapman, second by Commissioner Anderson, to transmit to State agencies for review the Black Creek of Northwest Florida ordinance. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Attorney Noyes revisited the Comprehensive Text Amendments Part 2 and stated a motion would be required to transmit the Economic Development Element.

Motion by Commissioner Comander, second by Commissioner Anderson, to transmit to State agencies for review the Comprehensive Plan Text Amendments Part 2-Economic Development Element. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

The Quasi-Judicial Hearing was called to order and Attorney Noyes administered the oath to those intending to speak. There were no objections to the advertisements. Attorney Noyes instructed the Board to submit any Ex Parte forms to the clerk.

Ms. Renee Bradley, Senior Planner, presented Watersound Origins Phase 4, a Major Development Order application submitted by WaterSound Company, LLC requesting approval of 361 single family lot subdivision and associated infrastructure on 178.55 acres in WaterSound Planned Development Unit (PUD)/WaterSound North Development of Regional Impact (DRI) with a future land use of Coastal Village One (Parcel No.: 25-3S-18-16000-001-0000). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report)**

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve Watersound Origins Phase 4 contingent upon conditions being met as stated in the staff report.

Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: Staff Report-1) (Ex Parte: None)**

Mr. Tim Brown, Senior Planner, presented Eden's Landing PUD Amendment, a Major Development Order application submitted by Innerlight Engineering Corporation, requesting approval to modify setbacks for residential and commercial lots and to eliminate the previously approved Design Code for the project on 11.74 +/- acres with a future land use of Neighborhood Infill. Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report.

(Exhibit 1: Staff Report)

(Commissioner Comander exited the meeting.)

Commissioner Chapman voiced concern with the modification to the setbacks. Mr. David Smith, Innerlight Engineering, briefly discussed the request and said the previously approved Design Code would not allow houses to be built today. He said the modifications to the setbacks would not increase the density and intensity of the project.

There were no public comments.

Motion by Commissioner Anderson, second by Commissioner Nipper, to approve Eden's Landing PUD Amendment contingent upon conditions being met as stated in the staff report. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: Staff Report-1) (Ex Parte: None)**

(Commissioner Comander returned to the meeting.)

Mr. Carpenter presented Mobile Fixture Showroom/Warehouse, a Major Development Order application submitted by Mr. David Lamar, on behalf of Walne Donald requesting approval to construct 25,088 square foot kitchen showroom/warehouse space. The project is located on the

southeast corner of U.S. Highway 331 and Norris Cutoff Road. The proposed parcel is on 1.87 +/- acres with a future land use of Light Industrial (Parcel No.: 04-2S-19-24000-002-0010). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report)**

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve Mobile Fixture Showroom/Warehouse contingent upon conditions being met as stated in the staff report. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Absent, Nipper Aye.

(Exhibits: Staff Report-1) (Ex Parte: None)

The meeting briefly recessed.

Attorney Noyes announced the November 14, 2017 Regular Meeting needed to be rescheduled due to conflicting FAC conference dates. She recommended the meeting be rescheduled to November 7th and held at the regular meeting time of 4:00 p.m. She also stated Sandestin Investments and Sandestin Owners Association had reached an agreement and wished to present revisions to the Sandestin NOPC ordinance (2017-12). She suggested the Public Hearing to hear these considerations be held November 6th at 1:00 p.m. at the Courthouse Annex in Santa Rosa Beach.


Attorney Dana Matthews, Sandestin Investments, LLC representative, briefly discussed the litigation which occurred after the adoption of the ordinance and said both parties are requesting to meet with the board. He said he would work with Attorney Noyes regarding the proper notification.

Discussion was held on the length of the Sandestin meeting and the appropriate date and time to schedule both meetings.

Motion by Commissioner Chapman, second by Commissioner Nipper, to set a Public Hearing to consider amending Ordinance 2017-12 (Sandestin NOPC; Walton County Case No.: 2017CA225) to be held on November 7, 2017 at 1:00 p.m. and to reschedule the November 14, 2017 Regular Meeting to November 7, 2017 at 4:00 p.m. Both meetings will be held at the Walton County Courthouse Annex in Santa Rosa Beach. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

There being no further items to present, the meeting was adjourned at 6:03 p.m.

Approved: 
Cecilia Jones, Chairwoman

Attest: 
Alex Alford, Clerk of Courts and County Comptroller