

## **AUGUST 9, 2016 – REGULAR MEETING**

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on August 9, 2016 at 4:00 p.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 Bill Imfeld; and Commissioner Cindy Meadows. Mr. Larry Jones, County Administrator; Attorney Mark Davis, County Attorney; and Mr. Alex Alford, Clerk of Court and County Comptroller; were also present.

Chairman Comander called the meeting to order.

Mr. Jeff Goldberg, Emergency Management Director, announced the severity of the current storm had been downgraded with a possible 7 inches of rain instead of the previous prediction of 11-16 inches. Four sandbag stations have been set up to allow citizens to make their own sandbags. Mr. Goldberg said the rivers and weather would be closely monitored. He said schools would begin as scheduled. Chairman Comander asked if there was an indication that Governor Scott would declare a State of Emergency. Mr. Goldberg replied he had not received any information regarding a declaration. Chairman Comander commended Mr. Goldberg and his staff on the job they have done keeping abreast of the situation. She also thanked Mr. Wilmer Stafford, Public Works Director, and staff for the hard work they have done in preparation of the rain event.

Motion by Commissioner Jones, second by Commissioner Chapman, to approve the agenda with following revisions. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

1. Addition: Consent Agenda-Clerk Items: Approval of the August 3, 2016 Special Meeting Minutes
2. Addition: Commissioner Imfeld-Customary Use of the Beaches
3. Addition: Administration: Mr. Billy Williams-Information on the use of Triumph funds to pay off the \$285 million Mid Bay Bridge debt.
4. Addition: Chairman Comander-Timely delivery of newspapers in Walton County.

Ms. Suzanne Harris questioned how much has been paid to Theriaque & Spain regarding the Customary Beach issue. Commissioner Meadows stated approximately \$12,000.

Mr. David Kramer discussed the Consent Agenda item (Agreements/Contracts: 5) regarding the Matrix Design Group. He asked that the scope of services include the digitizing of the Future Land Use Map (FLUM). Mr. Kramer addressed the Odom parcel being considered for acquisition and asked that at the time the issue is presented it be disclosed if any commissioner or the County Administrator had received any contributions from Mr. Odom during past and/or present campaigns.

No items were removed from the Consent Agenda for discussion.

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

1. CLERK ITEMS:

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

General Fund	\$	709,388.36
County Transportation	\$	729,646.19
SHIP	\$	69,794.00
Fine & Forfeiture	\$	3,945.53
Section 8 Housing	\$	143,889.87
Tourist Dev. Council	\$	1,201,779.09
N.W. Mosquito Control	\$	1,046.99
Recreation Plat Fee	\$	1,361.25
Solid Waste Enterprise	\$	40,493.95
Bldg. Dept./Enterp. Fund	\$	1,264.67
Mossy Head Ind. Park	\$	40.00

Infrastructure Improvements	\$	14,963.30
Stormwater Drainage	\$	43,726.72
<b>Totals</b>	\$	<u>2,961,339.92</u>

2. Approve the minutes of the July 26, 2016-Regular Meeting and August 3, 2016 Special Meeting
3. Approve the Investment Report for Quarter ended June 30, 2016 as requested by the Clerk's Office
2. ADMINISTRATIVE ITEMS:
  1. Request approval and execution of Records Disposition Document # 2016-001
  2. Request approval and execution of Records Disposition Document # 2016-002
  3. Request to acknowledge receipt of the 2015 Tax Roll Recapitulation for Discounts, Errors, Double Assessments, and Insolvencies pursuant to Florida Statute 197.492
3. BUDGET AMENDMENT RESOLUTIONS/TRANSFERS:
  1. Request to approve a **resolution (2016-50)** to amend the FY 2016 budget for the Fine and Forfeiture Fund for proceeds from the County Auction and a refund for returned equipment in the amount of \$68,385.00
4. AGREEMENTS/CONTRACTS:
  1. Request to approve and authorize the Chairman to sign a Memorandum of Understanding (MOU) with the City of DeFuniak Springs to use the DeFuniak Springs Community Center as a point of distribution
  2. Request to approve and authorize the Chairman to sign the Amendment to Contract No. 016-028 for Artificial Reef Construction and Deployment services with Coleen Marine, Inc.
  3. Request to approve and authorize the Chairman to sign a contract with Zehnder Communications for Advertising Services
  4. Request to approve and authorize the Chairman to sign the lease agreement between Walton County Fire Rescue and Dell Financial Services in the amount of \$40,530.48
  5. Request to approve and authorize the Chairman to sign an amendment with supplemental scope of work to the agreement with Matrix Design Group (RFQ 016-009)
  6. Request to approve and authorize the Chairman to sign a modification to sub-grant agreement 16-CI-S9-08-61-02-XXX with the Florida division of Emergency Management (FDEM) to increase the award by \$12,250.00 from \$19,720.00 to \$31,970.00 of funding from the Federal Emergency Management Agency's Emergency Management Performance Grant due to the award of additional de-obligated funds
5. EXPENDITURE REQUESTS:
6. GRANT APPLICATIONS:
  1. Approve request from the Sheriff's Office to apply for the 2016 Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG)

Commissioner Chapman announced his voting conflict regarding Waste Management issues and submitted Form 8B to the clerk.

Motion by Commissioner Imfeld, second by Commissioner Jones, to approve the Waste Management expenditures. Ayes 4, Nays 0. Comander Aye, Jones Aye, Chapman Abstain, Imfeld Aye, Meadows Aye. **(Form 8B: Chapman) (There were no Waste Management EAL's.)**

Mr. Larry Jones, County Administrator, stated the following firms would be giving presentations for RFQ 016-024-Engineering Services for C.R. 395N Road Construction and Addition of Multi-Use Path: Atkins Engineering, Genesis Engineering, and Dewberry/Preble-Rish, Inc. He requested the board submit their final scores to the Clerk for tallying at the end of the presentations.

Mr. Jeff Helms, Atkins Engineering, briefly reviewed the multi-use path projects developed by Atkins throughout northwest Florida. He listed the critical issues which must be addressed for this project. Mr. Helms stated public input and communication would be imperative to the project. He stated FDOT's involvement would be needed for the enhancement and safety of the path at U.S. Highway 98. He spoke on the poor condition of the pavement and the need to resurface, the widening of the lanes to 10 or 11 feet, replacement of signs, and redefining the school zone. Mr. Helms recommended thickening the asphalt at boat ramps and utility driveways to prevent rutting and long-term issues. He announced drainage permitting for bike paths and multi-use paths are exempt under State law. However, there are two cross drains which will need to be extended and 18 side drains need mitered end sections. Mr. Helms said boardwalks would be used in the wetland areas.

Commissioner Chapman announced he had contacted FDOT about the crossing at U.S. Highway 98 and they have offered realignment suggestions to staff.

Commissioner Meadows asked if Bay Elementary was closing. Attorney Mark Davis, County Attorney, stated that a new elementary school will be constructed near the Emerald Coast Middle School; Bay Elementary would then become a Pre-K/Kindergarten center. Commissioner Meadows asked if U.S. Highway 98 would be expanded to six lanes at that intersection. Mr. Helms replied that FDOT had begun the CEI phase of the expansion and the negotiations for design have also been started. Discussion ensued on ensuring pedestrian safety at the intersection. Mr. Helms reported the cost for a walk-over would be approximately \$1.8 million.

Mr. Nick Grosso, Genesis Engineering-Project Manager and Engineer of Record, briefly reviewed the different projects developed for Walton County and discussed the engineering team, safety issues, and project focus. He recommended widening the travel lanes to a minimum of 10 feet and to utilize a 2 foot wide paved shoulder. He also recommended constructing the multi-use path on the east side of the roadway. Mr. Doug Pritchard, Genesis Project Administrator, briefly discussed the Construction, Engineering and Inspection (CEI) of the project. Mr. Grosso said the main focus will be to maintain the schedule, budget, and efficiency. (Handout)

The commissioners had no comments.

Mr. Cliff Knauer, Dewberry/Preble-Rish, Inc., recommended reconstructing the roadway rather than widening and resurfacing as advertised. He stated core samples show no road base in certain areas. He discussed the failing base and what steps should be taken to improve the area. Mr. Knauer talked about the approach that would be taken to insure the project is done to Walton County standards. (Handout)

Commissioner Meadows noted how the reconstruction would affect the cost of the project. Mr. Knauer replied it would make the project more expensive. He said the project area was 1.4 miles and reclamation could be done similarly to that done on C.R. 3280. He did not support an overlay.

The score sheets were submitted to the Clerk of Courts and County Comptroller, Mr. Alex Alford, to be tallied and announced later in the meeting.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the 15<sup>th</sup> Annual Seaside School Half Marathon & 5K Run and the closure of both lanes of C.R. 30A on March 5, 2017 as requested by Mr. Jones. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the 30<sup>th</sup> Annual Sandestin Triathlon and the closure of both lanes of C.R. 30A on August 20, 2016 as requested by Mr. Jason Draughn. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Scott Caraway, Public Works, presented an update on the Choctawhatchee Beach Mouse (CBM) Permitting issue. Walton County has been working with the U.S. Fish and Wildlife Service (FWS) to produce a streamlined process for property owners/projects wishing to develop within the coastal areas of the county. There are three tiers to the process: Tier 0 (green zone)-parcels located within the boundaries of State Parks or privately owned parcels with an existing Incidental Take Permit with FWS. Action Required: none; Tier 1 (red zone)-parcels located within areas that contain ideal CBM habitat conditions. Action Required: coordinate with FWS prior to commencement; and Tier 2 (yellow zone)-parcels that contain CBM habitat previously altered by storms or development. Action Required: owner agrees to conservation

measures and submit a wildlife lighting review to the county. Mr. Caraway said property owners in Tier 2 would not have to go through FWS. He reported there were 4,300 total parcels affected by the CBM habitat; 771 parcels in Tier 1 with 607 of those parcels having been developed; and 3,400 properties in Tier 2. Chairman Comander asked how properties in Tier 1 would enhance their parcels. Mr. Caraway said that if the improvements do not affect the natural habitats then no action is needed. Commissioner Jones questioned how long it would take to receive a permit within Tier 1. Mr. Caraway replied one to two years. Commissioner Imfeld asked if an applicant is still required to begin the two-step process in Panama City then proceed to Atlanta. Mr. Caraway said that was the current process; however, FWS is in the process of devising a way to eliminate the requirement to go to Atlanta. Chairman Comander asked if the two-step process was required before going to the county. Mr. Caraway said county building permits can be obtained, but construction could not begin until the state and federal permits have been received. He also said there is a risk that county permits could expire before state and federal permits are received and recommended obtaining state and federal permits first. Commissioner Meadows asked about the Habitat Conservation Plan and if it included the beach mouse habitat. Mr. Caraway said the original plan had minimal mention of the beach mouse and the effects on the habitat by private developments. Discussion continued on the Habitat Conservation Plan.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to adopt a **Resolution (2016-51)** in support for incorporation of the 30A Transportation/Mobility & Autonomous Vehicles and Workforce Mobility under Park/Ride grant funding with the West Florida Regional Planning Council (WFRPC) as presented by Mr. Jones. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Chapman, second by Commissioner Meadows, to advertise a RFQ for Professional Engineering Services for 30A Inter-Modal Mobility Autonomous Vehicle Feasibility Study Phase I as requested by Mr. Jones.

Mr. David Kramer questioned if the term definitions included Scenic 30A and the north/south routes. Attorney Davis said the transportation plan covers the 30A transportation area and includes all roads leading to 30A and U.S. 331 all the way to DeFuniak Springs, FL.

Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones presented an update on the lease of a modular unit for the Planning and Building Departments. He announced some of the lease documents have not been received and therefore will be presented at a later date.

Mr. Rick Wilson, Projects and Programs Manager, presented an update on the Walton County Sports Park and announced a drainage solution for the stormwater issues has been found. He commended the county engineering staff for the work done with the Army Corps of Engineers to find the solution. Permission has been given to proceed with the design which would allow the stormwater to be deposited into a nearby ditch. Mr. Jones said a meeting with Lose & Associates has been scheduled to move forward. Mr. Wilson said this approach will not only save money, but land as well. Commissioner Jones asked what the projected opening date would be. Mr. Wilson said he hoped it would be open for baseball season 2017. The board commended Mr. Wilson and the Engineering Department for their hard work.

Mr. Jones requested to reschedule the September 13, 2016 Regular Meeting due to a conflict with the FAC Policy Committee Conference and Gulf Consortium Meeting in Martin County, Florida. He said a Budget Hearing is scheduled for September 12, 2016 at 5:01 p.m. to be held at the Courthouse annex in Santa Rosa Beach, FL and questioned if the board would

consider moving the Regular Meeting to 9:00 a.m. on September 12 at the Courthouse Annex. A brief discussion ensued regarding which commissioners would be attending the FAC Conference. Chairman Comander voiced concern that the Regular Meeting could not be held on the 12<sup>th</sup> due to the Budget Workshop being held the same day. Mr. Jones confirmed the two meetings could be held on the same day as long as they were not a part of the same meeting. A lengthy discussion continued on the appropriate time to convene the Regular Meeting on the 12<sup>th</sup> and the requirement to hold Quasi-Judicial land use items after 5:00 p.m. Commissioner Meadows suggested holding the Regular Meeting on September 20, 2016 at 4:00 p.m. to allow the Quasi-Judicial items to be heard. Chairman Comander noted that EAL's would need to be approved for payment prior to the 20<sup>th</sup>. Mr. Jones recommended convening a Special Meeting at 4:00 p.m. on September 12<sup>th</sup> to address the necessary issues then hold the Budget Hearing at 5:01 p.m. as scheduled. The remainder of the Regular Meeting agenda would be held on the 20<sup>th</sup> at 4:00 p.m. at the Courthouse Annex.

Motion by Commissioner Chapman, second by Commissioner Jones, to reschedule the September 13, 2016 Regular Meeting to September 20, 2016 at 4:00 p.m. at the Courthouse Annex in Santa Rosa Beach and to schedule a Special Meeting to be held at 4:00 p.m. on September 12, 2016 at the Courthouse Annex in Santa Rosa Beach to hear necessary items prior to the Budget Hearing scheduled at 5:01 p.m. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

The individual firms' scores given by each of the commissioners for RFQ 016-024: Engineering Services for C.R. 395 N Road Construction and Addition of Multi-Use Path were read for the record by Mr. Alex Alford, Clerk of Court and County Comptroller. The firms were ranked as follows:

Rank	Firms	Total Score
1	Dewberry/Preble-Rish	476
2	Genesis	466
3	Atkins	465

Motion by Commissioner Jones, second by Commissioner Chapman, to begin negotiations with Dewberry/Preble-Rish as top ranked firm for RFQ 016-024 Design Services for C.R. 395 North Road Construction and Multi-Use Path Project. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Jones exited the meeting.

Mr. Jones requested approval of the 2015/2016 Capital Projects List. Commissioner Meadows asked if this was last year's list. Mr. Buddy Wright, Public Works, said this is the current year project list and discussed the reason for the late submission. A 2016/2017 list will be provided after the first of the year. Commissioner Meadows estimated the dirt-to-pave projects were approximately 1.5 years behind. Mr. Wright said the estimated time of completion for the 2014/2015 projects list is June, 2017. Commissioner Meadows discussed the need to complete these projects. Discussion continued on dirt-to-pave projects and the possibility of scheduling a workshop to discuss solutions to achieve the project goals.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve the Fiscal Year 2015/2016 Capital Projects List. Ayes 4, Nays 0. Comander Aye, Jones Absent, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Jones returned to the meeting.

Motion by Commissioner Chapman, second by Commissioner Imfeld, to approve to advertise a Request for Qualifications (RFQ) for Design Engineering Services for East Point

Washington Road Project as presented by Mr. Jones. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve Task Order No. 16-15 for Professional Engineering Services for Driftwood Road and Ellis Road Stormwater and Transportation Preliminary Engineering Evaluation as presented by Mr. Jones. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve to advertise and hold a Public Hearing on August 23, 2016 to use \$29,200.00 in U.S. Highway 98 Proportionate Fair Share Funds as compensation for an approximate 0.25 acre linear segment easement of Topsail State Park to construct a multi-use path from the Trustees of the Internal Improvement Trust Fund of the State of Florida. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested direction whether to construct the Helen McCall Park restroom, press box, and concession stand facility in-house or to contract this project out to a construction company. He asked if the board chose to perform the project in-house to include in the motion to designate the project as top priority. Discussion ensued on the benefits and deficiencies of using in-house labor.

Motion by Commissioner Jones, second by Commissioner Meadows, to bid out the construction of the Helen McCall Park restroom, press box, and concession facilities. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Jones, to award, approve, and authorize the Chairman to sign Contract 016-014 for Western Lake Pedestrian Bridge Phase

I Project to North Florida Construction, Inc. as the lowest responsive bidder as presented by Mr. Jones. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Kevin Morgan, Atkins, presented an update on the C.R. 395 and C.R. 30A intersection improvements and discussed what has been done on the project thus far. He announced a public meeting would be scheduled for September. Commissioner Meadows asked if there were wetlands associated with the project. Mr. Morgan said there was and there may be some minor impacts when drainage is improved on C.R. 395. Commissioner Meadows noted there have been several meetings held to obtain public input. Commissioner Imfeld asked if all the paperwork had been taken care of. Attorney Davis replied it had.

Mr. Billy Williams, Local RESTORE Coordinator, presented an update on the possible use of Triumph Funds to pay off the Mid Bay Bridge debt. He said the bridge was built in 1993 at a cost of \$83 million; the current debt is \$285 million. A State Representative candidate has suggested requesting \$285 million from the Triumph Board to pay off the debt. There has been a lot of public outcry regarding the labor/workforce transportation and the increase of the tolls. Mr. Williams said the Mid Bay Bridge Authority (MBBA) legal counsel is seeking an opinion whether the debt could be deemed as a project and thereby receive funding. Commissioner Imfeld asked how this would impact Walton County's proposed projects. Mr. Williams said there would be no impact. Chairman Comander said the Triumph funding was to be used for economic development and voiced concern with the use of funds to pay off a debt. Mr. Williams stated the debt and the increasing tolls are a strain on the workforce and therefore affects the economy. Commissioner Chapman asked if there had been changes to the rules on a Treasury level. Mr. Williams briefly discussed the multiple complications with the Treasury.

The meeting recessed at 5:29 p.m. and reconvened at 5:44 p.m.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve to reallocate funds originally approved for the Walton Area Chamber event Taste of the Beach to the Walton Area Chamber Event RUNSUP as requested by Mr. Jon Ervin, TDC. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Jones, second by Commissioner Chapman, to approve to fund parking at Grayton Beach State Park for Coastal Dune Lake Day on September 17, 2016 as requested by Mr. Jason Cutshaw, TDC. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Jones, to move forward with the design and permitting for an exterior restroom facility at the TDC Visitor Center as requested by Mr. Brian Kellenberger, Director of Beach Operations. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye. The restroom would be available 24/7 and security cameras would be utilized to monitor parking lot activity.

Mr. Jay Tusa, TDC Executive Director, announced the Walton County Transit Feasibility Study has been completed and briefly discussed activity centers within south Walton impacted by transit. He gave an update on the two parcels being considered for parking/parking garages and discussed opportunities for private/public partnerships associated with the parking. Mr. Tusa said the cost per parking space would be approximately \$19,000 per space to build a parking garage. He presented retail space revenue opportunities which could produce an income of approximately \$58,000 per month. He said since neither parcel is located next to a beach access a shuttle service would be required to transport visitors to the beach.

Mr. Tusa discussed the parcel located on C.R. 283 (Grayton Grand) and its proximity to the beach and other communities. Seaside has stated they would be interested in participating in

a parking program. He reviewed the different parking facility options and the number of parking spaces which would be provided. Mr. Tusa said he and Mr. Chance Powell, Public Works, have determined that to construct a parking garage a three to five year plan would be needed. He discussed the recommendations to construct a parking area in time for next tourist season. To construct a parking area in-house would be approximately \$92,000 and \$140,000 if the project were bid out. The negotiated asking price for the parcel is \$7.632 million. Commissioner Meadows asked if it had been determined if TDC could purchase property. Attorney Davis said not yet and it would depend on the final decided use for the property. Discussion ensued on what would be required to insure authorization for the TDC to purchase the properties. Commissioner Imfeld asked if the Attorney General had previously rendered an opinion that TDC funds could be used for parking. Attorney Davis said it is dependent upon what the parking is used for. Discussion continued on other public/private partnerships and statute limitations on TDC funding for property purchases. Commissioner Jones asked if there was a timetable associated with this property. Mr. Tusa said there were other buyers interested in both parcels and replied the seller would be willing to wait another two weeks until a determination could be made regarding TDC funding. Attorney Davis said TDC funds can be used, but statute limits the use of those funds to 10% per year for certain projects unless the property can be used in addition to its original use. Mr. Tusa explained that statute limitations are the reason a park element is being included in the plans. Discussion continued on the amounts affected by statute and whether parking would be allowed by the Land Development Code.

Mr. Tusa presented an update on the real property located on C.R. 30A (Old Florida Village). He discussed the proximity of the parcel to beach access points. He said there are currently 134 parking spaces on the lot and reviewed the existing curbs and buffering. He said

the improvement costs would be \$66,040 for in-house labor and \$105,650 contracted labor. Mr. Tusa reported the negotiated price for the parcel is \$3.725 million. He discussed the proposed designs for the parking area. Commissioner Meadows voiced concern with the surrounding land uses and how the traffic would be handled. Chairman Comander questioned if parking on Gulfview Heights could be eliminated with this parking area. Mr. Tusa said it would decrease the congestion and recommended installing signs or vegetation to prevent parking in the right-of-ways. Discussion continued on the current parking issues. Mr. Tusa said he would bring back more information at the next meeting. Discussion ensued on how much TDC funding for property purchases are allowed by State.

Mr. David Kramer discussed the Grayton parcel and suggested advertising a request for proposal to the real estate community for property to purchase. Commissioner Meadows replied that a request was made for anyone to come forward that wished to sell any property that would benefit the county. Discussion continued on advertising a request for proposal and the determination if the purchases would qualify for TDC funding.

Ms. Suzanne Harris discussed the availability of public beach with the Old Florida Village property. She also recommended contracting with a knowledgeable developer to develop the Grayton Grand property with tourism amenities.

Mr. Tusa said it is important to advertise an RFQ/RFP, hire a consultant to help with the process, and work with a developer to develop the areas. He said he would bring back more information.

Mr. Tusa reported the Bed Tax numbers for June were up 13.55%. He said other counties showed no increase.

Mr. Tusa presented an update on the six parcels in Dune Allen, adjacent to Stinky's Fish Camp; four of the six parcels are gulf front. He said the appraisals were sent out prior to the subdividing of two parcels, so the appraisal is for two parcels, not four. The appraisers' opinions were conflicting regarding the effect the subdividing had on the value of the property. Mr. Tusa said the two appraisals for each of the two gulf front parcels were: 1. \$2.7 million and \$2.875 million (this parcel included a house); 2. \$2 million and \$2.675 million (there was no house on this parcel). Chairman Comander asked what the appraisals were for the properties across the street. Mr. Tusa replied the appraisals were: 1. \$260,000 and \$218,000 (parcel fronting C.R. 30A); 2. \$180,000 and \$166,000 (parcel north of the first parcel). He said the asking price for the parcels adjacent from Stinky's was \$1 million for both parcels together. Chairman Comander asked the length of the beach frontage. Mr. Tusa replied 220 feet. Commissioner Meadows asked how many parking spaces would be available for the south parcel. Mr. Tusa replied 55 spaces. He said the north parcel shows 51 parking spaces because the parcel could not be fully developed due to the dune lakes. Chairman Comander questioned if the beach front parcels could be bought without purchasing the others. Mr. Tusa said it could because there were two different sellers. Discussion continued on the value of the properties and the need for updated appraisals. Mr. Tusa said the seller does have another buyer and was not sure if the seller would be willing to wait. Discussion ensued on determining the number of parking spaces, restrictions applied to the parcels, and obtaining an updated appraisal.

Mr. Andy McAlexander, Representative for the Seller, relayed that negotiation had begun with another possible buyer when he first contacted the seller about selling the property to the county. At that time the sellers agreed to allow a short time for an appraisal because they favored the property being used for civic purposes. He reported the sellers' timeframe has run out due to

the delay in the appraisal process. He discussed comparable properties and the inconsistencies with the appraisers' final report. Mr. McAlexander recommended contracting for the property to allow more time for the additional appraisals. He said there is another buyer who is ready to contract. Chairman Comander voiced concern with the asking price and the possibility of losing an opportunity to purchase beach front property. Commissioner Meadows asked if there were any restrictions which would not allow this property to be used for public use. Attorney Davis said a land use change may be necessary. The board directed to move forward with the appraisals and negotiations for the property.

Mr. Jay Tusa announced Mr. Jon Ervin's resignation as TDC Marketing and Communications Director.

Commissioner Imfeld asked Mr. Tusa to begin looking at what can be done for the park area at the foot of the Choctawhatchee Bridge. Mr. Tusa said workshops have been held and would bring back the information in October.

Attorney Davis said a request to change Consent Agenda Item: Agreements/Contracts-6 was received prior to the meeting. He reported FDEM has asked to change the contract from a sub-grant agreement to a modification of an existing sub-grant.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve Consent Agenda Item: Agreements/Contracts-6 (16-1151) as a modification of an existing sub-grant. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve and authorize the Chairman to sign a resolution **(2016-52)** making a legislative finding that the expenditure of Tourist Development Tax funds is appropriate for the purchase of beach property as requested by Attorney Davis.

Attorney Davis reported that the County Comptroller would require a resolution for each purchase of property.

Mr. David Kramer asked for the definition of the term beach property. Attorney Davis said the actual description of the property is included in the resolution. Mr. Kramer asked if this was a generalized resolution. Attorney Davis said a resolution would be required for each purchase and the resolution being presented for adoption is for the Head/Harrell property on Eastern Lake.

Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Chapman, second by Commissioner Meadows, to authorize the Chairman to sign all necessary documents to close the Head/Harrell beach property transaction as requested by Attorney Davis. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve and authorize the Chairman to sign the Release of Lien and Satisfaction of Mortgage for a SHIP Mortgage (Inez English) upon receipt of the funds necessary to satisfy the mortgage and promissory note as requested by Attorney Davis. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Imfeld, second by Commissioner Jones, to approve and authorize the Chairman to sign and execute the purchase agreement for property fronting Highway 83 in the amount of \$130,000 upon request of the Health Department by Attorney Davis. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Davis requested to schedule an Executive Session on August 23, 2016 at 9:00 a.m. or as soon thereafter to discuss 1000 Friends of Florida v. Walton County (Case no. 15-

5619GM) at the Walton County Courthouse Annex in Santa Rosa Beach, FL. The board concurred to advertise for an Executive Session.

Commissioner Meadows briefly discussed the Farmers Market in DeFuniak Springs and said she would be bringing back ideas on how to improve the area. Chairman Comander discussed the disrepair and agreed to a future discussion.

Commissioner Imfeld requested that Attorney Davis make available to the public, through a public workshop, the information garnered by Attorney David Theriaque regarding customary use. Attorney Davis agreed. Commissioner Meadows voiced concern that the information was not complete. Attorney Davis said actual documents have not been received, but a verbal report has been given.

Commissioner Jones had no items to present.

Commissioner Chapman submitted a handout addressing amenities for the new sports park and Pilcher Park beneath the bridge. He voiced concern with the need to provide amenities for disabled parents and grandparents to attend events in these areas. He said funding is available and directed staff to research the issue.

Chairman Comander reported there are constituents who are not receiving the newspaper in a timely manner and asked County Administration to work with the local newspaper regarding paper delivery. Discussion ensued regarding the publication of notices in papers of general circulation and the need to insure constituents have access to legal notices.

Mr. Frank Day spoke on the parks issue presented by Commissioner Chapman and requested that the location of the handicapped parking at Padgett Park be placed closer to the public use building/meeting hall. Chairman Comander requested Public Works look into the issue. Commissioner Meadows said she would also look into it.

Mr. Kramer applauded the actions taken on the multi-use paths. He asked how the C.R. 393 multi-use paths were prioritized on the capital improvement list. He briefly discussed the deaths which have occurred on C.R. 393 over the past year. Mr. Kramer said there were no walking paths past the Santa Rosa Ridge entrance. He requested considering extending the bike paths past Santa Rosa Ridge to U.S. Highway 98. Commissioner Meadows said a bike path has been planned for that area.

The meeting briefly recessed.

Motion by Commissioner Chapman, second by Commissioner Jones, to accept the resignation of Mr. Blon Carter from the Zoning Board of Adjustment as requested by Mr. Wayne Dyess, Planning and Development Director. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye. Mr. Carter has accepted a position with the county as a Development Order Inspector and feels the position on the ZBA would be a direct conflict. Commissioner Meadows asked that a list of candidates interested in serving on the Zoning Board be submitted at the next meeting. Attorney Davis announced there are two positions needing to be filled. Discussion followed regarding pending issues to be heard and the vacated positions.

Mr. Mac Carpenter, Planning and Development, presented for consideration the Topsail West PUD Overlay Ordinance, amending Section 2.06.00 of the Walton County Land Development Code (LDC) by adding sub-Section 2.06.05 the Topsail West Mixed Use Conceptual Planned Unit Development (PUD) Overlay District which is consistent with L-1.17.1 of the Comprehensive Plan; establishing a defined boundary; establishing regulatory conditions for the Topsail West Mixed Use PUD Overlay District; and providing for the incorporation of the Topsail West Mixed Use Conceptual PUD and Master Plan as Appendix PDO-3 to the LDC. This is a requirement of the original Final Order adopted August 25, 2009. Mr. Carpenter said no

further development would be authorized in this context beyond what is currently approved in the Master Plan. He said it would allow the uses that were approved and entitled in the Small Village Mixed Use portion to be relocated without changing land use within the development; subject to approval.

There was no public comment.

Motion by Commissioner Imfeld, second by Commissioner Jones, to adopt **Ordinance 2016-20** approving the Topsail West Mixed Use Conceptual PUD and Master Plan as an Overlay District. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Chairman Comander noted that the board had received an email communication regarding the two WaterColor issues and asked if it should be submitted as Ex Parte. Attorney Davis said the letter would be made a part of the record. Mr. Dyess announced the Myers letter was received in their office early today and said copies for the commissioners were made as quickly as possible.

The Quasi-Judicial hearing was called to order and Attorney Davis administered the oath to those intending to speak. There were no objections to the advertisements. Attorney Davis instructed that any Ex Parte forms are to be submitted to the clerk.

Ms. Renee Bradley, Senior Planner-Planning and Development, presented WaterColor a/k/a Villages of Seagrove PUD/DRI Amendment a Major Development Order application submitted by Jesse Rigby for SRA/WaterColor Crossings, LLC requesting to amend the WaterColor PUD and DRI. The expansion consists of 7,800 square feet of retail space and an additional 1,698 square feet difference between the as-built survey for gross square footage and amount of square footage approved per Development Order 1468 Publix Shopping Center (WaterColor Crossing) located at 110 WaterColor Way on 6.51 acres with a future land use of

Court Order Overlay. This will increase the Commercial entitlements from 80,000 to 89,498 square feet for the WaterColor PUD and DRI. Ms. Bradley briefly discussed the annual report and concerns regarding notification. Staff found the project to be consistent with the Walton County Comprehensive Plan, Land Development Code, and F.S. 380.06(19)(e)1 contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report; Exhibit 2: Myers Letter (Staff); Exhibit 3: DEO Letter (staff))**

Attorney Jesse Rigby, Clark Partington, representative for the applicant, objected to the submission of the Myers letter and said it should not be considered as evidence. He briefly discussed the project and addressed some of the concerns raised in the Myers letter. He said the appropriate steps have been taken to correct the discrepancies and recommended approval.

There were no public comments.

Commissioner Imfeld voiced concern with the lateness in receiving Mr. Myers objections and the inability for Attorney Rigby to cross examine. He asked for the letter to be excluded. Attorney Davis replied that objectors have the right to submit their objections in writing to the Planning Department and the board has the right to not consider the letter's arguments when considering this project.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to adopt **Resolution 2016-53** approving WaterColor a/k/a Villages of Seagrove PUD/DRI Amendment a Major Development Order application. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibits: Staff Report-1; Myers Letter-2; DEO Letter-4)(Ex Parte: Comander, Jones, Chapman, Imfeld)**

Ms. Bradley presented Publix Expansion at WaterColor a major Development Order application submitted by Baker Engineers, LLC (Michelle Baker) requesting approval to amend

Publix Supermarket at WaterColor (within the WaterColor Crossing Shopping Center). The expansion consisting of 7,800 square feet of retail space and an additional 1,698 square feet difference between the as-built survey for gross square footage and amount of square footage approved per Development Order 1468 for the Publix Shopping Center (WaterColor Crossing). This will increase the commercial square footage for the WaterColor Crossing Development Order 1468 (for the Publix Shopping Center) to 56,400 from 46,902. This is a total increase of 9,498 square feet of commercial/retail. The project is located at 110 WaterColor Way. 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; Exhibit 2: Myers Letter**

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to approve Publix Supermarket at WaterColor (within the WaterColor Crossing Shopping Center). Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibits: Staff Report-1; Myers Letter-2)(Ex Parte: Comander, Jones, Chapman, Imfeld)**

Mr. Tim Brown, Senior Planner, presented Culver's Restaurant a Major Development Order application submitted by Emerald Coast Associates, Inc. requesting approval to develop a 5,080 square foot restaurant with drive-thru and covered patio outdoor seating on 1.54 acres with a future land use of Coastal Center Mixed Use. This item was continued from the July 12, 2016 Regular Meeting. Based on the Planning Commission recommendations and input from neighbors; the applicant amended the site plan to eliminate the cross access connections to the west and to the northeast, eliminated some of the one-way drives for better traffic circulation, and moved the building forward closer to U.S. Highway 98. The project is located on the north

side of U.S. Highway 98, east of Professional Place and west of Holiday Road. 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 Meadows asked if there was a cross access easement to the east. Mr. Brown said there was availability for the easement. Commissioner Meadows asked if there would be turn lanes on U.S. Highway 98. Mr. Brown replied no. He said there was a land use change in January, 2016 to allow for drive through.

Mr. Dean Burgis, Emerald Coast Associates, Engineer of Record and agent for the applicant, briefly discussed the project, the changes made, and solutions to drainage issues.

Chairman Comander asked if Culver's was a chain restaurant. Mr. Burgis said it was, but was not well known in this area and is similar to McAllister's.

Commissioner Meadows asked if there was a retention pond in the back. Mr. Burgis responded yes.

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve Culver's Restaurant. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibits: Staff Report-1)**

Mr. Brown presented Surfsong Estates a Major Development Order application submitted by JP Engineering, LLC requesting the approval to develop and construct a 4 lot single family residential subdivision and all associated infrastructure consisting of 0.55 acres with a future land use of Neighborhood Infill. This item was continued from the July 12, 2016 Regular Meeting. Due to an unsuccessful property exchange with the Surfsong Condominium to the south, the site

plan has been amended since the Planning Commission meeting. The overall size of the project was reduced by approximately 75 square feet resulting in minor changes to the ISR calculation, the stormwater calculations, and the sidewalk buy-out for the project. The project is located at the end of Surf Song Lane on the north side of Surfsong Condominiums. 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 Meadows questioned the location of the retention area. Mr. Brown stated there was a retention area next to Lot 2 and under the roadway. Commissioner Meadows asked if the common area to the south was retention. Mr. Brown said that was a landscape buffer.

Attorney Davis asked what was reduced prior to presentation. Mr. Brown reported the project was reduced by approximately 75 square feet.

Commissioner Meadows asked if the sidewalks on the plan were existing. Mr. Brown said that it would be built.

Mr. Tracy Jernigan, JP Engineering and Agent for the Applicant, discussed the minor changes made and said the drainage meets the 100 year storm event.

Commissioner Meadows asked where Surfsong Lane ended. Mr. Jernigan said it ended a little further south of the project. Commissioner Meadows asked about beach access. Mr. Jernigan discussed the different paths visitors could take to the beach from the project.

There were no public comments.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve Surfsong Estates with staff conditions. Ayes 5, Nays 0. Comander Aye, Jones Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibits: Staff Report 1)**

There being no further items to discuss, the meeting was adjourned.

Approved: Sara Comander  
Sara Comander, Chairman

Attest: [Signature]  
Alex Alford, Clerk of Court and County Comptroller