

REGULAR MEETING – JANUARY 10, 2017

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on January 10, 2017 at 4:30 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 Mark Davis, County Attorney; were also present.

Chairwoman Jones called the meeting to order.

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

1. Deletion: Item 32 (16-1910) Citizen Requests-Cathy Pope, President & CEO of Feeding the Gulf Coast-Information regarding food distribution and nutrition programs provided by Feeding the Gulf Coast in Walton County-will be presented at a later meeting
2. Deletion: Item 27 (16-1884) County Attorney-Request to authorize the County Attorney to sign an affidavit verifying that County Highway 30A is a county highway and that the State of Florida no longer has an interest in the right-of-way-County Legal will present at a later date

Mr. Frank Day spoke in support of Item 21 (16-1915) addressing the RFQ for a feasibility study regarding the transfer of oversight of Walton County Fire Rescue to the Sheriff's Office.

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

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

<u>Fund Account</u>	<u>Expenditure</u>	<u>Waste Management</u>
General Fund	\$ 1,001,974.26	
County Transportation	\$ 175,560.33	
SHIP	\$ (10,000.00)	
Fine & Forfeiture	\$ 925.30	
Section 8 Housing	\$ 141,120.61	
Tourist Dev. Council	\$ 101,604.26	
N.W. Mosquito Control	\$ 1,652.02	
Solid Waste Enterprise	\$ 165,128.05	
Bldg Dept/Enterp. Fund	\$ 1,778.56	
Capital Projects Fund	\$ 546,682.32	
Totals	<u>\$ 2,126,425.71</u>	<u>\$ 0</u>
Grand Total		<u>\$ 2,126,425.71</u>

2. Approve minutes of the December 27, 2016 Regular Meeting
3. Request to approve a **resolution (2017-01)** amending the General Fund budget in the amount of \$716,804.00 for unanticipated revenues from Fire Rescue equipment lease proceeds
4. Request to approve and authorize the Chairwoman to sign the agreement with Ken Mitchem for storage space for the Supervisor of Elections' voting equipment
5. Request to approve and authorize the Chairwoman to sign the Amendment and First Option to Renew the Agreement for Operation and Maintenance of the Mossy Head Wastewater Treatment Facility with Paul Johnson
6. Request to approve Change Order No. 3 to Contract No. 016-014 for the Western Lake Pedestrian Bridge Phase I with North Florida Construction, Inc.; increasing the contract price \$69,203.78 and increasing the contract time 17 calendar days
7. Request to approve and authorize the Chairwoman to sign the Request for Consent to Assignment of the Software Services Agreement dated March 27, 2015 from South Data, Inc. to NBS Holdings, LLC
8. Request to approve to authorize the Chairwoman to sign Amendment No. 1 to the Software Service and Services Agreement assigned to NBS Holdings, LLC by South Data, Inc.

9. Request approval for the county to submit a grant application, and authorize the Chairwoman to sign the completed application to the Tony Hawk Foundation, in conjunction with Walton Skate Society, Inc. (Walton Sk8s) for the design of the skate park master plan in Helen McCall Park

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

Motion by Commissioner Nipper, second by Commissioner Anderson, to approve the EAL's excluding the Waste Management expenditures. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the Waste Management expenditures. Ayes 4, Nays 0. Jones Aye, Chapman Abstain, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Larry Jones, County Administrator, reported the board had directed staff to review needed renovations to the Fire Rescue/Station facilities and Mr. Stan Sunday, Deputy County Administrator, would present a report on those findings.

Mr. Sunday briefly discussed the list of current and proposed renovations. The total cost for all renovations is \$130,893.00. He said \$57,000 of that amount was budgeted in the 2016 budget for the renovations which are currently underway at Freeport and Paxton. The remaining amount needed to complete the other renovations is \$73,893.00.

Commissioner Comander addressed rumors which placed her on a committee to review each of the fire stations. She stated she was not on a committee and that it is her right and responsibility to visit the county facilities. She announced that before she became a county commissioner, and since becoming a commissioner, she delivered baskets to the fire departments and EMS stations at Christmas to thank them for their service. This past December she asked to go with Chief Bobby Martin and the facility maintenance staff to look at the Fire/EMS facilities.

Commissioner Comander said she noted repairs that had to be made and issues that could be addressed through basic housekeeping. She recommended hiring extra staff for facilities maintenance.

Motion by Commissioner Comander, second by Commissioner Chapman, to budget the \$73,893.00 needed for the renovations.

Ms. Melissa Thomason, County Finance Manager, said funding was available in the Contingency Fund and all that was needed was approval from the board to use those funds for repairs.

Commissioner Nipper discussed Station 4 Item 5-Replace ceiling tiles where needed. She stated problems with ceiling tiles indicate leaks and recommended those be addressed. She discussed Station 10 Item 1-Install a new exterior door in bay area. She said the soffit and frame needed replacing as well as the door.

Commissioner Chapman said all staff are obligated to the care of the buildings from the housekeeping by the resident staff to major maintenance by the county. He agreed that the money should be budgeted for the repairs.

Ms. Linda Morse said she was the one who started the rumor due to Mr. Sunday refusing to supply the committee member's names when asked by Commissioner Nipper. Mr. Sunday refuted Ms. Morse's statement by stating he did make reference to the committee in which at the time he did not remember the names of its members. He sent the information to Commissioner Nipper in an email following the meeting. The committee is a safety committee that is dictated by Statute and comprised of two members appointed by the Fire Chief, two members appointed by the Union, and one mutually agreed upon person.

Commissioner Comander questioned if there was enough money in Chief Martin's budget to purchase the needed cleaning supplies.

Mr. Bob Hudson asked if in-house labor would be used for the renovations. Mr. Sunday said it would. Mr. Hudson referred to Commissioner Comander's recommendations to hire additional staff to complete the work and recommended reconsideration of the amount of money to be transferred from the Contingency Fund. Commissioner Comander stated the increase in staff will increase the budget and asked how many facility maintenance workers were on staff. Mr. Jones said staff could come back with information on how to proceed and the associated costs for that plan.

Mr. Javier Canut, President of the Professional Firefighters of Walton County Local 4413 Union, addressed the renovations list presented. He said there were many issues missing from the list. He submitted an email chain and said that he and the safety committee were not given sufficient notice nor allowed to present these issues at a meeting held on January 5, 2017. Mr. Canut also voiced concern that the only Safety Committee Meeting minutes received were those from the January 18, 2016 committee meeting and voiced concern this violated Statute and the Collective Bargaining Agreement. He said the union recommended list will alter the cost of the repairs and discussed some of the additional issues.

Chairwoman Jones questioned if another meeting should be scheduled. Commissioner Comander said the process needed to be started and asked Mr. Sunday to address the issues of the meeting which was held on January 5, 2017. She announced that Chief Martin's father had passed away during the timeframe surrounding the meeting and voiced her condolences to the Martin family.

Mr. Sunday stated at the December 27, 2016 Regular Meeting he said he would gather together the facility maintenance personnel, fire rescue administration, the statutory safety committee, and union representatives to make sure everything was addressed. Attempts were started the following day by an executive assistant to schedule the meeting. He reported due to holidays, vacations, and deaths in the family there was a failure to communicate effectively until telephone conversations were held on January 3, 2017. The assistant was told on January 4, 2017 by union leadership they would not be attending the meeting. Mr. Sunday said there were deadlines to be met so the meeting was held on January 5, 2017 in order to get the requested information to the board at this meeting.

Commissioner Nipped questioned when the feasibility study is performed, how long will it take for the selected firm to present their findings. Mr. Jones stated once the board selects a firm and dependent on the depth of the study could possibly take 60 to 120 days. Chairwoman Jones said due to the RFQ process it could be approximately two months before the selected firm could proceed with the study.

Commissioner Anderson said there were still more issues to be addressed, but this list was a good starting point. He suggested approving the current list and to schedule another meeting with the Safety Committee when everyone can be there and to review all the issues.

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

Mr. Sunday said he would schedule another meeting.

Mr. Jones requested for direction regarding an offer from Freeport Center, LLC for the county to purchase property located in the Freeport Business Park. The property in consideration is located at the intersection of S.R. 20 and U.S. 331 on the southwest corner. The existing building has 29 units with 24 available for purchase. The purchase proposal for the remaining 24

units is \$2 million (\$44/square foot). There are also an additional 12 units available for a purchase price of \$1.25 million. Commissioner Comander discussed the need for more space and reported Mr. Dyess has been working on plans which will fit the Planning Department in the proposed building. Commissioner Chapman said he would be meeting with the constitutional officers on January 12th to gather information on how much space will be needed for their offices and asked the board to hold off on a decision until he can bring back a report from the meeting. Commissioner Comander said there had been plans to build another building on the property with the courthouse annex and said that building will be needed within the next five to 10 years. She voiced a need to get the process started and get the Planning Department moved. Mr. Jones suggested approving to move forward with an appraisal if it is determined during the meeting with the constitutional officers how much space is needed.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve moving forward with the appraisal contingent upon the determination by the constitutional officers to how much space will be needed.

Mr. Dyess discussed the Planning Department's need for more staff space and the benefits to the public. He said the Freeport location would allow the department to consolidate offices; leaving one person in DeFuniak Springs for north Walton planning issues. Commissioner Chapman asked if the property would be strictly used for Planning. Mr. Dyess said Planning would utilize eight of the units. Discussion continued on plans for the courthouse annex and the Freeport location.

Mr. Alan Ficcarra voiced concern that developers from south Walton County would have to go to Freeport to submit planning projects.

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

Motion by Commissioner Chapman, second by Commissioner Nipper, to approve to apply for a variance from the landscaping requirement for the new south Walton County sports park as requested by Mr. Jones. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones requested the board review the State and Federal Funding Priorities; submit comments, additions and/or deletions; and prioritize funding projects. He said he would bring back the recommendations at the next meeting for consideration.

Motion by Commissioner Nipper, second by Commissioner Anderson, to schedule a Workshop on February 14, 2017 at 3:30 p.m. at the courthouse annex in Santa Rosa Beach, FL to discuss the board's strategic goals and objectives. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve the following individuals to the Public Safety Coordinating Council as presented by Mr. Jones: Commissioner Cecilia Jones, Board Chair; Major Donald Clark, Chief Correctional Officer; Ms. Mylisa Lee, DCF Substance Abuse Program Office; and Ms. Frankie White, Public Defender. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Chance Powell, Public Works, presented an update on the Dalton Drive Pedestrian Beach Access request and said he had met with Mr. Robert Raymond regarding a proposal to place a barricade on the north end of Dalton Drive along the south edge of the Dalton Drive Commercial project (Maui Waves). The barricade would prevent vehicular traffic and only allow pedestrian and bicycle access. Commissioner Chapman discussed how this barricade would affect those who lived closest to C.R. 30A. Mr. Powell said if the board were to consider this

option he would recommend a special meeting be held to discuss what is being proposed and collect public input.

Mr. Jones asked if Public Works would or would not recommend Mr. Raymond's proposal. Mr. Powell said Public Works would not recommend it, but it was a proposal presented by residents of Dalton Drive.

Mr. Jones discussed the area of Dalton Drive which would be affected and asked if the board wished to consider the proposal. Commissioner Chapman said the board needed to hear from the residents and agreed to a Public Hearing.

Mr. Ted Missildine said there is still some dispute of the ownership of Dalton Drive. He said as part of a compromise, the owners will ask the county to place barricades to stop traffic coming from C.R. 30A. He said there were approximately 10 vehicles daily which ingress/egress to C.R. 30A from Dalton Drive. This issue has only been discussed with residents on Dalton Drive and not from the adjoining streets.

Discussion ensued to whether or not a Public Hearing should be held and when it should be scheduled.

Motion by Commissioner Anderson, second by Commissioner Chapman, to schedule a Public Hearing at 2:30 p.m. at the courthouse annex on February 14, 2017. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones clarified the Public Hearing would be to hear the proposal to end Dalton Drive at the end of the county maintained area. Mr. Powell said it would be placed at the southern limits of the Dalton Drive Commercial property.

Mr. Buddy Wright, Public Works, presented an update on Beachview Heights Neighborhood Road Maintenance request and reported the roads do not meet the requirements of

Chapter 5 of the Land Development Code. He said there is sufficient right-of-way, but the biggest deficiency is the roads are not paved. Commissioner Chapman asked if run-off attributed to some of the standing water in the roadways. Mr. Wright said some of the run off comes from C.R. 30A and Public Works needs to examine that to determine what can be done. Commissioner Nipper asked if pay to grade would be an option. Mr. Wright said it was and could be discussed with the residents. He said there is 60' of right-of-way with vegetation overgrowth which could be trimmed to help improve the roadway. He said the report also noted road sign deficiencies. The residents can pay for the sign material and Public Works would have them made and put up.

Ms. Brenda Sarper and Mr. Sid Heath expressed concern that some of the roads were already under county maintenance and did not know that the roads were required to be paved. Mr. Wright discussed the process for taking a road into county maintenance and said there may be verbiage that needs to be clarified. Chairwoman Jones apologized for the lack of communication and asked that more information be brought back.

Ms. Sarper asked if private citizens should pay to repair public roads. Commissioner Chapman said the roads may be dedicated to the public, but only two of the roads had been accepted into county maintenance. Mr. Wright said he understood the roads which have not been accepted are open to public use. Attorney Davis said the roads were dedicated to the public, but the county never accepted the dedication.

Mr. Scott Branton discussed issues with the condition of the roads and the inability to get to the homes. He expressed concern with inability for emergency vehicles to pass through. He asked the county to help alleviate the problems.

Commissioner Comander reported there were hundreds of roads which were dedicated to the public, but have not been accepted into county maintenance. She asked if the residents

bought the rock/gravel could the county spread it. Attorney Davis requested to allow him to research the legal status of the roads and report back at the next meeting. Chairwoman Jones asked Public Works to work with the residents on the signs and the trimming of the vegetation.

Mr. Heath voiced concern regarding the lack of maintenance.

Ms. Sarper submitted legal documentation to Attorney Davis to review.

Ms. Lisa Boushy said she had considered the area while looking for a residence and said the Property Appraiser's website indicated the streets were owned by an individual. She questioned if this information needed to be updated.

Mr. Jones presented the Draft Traffic Calming Policy and requested the board either submit comments or move forward with approval.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the proposed the Traffic Calming Policy.

Chairwoman Jones asked if a neighborhood did not approve a specific measure was there a time line in which it could be brought back. Mr. Powell said there was not one, but he could add a stipulation that consideration for a specific project area could only be heard once every two years.

Motion amended by Commissioner Comander, second amended by Commissioner Anderson, to include the stipulation as stated by Mr. Powell. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones requested to reduce the speed limit on Scenic Gulf Drive in the areas which are currently 35 MPH to 25 MPH to promote consistent traffic regulation throughout the entire length of the corridor.

Motion by Commissioner Comander, second by Commissioner Anderson, to reduce the speed limit on Scenic Gulf Drive to 25 MPH.

Mr. Phillip Schultz thanked the board for the reduction and asked that lighting and signage be improved at the crosswalks. Commissioner Anderson asked if the signage could be addressed. Mr. Powell discussed the problems using certain types of signs and said in his opinion the current signage is adequate. There may be some advanced signage which could help in high pedestrian areas. Commissioner Anderson asked Mr. Powell to research what improvements could be made in the crosswalk areas.

Ms. Donna Johns expressed concern with the lack of lighting on the road and recommended illuminating the crosswalks.

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

Mr. Jones presented the Draft RFQ for a feasibility study regarding transfer of oversight of the Walton County Fire Rescue to the Sheriff's Office. He said Commissioner Nipper had submitted additional suggestions to be included. He stated there were a number of options for the board to consider: 1. Include all of Commissioner Nipper's suggestions; 2. Include specific suggestions; 3. Approve the RFQ, select a firm, and have the firm review all suggestions to determine what is needed to equip the board to make the best decision.

Commissioner Chapman spoke in favor of the third option. He referenced a meeting he held with Mr. Jones and Sheriff Adkinson in which the Sheriff said that if a feasibility study was needed he would do it.

Commissioner Comander expressed the feasibility study should be performed by an independent firm and not county personnel. She questioned how much the county would be willing to spend on the study. Commissioner Comander recommended beginning with the basic

recommendations and allow the firm to determine if other suggestions need to be included. Commissioner Chapman said the Sheriff would not be the entity to perform the study, but would be the one to determine who would. He said the deeper the study the higher the cost will be. Chairwoman Jones said the money used for an intricate study could be used to upgrade the existing facilities. She spoke in favor of a basic study reflecting the strengths and weaknesses of Fire Rescue being under each entity. Commissioner Nipper stated Citrus County and Broward County have already placed their Fire Rescue under their Sheriff and recommended someone from those counties come to aid in the process.

Sheriff Mike Adkinson said for his department to consider the move, two questions must be answered: Is it in the best interest of the citizens we serve and does it improve the service to both the staff and citizens? He said the study has to be financially reasonable as well. He said this action is a partnership between the county and the Sheriff's Office and said there are local firms that could be considered. He said local firms would be both subject matter experts and critical of the county and the Sheriff's Office. He said his office has a fiscal responsibility to prepare how this would work. Sheriff Adkinson said he would prepare a report detailing how the system would operate. He said a feasibility study could be done locally and that a committee should be formed to include two members chosen by the board, two Sheriff Office representatives, and two citizens. He recommended moving forward in a timely manner which is fiscally responsible. Regardless of the decision, the county and the Sheriff's Office is better for making an effort to do what is best for the citizens. He recommended moving forward quickly with the bid process and developing a committee with local representation. Sheriff Adkinson said the absence of clear direction is chaos. He recommended traveling to Citrus and Broward County to look at their processes. Commissioner Comander requested Marion County also be visited

because they were one of the counties which could not fiscally handle the change. Sheriff Adkinson said that all possibilities must be considered. Discussion ensued on other counties which have considered and made the same changes.

Attorney Davis said if the committee will be making recommendations it would be subject to the Sunshine Law. Discussion continued on following the Sunshine Law and advertising the trip to the other counties.

Motion by Commissioner Anderson, second by Commissioner Nipper, to direct staff to work with Sheriff Adkinson to present a plan at the January 24, 2017 Regular Meeting.

Mr. Jones clarified that staff is to work with the Sheriff to lay out a plan. Chairwoman Jones suggested a list of possible committee member names be created for consideration.

Commissioner Nipper asked if two weeks would be a sufficient amount of time. Sheriff Adkinson said it would.

Mr. Bob Hudson said the financial costs should be weighed heavily.

Mr. Bob Brooke said the feasibility study should be broadened to consider all options besides turning it over to the Sheriff. He briefly discussed south Walton County's independent fire district.

Mr. Alan Ficarra discussed the different tax levy in south Walton County to cover the cost of the fire district. Commissioner Nipper said she understood the tax issues in north Walton and said the feasibility study was to bring out the problems that are occurring in north Walton.

Ms. Linda Morse said daily Fire/Rescue put their lives on the line and they deserve the best.

Sheriff Adkinson said there would be no discernable difference in operation costs for Fire/Rescue to operate under his office or the county.

Commissioner Comander called the question.

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

The meeting briefly recessed.

Chairwoman Jones said if a decision regarding the changes to the Beach Activities Ordinance was to be made she would have to recuse herself from voting due to her son having a beach vending business. She asked how many items would be presented for consideration. Mr. Brian Kellenberger, Beach Management Director, said there were nine items on the list. He said what was being considered is Chapter 22 Code Revisions. The County Attorney will present a request to hold a Public Hearing to revise the actual language to the code. Attorney Sidney Noyes, Assistant County Attorney, said a Special Meeting could be held at the board's discretion. The goal is to address and make the changes prior to the Spring Break season.

Chairwoman Jones briefly discussed the length of the current meeting agenda and questioned how the board wished to proceed. Commissioner Comander discussed holding the special meeting in DeFuniak Springs in order to meet the goal of making the changes before Spring Break and said there were other meetings already scheduled prior to the Regular Meeting on February 14th. Discussion ensued on holding the Special Meeting after the 9:00 a.m. Regular Meeting in DeFuniak Springs and the length of time for the meeting.

Commissioner Comander commented in reference to the increased number of Quasi-judicial items and that Special Meetings to hear only Planning items should be considered.

Further discussion was held to determine the best date and time to hold the special meetings to consider the changes and the ordinance.

Motion by Commissioner Comander, second by Commissioner Chapman, to hold a Special Meeting on January 24, 2017 after the Regular Meeting to consider the revisions and to

hold a Public Hearing on February 7, 2017 at the courthouse annex in Santa Rosa Beach at 4:00 p.m. to consider the ordinance.

Several south Walton citizens spoke in opposition to holding the meeting in DeFuniak Springs.

Discussion was held to consider moving the Special Meeting to the courthouse annex in Santa Rosa Beach and to consider whether or not a vendor meeting needed to be held prior to any changes made to the ordinance.

Motion amended by Commissioner Comander, second amended by Commissioner Chapman to hold a Special Meeting on January 18, 2017 at 3:00 p.m. at the courthouse annex in Santa Rosa Beach, FL. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jay Tusa, TDC Executive Director, reported the title searches for the properties being considered for purchase are still pending and will be presented at the January 24, 2017 meeting. He announced the November bed tax numbers were up 15.61% over 2015. He said the shoulder seasons are building.

Mr. Jason Cutshaw, TDC Director of Administration, discussed the parking program at Topsail State Park and reported the Park Service is receptive to the idea of expanding the program to include Grayton Beach State Park and Deer Lake State Park.

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

Mr. Jones presented for consideration a **Resolution of Intent (2017-02)** to use the uniform method of collection for any assessment program (MSBU) during the calendar year. The

resolution must be renewed each year to be able to renew current assessments or establish new ones. This action does not increase or decrease current assessments.

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

Motion by Commissioner Comander, second by Commissioner Anderson, to adopt the **Resolution of Intent (2017-02)** to use the uniform method of collection for any assessment program in the calendar year. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Attorney Davis requested to advertise and hold a Public Hearing on January 24, 2017 for the purposes of considering an ordinance establishing a temporary moratorium on growing, cultivating, processing, manufacturing, dispensing, and distributing medical marijuana and the retail and wholesale sale of same. He said this action would allow time to review the Land Development Code and to incorporate location criteria for the dispensaries or cultivation locations. The current law does allow for a 240 day moratorium which must be passed by ordinance. Attorney Davis also requested the board announce their intention to enact changes to zoning legislation to enable to hold off any applications until the moratorium is in place.

Motion by Commissioner Comander, second by Commissioner Anderson, to advertise and hold a Public Hearing on January 24, 2017 to consider an ordinance establishing a temporary moratorium on growing, cultivating, processing, manufacturing, dispensing, and distributing medical marijuana and the retail and wholesale sale of same; and to consider the enactment of changes to zoning legislation. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Comander, second by Commissioner Nipper, to approve and authorize the Chairwoman to sign the engagement letter with Robert A. McNeely to act as the facilitator for the Customary Use Ordinance Advisory Committee as presented by Attorney Davis.

Commissioner Chapman questioned what the fee was. Attorney Davis stated \$24,150.00.

Commissioner Comander noted the first meeting was to be held on January 16, 2017 and questioned if it would still be held even though the facilities/offices would be closed. Attorney Davis said it will be handled appropriately.

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

Attorney Davis presented a report on the notice provided by the applicant for the Planning Commission and Board of County Commissioner Quasi-Judicial Hearing on the Sandestin Development of Regional Impact (DRI) Notice of Proposed Change (NOPC). Research found the notice was submitted to the United States Postal Service within the time required by the Land Development Code (LDC)-Certificate of Mailing Notice. The LDC requires a postmark 10 days prior to the hearing and according to the documents presented at the December 27, 2016 Regular Meeting, the mailing complied with the requirements. Attorney Davis said an objection was made during the Planning Commission meeting and may be objected at the scheduled January 30, 2017 Public Hearing. Going forward is the applicant's risk and will be reserved for hearing by court.

Mr. Alan Osborne spoke in opposition to Attorney Davis' findings citing it was a Stamps.com postmark, not a USPS postmark. He also noted the mailing was submitted for delivery three hours prior to the meeting. He voiced concern that signatures were not required.

Chairwoman Jones and Commissioners Anderson, Comander, and Chapman had no items to present.

Commissioner Nipper announced the Planning Director position has been posted and questioned if the time to accept applications could be extended to February 20, 2017. Mr. Jones said the time can be extended.

Motion by Commissioner Nipper, second by Commissioner Comander, to extend the time to accept applications for the Planning Director position to February 20, 2017.

Commissioner Chapman suggested lessening the extended time by two weeks to cover the two weeks during the holiday season.

Mr. Jones announced Mr. Dyess would not be leaving until the end of January.

Commissioner Anderson questioned how many applications had been received. Mr. Jones reported seven had been received. Commissioner Anderson asked if there would be legal issues with the extension. Attorney Davis said there would be no issues.

Motion amended by Commissioner Nipper, second amended Commissioner Comander to extend the time to accept applications for the Planning Director position to February 3, 2017. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Commissioner Nipper asked who would perform the interviews and ranking process. Mr. Jones read Personnel Policy 2.2(4)(b) which states the board would have the final hiring approval of the Planning Director position. The recommended candidates will be presented at a board meeting for final review and interview. He said staff will vet the applicants for minimum qualifications. Three to five applications will be presented for interview and ranking by the board.

Ms. Bonnie McQuiston discussed the proposed incorporation of south Walton County which would increase the number of elected officials. She reported that the citizens were told that county services would continue to be provided at no cost. She asked if the county had agreed to the continued public services for free, have interlocal agreements been proposed, has the county researched the costs of turning planning over to south Walton, and has the county itemized how they would make up the shortfall if a new government successfully gets the sales taxes. Mr. Jones said the board has taken no actions on any agreements with any newly formed government. There are currently no agreements, nor have any been proposed. He said Ms. Thomason and her staff are reviewing the costs associated with possible incorporation. Mr. Jones said when definitive numbers are available they will be presented to the board. Commissioner Comander said the questions were very good, but felt they may be premature. She announced a meeting would be held by Representative Brad Drake February 27, 2017 at 4:30 p.m. and said the Legislature has to agree before a referendum can even be considered. Ms. McQuiston said she would like more information before attending the meeting on February 27th.

Mr. Alan Osborne addressed Ms. McQuiston's comments and said agreements cannot be made with an entity that does not exist. He submitted questions regarding the NOPC hearing to be held on January 30, 2017. He asked staff be directed to address the citizens questions. Attorney Davis said the NOPC issue should be discussed at the Quasi-judicial hearing January 30th. Attorney Davis said he would review the questions.

Mr. Phillip Poundstone asked to move his discussion to the meeting on January 18th. The board concurred.

Mr. Bob Hudson asked if a ½ cent sales tax had been considered to cover to the infrastructure needs in the county. He said 68% of the tax would be paid by tourists and would

generate approximately \$12 million a year. The amount could be bonded and used for infrastructure. Commissioner Comander agreed with Mr. Hudson and said the burden should not be solely placed on property owners. Commissioner Chapman said he too had been considering a sales tax and voiced it is the fairest tax. He said there is a significant amount of people in this county which does not pay ad valorem tax. There are currently 40 miles of road that can be paved, but the money is not available to pave them. Mr. Hudson said the county needs a long term plan to fund infrastructure without putting the burden on permanent residents. Commissioner Comander asked Attorney Davis to research what needs to be done for a referendum. Commissioner Chapman said Bay County recently enacted a ½ cent sales tax for the same reasons and asked the referendum issue be researched.

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 the board to submit any Ex Parte forms to the clerk.

Mr. Wayne Dyess, Planning and Development Director, announced there were two continuances and one removal to consider.

Motion by Commissioner Comander, second by Commissioner Chapman, to continue the South Walton Business Center Lots 11-13 Replat to February 14, 2017 at the courthouse annex in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Chapman, second by Commissioner Nipper, to continue the Seacroft Subdivision Plat to February 14, 2017 at the courthouse annex in Santa Rosa Beach, FL at 5:00 p.m. or soon thereafter. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Chapman, second by Commissioner Comander, to remove from the agenda C.R. 83 Business Storage, LLC.

Attorney Davis said this was not a continuance and asked if it would have to be re-advertised. Mr. Dyess said it would because it has to be presented to the Technical Review Committee before coming to the board.

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

Mr. Tim Brown, Planning Development, presented Ivey at Inlet Beach Plat, a plat Development Order application submitted by Innerlight Engineering Corporation requesting approval to plat 46 residential lots on +/- 6.11 acres with a future land use of Neighborhood Infill and an Inlet Beach Neighborhood Plan future land use of Work Place. The project is located between North Wall Street and North Orange Street, north of U.S. Highway 98 (Parcel Nos.: 36-3S-18-16100-000-0450, 36-3S-18-16100-000-0446). 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 comments by the applicant or public.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve Ivey at Inlet Beach Plat 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)**

Ms. Christine Sammelmann, Planning and Development, presented Lakeview Subdivision SSA 2016-11, a Small Scale Amendment application submitted by Innerlight Engineering Corporation, requesting to amend the Future Land Use designation from Conservation Residential 2:1 to Small Neighborhood on 0.7 acres. The project is located from

U.S. Highway 331 and U.S. Highway 98 intersection turning east 4 miles then left on Thompson Road driving south for 0.4 miles (Parcel Nos.: 34-2S-20-33270-058-0000, 34-2S-20-33270-058-0002). 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)

Mr. Curtis Smith, Innerlight Engineering-applicant, said this is not the development plan only a small scale amendment and briefly discussed the request.

There was no public comment.

Motion by Commissioner Nipper, second by Commissioner Anderson, to adopt **Ordinance 2017-01** approving Lakeview Subdivision SSA 2016-11. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: Staff Report-1)**

Ms. Sammelmann presented Mobile Fixture SSA 2016-09 a Small Scale Amendment application submitted by Forrest Daniel and Associates, requesting to amend the Future Land Use designation from Rural Village to Light Industrial on 1.873 acres. The project is located on the southeast corner of U.S. Highway 331 and Norris Cut Off Road (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. **(Exhibit 1: Staff Report)**

Mr. David Lamar, Applicant, briefly discussed the history of the request and said Light Industrial was the least intense land use to construct a commercial kitchen warehouse showroom.

Commissioner Chapman asked if there was a project design yet. Mr. Lamar said a site plan is available. Commissioner Chapman noted the project is in the middle of a flood zone.

There was no public comment.

Motion by Commissioner Comander, second by Commissioner Chapman, to adopt **Ordinance 2017-02** approving Mobile Fixture SSA 2016-09. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: Staff Report-1)(Ex Parte: Comander, Anderson)**

Ms. Sammelmann presented Butler Mini Storage SSA 2016-07 a Small Scale Amendment application submitted by Core Engineering & Consulting requesting to amend the Future Lane Use designation from Rural Residential to Light Industrial on +/- 5.90 acres located on U.S. Highway 90 in the Mossy Head area (Parcel No.: 19-3N-21-37000-004-0010). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code. **(Exhibit 1: Staff Report)**

There was no comment from the applicant or the public.

Motion by Commissioner Comander, second by Commissioner Anderson, to adopt **Ordinance 2017-03** approving Butler Mini Storage SSA 2016-07. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: Staff Report-1)**

Mr. Dyess presented George Douglas Palmer SSA 2016-12 a Small Scale Amendment application submitted by O'Connell & Associates, LLC requesting to amend the Future Land Use designation from Conservation Residential 2:1 to Low Density Residential on 0.257 acres. The project is located from U.S. Highway 98, north on Mussett Bayou Road turning right onto Madie Lane 950 feet (Parcel No.: 28-2S-20-33220-000-029A). A building permit application had been submitted to build a single family home on the property. The permit request was denied because the property is located in an area designated Conservation Residential. It is an unrecorded subdivision and has had the land use designation since 1996. Mr. Dyess read from the LDC the definition of Conservation Residential and said the property in question, along with

adjoining properties, does not fall into that category. He discussed the different option available to the applicant for a land use change and said the Small Scale Amendment request was the most efficient. He said staff suggests the balance of the properties be reviewed by the Matrix Group during their review of the Comprehensive Plan and Land Development Code. Staff found the request to be consistent with the Walton County Comprehensive Plan and Land Development Code. **(Exhibit 1: Staff Report)**

There was no comment from the applicant or the public.

Motion by Commissioner Chapman, second by Commissioner Anderson, to adopt **Ordinance 2017-04** approving George Douglas Palmer SSA 2016-12. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: Staff Report-1;)**

Mr. Robert Baronti, Planning and Development, presented Treasure Trove Estates Phase II & III, a Major Development Order application submitted by Emerald Coast Associates requesting approval of Phase II & III consisting of a single-family residential development of 41 lots. The project is on 18.75 +/- acres with a future land use of Residential Preservation. The project is located on the eastern side of the intersection of Las Roblas Grande Drive and Casa Grande Lane (Parcel No.: 19-2S-20-33020-00A-0130). 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. Mr. Baronti said the Treasure Trove Phase I plat was approved October 25, 2016. These two phases will meet Policy L1-5-2 which will require the homes to be built on pilings or stem wall foundations. He said in 2006 the board made a land swap with the former owner which abandoned a 70 foot right-of-way on the western part of the property in exchange for a road (Galley Lane) to be recorded, built, and turned over

for public use at the expense of the owner. **(Exhibit 1: Staff Report; Exhibit 4: Letter to Planning Staff)**

Chairwoman Jones asked if the road was a connector road. Mr. Baronti said it was and that it would aid in the event of emergency evacuations.

Mr. Dean Burgis, Emerald Coast Associates-Engineer of Record, briefly discussed the history of the project. He said the applicant agrees to the conditions recommended in the Staff Report. He discussed the thoroughfare roadway (Galley Lane) and said neighboring property owners are here to ask that the road be constructed as a cul-de-sac. He said the agreement made with the board in 2006 was for the road to be a connector road. Mr. Burgis suggested one solution to roadway issues would be to install an emergency services gate near Casa Grande Lane which would be opened only in the case of an emergency. Commissioner Anderson spoke in favor of the gate and discussed traffic issues associated with Casa Grande Lane. He said there would be issues turning right onto Casa Grande Lane from the proposed roadway and suggested the applicant work with the neighborhood. Mr. Burgis said he has spoken with the attorney representing the neighborhood and hopefully an agreement can be reached.

Ms. Melissa Ward, Consultant with Sachs and LaSeur, submitted a letter addressing the concerns of the neighbors and discussed the neighbors' objection to the interconnectivity **(Staff Exhibit 2: Letter from Melissa Ward)**. She asked if the board decides against the cul-de-sac that the agreement and its requirements be memorialized in the Development Order so that future owners will be required to follow the same standards. The neighbors request the following be included in the agreement: a sign be placed at the gate preventing homeowners and homeowners' association from utilizing the intersection for non-emergencies; and buffering be placed along the neighboring property line abutting the roadway.

Chairwoman Jones asked if the 2006 condition referenced a cul-de-sac and asked if a safety arm could be used instead of a gate. Mr. Baronti said no and the requirement to install a gate or a safety arm is the at the discretion of the board.

Commissioner Anderson asked if the applicant would have issues with the requests of the neighboring homeowners. Mr. Burgis said he would not. He reported conversations have been held regarding buffering and the applicant is willing to increase landscaping along that area and construct a privacy fence. He also said there were no problems with adding the requirements to the development order. Mr. Burgis said a “No Thru Traffic” or “Emergency Vehicles Only” sign would be placed and that the best way to handle alerting the homeowners would be through covenant and restrictions.

Ms. Sally Minot, after being sworn, questioned what the developer had planned for the bay view lot across from Treasure Trove on Casa Grande Lane. She said there were concerns that the lot will be used as an amenities lot for the Treasure Trove homeowners. She expressed concern with traffic issues and maintenance of the area. She asked that the Final Order state that any future development on the lot require development review per code. Discussion continued on the location of the lot in question. Attorney Davis said the board cannot include conditions on property that was not included in the Development Order and notice would be required for any development except a single-family home. Mr. Mac Carpenter clarified that the lot is not a part of what is being presented and any further development on that lot would require separate development order application or a building permit application.

Mr. Sean Cross spoke in opposition to the emergency gate and submitted photos showing traffic issues along Casa Grande Lane. **(Exhibit 3: Respondent Photos)** He discussed flooding issues, the viability of a cul-de-sac, and traffic safety from Galley Lane onto Casa Grande Lane.

Commissioner Nipper asked for a review of the stormwater. Mr. Dyess said the Technical Review Committee and the Flood Plain Manager are a part of the project review. The drainage plans are to be submitted by the applicant and are reviewed by staff to determine if it is in compliance with county regulations. The Development Order inspector will insure that as the project is being developed to make sure all county requirements and conditions are being met. He said the flood plain regulations are very strict. Commissioner Comander asked if there were three stormwater ponds on the project. Mr. Dyess said yes and the ponds were controlled release. Commissioner Comander said she understood some residents wanted a gate and some want a cul-de-sac. Attorney Davis asked if the proposed road would be a public road. Mr. Burgis said yes in accordance to the abandonment. Attorney Davis said generally gates are not put onto public roads and said future issues would include maintenance. He did not think there would be any legal issues to including a cul-de-sac. Commissioner Anderson said he was not in favor of the road as a thoroughfare. Mr. Burgis said the applicant would not agree to place a cul-de-sac because it is not in accordance to the abandonment agreement. Discussion ensued on how much area would be required to install a cul-de-sac.

Mr. Jones discussed the actions in 2006 and suggested a hammer head turn around instead of a cul-de-sac.

Commissioner Chapman voiced concern with a 24 wide foot road intersecting with a 14 foot wide road.

Discussion ensued on buffering and a privacy fence. Mr. Burgis said the applicant agrees to the increase in landscaping.

Ms. Linda Harris adjacent property owner, after being sworn, spoke in favor of a cul-de-sac or a t-turn around and said she would be the most negatively impacted. She voiced concern with the traffic coming onto Casa Grande Lane.

Ms. Ward asked the board to allow Ms. Harris to relay the conversation she had with the developer. The board concurred. Ms. Harris said the developer had visited her and said that the county wanted the through street, but he would not oppose a cul-de-sac. Ms. Ward encouraged the board to consider a cul-de-sac or t-turn around.

Chairwoman Jones said she wanted to hear from the fire department regarding the safety aspect before she makes a decision.

Commissioner Comander asked if the developer would consider a t-turn around and asked the issue be continued to the next meeting.

Commissioner Chapman opposed continuing the issue. He said South Walton Fire Department did not submit any comments. He said he opposed a through road and would recommend a t-turn around.

Commissioner Anderson asked if this was platted for 52 lots. Mr. Burgis said yes, including phase I. Phase II has 41 lots.

Discussion ensued on the requirements of a t-turn around for emergency vehicles.

Mr. Burgis discussed the 2006 actions saying the board wanted interconnectivity and that has not changed over 11 years. There would be no need for anyone in the subdivision to go to Casa Grande Lane and said the through road would be beneficial to Casa Grande Lane in the case of emergencies.

Commissioner Anderson said he was not opposed to interconnectivity, but felt Casa Grande Lane was too narrow to accommodate any increase in traffic. He said he would consider

a motion to continue for 30 days. Attorney Davis said a date certain would be required and recommended setting the continuance to February 14, 2017. Chairwoman Jones asked to include in the motion that the only issues to be addressed are the t-turn around and the stormwater issues.

Mr. Burgis reported the master plan has already been approved with the connection to Casa Grande Lane. What is being presented is a review of the design of the subdivision including water and sewer. Mr. Jones said if the applicant agreed to gate a mechanism would have to be utilized to allow larger trucks (i.e. garbage, moving, and delivery) to turn around. Mr. Burgis said perhaps the gate would not work. Commissioner Anderson said larger trucks would not make it onto Casa Grande from Galley Lane. He agreed a turn-around would still be required even with a gate.

Mr. LaDon Meritt, applicant, addressed the concerns regarding traffic turning onto Casa Grande Lane. Commissioner Anderson voiced concern with the traffic issues.

Commissioner Comander said both sides need to come to a compromise. Mr. Merit said he had invested in the property based on what was approved by the board.

Motion by Commissioner Anderson, second by Commissioner Comander to continue Treasure Trove Phase II and III to February 14, 2017 to allow time for research to determine the rights of the developer and the county.

Commissioner Chapman spoke in opposition to continuing the issue.

Ayes 3, Nays 2. Jones Aye, Chapman Nay, Anderson Aye, Comander Aye, Nipper Nay.
(Exhibits: Staff Report-1; Respondent letter-2; Respondent photos-3; Staff letter-4)(Ex Parte: Anderson, Jones)

There being no further items to present, the meeting was adjourned at 8:00 p.m.

Approved: Cecilia Jones
Cecilia Jones, Chairwoman

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