

JANUARY 24, 2017 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on January 24, 2017 at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

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

Chairwoman Jones congratulated Ms. Dede Hinote on the birth of her first grandchild.

Chairwoman Jones called the meeting to order.

The following addition was added to the agenda:

1) Under Consent Agenda

Request to approve and authorize the Chairwoman to sign a letter designating the Walton county School District as the official sponsor of the Little Miss Walton County and Miss Walton County Beauty Pageants in the National Peanut Festival in Dothan, AL

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

Commissioner Anderson recognized Ms. Laura Eckstrom's daughter for her appointment to West Point.

Motion by Commissioner Anderson, second by Commissioner Nipper, to approve the Waste Management expenditures in the amount of \$599,593.55. Ayes 4, Nays 0. Chapman Abstained, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye. **(Form 8B: Chapman)** Commissioner Chapman announced his conflict of interest regarding the Waste Management expenditures and filed Form 8B: Memorandum of voting conflict with the clerk.

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

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

General Fund	\$ 1,041,056.83		
County Transportation	\$ 650,378.76		
Fine & Forfeiture	\$ 2,680,717.17		
Mosq. Control State	\$ 590.00		
Section 8 Housing	\$ 1,487.15		
Tourist Dev. Council	\$ 288,219.54	\$ 2,197.03	
N.W. Mosquito Control	\$ 8,169.01		
Recreation Plat Fee	\$ 4,939.00		
Solid Waste Enterprise	\$ 1,258,076.54	\$ 597,396.52	
Bldg Dept./Enterp. Fund	\$ 21,624.82		
Infrastructure Improvements	\$ 1,388.00		
Increment Tax Funding	\$ 21,006.12		
Totals	\$ 5,977,652.94	\$ 599,593.55	\$ 5,378,059.39

2. Approve Minutes of the January 10, 2017 Special Meeting and January 10, 2017 Regular Meeting
3. Approve the Quarterly Report for the first Quarter (October, November, December 2016) from the Life Enrichment Senior Center
4. Approve to change the terms of volunteer members serving on the Contractor Competency Board to expire on February 1st of each year to make the terms consistent
5. Request to approve a resolution (2017-04) amending the FY 2017 budget in the capital projects fund for unanticipated revenue for a skate park at Helen McCall park in the amount of \$30,000.00
6. Request to approve a resolution (2017-05) to recognize unanticipated installment revenues arising from lease proceeds and amend the FY 2017 budget for voting equipment received by the Supervisor of Elections Office
7. Request to approve and authorize the Chairwoman to sign Amendment No. 1 to the FY 2016-2017 funding Agreement with Chautauqua Offices of Psychotherapy and Evaluation, Inc. (COPE) recognizing their new fictitious name, Chautauqua Healthcare Services
8. Request to approve and authorize the Chairwoman to sign Amendment No. 1 to the FY 2016-2017 Funding Agreement for Baker Act Services with Chautauqua Offices Of Psychotherapy and Evaluation, Inc. (COPE) recognizing their new fictitious name, Chautauqua Healthcare Services
9. Request to approve the purchase of a Dell Latitude 7275 Laptop for an amount not to exceed \$1,399.44 as requested by the Planning Department

10. Request to approve the purchase of a new outdoor book return for an amount not to exceed \$5,365.00 as requested by the Library Department
11. Request to approve the purchase of a 24' x 24' pole barn kit for the District 3 Commissioner's Office in an amount not to exceed \$2,300.00
12. Request to approve FY 2016-2017 Federal Election Activities Grant and allow the chairwoman to sign the Certificates regarding matching funds and equipment as requested by the Supervisor of Elections and to transfer the funds from budgeted contingencies
13. Request to approve the 2017 Justice Assistance Grant Countywide (JAGS) funding agreement in the amount of \$32,621 for the Walton county Sheriff's Office for Body-worn Cameras and to allow the Chairwoman to sign the Certificate of Acceptance and the Attestations and Certifications
14. Request to approve and authorize the Chairwoman to sign a letter designating the Walton county School District as the official sponsor of the Little Miss Walton County and Miss Walton County Beauty Pageants in the National Peanut Festival in Dothan, AL

There were no public comments voiced.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve payment of the Expenditure Approval List (EAL's). Ayes 4, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Ms. Melissa Ward spoke on behalf of Mr. Collin McCall, South Walton Rotary Club President, regarding a fundraiser for South Walton Youth Baseball and the needs at Helen McCall Park. Ms. Ward invited the commissioners to the first inaugural Grill and Chill event on February 4th at Seascape. The event is to raise \$5,000 for necessary equipment at the park.

Motion by Commissioner Comander, second by Commissioner Chapman, to adopt a resolution **(2017-03)** proclaiming January 23-27, 2017 as Severe Weather Awareness Week in Walton County. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Jeff Goldberg, Emergency Management Director, Mr. Chris Eliadis, and Ms. Donna Free, gave a presentation of the AlertWalton Emergency Mass Notification System, a state initiative funded under the Catastrophic Trust Fund. There is no cost to the county to participate

in the system. Mr. Goldberg and Mr. Eliadis explained the components of the system and how it works and how the commissioners can be notified of weather activities throughout the county. Consideration is being given to placing the beach flag system on this program. Mr. Goldberg stated the system will be thoroughly tested before going live.

Mr. Mike Bourque commented on the weather system.

Major Joe Preston gave an update on behalf of the Walton County Sheriff's Office regarding the selection of the Fire Rescue Assessment Committee. He has contacted the Institute of Senior Professionals to help direct the process. They want to identify stakeholders and are still in the process of forming the group. The commissioners presented the following names for consideration: Ms. Bonnie McQuiston, Chief Charles Burney, Mr. Bob Hudson, Chief Rick Talbert, and Chief Bobby Martin. The commissioners also requested someone, possibly Ms. Melisa Thomason, be appointed to the committee who can review the fiscal impacts. Major Preston will present the committee members' names and a proposed agenda at the next meeting.

Mr. Jones requested to approve the State and Federal Funding Priorities and for the commissioners to prioritize the projects. The commissioners agreed on the following ranking: No. 1 – water/sewer along U.S. Highway 331; No. 2 –drainage/stormwater; No. 3 – Choctawhatchee Bay; No. 4 –Educational- Environmental Center and autonomous vehicles; No. 5 – Internet/broadband accessibility.

Mr. Rick Wilson gave an update on the broadband stating they are working with residential providers to get them on the fiber network. Further assistance at the state level is needed. He felt broadband should be listed as one of the priorities.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the priorities list for submission to the legislators. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Jones presented an update on the Planning Director position. He stated there is another week left for advertising and approximately 18 applications have been submitted. He would like Administration Staff to provide oversight to the planning department. Administration will also assist the planning staff in making any necessary decisions that require a director's decision until the position is filled. He will present the resumes to the commissioners once the position closes.

Motion by Commissioner Chapman, second by Commissioner Nipper, to appoint Mr. Dave Lovell to the Coastal Dune Lake Advisory Board – On Lake position and Mr. Mike Bowden to the At-large position. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve and authorize the Chairwoman to sign a letter of support to the Florida NRDA Technical Implementation Group of the Florida Department of Environmental Protection to request that NRDA funds be used to create two additional Estuary Programs from the Water Quality category, complementing the program that will be funded by the Gulf Coast Ecosystem Restoration Council.

Ms. Gates gave an overview of the project's application process and how it fits into the water quality category and is being funded by NRDA.

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

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve and authorize the Chairwoman to sign Task Order 16-19 for Engineering Services for Blue Gulf Drive, Oak Hill Lane, Pine Knoll Lane Roadway Improvement Project with Genesis in an amount not to exceed \$100,213.15. These are part of the capital improvement projects and staff recommended approval.

Mr. Ted Melcher asked for a timeframe for when the project will begin. Mr. Buddy Wright stated this is a request for project design and actual work on the project would be budgeted for October 2017.

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

Motion by Commissioner Comander, second by Commissioner Chapman, to approve advertising for bids for Gasoline and Diesel Fuel Supply Services. The current contract expires in May. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve advertising for proposals (RFP) for a Multi-use Path Maintenance Contract including Scenic Gulf Drive, C.R. 30A and other feeder roads as requested by Mr. Jay Tusa, TDC Executive Director. The contract with Brightview will expire soon. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Tusa requested direction regarding a request from Seaside to utilize the Grayton property for employee parking. Commissioner Comander felt it is a good idea to get employees out of parking areas for public use. Commissioner Jones also wants to see the Grayton parcel used for public parking. Mr. Tusa stated he would look at options and report back to the board. Commissioner Comander felt it would be acceptable to charge a fee to park as done in other areas of the state.

Mr. Tusa stated TDC hired four new Code Enforcement Officers last year and have two more positions to hire. They also have a position for Beach Ambassador.

Further comments were made regarding a possible fee to park at the Grayton property, but not passing those fees on to employees.

Motion by Commissioner Comander, second by Commissioner Nipper, to approve advertising a public hearing on February 14, 2017 for the purpose 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 the same as requested by Attorney Mark Davis. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Attorney Davis reported on the title searches for TDC properties and requested direction on how to proceed. He reported the property in Tab 1 - 800 block of Scenic Gulf Drive has residential restrictions for single family residential. The restriction could possibly be removed, but he would not recommend moving forward until that is resolved. Tab 2 Dune Allen/Oyster Lake Outfall also has the same restriction but the proposed use of the property would not need to be improved and he therefore recommended approval of that parcel. Attorney Davis advised he is not ready to make a recommendation for the property under Tab 3 – Gulf Place. He did not recommend the Beachfront Trail (Seagrove) property under Tab 6. The Seagrove property is part of a condo association and governed by the association. Unless it can be released from the governing documents he would not recommend it. He recommended the purchase of property under Tab 4 – 3800 block of E. C.R. 30A, (Seagrove) and Tab 5 – 500 block of Eastern Lake Road (Seagrove). Attorney Davis said he would have a recommendation on the Tab 1 parcel at the next meeting. Attorney Davis clarified his recommendations were for Tabs 2, 4, and 5. Mr.

Tusa advised the Seagrove property located in the 500 block of Eastern Lake Road was just placed under contract. People may still submit property offers to Mr. Tusa for consideration.

Mr. Robert McGill appeared before the board representing 81 parcels owners near the Highlands property. He spoke about the Highlands House and stated several owners were present to speak against a regional beach access at the Highlands House property. He presented documentation and reviewed a survey. He spoke about the wetlands and boardwalk on the property. Mr. McGill stated he spoke with Dr. Ellimond who is opposed to people crossing his property to get to the beach. He spoke about the Ed Walline and Gulf View Heights accesses that are both sufficient in size and are both neighborhood beach accesses. He stated at peak season there were 1,300 people within walking distance of the two accesses.

Commissioner Anderson asked Mr. Tusa to address the issues Mr. McGill discussed.

Mr. Tusa spoke about the two nearby beach accesses and the best way to get people to the beach. He further stated that a determination has not been made regarding the purchase of the property. Mr. McGill addressed the parking study assessment provided by AVCON. The recommendation shown in Tab 3 of the parking study was not to add additional parking next to the neighborhood beach accesses. He spoke about the narrow walkways at Spooky Lane. He suggested improving the current access at Ed Walline Park and also recommended parking at Gulf Place.

Mr. Tusa stated the study recommends no additional parking at neighborhood accesses, but those are regional beach accesses. He felt this is different than the report.

Mr. Mark Andrews voiced concerns with the flow of the creek and hindrances in getting people to the beach.

Mr. Dave Rauschkolb stated the purpose TDC is looking for beach access is for guests and to get people to the beach. People are always going to oppose beach accesses. He asked the commissioners to provide a balance for the least amount of impact to the neighborhood and build a bridge over the creek utilizing the property.

Ms. Melissa Ward presented a map and stated people are not suggesting no access be constructed. She gave an overview of the access and home on the site. The owner would like to sale the property but keep in mind it is environmentally sensitive because of the creek running through the two properties. She commented on the lengthy process and expense to get a parking lot approved through DEP.

Commissioner Nipper questioned if the county owns property near any coastal dune outfalls. Ms. Ward stated coastal dune lakes have a different type of protection.

Ms. Jackie Markel asked about the parcel near the Dune Allen outfall and what it would be used for. Mr. Tusa said the property is west of the outfall and will be used for a beach access.

Mr. William Brunette stated he lives on Spooky Lane and there is already a beach access in front of his home. He spoke about the amount of foot traffic at that location and how dangerous Spooky Lane is. He explained how the creek flows in different directions, which is not a good situation for an access because of the water flow.

Mr. McGill stated the walkway is very narrow with no room to expand it.

Chairwoman Jones requested direction from the board on how to proceed with the properties recommended for purchase under Tabs 2 and 4.

Motion by Commissioner Chapman, second by Commissioner Commander, to proceed with obtaining appraisals on the Dune Allen-Oyster Lake Outfall property in the 5500 block of W C.R. 30A and the Seagrove property located in the 3800 block of E. Co. Highway 30A.

Mr. Mike Bourque spoke in opposition to the county purchasing property for beach access and felt people should donate the property.

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

Motion by Commissioner Chapman, second by Commissioner Anderson, to award the sale of county owned property parcel number 19-3N-19-19768-00V-044A, located at Oakwood Lakes Estates to the highest bidder, Brian Eckert in the amount of \$800.00. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to award the sale of county owned property parcel number 29-4N-20-29000-021-0000, located near Sexton road, to the highest bidder, Jackie R. Crawford, in the amount of \$1,600.00. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve to schedule a Special Meeting to hold an Executive Session on February 14, 2017 at the South Walton Courthouse Annex at 2:00 p.m., or as soon as possible to that time, to discuss the Edward Goodwin and Delanie Goodwin v. Walton County, Florida, Case No.: 3:16-cv-00364-MCR-CJK case as requested by Attorney Mark Davis. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye,

Commissioner Tony Anderson directed the Office of the County Attorney to draft changes to the Comprehensive Plan and Land Development Code to allow a Special Magistrate to hear all Quasi-Judicial land development issues. Attorney Davis stated he would begin the process of amending the Land Development Code and Comprehensive Plan. Discussion ensued regarding the commissioners being elected to oversee those duties and concerns with those responsibilities being handled by someone other than elected officials. Attorney Davis advised

that the Planning Commission would remain intact and the commissioners would still review certain aspects. Attorney Davis will provide additional information at the second meeting in February.

Ms. Jackie Markel and Mr. William Brunette both voiced concern with the change and losing a voice in the process. Attorney Davis and Commissioner Anderson ensured the public this would not take away the public's right to voice their opinions.

Commissioner's Sara Comander and Melanie Nipper did not present any items.

Commissioner Bill Chapman spoke about county owned buildings and stated it is the board's responsibilities to maintain those buildings. He addressed the concerns of the constitutional officer's need for additional space. Judge Wells is satisfied with the courts, but he would like to see the old courtroom restored. The Sheriff is satisfied with his space at the north end, but voiced concerns with the south end substation due to the increase in residents. Mr. Patrick Pilcher is satisfied with his space. Mr. Bobby Beasley is in dire need of approximately 3,000 feet of additional space for new voting equipment. Commissioner Chapman spoke about the possibility of renovating space in the basement parking area and adding climate control to accommodate the Supervisor of Elections. Mr. Alex Alford, Clerk of Courts, stated he needs space at both locations. He stated current space is not sufficient at the south Walton Annex and is not sufficient at the north end for the seven year growth plan. Further discussion took place regarding the Tax Collector relocating to the south end of the building at the annex in south Walton if the planning department moves out. Then the clerk's office could expand into the tax collector's current space. Commissioner Chapman spoke about the additional duties the state has handed over to the tax collectors creating additional customers. Further discussion occurred regarding the planning department moving to Freeport. Mr. Jones anticipates presenting

appraisals for the Freeport building at the next meeting. Commissioner Chapman stated if other structures are in need then those needs should be considered and placed in the budget.

Chairwoman Jones commented on the need for more space at the south Walton annex for board meetings and stated it is time to consider the additional building that was originally discussed. Several suggestions were made to utilize school facilities. However, meetings cannot be held during the day when school is in session. Chairwoman Jones will begin working with staff on the issue. Commissioner Comander recommended moving forward on the appraisal.

Chairwoman Jones stated the Customary Use Hearings are going well and wants a dialogue at next Monday night's meeting at 5:00.

The commissioners recessed from 10:50 a.m. to 11:05 a.m.

Ms. Cathy Pope, President and CEO of Feeding the Gulf Coast, scheduled on the agenda regarding food distribution and nutrition programs provided by Feeding the Gulf Coast in Walton County was not present.

Mr. Fred Tricker spoke about changes to C.R. 30A and C.R. 395 right of way acquisition and asked for an update. Attorney Davis stated he received an email from EBSCO regarding the affidavit and a list of things the county was required to do. He stated EBSCO waived the requirement for the county to produce an affidavit saying the State of Florida has no interest in the property. Further discussion took place regarding the contract being a valid contract and the county having voted to accept it back in 2015. Attorney Davis advised this will not change the contract, it is a binding contract and the county is currently in the design phase.

Mr. Gary Vorbeck, representing EBSCO, stated they have a valid contract and warned against people talking about this contract and stated the county needs to proceed.

Ms. Dana Harman presented the Affidavit for the Right of Way Acquisition Agreement with EBSCO. Discussion occurred regarding changes to the contract and the clause for not relocating the sidewalk for 10 years unless in the case of a safety issue. Ms. Harman felt making changes to the contract made it null and void. Attorney Davis gave an overview how the contract transpired and reminded everyone Commissioner Cecilia Jones had voted against it at the time because of the 10 year clause. He stated the agreement was clearly discussed at the time of adoption and there was no confusion. Ms. Harman felt there were concerns with the contract. The commissioners agreed that the sidewalk was not even constructed yet and therefore no safety issues exist and it is time to move forward with the decision that was made and not discuss the issue further.

Mr. Mac Carpenter, Planning and Development Services, requested a LDC amendment to Chapter 2.01.03(F), Rural Village, allowing for Neighborhood Commercial uses and to achieve consistency between the Walton county Comprehensive Plan and the Land Development Code; providing for severability and an effective date. The adoption hearing is set for February 4, 2017.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the LDC amendment as presented. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

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; there was none.

Mr. Bob Barotoni, Planning and Development Services, requested approval of The Retreat at Miramar Final Plat. The plat application was submitted by Wadleigh Construction, who requested the platting of 27 single family residential lots on +/- 4.61 acres with a future land

use of Neighborhood Infill. The project is located on Ellis Drive. The project meets the requirements of the LDC and Comprehensive Plan.

Commissioner Nipper questioned the effects of the project on the county's project near Seascape.

Mr. Charlie Cotton was sworn in and stated he is working with Atkins on Phase I of the drainage project. The goal is to get water from the south to the north to flow to the bay. He further explained the drainage system. Commissioner Nipper questioned if the design project should be completed for Driftwood and Ellis Phase III before this development. Mr. Cotton felt the developer should meet the 100 year attenuation. Mr. Barotoni stated a Less Than Minor Development Order was issued in December to alleviate issues identified by Public Works for drainage. Mr. Dyess stated the changes would be identified in the Development Order

Mr. Chance Powell, Walton County Public Works, was sworn in and stated the developer's engineer worked with Public Works to ensure the drainage met the 100 year attenuation. He stated they went through the Development Order process and it meets the 100 year attenuation. The drainage issues were addressed and they are now requesting plat approval.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve The Retreat at Miramar Final Plat. Ayes 4, Nays 1. Chapman Aye, Jones Aye, Nipper Nay, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to adjourn at 11:30 a.m. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.




Cecilia Jones, Chairwoman

Clerk of Courts and County Comptroller, Alex Alford