

## **FEBRUARY 14, 2017 – REGULAR MEETING**

The Board of County Commissioners, Walton County, Florida, held a Special Meeting on February 14, 2017 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

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

Chairwoman Jones called the meeting to order.

Mr. Jones reported the board voted at the January 30, 2017 Sandestin NOPC Hearing to continue the hearing to tonight's meeting in order to set a date certain to continue the NOPC hearing process.

Motion by Commissioner Comander, second by Commissioner Anderson, to open the Public Hearing to discuss the Sandestin NOPC continued hearing date. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Attorney Davis said the recommended date for continuance is March 27, 2017 to be held at the Walton County Courthouse Annex, in Santa Rosa Beach, Florida at 9:00 a.m.

Mr. Bob Hudson voiced concern that there was still a non-compliance issue with the open space. Attorney Davis said the NOPC has not been rejected; only a portion of it. The board is able to consider the other issues which are not based on compliance.

Attorney Dana Matthews, Matthews and Hawkins-representing Sandestin Investments (SDI), asked to schedule the hearing for February 27th. Attorney Davis said there is a Regular Meeting scheduled for February 28<sup>th</sup>.

Commissioner Comander questioned if the meeting could be held in the afternoon. Attorney Davis implied the hearing could last all day.

Commissioner Nipper asked to hold the hearing in a larger venue. Attorney Davis said the only date a larger venue would be available would be the week of Spring Break which would begin March 13, 2017. He recommended the use of Emerald Coast Middle School. Mr. Jones noted there could be issues with the live stream at an offsite facility such as the school. Mr. Rick Wilson, Technology Support Coordinator, briefly discussed the audio and video logistics of using an offsite venue and stated the school does not have an encoder which would allow for high quality video streaming.

The board concurred with continuing the hearing to March 13, 2017 at 9:00 a.m. at the Emerald Coast Middle School.

Mr. Alan Osborne spoke in support of a larger venue due to the number of people who attended the last hearing.

Motion by Commissioner Comander, 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 Chapman, to continue the Public Hearing to consider the Sandestin NOPC to March 13, 2017 at 9:00 a.m. to be held at the Emerald Coast Middle School.

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 agenda with the following revisions. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

1. Deletion: Consent Agenda-Request to approve the payment of an invoice for an attorney to present and individual commissioner at a deposition in the amount of \$300.00
2. Deletion: Administration-Request to approve and authorize the Chairwoman to sign a Memorandum of Understanding reflecting the Collective Bargaining Unit name change from Emergency Service Professionals of Walton County Local 4413 to Professional Firefighters of Walton County Local 4413, International Association of Firefighters
3. Deletion: TDC-Request to approve an addendum to the South Walton Fire District Contract for expansion of the Beach Safety Services

Ms. Catherine Provencher spoke in opposition to a moratorium on the dispensing medical marijuana.

Attorney Shawn Heath, representing Mr. Fred Tricker and Seagrove Beach Community, stated his clients were scheduled later on the agenda and asked to present their concerns at this time. Attorney Heath was instructed to present the concerns following the public comments.

Mr. Osborne said a motion was not made to continue the Sandestin NOPC from today's meeting.

Motion by Commissioner Comander, second by Commissioner Chapman, to continue from this meeting the Sandestin NOPC Hearing to March 13, 2017 at 9:00 a.m. at the Emerald Coast Middle School. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Richard Bryan spoke regarding the strategic plan and asked that development permits be tied to transportation/infrastructure needs on C.R. 30A.

Ms. Melanie Cissone spoke in opposition of the moratorium on the dispensing of medical marijuana.

Attorney Davis clarified that the moratorium is not to prohibit patients from receiving the medical marijuana, but rather to determine in what areas of the county dispensaries can be located.

Mr. Stephen Springer discussed his cancer diagnosis and spoke in opposition to the moratorium on the dispensing of medical marijuana.

Attorney Davis stated there are currently no State of Florida registered dispensaries in Walton County and the moratorium was to determine the regulations, locations, and the impact to the Land Development Code (LDC).

Commissioner Nipper stated she had attended a medical marijuana summit and said there are approximately 1,800 patients registered in Florida to receive medical marijuana through the mail. There are 20 counties which allow medical marijuana. Discussion ensued on the State's required 90 day wait for patients.

Ms. Linda Morse spoke in opposition to the moratorium on dispensing medical marijuana. Commissioner Comander reiterated Attorney Davis' statements regarding the reason for the moratorium and stated that no one on the board wished to prevent patients from receiving their prescriptions.

Attorney Heath, representing Mr. Fred Tricker and Seagrove Beach Community Representative, discussed the bike path at the intersection of C.R. 30A and C.R. 395 and encouraged the board to consider relocating the path to the south side of the intersection. He submitted a chart showing the comparisons between options one and three.

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

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

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

Funds	Fund Totals	Waste Mgmt. Totals
General Fund	\$ 1,470,031.60	
County Transportation	\$ 448,976.34	
SHIP	\$ 31,783.00	
Fine & Forfeiture	\$ 706.76	
Section 8 Housing	\$ 139,539.28	
Tourist Dev. Council	\$ 726,674.07	
N.W. Mosquito Control	\$ 13,448.01	
Recreation Plat Fee	\$ 450.00	
Public Safety- 911	\$ 12,310.00	
Solid Waste Enterprise Bldg. Dept./Enterp. Fund	\$ 1,095,882.85	(\$ 518,549.58)
Capital Projects Fund	\$ 9,014.55	
Increment Tax Funding	<u>\$ 4,850.00</u>	
Totals	<u>\$ 3,560,760.03</u>	<u>(\$ 518,549.58)</u>
<b>Grand Total</b>		<b>\$ 3,042,210.45</b>

2. Approve the minutes of the January 18, 2017 Special Meeting; January 24, 2017 Regular Meeting; January 26, 2017 Special Meeting and January 30, 2017 Special Meeting
3. Approve the Investment Report for Quarter ended December 31, 2016 as requested by the Clerk's Office
4. Request travel authorization for Commissioner Melanie Nipper to attend the FAC Medical Marijuana Summit in Orlando, FL in accordance with the County Travel Policy
5. Request to reappoint Robert Andrews, Gary Billingsley, and Stanley Donald to the Contractor Competency Board
6. Request to approve the Right of Way Use Permit Application submitted by Adam and Lindsey Crum
7. Request to adopt a resolution (2017-07) amending the FY 2017 budget in the Fine and Forfeiture Fund for unanticipated revenue from Equipment Sales, School

Resource Deputy Funding, Training Reimbursements, and Insurance Proceeds in the amount of \$80,371.00

8. Request to adopt a resolution (2017-09) amending the budget in the SHIP Fund and the General Fund for the FY 2017 program funding
9. Request to adopt a resolution (2017-08) amending the budget in the SHIP Fund to roll forward revenues and expenditures for the SHIP Program from FY 2016 into FY 2017 in the amount of \$140,310.00
10. Request to approve and authorize the Chairwoman to sign the Amendment and Exercise of First Option to Renew Contract No.: 015-006 Agreement for Consulting Services for Master Planning, Design and Development of a Sports Complex with Lose & Associates of Tennessee, Inc.
11. Request to approve and authorize the Chairwoman to sign the Amendment and Exercise of First Option to Renew Contract 015-002 Agreement for Services with Tetra Tech, Inc. for Emergency Planning, Disaster Recovery, and Hazard Mitigation Grant Program (HMGP) and RESTORE Act Grant Program Management
12. Request to approve and authorize the Chairwoman to sign the Renewal of the Technical Service Support Agreement with Physio-Control, Inc. in the amount of \$18,653.00
13. Request to approve and authorize the Chairwoman to sign the Second Option to Renew the Software Services Agreement with NBS Holdings, LLC (f/k/a SouthData, Inc.)
14. Request to approve and authorize the Chairwoman to sign Change Order No. 2 to Contract No.: 016-010 with Midsouth Paving, Inc. for C.R. 285 SCRAP improvement Project; decreasing the contract sum \$843.90 and increasing the contract time 17 calendar days
15. Request to approve and authorize the Chairwoman to sign Change Order No. 4 to Contract No.: 016-014 for the Western Lake Pedestrian Bridge Phase I with North Florida Construction, Inc.; increasing the contract price \$16,100.00 and increasing the contract time 7 calendar days
16. Request to approve and authorize the Chairwoman to sign an agreement with Taillight, Inc. to indemnify Walton County and for Walton County to grant Taillight, Inc. permission to use film of Grayton Dunes Beach Access
17. Request to approve the budgeted subscription renewal with LobbyTools in the amount of \$3,600.00 as requested by the Local RESTORE Coordinator
18. Request to approve the purchase of a Dell 7275 Laptop for the Technology Support Specialist in an amount not to exceed \$1,399.44
19. Request to approve the purchase of three new Toughbook computers for the new Code Enforcement Officers in an amount not to exceed \$4,800.00
20. Request to approve the purchase of four 90 degree sheet piles in an amount not to exceed \$4,200.00 for Public Works
21. Request to approve the purchase of a priming pump for the County Shop in an amount not to exceed \$2,648.00
22. ~~Request to approve the payment of an invoice for an attorney to represent an individual commissioner at a deposition in the amount of \$300.00~~

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 Comander, second by Commissioner Nipper, to approve the Waste Management expenditures in the amount of \$518,549.58. Ayes 4, Nays 0. Jones Aye, Chapman Abstained, Anderson Aye, Comander Aye, Nipper Aye.

Major Joe Preston, Chief Technology Officer-Walton County Sheriff's Office, presented an update on the actions by the Fire/EMS Feasibility Assessment Team. He announced the Institute of Senior Professionals (ISP) would not be able to participate as a group. Mr. Mike Flynt, a member of the ISP, would participate individually. Major Preston said Dr. Jim Sewell has agreed to lead the S.W.O.T. (Strengths, Weaknesses, Opportunities, and Threat) exercise. He said a meeting of the citizens and subject matter experts would meet within the next three weeks and begin working through the S.W.O.T. process.

Commissioner Comander asked how many of the board's suggestions for individuals for the committee made the list. Major Preston listed the people who have agreed to participate. Commissioner Comander stated she has learned the Sheriff has already met with some of the firefighters and she voiced that Emergency Management Services should be left under the board. Major Preston said Emergency Management was not being considered and reported the Sheriff had held meetings with firefighters and EMS to address questions and concerns. He said the Sheriff would be happy to provide the leadership and said there would not be a material gain to take the departments under his division. Commissioner Comander noted the first responders are passionate about their individual jobs and recommended the board consider the split.

Commissioner Chapman voiced concern with the financial aspect and noted only two counties in Florida have successfully placed the Fire/EMS under the Sheriff. He also voiced

concern with possible changes with each election. He discussed the issues which occurred in 2007 when the Sheriff handed the Emergency Services responsibility back to the county. Commissioner Comander reported Marion County had backed out of the consolidation due to the costs. Major Preston said he had spoken with Marion County and was told they were not considering taking over the fire department management, but rather the issue was with consolidated dispatch. Commissioner Chapman said Citrus County does not have 24/7 staffing at their stations and uses an on-call system. Walton County staffs its stations 24/7. Major Preston said Citrus County has reached a staffing level for 24/7 support. There are 63 fire fighters in Citrus County and 99 in Walton County. Major Preston addressed the sustainability and long term concerns. He said a model is being created which will have sustainability regardless of who is in office. Discussion continued on changes which could occur after elections of sheriffs or commission.

Commissioner Anderson said the task force was formed to find out what will work and what will not and that the board will make the final decision. He recommended moving forward with the feasibility study.

Mr. Jones recommended staff meet with the board individually to discuss the FY 2016-2018 Strategic Goals and Objectives and bring back the recommendations at a later meeting. The board concurred to meet with staff.

Motion by Commissioner Chapman, second by Commissioner Anderson, to cancel RFP 016-032 for Administering the Driving on the Beach Lottery Permits due to the lack of response. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones presented for consideration a resolution designating Walton County Administration as the Board's designee for the issuance of beach permits according to Ordinance



2016-24 Section 22-57(e). He also requested the board consider an Administration Clerk FTE to aid in the issuance of the beach driving permits. Commissioner Chapman asked if the beach driving permits would be better handled through TDC. Mr. Jay Tusa, TDC Executive Director, said the TDC is prepared to take on the issuance of the permits at the discretion of the board. Commissioner Comander asked if the people hired at the TDC would be ready to take this on. Mr. Tusa said the candidates being considered would be capable of handling the permits and TDC would work with Administration on the issuing process. Commissioner Anderson asked if the applications could be done online. Chairwoman Jones said that documentation had to be presented with the applications. Discussion continued on ways the applications could be facilitated online, the timelines when the permits are issued, and if the TDC would be prepared to take on the permitting task at this point in time.

Commissioner Anderson recommended Administration issuing the permits until the summer season has ended. Commissioner Nipper voiced concern with hiring a full-time employee now if the permits would be moved to TDC in six months. Commissioner Comander said the position is needed in Administration and recommended moving the permits to TDC at a later date. Commissioner Anderson asked if Administration would be ready to take over the permit process. Mr. Jones said staff is ready.

Motion by Commissioner Anderson, second by Commissioner Chapman, to adopt **Resolution 2017-10** designating Walton County Administration as the Board's designee to issue beach permits, according to Ordinance 2016-24 Section 22-57(e), approve an Administration Clerk FTE, and review the process after the summer season.

Commissioner Nipper asked if there were issues with the additional clerk doing Administration or TDC work. Mr. Jones confirmed there were no issues.

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

Motion by Commissioner Chapman, second by Commissioner Comander, to approve to solicit bids for construction of the new Sports Park. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Mr. Rick Wilson discussed the sports park and what would be included with the bid process.

Motion by Commissioner Chapman, second by Commissioner Anderson, to award ITB 017-001 to the lowest responsive bidder, Birkshire Johnstone, LLC and approve and authorize the Chairwoman to sign the contract in the amount of \$174,624.00 for exterior renovations to the North Walton Courthouse. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Mr. Jones briefly discussed the water intrusion issues at the courthouse in DeFuniak Springs and the solutions which will be performed to repair the issues. Interior restoration will begin after the exterior is complete.

Mr. Jones announced 21 applications had been received and vetted for the Planning Director position. A list of the vetted applicants was given to each commissioner to review. He asked the board to submit their candidate selection sheets to the clerk to be tallied. Attorney Davis reminded the board the sheets must be signed and dated prior to submission.

The board recessed briefly to allow the clerk to tally the candidate selections.

Mr. Jones announced the candidates who received the most votes: Mr. Mac Carpenter-4 votes; Ms. Kristen Shell-4 votes; Mr. Christopher Gratz-3 votes; Mr. Steven Bourne-3 votes; and Ms. Heather Whitmore-2 votes. All remaining applicants received only one vote.

Commissioner Chapman recommended the top five applicants be interviewed by each commissioner individually. Commissioner Nipper asked if all the applicants had been properly vetted. Mr. Jones said if the top five are approved, then the applications would proceed through

the next vetting steps. Commissioner Chapman said all the applicants need to be thoroughly vetted.

Motion by Commissioner Chapman, second by Commissioner Comander, to interview the top five applicants as follows: Mr. Mac Carpenter, Ms. Kristen Shell, Mr. Christopher Gratz, Mr. Steven Bourne, and Ms. Heather Whitmore.

Mr. Frank Day asked if the individual interviews would be made public record. Mr. Jones replied no and clarified that each commissioner would meet individually with each candidate.

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

Chairwoman Jones recommended interview dates and travel expenses be discussed. Mr. Jones discussed travel costs for the candidates for employment in an executive position and recommended to reimburse the candidates at the same travel rate as given to the commissioners. If air travel is less than driving, then it can be accommodated. Commissioner Chapman recommended Human Resources begin the secondary vetting process prior to the interviews. Mr. Jones recommended setting the date and should something come up, the applicant would be sent a letter. He recommended having two consecutive interview days. Discussion ensued on which dates would be appropriate. The board concurred to set March 1 (all day) and March 2 (beginning at 1:00 p.m.) to interview the Planning Director candidates.

Mr. Jones announced Waffle House is interested in building a restaurant at the Mossy Head Industrial Park. They are asking to locate at the site of the Sheriff's substation. He said there is enough room to relocate the substation to the west of the site. He requested permission to obtain quotes to move the building and making it functional. The purchase price of the property would cover the value of the property and to move the building. Attorney Davis said the sale of

the property is not being authorized at this time. Discussion ensued on what will be required in moving the building.

Motion by Commissioner Comander, second by Commissioner Anderson, to advertise for an ITB to move the Sheriff's substation at the Mossy Head Industrial Park. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Chance Powell, Public Works Traffic Operations Engineer, presented the C.R. 30A Traffic Study with Atkins Engineering Phase II for alternate routes recommendation. Alternate one would go along the power easement on the east side of Seagrove to U.S. Highway 98 and Alternate four would run from west of Eastern Lake on C.R. 30A and tie into C.R. 395 just north of Naturewalk. Environmental and social aspects and impacts of these alternate routes are being reviewed. Preliminary construction cost estimates are being figured. Chairwoman Jones questioned if two roads could be built for one price. Mr. Powell replied the price would be same whether or not both alternatives are chosen. Chairwoman Jones spoke in support of the routes which skirt development and the forests. Commissioner Comander said she wanted as much information as possible before deciding on a route.

Motion by Commissioner Comander, second by Commissioner Nipper, to review the two alternatives presented by Mr. Powell.

Ms. Celeste Cobena submitted a map with an alternate option and discussed the reasons to not put a road through Point Washington. She recommended the eastern boundary of Deer Lake State Park be considered due the minimal impact to conservation/wetland areas. Commissioner Comander asked if Atkins had recommended the same route. Ms. Cobena replied no. She said a service road already exists in that area with very little impact to wetlands. Chairwoman Jones said alternative four would alleviate the traffic at C.R. 395 and C.R. 30A. It

would take approximately nine months to complete the road. Ms. Cobena clarified alternative one is the utilities easement. Commissioner Comander asked that Ms. Cobena's recommendation be considered.

Commissioner Chapman discussed issues with routes going through conservation areas. Mr. Powell said it would be approximately 24 acres of impacts for a two mile stretch. Commissioner Chapman questioned if it was moved further to the east as recommended by Ms. Cobena, would it help alleviate the congestion at C.R. 395 due to the distance from that intersection. He said even though Ms. Cobena's route is better, St. Joe and the Forestry Department would have to be consulted.

Motion amended by Commissioner Comander, to remove the utility easement alternative (1).

Commissioner Chapman discussed several issues which the county will face placing roadways through wooded areas. He suggested Atkins do a study on the eastern boundary of Deer Lake State Park. Mr. Powell said he could ask Atkins to plug that alternative into their models. He said the study was to focus on the congestion at the intersection of C.R. 395 and C.R. 30A. He was unsure if there would be a benefit to that intersection if the new alternative is considered. Commissioner Chapman suggested tying in the bicycle/multi-use path on C.R. 30A to come out at the new sports park.

Commissioner Comander believed the planned improvements at the C.R. 395 and C.R. 30A intersection would help alleviate some of the congestion. Mr. Powell confirmed it would. Chairwoman Jones said she did not see how the intersection improvements could be made until a connector road was in place. Discussion ensued on the length of time it would take to complete the intersection improvements.

Motion amended by Commissioner Comander, second by Commissioner Anderson to consider Alternative 4 (new east-west facility connecting C.R. 395 to C.R. 30A between the C.R. 30A bridge crossing of Eastern Lake and Eastern Lake Road) and consider the eastern boundary of Deer Lake State Park as a connector road area.

Ms. Donna Johns questioned if the county was staying with the contract for the intersection of C.R. 395 and C.R. 30A. Commissioner Comander stated that issue was not a part of the motion.

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

Motion by Commissioner Chapman, second by Commissioner Anderson, to accept and implement the Atkins Engineering C.R. 30A Traffic Study Speed Zone recommendations. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Anderson, second by Commissioner Chapman, to accept and implement the Atkins Engineering C.R. 30A Traffic Study Crosswalk Standard recommendations.

Commissioner Comander voiced concern with the possible corrosion of the equipment by the salty gulf air. Mr. Powell said the equipment is solar powered and contained in one unit and would not be subject to corrosion like the older equipment.

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

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve and implement the Atkins Engineering C.R. 30A Traffic Study Rectangular Rapid Flashing Beacon (RRFB) recommendations. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Commissioner Chapman asked if this equipment can be easily moved to other locations. Mr. Powell stated only the foundation would need to be reconstructed.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve Task Order 16-18 Engineering Services for Indian Creek Ranch Road Bridge Improvement Project with Dewberry/Preble-Rish in an amount not to exceed \$26,510.00. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones requested approval to advertise for proposals (RFP) for Maintenance Contract of Scenic Gulf Drive Corridor and Scenic Highway 30A Corridor. Currently the TDC contracts the maintenance service for the bike paths which run either along the northern or southern side of the corridors. The sides of the roads which do not contain the bike paths are serviced by the District 5 road crew, but a much lower level of service. The board previously approved to allow the TDC to advertise a RFP for the bike path maintenance. Mr. Jones asked to add the other side of the road to that proposal to get the costs for the same level of service for the purpose of uniformity along the scenic corridor.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve to advertise for proposals (RFP) for Maintenance Contract of Scenic Gulf Drive Corridor and Scenic Highway 30A Corridor.

Commissioner Chapman clarified this was only to obtain cost amounts not to approve a company. Mr. Jones confirmed it was. Attorney Davis stated TDC funds could not be used to maintain the portion of the roadway which did not include the bike path.

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

Motion by Commissioner Comander, second by Commissioner Chapman, to approve to de-obligate \$325.00 in District 1 Recreational Plat Fees and \$325.00 in District 4 Recreation Plat Fees due to the completion of the Everyone Plays Project. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Commissioner Comander asked Mr. Rick

Wilson if this type of equipment had been included in the new sports park. Mr. Wilson replied it had not been included in the budget, but it could be considered. Discussion was held on ways to obtain funding for the equipment.

Motion by Commissioner Chapman, second by Commissioner Anderson, to advertise and hold a Public Hearing on February 28, 2017, at 9:00 a.m. or soon thereafter, to bring forward \$147,590.00 in Court Facilities Trust Fund reserves for the North Walton Courthouse exterior renovation project. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jay Tusa, TDC Executive Director, requested approval of TDC Task Order 17-001 with Dewberry-Preble Rish for Design Permit services for the TDC Maintenance Facility in the amount of \$29,200.00. This will expand the office space to accommodate the new personnel which includes the permitting clerks and code enforcement officers. He briefly discussed the construction being considered. Commissioner Chapman questioned the progress of the outdoor bathroom facility at the welcome center. Mr. Tusa said there is a shortage of space at the TDC and discussed the options which are being considered. Discussion was held regarding the possible de-obligation of the project's funding.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve TDC Task Order 17-001 with Dewberry/Preble-Rish for Design Permit Services for the TDC Maintenance Facility in the amount of \$29,200.00 as requested by Mr. Jay Tusa, TDC Executive Director. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Commissioner Nipper questioned if sufficient parking was available. Mr. Tusa said staff will park in the side and back; guests will park in the front. Commissioner Comander asked Mr.



Tusa to bring back information regarding the outside bathroom facility and whether or not the money needs to be de-obligated.

Motion by Commissioner Chapman, second by Commissioner Nipper, to approve to advertise for proposals (RFP) for labor, materials, equipment to furnish and install an equipment pole barn at the TDC Beach Operations Maintenance Facility as requested by Mr. Tusa. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. The space will be needed due to the construction of the additional office space in one of the current maintenance bays.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve to advertise for bids (ITB) for a Right-of-Way/Median Maintenance Contract for gateways on U.S. Highway 98 as requested by Mr. Tusa. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Ms. P. J. Lougham, TDC Director of Marketing, requested approval of the South Walton Fishing with the Family television series to air on the Sportsman Channel January 2018 through June 2018 in the amount of \$120,000. She said there would be nine participants in the program/show and discussed how the program/show would positively affect area businesses. Commissioner Chapman asked if the contract was for one year. Ms. Lougham stated it was and that extensive measurements would be taken to determine whether or not to extend the program contract.

Commissioner Nipper asked how the nine participants would be chosen. Ms. Lougham said the area captains would be contacted. If there are more than nine wishing to participate, a drawing would be done to determine the participants. She said they want to feature as many as possible.

Commissioner Nipper asked Chairwoman Jones if her son would be involved in the program. Chairwoman Jones said her son did not wish to participate.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the South Walton Fishing with the Family television series to air on the Sportsman Channel January through June 2018 in the amount of \$120,000.

Ms. Donna Johns spoke in opposition to the program and voiced concern with the increase in tourism to the area when there are road projects taking place.

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

Chairwoman Jones clarified had her son been interested she would have recused herself from the issue.

Mr. Tusa discussed Seaside's request for the Grayton Grand parking area. The parking facility would be used April 1 through September 30. Shuttles would run from 6 a.m. to Midnight and would be available to the public. He said the rate discussed was \$2,000 per month. Mr. Jones asked if this would be for Seaside's exclusive use. Mr. Tusa said no. The board directed Mr. Tusa to negotiate with Seaside and bring the information back for consideration.

Mr. Tusa said there was a 5.13% increase in December Bed Tax over last year. He reported that the total year numbers were up 17.28%. He discussed a recent conversation he had with a realtor regarding property in Seacrest which had been previously presented to the county for purchase; the owner withdrew the offer later. The owner had decided to re-approach the county to purchase the property. Mr. Tusa noted the seller has a land use change request on tonight's agenda and recommended not moving forward until further communications could be had with the owner and the realtor.

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

Attorney Davis discussed the proposed ordinance establishing a temporary moratorium on growing, cultivating, processing, manufacturing, dispensing, and distributing medical marijuana and the retail and wholesale sale of same. If the ordinance is passed tonight the moratorium would be for a period of 240 days or less.

Commissioner Comander asked for Commissioner Nipper to discuss the information she received at a recent conference on this subject. Commissioner Nipper stated there are 20 counties allowing the dispensing of the drug and eight counties which currently have a moratorium. She voiced concern that a 240 day moratorium would be too long.

Attorney Davis said the purpose of the ordinance is not to prevent the use of medical marijuana. The length of the moratorium is at the discretion of the board.

Commissioner Anderson questioned if the process was completed in a shorter timeframe would the board be required to adhere to the 240 day wait. Attorney Davis said no and the ordinance could be amended at that point and moved forward. Commissioner Anderson said he wanted to see the process started as quickly as possible.

Commissioner Comander recommended having one public hearing in order to get the process completed as quickly as possible. Attorney Davis said he had been discussing the issue with planning staff and will be presenting the information to the board at a later date.

Ms. Linda Morse read a letter from Ms. Melanie Cissone in opposition to the moratorium.

Mr. Frank Day spoke in opposition of a moratorium and recommended using the same restrictions placed on alcohol sales.

Dr. Don Riley discussed his wife's cancer experience and spoke against the moratorium.

Commissioner Comander said no one wants to stop this, but rather make sure that the dispensaries are in the proper place.

Commissioner Anderson asked that a date be set tonight.

Attorney Davis said the board could decide to not enact a moratorium. He reported there are risks to be considered if time is not taken to determine where the dispensaries should be located. He said the board could also choose to direct staff to create an ordinance amending the Land Development Code (LDC) to accommodate the dispensaries.

Commissioner Nipper said there are changes to the Legislative Bill and would not be finalized until February 24, 2017. Commissioner Anderson voiced concern that there is not enough information on how the State intends to implement this. Attorney Davis said the State is placing the location responsibility on the counties, but that could change. Commissioner Nipper said the changes seem to be more lenient.

Commissioner Chapman said he had voted for the amendment to insure the people who needed the medicine received it; however, he expressed the need for the dispensaries to be in the proper location. He said public hearings will be required to amend the LDC and to collect public input. Commissioner Nipper said other counties have limited the distance from schools and places of worship. She said time is needed to include this in the LDC.

Attorney Davis said the alcohol ordinance would be used as a template to establish the areas dispensaries could be located.

Ms. Carolyn Zonia discussed the effects of narcotic pain medications and the need for other pain management options.

Attorney Davis presented a recommendation by Mr. Jones which would put a moratorium applicable to the land uses where alcohol sales are prohibited. Mr. Jones said outside of those areas dispensaries would move through the normal planning process.

Mr. Day spoke in favor of the recommendation presented by Mr. Jones.

Commissioner Nipper asked if the ordinance could be contingent upon the final Legislative Bill being approved. Attorney Davis said yes.

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

Motion by Commissioner Nipper, second by Commissioner Chapman, to adopt **Ordinance 2017-06** establishing a temporary moratorium on growing, cultivating, processing, manufacturing, dispensing, and distributing medical marijuana and the retail and wholesale of same within the areas prohibiting the sale of alcohol for a period of 90 days.

Mr. Day asked that Commissioner Nipper be responsible for leading the public process forward.

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

Motion by Commissioner Comander, second by Commissioner Chapman, to schedule a Special Meeting to hold an Executive Session on February 28, 2017 at the Walton County Courthouse at 9:00 a.m. or as soon thereafter to discuss Yellow House 30A, LLC v. Walton County (Case No.: 2014-CA-488) as requested by Attorney Mark Davis, County Attorney. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Chapman, second by Commissioner Nipper, to approve the litigation matrix and ratify actions of the Office of the County Attorney. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Attorney Davis said there was one addition to the matrix a Writ of Certiorari which was filed on February 14, 2017 in regards to the Dalton Drive issue.

Attorney Davis gave an update on the potential purchase of TDC property in Miramar Beach. He has learned that the covenant and restrictions on the property would not apply once a governmental entity purchases the property. He questioned if the board still wished to consider the property and obtain appraisals. Mr. Tusa said the property would provide 40 parking spots and recommended the area be considered.

Motion by Commissioner Comander, second by Commissioner Chapman, to move forward with obtaining appraisals on the property located in Miramar Beach. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Commissioners Anderson, Comander and Nipper had no items to present.

Motion by Commissioner Chapman, second by Commissioner Comander, to reappoint Mr. Teddy Stewart as the District 1 Planning Commissioner Member. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Chairwoman Jones had no items to present.

Mr. Denny Albee, Restoration Church, requested approval to rent the Portland Community Center on Sundays and Wednesdays for a period of not more than three months. Commissioner Comander voiced concern that the facility be open to public use also.

Commissioner Chapman said that he was unaware the facility had been used in this capacity for the past three and one-half years because the request has been made through another

department. He voiced concern that the church has not accumulated enough funds to secure a permanent site over that time. Mr. Albee said the use of the facility has been scheduled through the Parks and Recreation office. Commissioner Chapman asked what happens if the public wants to use the facility. Mr. Albee reported the church's activity is suspended for that event.

Commissioner Chapman questioned where the \$100 fee originated. Mr. Albee said it was the rate which was set. Mr. Buddy Wright, Public Works-Work Program Manager, said there is an ordinance that is followed. Attorney Davis said the law is clear that worship services can be held at a public facility, but not on a continuous basis. He suggested a plan be provided by the church to secure a permanent facility prior to the board approving an additional three month use of the building.

Commissioner Chapman was concerned there was no hold harmless agreement with the county as required in section five of the ordinance. Attorney Davis said he would communicate the need for an agreement and could not recommend a renewal until a plan can be presented for another facility.

Chairwoman Jones directed Mr. Albee to have the pastor contact Attorney Davis. She said if the use is approved tonight, then after three months a plan of action must be presented.

Commissioner Comander said there are too many issues needing to be addressed to renew for an additional three months and recommended a one month renewal.

Motion by Commissioner Comander, second by Commissioner Chapman, to renew the use of the facility for one month until the issues can be addressed. Ayes 4, Nays 1. Jones Nay, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Richard Loverne submitted information regarding the results of the Walton County Fishing Pier Survey and the budget costs for similar piers. Commissioner Comander commented

the board has no authority to locate fishing piers within State parks. Commissioner Chapman said it would fall into the State's 10 year management plan. Chairwoman Jones said that Representative Drake and Senator Gainer would be holding a meeting on February 27<sup>th</sup> at 4:30 p.m. and advised Mr. Loverne to meet with them.

Mr. Michael Jenkins petitioned the county to take over the maintenance of Sugar Cove Road and drainage system. Mr. Jones asked Mr. Jenkins to contact Mr. Buddy Wright regarding the request.

There were no other public comments.

The meeting briefly recessed at 7:19 p.m. and reconvened at 7:31p.m.

Chairwoman Jones stated the Planning items to be tabled or continued would be addressed first.

Attorney Davis administered the oath to those intending to speak during the Quasi-Judicial Hearings. There were no objections to the advertisements. Attorney Davis instructed the Board to submit any Ex Parte forms to the clerk.

Motion by Commissioner Chapman, second by Commissioner Comander, to table the South Walton Business Center Lots 11-13. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Attorney Davis said the issued would have to be re-advertised before it could be re-presented to the board.

Motion by Commissioner Chapman, second by Commissioner Anderson, to table Seacroft Subdivision Plat. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.



Motion by Commissioner Chapman, second by Commissioner Anderson, to continue Treasure Trove Estates to March 14, 2017 at 5:00 p.m. or soon thereafter, to be held at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

Ms. Melissa Ward, Community Preservation Association (neighboring homeowners) Representative, spoke in opposition to the continuance. She stated nothing had been submitted regarding the t-turn around as directed by the board at the January 10, 2017 Regular Meeting. She discussed the allowance by Florida Statute to construct a cul-de-sac on a private right-of-way.

Commissioner Chapman discussed the board's direction for the applicant to consider a t-turn around or a cul-de-sac and the implementation of buffering in that same area. He noted there was no change in documentation presented at this meeting than what was presented at the January 10<sup>th</sup> meeting. Mr. Mac Carpenter, Planning and Development Planning Manager, said the applicant is still proposing the same connect to the roadway as presented at the previous hearing with only a slight modification to improve the turning radius. The reason for the continuance is to allow Public Works additional time to review the stormwater plan since this is not a closed basin. Commissioner Chapman asked if the applicant has given more detail on the modifications. Mr. Carpenter said the applicant wants to discuss the modifications at the next hearing.

Commissioner Anderson asked when the next hearing would be. Mr. Carpenter reported March 14, 2017. Commissioner Anderson asked if planning staff was making the request. Mr. Carpenter replied the applicant and Public Works requested the continuance.

Discussion continued on the direction given by the board at the January 10<sup>th</sup> meeting and the options available to the board should the applicant not implement the recommendations.

Chairwoman Jones asked that Public Works staff meet individually with the commissioners to discuss alternative ideas.

Motion by Commissioner Chapman, second by Commissioner Comander, to continue Treasure Trove Estates to March 14, 2017 at 5:00 p.m. or soon thereafter to be held at the Walton County Courthouse Annex in Santa Rosa Beach, Florida. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Ms. Ward asked if she should hold her exhibits until the March 14<sup>th</sup> meeting and if she would also have the opportunity to speak with Public Works regarding this issue. Attorney Davis said she should hold the exhibits and to schedule a meeting with Public Works through his office. The contents of the meeting would have to be disclosed at the time of the Quasi-Judicial Hearing.

Motion by Commissioner Chapman, second by Commissioner Comander, to continue the Santa Rosa Place Apartments re-plat to March 14, 2017 at 5:00 p.m. or soon thereafter, to be held at the Walton County Courthouse Annex in Santa Rosa Beach, Florida. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve to move forward with a Request for Submittal of Interest for the administration and implementation of the State Housing Initiatives Partnership Program (SHIP Program) Replacement Housing Strategy Sponsor. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Mr. Carpenter stated the strategy has traditionally been implemented by a non-profit organization and is presently contracted with Habitat for Humanity.

Motion by Commissioner Comander, second by Commissioner Anderson, to accept the resignation of Ms. Charlotte Flynt from the Code Enforcement Board and advertise to fill the

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

Motion by Commissioner Chapman, second by Commissioner Anderson, to accept the resignation of Mr. Bradford Davis from the Design Review Board and advertise to fill the Affected Property Owner seat. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. Mr. Jones said the next request would be to fill this position with a current DRB member. Mr. Carpenter said the DRB has a special quorum requirement stating four members are to be present with one of those attending a design professional.

Motion by Commissioner Chapman, second by Commissioner Anderson, to move Mr. David Bailey from a “realtor” seat into the vacant “design professional” seat on the Design Review Board to better ensure there is a quorum for every meeting. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Carpenter presented Rural Village LDC Amendment a request to amend Chapter 2.01.03(F) Rural Village of the Walton County Land Development Code to allow for Neighborhood commercial uses and to achieve consistency between the Walton County Comprehensive Plan and the Land Development Code (LDC). He announced the changes which have been made since the last hearing are found on page three of the Staff Report. The changes clarify and add language to 2.01.00(F)7(a)(ii), (iii), and (iv).

There was no public comment.

Motion by Commissioner Chapman, second by Commissioner Nipper, to adopt **Ordinance 2017-07** amending Chapter 2.01.03(F) Rural Village LDC to for Neighborhood Commercial Uses and to achieve consistency between the Comprehensive Plan and LDC. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Ms. Christine Sammelmann presented Thomas Lavin SSA 2016-14 a request to approve by ordinance a Small Scale Amendment application submitted by O'Connell & Associates Consulting Engineers, LLC requesting to amend the Future Land Use designation from Residential Preservation to Low Density Residential on 0.95 acres. The project is located approximately 250 feet east of Seacrest Drive on the south side of C.R. 30A (Parcel No.: 27-3S-18-16050-00C-0010). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Staff Report-1)**

Attorney Davis discussed the condition added by the Planning Commission to require the approval be contingent upon a Developer's Agreement being entered into by the applicant and the county. The agreement would limit the development to a one single family house and a carriage house on each lot. The LDC defines carriage house as an accessory structure and limited to 800 square feet heated and cooled.

Chairwoman Jones questioned if the carriage house could be used by other individuals. Mr. Carpenter replied the original intent of the secondary/accessory structure was to be used as a mother-in-law cottage or rented to family.

Commissioner Nipper asked if two single family homes and two carriage homes will be built. Ms. Sammelmann stated the applicant was requesting two single family units and one carriage house. Mr. Carpenter discussed the reasons for the condition and said the applicant only wants to create two lots and is willing to enter into a Developer's Agreement to satisfy the concerns of the neighborhood. The agreement will prevent them from creating more than two lots. Commissioner Nipper questioned if a land use change and a condition be approved at the same time. Attorney Davis said a land use change be conditioned upon the Developer's

Agreement at the board's discretion. Mr. Carpenter said the intent would be to limit the density which is less than what the new category would allow.

Commissioner Anderson asked if planning staff recommended the change. Mr. Carpenter said staff recommends that the applicant follow the process and that the request is compatible with the other lots to the east.

Commissioner Nipper voiced concern with the increase in traffic on C.R. 30A. Mr. Carpenter said if the request was for three units instead of two then a traffic review would be required. Discussion ensued on traffic review exemptions.

Ms. Melissa Ward, Sachs & LaSeur-Applicant Representative, discussed the property, the Developer's Agreement, and stated the applicant does not feel the lot, as it is, is compatible with the neighborhood. Attorney Davis clarified that the SSA and its ordinance would not be approved until the board voted to accept the Developer's Agreement.

Commissioner Chapman asked if the applicant is proposing a carriage house with each single family unit. Ms. Ward said the applicant has not built or planned any of the houses for the new lots. The proposal is to present a lot split and then go through the building permit process. She reported every single family lot in Walton County is allowed what is being requested by the applicant; a home and an accessory unit. Ms. Ward reassured the board that condos and townhomes will not be placed on these lots.

Commissioner Anderson questioned if the other homes in the neighborhood have carriage houses. Ms. Ward replied yes.

Commissioner Nipper questioned how the homes are controlled regarding rentals. Ms. Ward said there is no program in place to monitor the accessory units. Discussion continued on

rental allowances, the preemption by State Statute in regards to the regulation of short term rentals, and the increase in traffic.

Attorney Clay Adkinson, Tranquility Owners Association and Richard Bickerstaff Representative, spoke in opposition of the small scale amendment and asked to continue the issue until a developer's agreement can be constructed. He gave a brief history of similar requests by previous owners and the opposition made at that time. Attorney Adkinson reported there was a six foot easement in perpetuity on the property. He requested the issue be continued.

Mr. Richard Bickerstaff spoke in opposition of the applicant's request and encouraged the board to not approve the request until more information can be obtained.

Ms. Lois LaSeur, Sachs & LaSeur-Applicant Representative-presented a rebuttal to the opposition. She said the applicant is aware the agreement would have to be approved as a condition to the SSA. The applicant is seeking conceptual approval of low density residential with a limit of two lots consistent with the other lots in the subdivision. She addressed the traffic concerns.

Motion by Commissioner Nipper to disapprove the Developer's Agreement. Attorney Davis stated the motion should be to disapprove the Small Scale Amendment.

Chairwoman Jones clarified the choices would be to either disapprove the whole request or to ask to review the Developer's Agreement before a decision on the request is made. Commissioner Chapman voiced concern with the insufficient time to review the agreement.

Motion seconded by Commissioner Comander for discussion.

Attorney Davis called point of order to clarify the motion and recommended the motion to disapprove the Developer's Agreement be withdrawn because the agreement is not being presented at this time. Motion withdrawn by Commissioner Nipper.

Attorney Davis advised that the motion should be to continue the SSA request and direct staff to present the Developer's Agreement at the next meeting.

Motion by Commissioner Anderson, second by Commissioner Chapman, to continue Lavin SSA request and direct staff to present the Developer's Agreement at the next meeting.

Commissioner Chapman discussed previous requests which have not moved forward after approval.

Motion amended by Commissioner Anderson, second amended by Commissioner Chapman, to continue to the March 14, 2017 Regular Meeting. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: Staff Report 1) (Ex Parte: Jones, Chapman, and Anderson)**

Ms. Sammelmann presented Seclusion Cove SSA 2016-15 a Small Scale Amendment application submitted by O'Connell & Associates Consulting Engineers, requesting to amend the Future Land Use designation from Small Neighborhood to Low Density Residential on 6.36 +/- acres. The project is located 200 feet past the cul-de-sac on Jans Way off of Hideaway Circle (Parcel No.: 24-23-20-33180-000-0072). 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. She briefly discussed the conditions which include working with the Seclusion Bay Owners Association and entering into a Developer's Agreement with the county. **(Staff Report-1)**

Chairwoman Jones asked if this was a gated community. Ms. Sammelmann stated yes.

Commissioner Chapman asked the status of the recommendations regarding Seclusion Bay and the Developer's Agreement. Ms. Sammelmann deferred the question to the applicant.

Ms. Melissa Ward, Sachs & LaSeur-Applicant Representative, reported the applicant has met with the Seclusion Bay Association. She began discussing the applicant's request.

Commissioner Anderson announced his voting conflict and submitted Form 8B: Memorandum of Voting Conflict to the clerk.

Ms. Ward continued discussing the request and said the applicant is requesting Low Density Residential to allow the property to be divided into in four lots. The developer has an opportunity to join the neighborhood and pay association fees or create an individual association. Ms. Ward entered into the record documents addressing the easement the applicant has to cross Seclusion Bay to access the development. She stated one of the issues discussed with the Seclusion Bay HOA included the improvement of the front entrance gate by the developer. This project will go through the Development Order process and negotiations will be held during the technical review phase. Attorney Davis asked how many units per acre were allowed on the current land category. Ms. Ward stated 10 and the applicant is requesting Low Density Residential 4 units per acre. **(Petitioner Court Documents-2)**

Mr. Jones questioned if the 24 units would be clustered on to the three acres which are not wetlands. Ms. Ward said only four units would be clustered on the three acres. Discussion continued regarding the need for a Developer's Agreement. Mr. Jones recommended a similar action for this request as the previous SSA request.

Motion by Commissioner Chapman, second by Commissioner Nipper, to continue Seclusion Cove SSA to the March 14, 2017 Regular Meeting.

Attorney Davis said in the event there are similar requests in the future a Developer's Agreement will be crafted prior to the request being presented to the board.



Commissioner Chapman asked if there are still issues between the developer and Seclusion Bay. Ms. Ward clarified there would be continued discussions between the developer and the HOA regarding the issues.

Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Abstained, Comander Aye, Nipper Aye. **(Exhibits: Staff Report 1; Petitioner-Court Documents 2) (Ex Parte: Jones, Anderson and Comander)(Form 8B: Anderson)**

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

Approved: Cecilia Jones  
Cecilia Jones, Chairwoman

Attest: Dori Cordle, Deputy Clerk  
for Alex Alford, Clerk of Courts and County Comptroller