

MAY 23, 2017 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida held a Regular Meeting on May 23, 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 W. N. (Bill) Chapman, Vice-Chairman; Commissioner Melanie Nipper; Commissioner Sara Comander; and Commissioner Tony Anderson. Mr. Stan Sunday, Assistant County Administrator, Attorney Sidney Noyes, Interim County Attorney, and Mr. Alex Alford, Clerk of Courts, were also present.

Chairwoman Jones called the meeting to order.

Mr. Stan Sunday presented the following additions and deletions to the agenda:

Additions:

Under Commissioner Comander:

1. Request to approve a resolution opposing off-shore drilling
2. Consortium Update

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

There were no public comments.

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

Motion by Commissioner Chapman, 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

	Total	WM	Total
General Fund	\$ 906,680.03		
County Transportation	\$ 559,065.91		
Fine & Forfeiture	\$ 2,381,108.19		
Section 8 Housing	\$ 264.78		
Tourist Dev. Council	\$ 991,578.71	\$ 9,064.05	
N.W. Mosquito Control	\$ 4,313.37		
Recreation Plat Fee	\$ 2,789.58		
Solid Waste Enterprise	\$ 528,619.28	\$ 259,743.50	
Bldg Dept/Enterp. Fund	\$ 25,552.89		
Debt Service Fund	\$ 6,617.16		
Infrastructure			
Improvements	\$ 148,776.39		
Increment Tax Funding	\$ 13,959.23		
<b>Totals</b>	<b>\$ 5,569,325.52</b>	<b>(\$ 268,807.55)</b>	<b>\$ 5,300,517.97</b>

2. Approve Minutes of the May 9, 2017 Regular Meeting
3. Approve the Investment Report for Quarter ended March 31, 2017 as requested by the Clerk's Office.
4. Request to surplus BCC 5786 (2007 Ford F150) and BCC 5963 (2007 Ford) from Public Works, and BCC 4978 (Lexmark Printer), BCC 4404 (Lexmark Laser Printer) and BCC 6788 (Sharp Fax/Scanner) from the State Attorney's Office
5. Request to approve and authorize the Chairwoman to sign the amendment and exercise of first option to renew Contract No. 015-018 with The Color Nine Group, LLC for federal lobbying services.
6. Request to approve and authorize the Chairwoman to sign the Certificate of Public Convenience and Necessity for advanced and basic life support transport services with Air Methods Corporation International
7. Request to approve and authorize the Chairwoman to sign a Memorandum of Understanding with Waste Management regarding limited Sunday hours at the landfill
8. Request to approve and authorize the Chairwoman to sign change order No. 1 to Contract No. 017-001 with Birkshire Johnstone, LLC for exterior renovations to the courthouse increasing the contract price by \$2,866.00

Commissioner Chapman reported his conflict of interest in voting on the Waste Management EAL's and submitted Form 8B to the clerk.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the Waste Management Expenditure Approval List in the amount of \$268,807.55. Ayes 4, Nays 0. Jones Aye, Nipper Aye, Comander Aye, Anderson Aye. Chapman abstained. (FORM 8B: Chapman)

Mr. Sunday recognized Mr. Henry Gainey, District 3 Foreman, for his action to extinguish a fire saving a residents property. Ms. Sheri Hundley stated her mother lives on the property and Mr. Gainey saved the dogs and her home. She thanked Mr. Gainey for his outstanding efforts. The commissioners presented Mr. Gainey with a plaque of appreciation.

Mr. Sunday introduced Mr. Randy Wilkerson, Director of Housing, Escambia County Housing Finance Authority, who requested the board adopt a resolution granting continued area of operation authority to the Escambia County Housing Finance Authority for purposes of operating the TBA and Mortgage Credit Certificate (Homeownership) Programs within Walton County. Since 1985, Walton County has actively partnered with the Escambia County Housing Finance Authority (ECHFA) to enable the ECHFA to make its First Time Homebuyers Program and associated homeownership program activities available to the residents of Walton County. Most recently, on October 22, 2013, the Walton County Board of County Commissioners approved Resolution 2013-85, and the accompanying Interlocal Agreement with the ECFHA, reconfirming this long-standing cooperative relationship specifically for the benefit of individuals and families in Walton County who wish to attain the dream of homeownership. Adoption of the Resolution, as recommended, will continue the existing area of operation authority that enables the ECHFA to deliver homeownership programs in Walton County and provide an option to offer a new Mortgage Credit Certificate (MCC) Program within Walton County. The Homeownership Program, including down payment and closing cost assistance for qualified buyers, is provided by the ECHFA at no cost to Walton County. The MCC Program is a federal income tax credit that will be available to qualifying first time homebuyers who use the ECHFA Homeownership Program and is also provided at no cost to Walton County.

Motion by Commissioner Chapman, second by Commissioner Anderson, to adopt a resolution (2017-47) granting continued area of operation authority to the Escambia County Housing Finance Authority. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Sunday presented information regarding the appointment of private sector members to the CareerSource Okaloosa Walton Board of Directors. Per the Interlocal Agreement between Walton and Okaloosa Counties and the by-laws of CareerSource Okaloosa Walton, the respective Boards of County Commissioners appoint private sector members to the CSOW Board of Directors. The nominees are Ms. Juliet Milam, Walton County Area Manager of Gulf Power, and Ms. Odette Miranda, Human Resources Director of Sandestin Golf and Beach Resort.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the appointment of Ms. Juliet Milam and Ms. Odette Miranda to the CareerSource Okaloosa Walton Board of Directors. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Sunday presented a request on behalf of Ms. Betty Webb, Riverway South Apalachicola-Choctawhatchee, asking for Paddle Florida to utilize Morrison Springs as a temporary camping site for two nights during the tour of the Choctawhatchee River during the week of March 10-16, 2018. Paddle Florida, Inc. is a not-for-profit 501(c)(3) corporation organized to support canoeing and kayaking in Florida. Multi-day paddling/camping adventures in each of Florida's five water management districts showcase the state's natural beauty and rich cultural heritage while promoting water conservation, wildlife preservation, springs restoration, and waterways protection. Paddle Florida also seeks to promote Florida as an international destination for nature-based tourism. Mr. Sunday advised the current ordinance prohibits camping in county

parks and would need to be amended. Attorney Noyes advised the parks ordinance be amended to allow for this type of use by non-profit groups.

Commissioner Chapman asked what portion of the property they are asking to use. Ms. Webb thanked the commissioners for being part of their organization. The area proposed for use is behind the restroom area and will be limited to 30 individuals.

Motion by Commissioner Comander, second by Commissioner Chapman, to allow staff to amend the ordinance allowing non-profit groups to use county parks on a case-by-case approval basis and present back to the board for approval.

Commissioner Comander asked if the park will remain open to the public while the group is there. Commissioner Chapman stated the park would remain open. Commissioner Comander also questioned who would be responsible for cleaning up behind the group. Ms. Webb stated they will maintain the park and they also have insurance to cover any incidents that may occur.

Mr. Frank Day stated this organization needs to use the park for camping and recommended opening the park for camping to the general public as well. Commissioner Chapman stated the county is working on that issue now by improving the paddle trails and creating camping areas. Ms. Webb stated their organization will also assist in establishing more camping areas. Commissioner Chapman voiced concerns with the number of people launching kayaks and canoes from the dock and the congestion it is creating. He urged this group to be cognizant of others.

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

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve Paddle Florida to utilize Morrison Springs as a temporary camping site for two nights during the tour of the Choctawhatchee River during the week of March 10-16, 2018 contingent upon changes

to the ordinance and stated concerns. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Sunday presented the updated Personnel Policy and Procedure Manual for approval. The policies and procedures manual was last revised on April 26, 2011. A working group was established by Administration and has diligently worked to revise and update the manual. In addition, the updated draft was sent to Constangy & Brooks Law Firm for their input and recommendation.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the updated Personnel Policy and Procedure Manual.

Commissioner Nipper requested clarification of Chapter 25 Authority of Commissioners, and the hiring process and if the change would remove the board's ability to hire Department Heads. Mr. Sunday clarified the language is to prevent a commissioner from hiring or firing an individual themselves; it would require board action.

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

Mr. Sunday presented an offer for the purchase of approximately 5 acres from Powell Family Investments, Ltd. (Parcels 27-6N-21-40000-001-0080 and 27-6N-21-40000-001-0010). Mr. Sunday stated the parcel is closer to 3.5 acres. The properties are located on the south side of Lake Jackson.

Motion by Commissioner Comander, second by Commissioner Anderson, to direct staff to move forward with the purchasing process to obtain appraisals and environmental assessments.

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

Mr. Sunday presented a request to donate BCC #4571, 2003 Ford Taurus surplused from the Planning Department, to the ARC of Walton County. The vehicle was removed from the asset inventory by the BCC on April 25, 2017.

Motion by Commissioner Nipper, second by Commissioner Chapman, to approve the donation of BCC #4571 to ARC of Walton County. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Ms. Kim Lonas, Director of ARC, thanked the board. Mr. Sunday commended Ms. Lonas for the job they do with limited resources.

Mr. Sunday requested direction on the highest and best use of the old First National Bank building, which is currently being used as the records storage facility. The building is at 75% capacity. In an endeavor to preserve all public records, organize them and produce them in a timely manner, he requested consideration for constructing a new facility better suited for that purpose and to start the process of ascertaining whether the value of the old bank may be more in the fair market due to its historical nature. If so, the proceeds from selling it could cover the cost of a new records storage facility to be constructed. Commissioner Comander stated a location needs to be designated for records storage prior to selling it. Mr. Sunday recommended obtaining an appraisal on the building as a first step.

Motion by Commissioner Comander, second by Commissioner Anderson, to allow staff to obtain an appraisal on the old bank building. Commissioner Nipper commented on the need to work with those trying to revitalize downtown DeFuniak Springs.

Discussion continued regarding the sale of the building, historical values, and a new location for records storage.

Commissioner Chapman spoke about efforts being made to digitize county records. Mr. Rick Wilson stated the digitizing process is ongoing and they are currently working on Planning and Building Department documents. The goal is to eliminate what does not have to be stored. He stated that \$250,000.00 per year was budgeted for the project and he is attempting to stay within that budget each year.

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

Mr. Buddy Wright, Public Works, presented an update regarding the pedestrian pathway along John Baldwin Road and Walton Road. Mr. Wright met with the City of DeFuniak Springs and the Walton County School Board. The school board's attorney has spoken with Attorney Noyes and they would like to participate, but the path must border their property. The city does not have any funding in the current budget, but are willing to assist next year pending the availability of funding. Attorney Noyes stated she should hear from Attorney Holley by the next BCC Meeting. Commissioner Nipper stated getting the project started is important and commented on how badly the sidewalk is needed for the children. Chairwoman Jones asked about the Safe Schools Grant. Mr. Wright stated that the grant has already been applied for at a different location for this year. He explained this is a 3-phase project. Commissioner Nipper spoke about beginning phase 1 in-house and the possibility of applying for grants later.

The board directed staff to continue dialogue with the school board and begin working on phase 1 with in-house staff. Phase I borders a portion of the school property and is estimated to cost \$30,000.00. Mr. Wright stated the workload would need to be shifted to accommodate the work on this project. Mr. Sunday stated they will move forward with working the project into the work program and Attorney Noyes can continue discussions with Attorney Holley.



Motion by Commissioner Comander, second by Commissioner Nipper, to move forward on the sidewalk as stated. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve, award and authorize the Chairwoman to sign Contract No. 017-005 Engineering Services for East Point Washington Road realignment with Genesis in the amount of \$316,613.87; using \$225,000.00 TIF Funds and \$91,316.87 in U.S. Highway 98 Proportionate Fair Share Funds as presented by Mr. Sunday.

Ms. Carolyn Zonia asked if the project would include bike lanes. Mr. Wright said staff is still working on a master plan for the project and would like to include a bike path or it could possibly be added at a later date.

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

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve a request to develop the appropriate documents and advertise for bids/proposals to abandon 56 septic tanks and connect to Freeport Sewer in the Brandon Oaks Subdivision as presented by Mr. Sunday.

Mr. Sunday stated he has not heard back from the City of Freeport. Chairwoman Jones stated the Health Department has sent a letter stating the septic tanks have failed and there is a need to move forward due to the emergency health issues. Funding can be dealt with as the project moves forward. Commissioner Comander felt that funding needs to be considered. Attorney Noyes stated it will take time to advertise and they will hopefully have an answer from the City of Freeport by then. Commissioner Nipper agreed that an answer from Freeport is needed.

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 a Public Hearing on June 6, 2017 at 4:00 p.m., or soon thereafter, at the South Walton Courthouse Annex to bring forward \$820,000.00 in the Debt Service Fund from surplus Bridge Tax funds for the purchase of property north of the Bay, located on Bay Grove Road (parcel #04-2S-19-24000-027-0000). 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 a Budget Workshop on July 6, 2017 at 9:00 AM in the Walton County Courthouse in DeFuniak Springs. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Jay Tusa, TDC Executive Director, presented a request to advertise for an RFP for Marketing Research Services. Fiscal Year 2017 is the third and final year in the current agreement for Marketing Research Services. The TDC is required to proceed through the Request for Proposal (RFP) process with the support of the county offices, to seek a company who shall provide services in Fiscal Year 2018 and beyond. Marketing Services include economic impact studies, quarterly visitor tracking studies and ADR studies. Zender Communications has been providing the necessary research since the contract ended.

Mr. Jim Bagby voiced concern with this costing an additional 12% with Zender providing the services. He stated Zender is adding additional costs to their contract and asked the board to go through the contracting process. He also stated that none of the agenda items have been through the advisory council and asked that the TDC be directed to use the advisory council.

Mr. Tusa stated Zender is not marking their invoices up by 12%. Zender is passing this through at cost.

Motion by Commissioner Anderson, second by Commissioner Comander, to approve the request to advertise for an RFP for Marketing Research Services. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Alford exited the meeting.

Mr. Tusa presented an update on South Walton Utilities Company, Inc. Miramar Beach property. He said they have spoken about the possibility of a sports park at the location. Their board is open to utilizing the property for recreational purposes. He stated South Walton Utilities Board has a meeting today and he will speak with them at the commissioner's direction. He said their initial terms were 20 years for \$10,000.00 per year and stated he would like to see a 30 year lease. He has not spoken with the TDC Board, but will at their next meeting and bring this back to the board.

Mr. Tusa stated they are holding a meeting later in the day on the regional beach access in Dune Allen. He also announced the circumstances with Visit Florida and the decrease in Visit Florida funding from \$76 million to \$25 million. He has spoken with industry partners regarding their concerns. Mr. Tusa stated he would like to hold workshops with those industry partners to discuss the effects this will have on them and ways to help them move forward.

Motion by Commissioner Anderson, second by Commissioner Nipper, to approve and authorize Chairwoman Jones to sign Task Order TDC 17-005 with Poly Engineering for design services at a cost not to exceed \$59,963.34 as presented by Mr. Brian Kellenberger. The TDC is requesting approval to proceed with the repair/replacement of existing neighborhood beach access on Scenic Gulf Drive and Dune Allen area. 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 Chairwoman Jones to sign Task Order TDC 17-006 with Poly Engineering for design services at a cost not to exceed \$63,207.46. The TDC is requesting approval to proceed with the repair and replacement of existing dune walkovers in the Blue Mt. Beach and Dune Allen areas. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Anderson, second by Commissioner Nipper, to approve and authorize Chairwoman Jones to sign Task Order TDC 17-007 with Poly Engineering for design services at a cost not to exceed \$59,963.34. The TDC is requesting approval to proceed with the repair and replacement of existing dune walkovers in the Seagrove and Eastern Lake areas. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Nipper, second by Commissioner Anderson, to approve and authorize Chairwoman Jones to sign Task Order TDC 17-008 with Poly Engineering for design services at a cost not to exceed \$35,401.10. The TDC is requesting approval to proceed with the repair and replacement of existing dune walkovers at the following Regional Beach Accesses: Miramar Beach, Blue Mt. Beach, and Van Ness Butler Beach. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to award RFP 017-010 to the top ranked firm, ZIIC Outdoors and authorize Chairwoman Jones to sign Contract No. 017-010 for maintaining the landscaping along the multi-use path and adjacent right-of-ways for portions of Scenic Gulf Drive, County Road 30A, Thompson Road, Allen Loop Drive, County Road 83, County Road 283, County Road 393, County Road 395. Total costs for the project is \$355,299.00 (TDC Portion: \$191,523 Public Works Portion: \$98,378, \$65,398).

Commissioner Comander commented on a situation in 2014 where a bid came up and Harper, Inc. was denied a bid because of the lack of years they had been in business and this situation is similar. She spoke about making Walton County a better place for our children who go off to college so they can return and raise their children here. Next time she would like a different process. Attorney Noyes stated she has some ideas on how to clean up the purchasing manual to help make the bid process better.

Ms. Suzanne Harris representing Edgewater Beach Condominium Association appeared before the board and stated this issue was never brought up to TDC Council. She felt that bed tax collectors should be made aware of when money is being spent. She spoke about the delay in getting answers to public records request. She requested copies of Zender's bill and stated she was not sent the correct information. She stated that contracts are expiring and bed tax collectors are not being made aware of that. Attorney Noyes stated this is a budgeted item and the services have been provided since prior to 2014. It was in the TDC budget and would have been reviewed by the TDC Council. Mr. Kellenberger stated it was the end of the contract with no extensions remaining and needed to be sent out for bids. He also stated that the bid was slightly delayed because the TDC took the opportunity to include the other side of C. R. 30A and feeder roads to realize the economy of scale for maintaining additional maintenance saving money.

Lengthy discussion followed on the roadside maintenance and which department was accounting for the administrative costs.

Commissioner Comander questioned the requirement for all records requests to go through the Legal Office. Attorney Noyes stated they do if they involve an email search or multiple departments.

Mr. Greg Houston questioned the grading system for bids and what the points were based on. Attorney Noyes will provide Mr. Houston with the information.

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

Mr. Kellenberger requested to approve the purchase of 7 Coastal Dune Lake signs in an amount not to exceed \$10,000.00. This is Phase 2a of the Coastal Dune Lake sign program which was originally approved by Destination Improvement Committee, TDC, and the Coastal Dune Lake Advisory Board in 2014. This project was carried over from 2014.

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve the purchase as presented.

Ms. Harris stated it was approved by the previous TDC Board and questioned if the current TDC Board is aware of it. Mr. Kellenberger said it was approved by the current TDC Board.

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

Motion by Commissioner Comander, second by Commissioner Chapman, to call to order the advertised Public Hearing to consider an ordinance regulating medical marijuana dispensaries.

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

Attorney Noyes presented an ordinance outlining the guidelines for dispensing medical marijuana stating it would be limited to two dispensaries in Walton County; one north of the bay and one south of the bay. The ordinance established a committee to review the selection criteria for locations. The location criteria mirrors the alcohol ordinance prohibiting distribution within 1320' of schools or churches; daycare facilities and county parks were also added. The ordinance would prohibit signage that is cartoonish in nature that would appeal to children.

Mr. James Hurley, Member of the Walton County Prevention Coalition, thanked the board for their work on the ordinance and recommended some changes. On page 13 section 11: he

questioned how it would be verified that the operator has not committed any of the disqualifying offenses since first obtaining the certificate and recommended another background check be required. He stated he would like to see the youth serving centers and recreational facilities such as the Boys and Girls Clubs, Boy and Girl Scout Huts, and ARC type facilities added to page 14 section 14(2). On page 15 Section 16(8): he stated that developing curriculum and lesson planning needs to be left for health care professionals and school nurses. Allowing the industry to create the information would create a bias. He felt that the industry should fund the curriculum programs through a trust fund. On page 16 Section 17: he stated that language needs to be added that operators cannot provide free promotional items such as T-shirts, stickers, posters, or party favors. In addition, he recommended setting an age limit for employees who work in the dispensaries.

Commissioner Nipper agreed with Mr. Hurley's comments and stated the ordinance had to be written in order to get comments and discussion started. Attorney Noyes will meet with Mr. Hurley to discuss his recommendations further.

Discussion continued regarding oversight by the Department of Health and setting restrictions. Attorney Noyes spoke about the Compassionate Use Bill, regulations and dispensing. She commented on the urgency of getting the ordinance adopted.

Commissioner Nipper commented on the lessons learned by the State of Colorado and the educational aspects being done through the proper people and stated the youth program was paramount.

Attorney Noyes stated the moratorium is approaching the deadline and asked if the board preferred to wait for the changes or to proceed with adopting the ordinance and presenting the changes at a later date. It was the consensus of the board to proceed with adoption of the ordinance allowing the changes to be brought back at a later date.

Pastor Ben Barton, Life Changers Church, thanked the commissioners for their service and spoke about the need to preserve and protect the innocent children and families who will be destroyed because of this and is opposed to the ordinance. Commissioner Anderson clarified that the ordinance is to control the sale of medical marijuana which was an amendment to the Constitution voted in by the people. He further explained that the ordinance is to provide control and restrictions. The commissioners may not agree with the new law, but this is an attempt to provide necessary restrictions.

Ms. Carolyn Zonia, Emergency Physician, thanked the commissioners and stated medical marijuana is to provide pain reduction for the afflicted and not legalizing marijuana. It will also be under the control of physicians.

Chairwoman Jones stated she hopes the ordinance is restrictive enough.

Reverend R.W.White stated he has been dealing with suffering humanity for many years as a minister of the Gospel. He commented on the difficult situation the board has been given to deal with. He stated that drug abuse is at an all-time high and his heart goes out to those suffering. He has lost two family members to cancer and understands the pain and wants people to get relief legally. He encouraged the board to put serious thought into the ordinance making it difficult for it not to get out of hand. He knows individuals whose lives have been destroyed due this type of drug. He stated the ordinance needs tight restrictions placed in it. He understood the citizens spoke by their vote to approve it, but asked the board to prayerfully consider this issue.

Commissioner Comander questioned the dispensaries responsibility on reporting to the State. Attorney Noyes stated they will be heavily regulated by the State. Commissioner Nipper reiterated this is medical marijuana not recreational marijuana as sold in Colorado. She stated this is also an effort to lesson opiate dependencies.



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

Motion by Commissioner Anderson, second by Commissioner Nipper, to adopt the Medical Marijuana Ordinance (2017-16) as currently written and allow Attorney Noyes to provide the amended language at a later date. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

The commissioners recessed at 10:32 a.m. and reconvened at 10:46 a.m.

Attorney Noyes presented a request to approve and authorize the Chairwoman to sign the agreement for purchase of property for Parcel 04-2S-19-24000-027-0000 (Bayfront property adjacent to U.S. Highway 331 bridge). The board previously approved for staff to negotiate a contract for the property purchase. Funds from the ½ cent sales tax imposed to finance construction of the U.S. Highway 331 Bridge will be used to purchase the property.

Motion by Commissioner Chapman, second by Commissioner Nipper, to approve and authorize the Chairwoman to sign the agreement for purchase of property as presented.

Mr. Frank Day commented on the need for boat ramps on the north side of the bay. Commissioner Chapman stated that the parcel includes the beach area of the bay and their intent is to improve the property to include a boat launch.

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

Motion by Commissioner Comander, second by Commissioner Nipper, to approve and authorize the Chairwoman to sign closing documents for the purchase of 55 acres adjacent to the Walton County Jail to be used by the Walton County Sheriff's Office, as approved May 9, 2017. The closing will be held May 25, 2017. The purchase price is \$156,088.77 and will be paid for

from the Fine & Forfeiture Fund Land Account. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Attorney Noyes requested direction regarding an amendment to the settlement agreement in Black Creek Northwest Florida, Inc. v. Walton County Case #3:02CV215. In 2004 Walton County and Black Creek of Northwest Florida, Inc. entered into a settlement agreement that allowed Black Creek to continue a sand mining and land clearing operation on its property for a period of five years. Black Creek did not complete its sand mining and land clearing activity within the five year period due to the economic down turn in 2008 - 2010. On April 21, 2017 the Office of the County Attorney received a letter from the attorney representing Black Creek requesting the board enter into an addendum to the settlement agreement providing for an additional five years to continue the sand mining and land clearing activity as a non-conforming use. One outstanding issue remains whereas Walton County was to sponsor a large-scale amendment to change a portion of the property to a Business Park land designation. If accepted, she recommended directing staff to work with them regarding the land use change.

Attorney Lisa Minshew appeared on behalf of Black Creek Development owned by the Huff brothers who were also present. Black Creek was a development in progress and permits had been obtained at the time the economy fell. However, the economy fell and then the BP oil spill occurred causing the project to be placed on hold. The owners want to finish excavating the lakes in order to build the subdivision. The project was part of a Federal lawsuit settled by the board. She requested a five year extension to finish the subdivision.

Commissioner Chapman questioned the delay when it was supposed to be completed by 2009 and now it is 2017 and requesting an additional five years. Attorney Minshew stated the delays were caused partly from the poor economy and the time it takes to recover. Commissioner

Chapman further questioned if the property is a non-conforming use. Attorney Noyes stated it would be considered non-conforming while they are doing the excavation. After further discussion Attorney Minshew agreed to a three year extension on behalf of her clients. Attorney Minshew and Attorney Noyes will work together on an agreement to present back to the board for approval.

Attorney Noyes requested direction regarding proposed changes in the Land Development Code to move all quasi-judicial land development hearings to a Special Magistrate. On January 24, 2017, the board directed the Office of the County Attorney to draft changes to the Land Development Code to allow a Special Magistrate to hear all quasi-judicial land development hearings. On April 25, 2017, the Office of the County Attorney brought those revisions to the LDC back to the board. The board asked for additional time to meet with the County Attorney to discuss the revisions. The Office of the County Attorney is now seeking direction from the board and requested the board consider postponing the change to a Special Magistrate until after the Matrix Group has completed revisions to the Land Development Code and Comprehensive Plan.

Commissioner Jones stated it was her goal to get education on this issue and is comfortable with meshing the Comprehensive Plan and Land Development Code better in the event the board chooses to go in this direction in the future.

Mr. Thomas Stein stated this same issue was addressed two years ago and the only support continues to come from the legal community.

Commissioner Chapman agreed that they should give the process time to work with the Matrix Group to clean up the Comprehensive Plan. Commissioner Nipper agreed. Commissioner Anderson stated he was agreeable to going in this direction.

Commissioner Anderson did not present any items for discussion.

Commissioner Comander requested to approve a resolution opposing off-shore drilling. Resolution 2005-33 opposed oil drilling and the issue is being brought up again due to Eglin's flight path. Other consortium counties are also preparing resolutions to send to the delegation.

Motion by Commissioner Comander, second by Commissioner Anderson, to adopt a resolution (2017-48) opposing off-shore oil drilling in the Gulf of Mexico and to send it to the delegation.

Mr. Frank Day spoke in favor of the proposed resolution stating Walton County's entire economy relies on visitors.

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

Commissioner Comander presented a Consortium update stating they met in Tallahassee and again in Destin. Some items they have been working on is the State's expenditure plan. They have hired consultants who are currently reviewing steps for counties to be able to submit their spending plans to the Governor. She stated the board needs to discuss and prepare the county's priorities at the next board meeting to get it ready to present to the Consortium in June. Commission Comander stated Walton County was originally supposed to get \$23 million and they voted to share the money throughout the State. Walton County is now to receive \$11.5 million. Then more recently, it was voted on to put the money in a jar and give it to those who are further along in their planning process. She voiced concern that in 15 years Walton County's portion may not even be available. This item will be placed on the agenda for further discussion at the next meeting.

Commissioner Anderson stated he had a meeting with the Treasury this past weekend regarding the RESTORE projects and he thanked all county staff who participated. A lot of

progress was made. He stated there is about \$39 million from the Feds, but it will be a process to get the funds. This is separate from the Triumph money.

Commissioner Comander echoed the compliments to those who gave up their weekend to attend the meeting and showed their support.

Commissioner Comander announced Red Nose Day and explained that funds from the purchase of the red noses go to support children and families in need. She spoke about a local family who is currently in need and encouraged everyone to support Red Nose Day.

Commissioner Nipper did not present any items for discussion.

Motion by Commissioner Chapman, second by Commissioner Comander, to allocate \$45,000 from the Preservation Fund to provide a neighborhood pocket park and dock on the Choctawhatchee Bay in the Fluffy Landing Road and Shady Lane community. The county recently completed a road and drainage improvement project in this area. Citizens of this community have approached the county and requested the neighborhood pocket park and dock on the Choctawhatchee Bay. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Billy Williams spoke more about the meeting with the Treasury and discussed Pot 1, the \$39 million, stating there are a lot of integral parts happening with the funds. He stated the Triumph Committee had their first board meeting post Legislative session, but the Governor has not signed off on House Bill 7077. Mr. Williams stated a workshop is needed in order to discuss various aspects of infrastructure, BP, Triumph and the connectivity. Commissioner Chapman agreed that a workshop needs to be set to discuss and how different pots of money will affect many of the county's decisions.

Motion by Commissioner Chapman, second by Commissioner Anderson, to set a Workshop on June 6, 2017 at 2:00 at the courthouse annex in south Walton to discuss the infrastructure planning, Treasury and Triumph Board. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Chairwoman Jones wished everyone a happy Memorial Day. She also announced the upcoming workshops on June 15 regarding the ½ cent sales tax.

Ms. Carita Smith, Guardian ad Litem, appeared before the board to provided information about the Guardian ad Litem Program and its need for volunteers in the county. More than half the children in dependency care in Walton County are going unrepresented. There are 203 children in the system today who need a voice and take their best interest at heart and advocate for the children. The numbers always increase during the summer about 40%. She stated she would like to go to different offices to meet with people in order to provide information. Ms. Smith is also working with the schools to spread the word.

Ms. Ann Haigh appeared before the board requesting adoption of a resolution recognizing June 14, 2017 as Grandparent Alienation Awareness Day in Walton County. She spoke about the pain and reasons for alienation and the need to bring awareness to the problem. Ms. Haigh read the resolution into the record.

Motion by Commissioner Nipper, second by Commissioner Comander, to adopt a resolution **(2017-46)** recognizing June 14, 2017 as Grandparent Alienation Awareness Day in Walton County. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Chairwoman Jones announced Public Works and EMS Week this week and the activities that will occur throughout the county.

Mr. Sunday announced Commissioner Comander and the Broadband Committee would be meeting at noon. Commissioner Comander also announced her Visioning Meeting that will be held Wednesday in Freeport.

Motion by Commissioner Anderson, second by Commissioner Nipper, to approve holding a Special Meeting on June 13, 2017 at 9:00 a.m. at the courthouse annex in south Walton to hear planning related items due to the large number of projects to be presented. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

Mr. Carpenter presented, for first reading, the Chapter 13 Plan List Ordinance amendment for consideration. The ordinance would allow for additional native landscaping materials in the U.S. Highway 98/331 Scenic Corridor. Mr. Brad Davis, former Planning Commissioner member, presented the recommendations which never made it into the ordinance. All of the recommended landscape being added is native to Florida.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve the Plant List Ordinance as presented for first reading. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

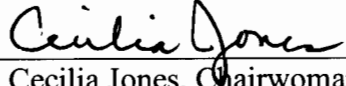
The Quasi-judicial Hearing was called to order and Attorney Noyes administered the oath to those intending to speak. There were no objections to the advertisements. Attorney Noyes instructed that any Ex parte forms are to be submitted to the clerk. There was none.

Mr. Mac Carpenter, Director of Planning and Development, presented the Alys Beach Phase III, Block AC: Lots 1-6 and 24-27 Plat Development Order Application requesting final approval of the Mylar. Innerlight Engineering Corporation on behalf of EBSCO Gulf Coast Development, Inc., requested approval to plat 10 residential lots on +/- 1.08 acres with a future land use of Traditional Neighborhood Development. The project is located on the south side of

C.R. 30A, west of Sea Garden Street and is identified by parcel number 16-3S-18-16000-003-0000. The project is consistent with the Walton County Comprehensive Plan and Land Development Code. The 911 addressing fee of \$100.00 and recording fee in the amount of \$54.50 must be paid at recording. Mr. Carpenter requested the Staff Report be entered into evidence. The board accepted the report. **(Exhibit 1: Staff Report)**

Motion by Commissioner Anderson, second by Commissioner Nipper, to approve Alys Beach Phase III, Block AC: Lots 1-6 and 24-27 plat. Ayes 5, Nays 0. Chapman Aye, Jones Aye, Nipper Aye, Comander Aye, Anderson Aye.

There being no further business the meeting recessed at 11:34 a.m.

Approved:   
Cecilia Jones, Chairwoman

Attest:

  
Alex Alford, Clerk of Court and County Comptroller