

**SEPTEMBER 25, 2017 – REGULAR MEETING**

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on September 25, 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 Tony Anderson; Commissioner Sara Comander; and Commissioner Melanie Nipper. Mr. Larry Jones, County Administrator; and Attorney Sidney Noyes, County Attorney; were also present.

Chairwoman Jones recognized Councilman Boots McCormick, City of Freeport; and Councilwoman Amanda Green, City of Freeport.

Chairwoman Jones called the meeting to order.

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

1. Addition: Administration-Appointment of individuals to the Local Triumph Committee and the Local RESTORE Committee
2. Deletions: County Attorney-cancellation of the Executive Session for Lee R. Holden, Jr. v. Walton County, Florida, et al (Case No.: 2011CA894)

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

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

	Total	WM
General Fund	\$ 3,006,965.48	
County Transportation	\$ 331,177.75	
Fine & Forfeiture	\$ 40,104.71	



Motion by Commissioner Anderson, second by Commissioner Comander, to approve the Waste Management Expenditure Approval List in the amount of \$311,608.35. Ayes 4, Nays 0. Jones Aye, Nipper Aye, Comander Aye, Anderson Aye. Chapman abstained. **(FORM 8B: Chapman)**

Motion by Commissioner Chapman, second by Commissioner Anderson, to appoint to the Local Triumph Committee the following individuals: Mayor Russ Barley, City of Freeport; Mayor Hayward Thomas, City of Paxton; Mr. Danny Lucas, DeFuniak Springs City Manager; and Ms. Juliette Milam-Gulf Power, Chairwoman Jones' (District 2) appointee; as presented by Mr. Larry Jones, County Administrator. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Jones announced that Mr. Dennis Peters would be unable to serve on the Local RESTORE Committee and requested the board appoint an individual to fill the vacant South End Business Seat.

Motion by Commissioner Anderson, second by Commissioner Chapman, to appoint Ms. Amy Stoyles to fill the South End Business Seat on the Local RESTORE Committee.

Commissioner Nipper nominated Mr. Dave Rauschkolb to the seat.

Motion by Commissioner Comander, second by Commissioner Nipper, to accept the two nominations. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

The board submitted their votes to the clerk for tallying. The results were as follows: Ms. Amy Stoyles-three votes (Jones, Chapman, and Anderson) and Mr. Dave Rauschkolb-two votes (Comander and Nipper).

Motion appointing Ms. Amy Stoyles to the Local RESTORE Committee stands.

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

Mr. Walter Bowers, Florida Forest Service, introduced Mr. Thomas Moss, Walton and Holmes County Forestry; and presented the 2016-2017 Commissioners Report. Chairwoman Jones questioned what season burns were performed. Mr. Bowers replied a year round management goal is set, but the main burning season is during October through March. Chairwoman Jones asked who residents were to call for permits to burn trash. Mr. Bowers stated permits are not required to burn yard waste less than eight feet in diameter. Chairwoman Jones asked if more park sites were added at Eastern Lake. Mr. Bowers discussed the changes made to the Eastern Lake area. He continued discussing the 2016-2017 report and operating plan. Chairwoman Jones asked if fire education was still held in schools. Mr. Moss said it was still available and to contact the Argyle or Point Washington office to schedule a time.

Dr. Dennis Sherwood, Career and Technical Education Dean-Northwest Florida State College; and Mr. Shane Abbott, Board of Trustees-Northwest Florida State College, presented information regarding the Simulation City Project for DeFuniak Springs and discussed the opportunities for support, education, and funding. Dr. Sherwood announced a public meeting regarding the project would be held on October 18, 2017 at 10:00 a.m. on the NWFSC Niceville campus. Commissioner Chapman questioned why the public meeting was being held in Niceville rather than DeFuniak Springs. Dr. Sherwood replied the DeFuniak Springs campus did not have a facility large enough to hold the meeting.

Ms. Jena Gilmore, Walton County 4-H Youth Development Agent; and Mr. Mike Goodchild, County Extension Director, requested assistance in engineering, construction, and other county services to properly develop a safe and effective facility to advance the skills of 4-H students in showmanship and competition. The organization has a Ground Lease with Walton

County Farm Bureau Federation for a site to develop the proposed facilities. Mr. Jones asked for direction to allow staff to meet with the Ms. Gilmore and Mr. Goodchild to determine what is needed and compile a list of how the county can help. The board concurred.

Mr. Jones stated there are currently three leases which encompass four units of the Freeport Business Park. These leases will expire within the next 12 months and are with: Speedee Printing, Port Ministries, and Green Air Controls. He requested negotiating the relocation of Port Ministries from its current location in Building B-Unit 21 to Building A-Unit 2 and allow them to negotiate a lease with the owner of Building A-Unit 1. Mr. Jones said a 60-90 day termination clause would be included with a lease extension. The only exception would be the extension of the Port Ministries lease which would be for three years to allow time for them to amortize their costs. Discussion was held regarding the county uses for the remaining units of the facility and limiting the leases to two years. The board concurred to allow staff to research all options, move forward with the renegotiations, and the relocation of the Port Ministries.

Mr. Jones briefly discussed the September 19, 2017 Joint Workshop with the City of Freeport regarding the Brandon Oaks septic/sewer issue. Staff recommends a letter be sent to the City of Freeport with the following proposal:

1. The county would authorize the city to send a letter to those in the Brandon Oaks subdivision advising of the health issue and environmental issues to require mandatory hookup to the sewer system;
2. Use the money in the developer's escrow account (approximately \$145,000) towards the approximately \$2,686.00 down payment for the 54 homes identified in the subdivision that need to be converted;
3. That the remaining cost associated with the installation be financed by the city over a period of 10 years at 0% interest, which is a practice presently used by the city; and
4. That the 14 failing or failed septic systems be the first ones put on the sewer system as soon as possible after both the city and county formulated any ordinances necessary to accommodate these requirements and continue over the coming months to get the remaining homes connected to the sewer. To avoid any extended delay, a time limit of 18 months should be in place to keep this project moving.

Commissioner Comander voiced concern with the 18 month time limit and stated the 14 failing/failed septic systems need to be replaced as soon as possible. Commissioner Chapman noted the 18 months was to keep the project going and to insure all 54 homes had been connected and suggested adding to the request a caveat requiring the 14 systems be hooked up within 60 days. Chairwoman Jones asked that the status of each property be presented (i.e. bank owned, abandoned, etc.). Commissioner Comander also suggested the letters to the property owners be sent certified mail. Attorney Noyes reported the City of Freeport has said the earliest they could hookup the 14 failing systems is 90 days. Commissioner Chapman agreed to the 90 day caveat. He also suggested two letters be sent to the property owners: 1. Notification that sewer is available; and 2. Mandatory connection letter.

Motion by Commissioner Chapman, second Commissioner Comander to send a letter to the City of Freeport with the proposal as presented along with the addition that the 14 failing systems be completed within 90 days.

Discussion was briefly held regarding the 14 systems, parcel status, effects on other systems, and the responsibilities of bank owned properties.

Mr. David Kramer requested financing be available for those with financial hardships. Commissioner Anderson asked Mr. Kramer to present the request to the City of Freeport.

Commissioner Comander questioned if Regional Utilities financed their systems for 30 years.

Mr. Scott DeCandia voiced concern that the properties directly impacted by the Brandon Oaks system have not been addressed and the high cost for tap fees. Commissioner Anderson addressed Mr. DeCanida's concerns and said the tap fees were not the responsibility of the county; the City of Freeport is the franchise holder. Commissioner Comander noted repairing the issues in

Brandon Oaks would positively affect the surrounding areas and the money being used is developer's money. Mr. Greg Graham, Public Works Engineer, briefly discussed steps that are being taken to address the septic issues and reported the system down from Brandon Oaks is not a county system. Chairwoman Jones asked what has been done regarding the RESTORE project. Mr. Graham replied that the multi-use implementation plan had been approved by the Treasury and the project will be sent through the grant application process. He discussed the Dewberry/Preble-Rish project which will address the drainage between Brandon Oaks and Bay Grove Road. Mr. Graham announced that a community meeting would be held at the Courthouse Annex in Santa Rosa Beach on September 27, 2017 beginning at 5:30 p.m. Commissioner Nipper asked if the ditching would still be required once all the phases are complete. Mr. Graham replied that is a FDEP storm water requirement.

Mr. Robert Rodgers discussed the drainage issues he has faced, unmet development criteria, and presented payment solutions for tap fees.

Further discussion was held regarding the proposal letter and moving the project forward.

Motion by Commissioner Chapman, second Commissioner Comander to send a letter to the City of Freeport with the proposal as presented along with the addition that the 14 failing systems be completed within 90 days. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Anderson, second by Commissioner Chapman, to award, approve and authorize the Chairwoman to sign contract No. 017-028 CR30A Resurfacing PH 4 – Camp Creek to U.S. Highway 98 East to the lowest responsive responsible bidder, C.W. Roberts in an amount not to exceed \$628,882.35 as presented by Mr. Jones. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Chapman, second by Commissioner Anderson, to adopt **Resolution 2017-84** establishing a Walton County Recreation Department Fee Schedule for the various sports programs as presented by Mr. Jones. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. The fee is \$40.00 per child. Fees for children of Recreation Department volunteers will be waived for one child per volunteer. This is not a Recreational Plat Fee.

Mr. Jay Tusa, Tourist Development Council Executive Director, discussed the need to begin scheduling post-season beach activities meetings. Discussion followed regarding the appropriate date and time to hold the first meeting.

Motion by Commissioner Chapman, second by Commissioner Anderson, to schedule a Post-Season Beach Activities meeting for October 18, 2017 at 3:00 p.m. 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 adopt **Resolution 2017-85** authorizing the expenditure of surplus bridge tax funds for the purchase of property at Bay Grove Road and U.S. Highway 331 (Parcel Nos.: 04-2S-19-24000-030-0000, 04-2S-19-24000-030-0010, 04-2S-19-24000-027-0010, 04-2S-19-24000-027-0011, and 04-2S-19-24000-028-0010) as presented by Attorney Noyes. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Attorney Noyes reported a restriction has been discovered on the Blue Mountain Road property (Parcel No.: 12-3S-20-34000-001-0061). The property was involved in a litigation settlement (2002CA090) and cannot be sold. She requested to cancel the sale of the property.



Motion by Commissioner Anderson, second by Commissioner Chapman, to cancel the sale of the Blue Mountain Road property (Parcel No.: 12-3S-20-34000-001-0061).

Mr. Tim Shuba, Sunseekers Association representative, briefly discussed the litigation and the restrictions placed on the property. Attorney Noyes stated she would work with the Sunseekers Association to find a solution to make the property restrictions available. Discussion was held regarding the use of the property.

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

Attorney Noyes presented findings from her research on airboat regulations. There are several county ordinances, Florida Statute, and an Attorney General Opinion (AGO) regarding airboats. She discussed the regulations which must follow state statute. Any local ordinance discriminating against airboats versus other vessels require a super majority vote. Based on research regulations such as time and/or day of operation and launch site can be adopted. Attorney Noyes has asked Public Works to compile a list of suitable launch sites away from residential areas. She requested direction whether or not to continue researching the issue. Commissioner Chapman questioned if the community had met with the operator to discuss the issues. Attorney Noyes did not think they have met. Commissioner Anderson recommended moving forward with the research, compiling a list of suitable launch sites, and encouraging a meeting between the community and the operator to work out an acceptable plan. Attorney Noyes stated she would draft an ordinance which will address time restrictions and launch locations restrictions. Chairwoman Jones recommended Attorney Noyes meet with the operator and a homeowners' representative. Commissioner Nipper asked that idle speed be addressed in the ordinance as well. Attorney Noyes said idle speeds and no-wake zones can only be regulated by state statute, but would research the issue further. Discussion followed on mechanical modifications to lower the noise levels.

Attorney Noyes requested the board approve and authorize the Chairwoman to sign a resolution in support of Jackson County expressing opposition to deep injection waste disposal wells.

Commissioner Chapman announced his voting conflict and exited the meeting.

It was noted that public did not have an opportunity to speak on the airboat issue.

Mr. Chris Kent addressed the airboat issue and spoke in favor of eco tours, but against the airboats and the high decibel range. He discussed mechanical changes which would lessen the decibels. Chairwoman Jones encouraged Mr. Kent to meet with the airboat operator and community.

Discussion returned to the deep injection waste disposal well resolution.

Motion by Commissioner Comander, second by Commissioner Anderson, to adopt a resolution **(2017-86)** supporting Jackson County in expressing opposition to deep injection waste disposal wells.

Commissioner Comander noted there are different types of deep injection wells and asked if this resolution only addressed waste disposal. Attorney Noyes confirmed it did.

Chairwoman Jones announced a meeting had been held between the stake holders and the Jackson County Commission. Another meeting has been scheduled to continue discussing a solution.

Ms. Kelly Layman, ILT, Inc., thanked the board for their support, discussed the different types of injection wells, and submitted information regarding the number of deep injection wells in Florida.

Mr. Bill Fletcher thanked the board for considering the resolution.

Ayes 4, Nays 0. Jones Aye, Chapman Abstain, Anderson Aye, Comander Aye, Nipper Aye. **(Form 8B: Chapman)**

Commissioner Chapman returned to the meeting.

Commissioner Anderson had no items to present.

Commissioner Comander addressed recent issues regarding bears and asked staff to communicate with Fish and Wildlife Commission (FWC) regarding the BearWise program which provides resources for bear proof trash cans. Mr. Stan Sunday, Deputy County Administrator, stated staff had already been in contact with FWC and would bring back more information.

Commissioner Melanie Nipper requested Mr. Rick Wilson, Technology Support Coordinator, address the dig once policy in relation to the broadband issue. Mr. Wilson discussed the dig once principle and stated the negotiation time line is approximately six to nine months. He stated in-house engineers and staff that could design what would best suit our county. Commissioner Comander expressed a need to move forward with the broadband issue. Discussion continued on utilizing in-house design services. Mr. Wilson will bring information for consideration.

Motion by Commissioner Chapman, second by Commissioner Comander, to direct Public Works engineering staff to draft a design (in-house) and compile cost estimates to construct a park on the property located at U.S. Highway 331 and Bay Grove Road.

Discussion was held regarding the types of amenities, tree preservation, and public meetings to gather input regarding a preliminary design.

Mr. David Kramer requested utilizing county board members with design and engineering backgrounds.

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

Chairwoman Jones discussed the recent community meetings. She stated there were suggestions to reword the welcome signs to include other areas of the county along with the beaches. Discussion was held regarding the locations of the signs to be modified. Chairwoman Jones announced the next community meeting.

The meeting recessed at 10:34 a.m. and reconvened at 10:47 a.m.

Mr. Reynolds Henderson, Main Street DeFuniak Springs, Inc.-President, Mr. Bruce Naylor, Main Street DeFuniak Springs, Inc.-Vice-President, and Ms. Erin Glen, Main Street DeFuniak Springs, Inc. board member, appeared before the commissioners requesting funding for Main Street DeFuniak Springs in the amount of \$33,333.00. Mr. Henderson submitted a draft budget which has not been approved by the Main Street Board. Mr. Naylor briefly discussed the Florida Main Street Program and the master plan for the local program.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the funding of the Main Street DeFuniak Springs Program in the amount of \$33,333.00

Commissioner Chapman questioned if the Executive Director salary included matches. Mr. Henderson stated it did not and would like to get more funding for the position over time. Commissioner Chapman voiced concern that some of the smaller businesses may not be financially able to participate and questioned what resources were available. Mr. Henderson discussed grant possibilities and fund raising opportunities. Commissioner Chapman expressed concern that the information and request was being presented outside of the budget cycle and asked staff where the funding could be obtained. Ms. Melissa Thomason, County Finance Director, stated the money would be pulled out of next year's contingency fund. Commissioners Chapman and Anderson strongly recommended the Main Street Board prepare their request earlier in the next budget season. Commissioner Chapman recommended funding for only one year. Commissioner

Comander recommended the Main Street Board meet to collect input from the older citizens of the community. Mr. Henderson, Mr. Naylor, and Ms. Glen agreed.

Discussion was held regarding the plans for the old post office.

Mr. Bill Fletcher spoke in support of the program and suggested developing a North Walton bed tax collection.

Ms. Leigh Moore spoke in support of the program.

Motion amended by Commissioner Comander, second amended by Commissioner Chapman to provide funding to the Main Street DeFuniak Springs program for one year in the amount of \$33,333.00. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Mac Carpenter, Director of Planning and Development Services, requested approval to amend the Land Development Code to establish tree protection requirements and to schedule staff level public workshops regarding the proposed amendment. He discussed how the amendment would protect heritage/landmark trees throughout the county and said there were currently two tree preservation areas in Walton County (City of DeFuniak Springs and Point Washington Neighborhood Plan). Commissioner Chapman questioned if there would be exceptions for agriculture designations. Mr. Carpenter confirmed there would be. Commissioners Anderson and Nipper expressed a need for exceptions within commercial use designations. Mr. Carpenter replied this amendment would not stifle development and exceptions would be considered.

Dr. Allen French, Trees on the Coast, spoke in favor of a tree protection ordinance and discussed a tree protective ordinance he helped to create in Alpharetta, Georgia.

Ms. Leigh Moore representing the Howard Group and the Scenic Corridor Foundation, spoke in favor of the amendment.

Motion by Commissioner Comander, second by Commissioner Nipper, to move forward with amending the Land Development Code to establish tree protection requirements and to schedule staff level public workshops. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Mr. Carpenter requested to continue Black Creek of Northwest Florida LSA to October 10, 2017 to be held at the Walton County Courthouse Annex, Santa Rosa Beach, Florida at 4:00 p.m. or soon thereafter. The continuance is to correct an advertising deficiency.

Motion by Commissioner Chapman, second by Commissioner Comander, to continue Black Creek of Northwest Florida LSA to October 10, 2017 to be held at the Walton County Courthouse Annex, Santa Rosa Beach, Florida at 4:00 p.m. or soon thereafter.

Mr. Jones questioned if the issue should be tabled rather than continued since the advertising was deficient. Attorney Noyes stated staff has already re-advertised. Mr. Carpenter said the advertisement was properly advertised in the text advertising; the quarter page ad was incorrect.

Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper 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 the Board to submit any Ex Parte forms to the clerk.

Mr. Carpenter presented Surfsong Estates Plat, a plat application submitted by JP Engineering, LLC on behalf of Prime Investments of FWB, LLC requesting approval to plat four (4) residential lots on 0.55 +/- acres with a future land use of Neighborhood Infill. The project is

located at the end of Surfson Lane on the north side of Surfson Condominiums (Parcel No.: 30-2S-21-42811-001-0000). 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. **(Exhibits: 1-Staff Report)**

Commissioner Nipper questioned if the number of bedrooms is predicated on the number of parking spaces. Mr. Carpenter confirmed it was and discussed the parking requirements.

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve Surfson Estates Plat contingent upon conditions as stated in the Staff Report. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye. **(Exhibits: 1-Staff Report) (Ex Parte: None)**

Mr. Carpenter presented the South Walton Fire District Training Center, a Major Development Order application submitted by Connelly & Wicker, Inc. on behalf of South Walton Fire District (SWFD), requesting approval to construct a fire truck maintenance facility and training area along with 17,980 square feet of office and storage space on 9.6 +/- acres with a future land use of Institutional. The project is located west of the existing fire station at 911 North County Highway 393 (Parcel No.: 27-2S-20-33210-000-0021). **(Exhibits: 1-Staff Report)**

Assistant Chief Mark Anderson, SWFD, briefly discussed the project which would include a four story training tower. Commissioner Chapman questioned how the storm water was addressed. Assistant Chief Anderson discussed the designated stormwater retention areas.

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve the South Walton Fire District Training Center with conditions as stated in the Staff Report.

Mr. David Kramer voiced concern with the times of training operations, fencing, and lighting. Assistant Chief Anderson addressed Mr. Kramer's concerns and training would not take





Motion by Commissioner Chapman, second by Commissioner Anderson, to convene the Executive Session. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Anderson, second by Commissioner Chapman, to adjourn the Executive Session and reconvene the Special Meeting. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Comander, second by Commissioner Anderson, to adjourn the Special Meeting. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Approved:   
Cecilia Jones, Chairwoman

Attest:   
Alex Alford, Clerk of Courts and County Comptroller