

## REGULAR MEETING – MAY 8, 2018

The Board of County Commissioners, Walton County, Florida held a Regular Meeting on May 8, 2018 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

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

Chairman Chapman called the meeting to order.

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

1. Addition: Consent Agenda-Request to approve and authorize the Chairman to sign a Right-of-Way Easement with CHELCO for Helen McCall Park
2. Addition: Commissioner Anderson-Resolution authorizing at traffic light at Driftwood Road
3. Deletion: Chairman Chapman-Utility Authority discussion

There were no public comments on agenda items.

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

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

Acct.	Acct. Totals	WM Totals
General Fund	\$ 519,973.28	
County Transportation	\$ 613,534.26	
Fine & Forfeiture	\$ 294,869.78	
Mosq. Control State	\$ 4,189.20	
Section 8 Housing	\$ 160,197.04	
Tourist Dev. Council	\$ 2,473,324.71	\$ (45.02)
N.W. Mosquito Control	\$ 2,405.91	
Recreation Plat Fee	\$ 2,966.30	
Public Safety- 911	\$ 13,600.00	
Solid Waste Enterprise	\$ 65,888.03	
Bldg Dept/Enterp. Fund	\$ 315.78	
Debt Service Fund	\$ 400.00	
Capital Projects Fund	\$ 688,670.63	
Mossy Head Ind. Park	\$ 45,000.00	
Increment Tax Funding	<u>\$ 69,683.71</u>	
<b>Totals</b>	<u>\$ 4,955,073.65</u>	<u>\$ (45.02)</u>
<b>Grand Total (less WM)</b>	<u>\$ 4,955,118.67</u>	

2. Approve Minutes of the April 24, 2018 Regular Meeting and the April 26, 2018 Land Use Hearing
3. Request to surplus the list of equipment as requested by the Clerk's Office
4. Request to approve the disposition of records which have met retention in accordance with the State of Florida General Records Schedule GS1-SL as requested by the Clerk's Office
5. Request to approve the disposition of records which have met retention in accordance with the State of Florida General Records Schedule Judge Rule 2.430(d) as requested by the Clerk's Office
6. Request approve for Ms. Holly Holt, Health Officer for the Walton County Department of Health to act as Agent for the county on their Development Review Application to be submitted to the City of DeFuniak Springs for the expansion of the Environmental Health Office proposed to be located on the county owned parcel in front of the Health Department and authorize the Chairman to sign the Affidavit of Agent Authorization
7. Request approval to surplus items from various departments
8. Request approval for the Walton County Clerk to collect on the Tuscana Subdivision Letter of Credit in the amount of \$41,827.50 before May 24, 2018 unless an approved surety replacement or a final inspection memo has been received by May 22, 2018
9. Request to approve and authorize the Chairman to sign a Right-of-Way Easement with CHELCO for Helen McCall Park
10. Request to approve and authorize the Chairman to sign a **Resolution (2018-37)** for unanticipated revenue from the sale of land at the Mossy Head Industrial Park

11. Request to approve and authorize the Chairman to sign a Lease Agreement with Suburban Propane for the propane tank for the generator at the Landfill Scale House in the amount of \$50.00 per year
12. Request to approve and authorize the Chairman to sign the 2018-2019 Agreement between Walton County and Gulf Coast Kid's House, Inc.
13. Request to approve and authorize the Chairman to sign Change Order No. 01 to Contract No. 016-027 CEI Services for C.R. 183N Kidd Road with Genesis; decreasing the contract amount \$88,000.00
14. Request to approve and authorize the Chairman to sign a **Resolution (2018-38)** and the First Amendment to the State of Florida Department of Transportation Small County Road Assistance Agreement, Contract No. G0346 for the C.R. 183 Kidd Road resurfacing project
15. Request to approve and authorize the Chairman to sign Change Order No. 1 to Contract No. 017-020 Construction Services for C.R. 183N. Kidd Road SCRAP Project with Midsouth Paving, Inc.; increasing the contract time 75 days
- ~~16. Request to approve and authorize the Chairman to sign the first renewal of the collection and purchase of Recyclable and Salvageable Materials Contract No.: 016-015 with Waste Management. (This item was presented with the Waste Management expenditures.)~~
17. Request to approve and authorize the Chairman to sign the exercise of second option to renew Contract No. 015-018 with The Color Nine Group, LLC for Federal Lobbying Services
18. Request to approve and authorize the Chairman to sign an agreement with the Florida Department of Environmental Protection for an entrance fee waiver/reimbursement program at Topsail Hill Preserve State Park in an amount not to exceed \$35,000.00
19. Request to approve and authorize the Chairman to sign an agreement with the Florida Department of Environmental Protection for an entrance fee waiver/reimbursement program at Grayton Beach State Park in an amount not to exceed \$95,000.00
20. Request to approve and authorize the Chairman to sign Task Order No. 18-01 to Tetra Tech, Inc. in the amount of \$23,534.00 for Professional Hazard Mitigation Grant Program (HMGP) mitigation and project management services to administer the grant and manage the elevation process for the homes in accordance with Flood Mitigation Assistance (FMA) grant FMA-PJ-04-FL-2016-008 which includes a total of three (3) properties
21. Request to approve and authorize the Chairman to sign Task Order No. 18-09 Engineering Services for Bay Grove Park Seawall Design with Genesis in the amount of \$15,202.96
22. Request to approve and authorize the Chairman to sign Public Works Task Order No. 18-08 Professional Engineering Services for C.R. 283 North Multi-Use Path with Genesis in the amount of \$79,585.00
23. Request to approve the purchase of 4,000 tons of milled asphalt from C.W. Roberts Contracting, Inc. for road maintenance projects at a cost of \$7.50 per ton
24. Request to approve the purchase of a laptop in an amount not to exceed \$2,200.00 for Facilities Maintenance
25. Request to approve the purchase of a trailer attenuator in the amount of \$28,000.00 for the Public Works Department

26. Request to approve the purchase of foam installation in the amount of \$34,133.00 for the Coastal Branch Library

Chairman Chapman announced his voting conflict regarding Waste Management items. He submitted a Form 8B: Memorandum of Voting Conflict to the clerk for each item.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the Waste Management Expenditures in the amount of \$-45.02. Ayes 4, Nays 0. Chapman Abstain, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. **(Form 8B: Chapman)**

Motion by Commissioner Comander, second by Commissioner Anderson, to approve and authorize the Chairman to sign the first renewal of the Collection and Purchase of Recyclable and Salvageable Materials Contract No. 016-015 with Waste Management, Inc. Ayes 4, Nays 0. Chapman Abstain, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. **(Form 8B: Chapman)**

Motion by Commissioner Comander, second by Commissioner Nipper, to approve to close Lake Jackson boat ramp for a military exercise on May 31, 2018 as requested by Mayor Terry Holley, City of Florala, and place an off duty deputy to insure the ramp stays closed during the military exercise. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Motion by Commissioner Jones, second by Commissioner Comander, to reject all bids received for ITB 018-008 Regional Beach Access Group 1 and Neighborhood Beach Access Group 1 Renovation Project and to re-advertise as requested by Mr. Jay Tusa, TDC Executive Director. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. This item will be rebid in the fall. Discussion was held regarding the time needed to advertise in order to begin the projects after Labor Day.

Mr. Tusa presented an update on the proposed purchase of the U.S. Highway 331 properties and the Eglin Property. He said the contracts for the two properties were not ready. He reported

that Eglin Air Force Base is not interested in selling the property, but is interested in a value-to-value land swap. Mr. Jones discussed his communications with Eglin Air Force Base and reported that Tindal Air Force Base had expressed interest in the property also. Eglin staff indicated that a land swap could take up to one year to complete. Commissioner Comander discussed the possibility of the process taking longer than a year and recommended proceeding with the purchase of the proposed U.S. Highway 331 properties.

Mr. Jim Bagby encouraged the board to move forward and get an appraised value for the Eglin parcel to determine what type of swap would occur. Commissioner Comander agreed the county needed to look into obtaining the Eglin property, but stated the TDC needs a larger and more accessible facility before a land swap can be arranged.

Commissioner Nipper recommended the District 3 county owned property which abuts Eglin be considered for the land swap.

Mr. Alan Osborne stated it would take more than year and the Mission Commanders will make the final decisions. He stated there is no ground mission for that parcel and discussed ways to work with Eglin to obtain the property.

Discussion ensued on obtaining the Eglin parcel, moving forward with other proposed TDC sites, and locating parcels which could be used for a land swap.

The board directed staff to move forward with an assessment of the Eglin parcel and locate parcels appropriate for a land swap.

Mr. Tusa presented an update on the county's gateway welcome signs and said that using reflective signs would be more cost efficient to the county. The total for the reflective overlay is \$2,000.00 less than the original proposal. Discussion was held to determine which sign option would be the most appropriate.

Motion by Commissioner Comander, second by Commissioner Nipper, to approve Sign Option A1.

Mr. Stephen McBroom spoke in favor of Sign Option B.

Mr. Bob Brooke questioned how many signs would be purchased and where would they be located. Chairman Chapman clarified that overlays were being considered for the existing signs.

Mr. Bagby noted with the exclusion of the TDC information that TDC funds should not be utilized to purchase the signs.

Ms. Coy Bowman voiced opposition to the signs.

A brief discussion was held on whether or not TDC funds could be used. Attorney Noyes stated she would research the issue.

Motion amended by Commissioner Comander, second amended by Commissioner Nipper to utilize BCC funds if research shows TDC funds could not be used. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Mr. Tusa discussed the concerns regarding quorum requirements for TDC advisory committees. He stated in order to have a quorum of four for all TDC committees, the number of members would need to be increased to nine. Mr. Tusa questioned whether the board or the TDC Advisory Council should determine the quorum number. Attorney Noyes recommended the board set the quorum requirements since they have the responsibility of establishing the committees.

Motion by Commissioner Comander, second by Commissioner Jones, to set a quorum requirement of four for all TDC committees.

Mr. Jones questioned if this would include the committees with nine members. Mr. Tusa stated the committees had been reduced from nine to seven and that all committees could be increased to nine with a quorum of four.

Motion amended by Commissioner Comander, second amended by Commissioner Jones to require a quorum of four for all nine member TDC committees.

Mr. Osborne recommended setting a quorum of five members to insure a tie vote does not occur. Mr. Tusa stated that the quorum is currently set at five members, but the issue is making sure five members are present to form a quorum. After a brief discussion, the board directed Mr. Tusa to implement the quorum of four and to return to the board if there are still issues with maintaining a quorum.

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

Mr. Tusa stated TDT numbers for March were up 24.73% over last year and year to date was up 14.13% over last year. He announced it was Tourism Week.

Commissioner Nipper stated that the background checks for vendors issue presented in 2017 had not been addressed. Mr. Tusa asked direction from the board to have TDC, Administration and County Legal staff look into policies regarding vendors and a process for background checks. Attorney Noyes stated the policies and procedures would not be implemented this year due to the timing of the direction. A brief discussion was held regarding the legality of the policies and whether or not it would apply to all vendors, not just beach vendors. The board concurred to allow staff to research vendor policies and procedures.

Mr. Phillip Downs, Downs & St. Germain, gave an update on the economic impact figures resulting from tourism in 2017. During calendar year 2017 \$4,408,598,800.00 was generated through tourism. Commissioner Comander questioned visitor response to the aesthetics of the beaches. Mr. Downs stated that the beach is the county's product and reported the focus group commented on the cleanliness of the beaches.

Motion by Commissioner Jones, second by Commissioner Nipper, to approve the Litigation Matrix and ratify the actions of the Office of the County Attorney as presented by Attorney Sidney Noyes, County Attorney. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Motion by Commissioner Comander, second by Commissioner Jones, to approve the Mediation Settlement Agreement in Forehand v. Walton County (Case No.: 2012CA750) as requested by Attorney Noyes. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Attorney Noyes requested approval and authorization for the Chairman to sign the contract with Environmental Research and Design, Inc. to complete the study of stormwater in the Driftwood Neighborhood. The proposal to complete the original scope of services would be \$23,000.00.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve and authorize the Chairman to sign the contract with Environmental Research and Design, Inc. to complete the study of stormwater in Driftwood Neighborhood as originally contracted.

Attorney Sean Heath, Mr. Osborne, Mr. Bill Fletcher, and Ms. Suzanne Harris all spoke in favor of having the survey performed in order to have an accurate report. Letters were submitted by Attorney Heath in regards to Dr. Harper's report.

Discussion was held regarding the need for all parties to uphold contract terms in a timely fashion and the need for the survey to be done. Concern was raised regarding the lack of communication Dr. Harper has had with staff.

Motion and second were withdrawn.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve the contract with the survey. Ayes 4, Nays 1. Chapman Aye, Anderson Aye, Comander Nay, Jones Aye, Nipper Aye.

Chairman Chapman and Commissioners Comander and Nipper had no items to present.

Commissioner Anderson discussed the need for a traffic light at the intersection of U.S. Highway 98 and Driftwood Road. Mr. Chance Powell, County Traffic Engineer, discussed the benefits to having the light at that location and the process which needs to be followed.

Motion by Commissioner Anderson, second by Commissioner Jones, to adopt **Resolution 2018-39** supporting the installation of a traffic light at the intersection of Driftwood Road and U.S. Highway 98. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Commissioner Jones announced there were two vacancies on the Triumph Board and that the replacement recommendations will be presented at the next meeting. She also asked that in the engineering of the boat slips at Bay Grove Park that consideration be made for people with disabilities to enable them to board boats. Mr. Jones stated he had had discussions with Commissioner Jones regarding the landscaping at Bay Grove Park and asked permission to reach out to FDOT to determine what landscaping could be done in the FDOT right-of-way for the overall plan of the park. The board directed to allow staff to communicate with FDOT.

Mr. Richard Loverne requested to place on the ballot a vote for a fishing pier in south Walton County with the use of TDC funding. He discussed the amenities to be included with the pier. Chairman Chapman reported there have been requests for a fishing pier and said the county parks and access points were not equipped to handle the parking which would be required. State Parks are not regulated by the county. He discussed the issues which would have to be considered.

Discussion was held regarding the need to have all the facts before a ballot can be considered. Commissioner Jones recommended a survey of the people be done while research is being done. Mr. Jones stated surveys could be placed on both the county website and TDC website. Chairman Chapman stated that staff could be directed to place the surveys on the websites while locations are being researched.

Mr. Osborne addressed the fishing pier issue and recommended land be purchased in which to place a pier and not consider the State parks.

Ms. Bowman spoke in opposition of the pier.

Mr. Frank Day spoke in favor of a fishing pier.

Commissioner Jones recommended the TDC research locations which could be used for a pier in the future as they look into areas for parking. Mr. Tusa discussed the need to prioritize where TDC funds are to be spent: beach accesses or fishing piers. He stated there could be serious challenges with constructing a pier. He said he would look into the issue upon board direction. The board concurred to move forward with the research as directed.

Ms. Lisa M McKinley requested the county accept Mikken Lane for maintenance. The board directed Public Works staff to review the two roads and submit their assessment and recommendations.

Mr. Charles Schatti requested the county accept Topside Drive and Grayling Way located in the WaterView at Inlet Beach Neighborhood for maintenance. The board directed Public Works staff to review the two roads and submit their assessment and recommendations.

Ms. Harris addressed the need for background checks for vendors.

Ms. Bowman addressed the board.

Mr. Tarey Franxman voiced concern with the clear cutting of properties in Point Washington. Discussion ensued regarding the Point Washington Neighborhood Plan and the proposed tree protection ordinance.

Commissioner Comander exited the meeting.

Mr. Mac Carpenter, Planning and Development Director, presented Bay Grove Park SSA, a request to approve by ordinance a Small Scale Amendment application submitted by Greg Graham, P.E., Walton County Public Works, on behalf of Walton County Board of county Commissioners, requesting approval to amend the future land use category from Rural Village to Public Facilities on +/- 7.46 acres. The project is located at the southwest corner of the intersection of Bay Grove Road south and U.S. Highway 331, adjacent to U.S. Highway 331 and north of the Choctawhatchee Bay (Parcel Nos.: 04-2S-19-24000-027-0011, 04-2S-19-24000-028-0010, 04-2S-19-24000-030-0010, 04-2S-19-24000-030-0000, 04-2S-19-24000-027-0010, 04-2S-19-24000-027-0000). There was no written public comment submitted to staff.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve by **Ordinance 2018-11** Bay Grove Park SSA. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Absent, Jones Aye, Nipper Aye.

Mr. Carpenter presented Dune Allen RBA SSA, a request to approve by ordinance a Small Scale Amendment application submitted by the Walton County Board of County Commissioners, requesting approval to change the adopted future land use of Neighborhood Infill to Parks & Recreation on +/- 1.22 acres. The project is located 5999 County Highway 30A (Parcel Nos.: 04-3S-20-34000-011-000, 04-3S-20-34000-013-000). There was no written public comment submitted to staff.

Motion by Commissioner Jones, second by Commissioner Anderson, to approve by **Ordinance 2018-12** Dune Allen RBA SSA. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Absent, Jones Aye, Nipper Aye.

There being no further items to discuss the meeting was adjourned at 5:40 p.m.

Approved: \_\_\_\_\_

W. N. (Bill) Chapman, Chairman

Attest: \_\_\_\_\_

Alex Alford, Clerk of Courts and County Comptroller