

AUGUST 28, 2018 – REGUAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on August 28, 2018, at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

The following board members were present: Commissioner W. N. (Bill) Chapman, Chairman; Commissioner Tony Anderson, Vice-Chairman; Commissioner Sara Comander; and Commissioner Cecilia Jones. Mr. Larry Jones, County Administrator; and Attorney Sidney Noyes, County Attorney; were also present. Commissioner Melanie Nipper was not present.

Chairman Chapman called the meeting to order.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the agenda as presented. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

There were no public comments on agenda items.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the Consent Agenda as follows. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

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

	Total	WM
General Fund	\$ 976,433.26	
County Transportation	\$ 263,925.55	
Fine & Forfeiture	\$ 149.12	
Section 8 Housing	\$ 928.60	
Tourist Dev. Council	\$ 593,621.55	\$ 19,412.08
N.W. Mosquito Control	\$ 513.55	
Recreation Plat Fee	\$ 50,605.04	
Solid Waste Enterprise	\$ 482,728.01	\$ 116,762.21
Bldg. Dept./Enterp. Fund	\$ 1,252.19	
Capital Projects Fund	\$ 2,245.78	
Mossy Head Ind. Park	\$ 7,458.00	
Infrastructure Improvements	\$ 5,279.21	

Increment Tax Funding	\$ 224,171.62	
Totals	\$ 2,609,311.48	\$ 136,174.29
Grand Total (minus WM)		<u>\$ 2,473,137.19</u>

2. Approve Minutes of the August 14, 2018 Special Meeting/Executive Session and the August 14, 2018 Regular Meeting
3. Request approval to surplus attached list of equipment as request by the Clerk's Office
4. Request to approve and authorize the Chairman to sign a right-of-way easement to Choctawhatchee Electric Cooperative, Inc. (CHELCO) that is necessary to prove 3-phase underground power to the transfer station at the landfill
5. Request to approve a transfer in the amount of \$48,841.00 from contingency in the General Fund to the 2014 Capital Projects Line of Credit Loan interest account in the Capital Projects Fund due to an increase in the loan's interest rate
6. Request to approve and authorize the Chairman to sign a **resolution (2018-67)** amending the FY 2018 Budget to roll forward revenues and expenditures for a project from FY 2017 into FY 2018
7. Request to approve and authorize the Chairman to sign a **resolution (2018-68)** amending the FY 2018 budget in the General Fund for unanticipated grant revenue in the amount of \$85,740.00 for the Supervisor of Elections HAVA Elections Security Grant from the Division of Elections
8. Request to approve and authorize the Chairman to sign a **resolution (2018-69)** for unanticipated revenue from donations collected for the Library Fund in the amount of \$2,397.00
9. Request to approve and authorize the Chairman to sign the FY 2019 State Aid to Libraries Grant Agreement from the Florida Division of Library and Information Services
10. Request to approve and authorize the Chairman to sign the First Option to renew Contract No.: 016-030 Preventive Maintenance and Repair to Multi-phase Traffic Control Signals with Murdock Investments, LLC
11. Request to approve and authorize the Chairman to sign Change Order No. 1 to Contract No.: 018-016 Gulf Hill Estates Paving Project with Utility Solutions; increasing the contract price \$9,02970 and increasing the contract time 35 calendar days
12. Request to approve and authorize the Chairman to sign Change Order No. 2 to Contract 017-020 C. R. 183 N (Kidd Road) with Midsouth Paving, Inc.; increasing the contract price \$215,517.02 and increasing contract time 110 calendar days
13. Request to approve and authorize the Chairman to sign Contract No.: 018-020 Engineering Services for C. R. 183B SCRAP Project with DRMP, Inc. in the amount \$480,360.47
14. Request to approve and authorize the Chairman to sign Contract No.: 018-021 Engineering Services for C. R. 185 SCOP Project with DRMP, Inc. in the amount of \$271,911.32
15. Request to approve and authorize the Chairman to sign Contract No.: 018-025 Engineering Services for C. R. 0605 SCRAP Project with DRMP, Inc. in the amount of \$531,378.99
16. Request to approve and authorize the Chairman to sign Change Order No. 2 for Contract No.: 018-015 TDC Warehouse Renovations with Empire Builders Group, Inc.; increasing the contract duration 15 days. No increase to the contract price is associated with this request

17. Request to approve and authorize the Chairman to sign Amendment No. 2 and Exercise of Second Option to Renew Contract No.: 015-027 for Public Relations with Turner Public Relations, Inc.
18. Request to approve and authorize the Chairman to sign the Exercise of First Option to Renew Agreement for Group Business Services with DMI
19. Request to approve and authorize the Chairman to sign the Exercise of First Option to renew Contract No.: 017-023 for Marketing Research Services with Down and St. Germain Research, Inc.
20. Request to approve and authorize the Chairman to sign the Exercise of First Option to renew Contract No.: 016-021 for Advertising Services with Zehnder Communications, Inc.
21. Request to approve and authorize the Chairman to sign an agreement with Miles Media for Webhosting and Maintenance
22. Request to approve and authorize the Chairman to sign public Works Task order No. 18-11 with Dewberry Engineering to provide Engineering Services for the Cowford Landing Improvement Project
23. Request to approve the purchase of an ice machine for District 2 Road Department in an amount not to exceed \$3,500.00
24. Request to approve the purchase of Beach Code Enforcement vehicle accessories in an amount no to exceed \$11,400.00

Chairman Chapman announced his voting conflict regarding Waste Management expenditures and submitted Form 8B: Memorandum of Voting Conflict to the clerk.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the Waste Management Expenditures in the amount of \$136,174.29. Ayes 3, Nays 0. Chapman Abstain, Anderson Aye, Comander Aye, Jones Aye. **(Form 8B: Chapman)**

Motion by Commissioner Anderson, second by Commissioner Jones, to approve to cancel the installation of poles and light portion of PO 230859 (TIPS contract 170201) issued to Qualite Sports Lighting for field lighting at the new sports park in south Walton, and to issue an updated PO reflecting product purchase only (TIPS contract 7022516) as requested by Mr. Larry Jones, County Administrator. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye. The installation of the equipment requires a state licensed electrician. Qualite Sports Lighting has state licensed electricians as affiliates, but does not have one on staff. A request to go out for proposal for the installation will be brought back.

Motion by Commissioner Comander, second by Commissioner Jones, to approve to advertise for bids for installation of sports lighting at new sports park in south Walton (Peach Creek) as requested by Mr. Jones. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve to advertise and hold a Public Hearing on September 11, 2018 to consider a resolution amending the FY 2017-2018 Budget in the amount of \$597,780.00 for the south Walton Connector Road as requested by Mr. Jones. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye. These funds will come from the Proportionate Fair Share Fund.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve to advertise a series of Invitations to Bid (ITB) for the Public Beach Access Boardwalk/Dune Walkover Renovation Projects as requested by Mr. Brian Kellenberger, Director of Beach Operations. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye. The projects would be bid out in lots to insure that all areas of the beach are not compromised with construction.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve to advertise an Invitation to Bid (ITB) for the replacement of three wooden pedestrian bridges along the multi-use path at Deer Lake, Eastern Lake, and Draper Lake as requested by Mr. Kellenberger. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Motion by Commissioner Jones, second by Commissioner Comander, to approve South Walton Fire District to utilize the building located at 24604 Highway 331 South for training exercises as requested by Mr. Jay Tusa, TDC Executive Director. Ayes 4, Nays 0. Chapman Aye,

Anderson Aye, Comander Aye, Jones Aye. The facility will only be used for search and rescue training. No water or smoke will be used.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve to advertise and hold a TDC Public Workshop for Beach Code Revisions on September 25, 2018 at 5:00 p.m. at the south Walton Courthouse Annex as requested by Mr. Tusa. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye. Also to be held on the same day will be the Destination Improvement Committee and the Beach Management Committee meetings.

Mr. Tusa reported the June bed tax collection numbers were up 17.75% for a total of \$5,421,242.00. The year over year bed tax numbers are up 10% for a total of \$15,626,785.00. He announced the application process for the expiring TDC council seats has begun. Mr. Tusa said the seat held by the BCC will be appointed in November. The application deadline is the beginning of October. The selection committee will review the applications and their recommendations will be presented to the BCC in November for approval. He reported the strategic planning process will begin this fall to map out the next three years. The Request for Quotes (RFQ) process required for the strategic plan is nearly complete and a contract will be brought back for approval.

Motion by Commissioner Comander, second by Commissioner Anderson, to open the Public Hearing for all three issues to be considered. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Chairman Chapman called the Public Hearing to order and presented a request to approve and authorize the Chairman to sign a resolution to impose and provide for the collection of the Fire Rescue Special Assessments for FY 2018-2019.

Mr. Jones stated this is to approve the annual rate. The rates are unchanged from the past few years.

There were no public comments.

Motion by Commissioner Anderson, second by Commissioner Jones, to adopt **Resolution 2018-70** approving the Fire Rescue Special Assessment for FY 2018-2019. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Chairman Chapman presented a request to approve and authorize the Chairman to sign a resolution to re-impose and provide for the collection of the FY 2018-2019 Final Annual Municipal Service Benefit Unit (MSBU) Assessment for Leisure Lake Capital Improvements.

There were no public comments.

Motion by Commissioner Anderson, second by Commissioner Jones, to adopt **Resolution 2018-71** approving the FY 2018-2019 Final Annual MSBU Assessment for Leisure Lake Capital Improvements. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Chairman Chapman presented a request to approve and authorize the Chairman to sign a resolution to re-impose and provide for the collection of the FY 2018-2019 Special Assessment for the Daughette Canal Municipal Service Benefit Unit (MSBU).

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Anderson, to adopt **Resolution 2018-72** approving the FY 2018-2019 Special Assessment for the Daughette Canal MSBU. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Motion by Commissioner Comander, second by Commissioner Jones, to close the Public Hearing. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Attorney Sidney Noyes, County Attorney, presented for consideration a template license agreement with beachfront property owners for garbage collection on the beach. She stated that Attorney Dana Matthews has been working with other attorneys for beach front property owners

to aid staff in creating an agreement template for the beach garbage collection. She said there were some minor edits which will be discussed with Attorney Matthews. She suggested approving the agreement template in concept with the minor edits. Attorney Noyes said she would work with Attorney Matthews and the other attorneys to bring back the agreements. She said she would also meet with Mr. Kellenberger to review the maps and to see if these agreements will solve the collection in problem areas. Approval of the template in concept will allow staff to move forward with negotiations.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve the license agreement template in concept. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Attorney Noyes discussed the agenda for the September 8, 2018 Customary Use Public Hearing. She reported it was recommended by the attorneys for the beach front property owners that their time be limited to 15 minutes for each attorney to present their case. She recommended allowing each attorney 10 minutes to present and limiting presentations from all lawyers to a total of one hour. She said there is a provision in the meeting policy which allows 10 minutes for a presenter which is speaking on behalf of a group in lieu of other members of the organization addressing the board. Attorney Noyes stated this is a legislative matter and all of the county's evidence would be presented at the hearing. The time limitation would give the public an opportunity to speak as well.

Commissioner Comander spoke in support of Attorney Noyes' recommendation.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the agenda for the September 8, 2018 Customary Use Public Hearing limiting individual lawyers to 10 minute presentations and limiting presentations from all lawyers to total one hour.

Chairman Chapman voiced his agreement with the recommendation.

Attorney Dana Matthews voiced concern with limiting all lawyers to one hour on the chance there were other lawyers who came. He recommended following the example of court procedures to make sure the meeting flows smoothly.

Attorney Will Dunaway voiced concern with the limitations and that this is not being considered as a quasi-judicial evidentiary hearing. He suggested a multi-day proceeding which would allow the public to have their input and the arguments presented at a later date. Attorney Noyes clarified that the requirement for all the county evidence to be presented is in preparation for future litigation.

Attorney Noyes responded that staff is working under the assumption that all the evidence planned to be used during the proceedings which will follow if the Notice of Intent is adopted will be presented on September 8th. She stated this is not a quasi-judicial proceeding because the decision made on September 8th will have no deference when the declaratory action is filed in circuit court.

Discussion ensued on insuring that everyone has ample time to make their presentations. These restrictions will apply to both sides of the issue.

Mr. Robert Raymond discussed ways in which more public input could be taken. Attorney Noyes discussed the affidavits which are available to all citizens and the photos and videos which have been submitted by the public in support of customary use. She announced notaries will be present at the hearing to accept additional affidavits.

Mr. Mac Carpenter stated there were no Planning items on the agenda and announced the final workshop on the 331 Corridor Plan will be held August 28, 2018 at 5:30 p.m. at the Freeport Community Center.

Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

Attorney Noyes reported approximately 2,100 affidavits have been submitted and more are expected. She told of the different areas in which affidavits and evidence could be submitted and notarized for free. She said notaries would be available at the September 8th meeting.

The commissioners had no items to present.

Mr. Jones gave an update on the utilization of the old Bay Elementary school as recommended by Commissioner Comander at the August 14, 2018 Regular Meeting. He reported the school board does have plans to utilize the space for educational purposes.

Ms. Liz McMaster, Florida Beaches for All Director, presented and read a letter from Attorney Daniel Uhlfelder, representing Florida Beaches for All, Inc., requesting that all beach maintenance and code enforcement activities be resumed. He objected to the county's request that staff be allowed to access beaches through the state parks. Commissioner Anderson commended Ms. McMaster on her dedication to maintaining customary use on the beaches.

Mr. Adam Alfonso and Mr. Jason Draughn requested to close a portion of C. R. 30A from the intersection of U.S. Highway 98/C.R. 30A to the intersection of C.R. 30A/Blue Mountain Beach Road on September 8, 2018 from 6:30 a.m. to 9:30 a.m. for the 32nd Annual Sandestin Triathlon.

Chairman Chapman asked what accommodations were being made for the residents not attending the event and briefly discussed past complaints from residents regarding the inability to leave their neighborhoods. Mr. Draughn stated signage and mailings have been sent to the residents of C. R. 30A. He reported this year's race is not as large as in years past and closing the road would be safer. Mr. Jones stated this was approved at staff level a while back and was not presented to the board for review. He said the issues are being addressed.

Commissioner Comander stated that the request for road closures have increased and that a comprehensive look at how many can be allowed during the year should be considered.

Commissioner Anderson asked if this was the normal route. Mr. Alfonso briefly discussed the race route and said the road closure is for the biking portion of the race.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve the closure of a portion of C. R. 30A from the intersection of U.S. Highway 98/C.R. 30A to the intersection of C.R. 30A/Blue Mountain Beach Road on September 8, 2018 from 6:30 a.m. to 9:30 a.m. for the 32nd Annual Sandestin Triathlon. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye.

There were no additional public comments.

There being no further items to discuss, the meeting was adjourned at 9:45 a.m.

Approved:



W. N. (Bill) Chapman, Chairman

Attest:



Alex Alford, Clerk of Courts and County Comptroller