

OCTOBER 23, 2018 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on October 23, 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; Attorney Sidney Noyes, County Attorney; and Mr. Alex Alford, Clerk of Court and County Comptroller; were also present. Commissioner Nipper was not in attendance.

Chairman Chapman called the meeting to order.

Mr. Larry Jones, County Administrator, presented the following additions:

Consent Agenda

1. District 2 - Request to approve the setup of operations for the newly elected commissioner for the District 2 office in an amount not to exceed \$20,000.00 using reserves for contingencies and approve the 48 month lease with VANGUARD Modular Building Systems or a similar provider in the amount of \$1,016.00 (upon completion of the election)
2. District 1 - Request to approve the purchase of an ice machine for Valley View Community Center utilizing District One Recreational Plat Fees in an amount not to exceed \$1,912.00

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

There were no public comments on agenda items.

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

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 and Approval List (EAL) excluding the Waste Management expenditures

	Total	WM	Grand Total
General Fund	\$ 1,681,072.02		
County Transportation	\$ 369,774.34		
Fine & Forfeiture	\$ 28,389.09		
Section 8 Housing	\$ 99.55		
Tourist Dev. Council	\$ 73,439.11	\$ 5,687.36	
N.W. Mosquito Control	\$ 960.45		
Solid Waste Enterprise Bldg Dept./Enterp. Fund	\$ 596,197.72	\$276,114.68	
Debt Service Fund	\$ 24,040.64		
Capital Projects Fund	\$ 45,570.64		
Mossy Head Ind. Park	\$ 872.08		
Increment Tax Funding	\$ 5,315.00		
Totals	<u>\$ 2,871,318.52</u>	<u>\$281,802.04</u>	<u>\$2,589,516.48</u>

2. Approve Minutes of the October 8, 2018 Emergency Meeting and the October 9, 2018 Regular Meeting
3. Request approval to surplus a 2004 Chevy Trailblazer (CC #983) and a Dell Latitude 3470 laptop (CC #1504) 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 FL. Rules Jud. Admin 2.140 (c)(1)(a) as requested by the Clerk's Office
5. Request to approve the acceptance of the RESTORE Direct Component Grant No. 1-RDCGR250065-01-00 with the US Department of Treasury for the Western Lake Drainage Improvement Project
6. Request to approve and authorize the Chairman to sign a Memorandum of Understanding between Walton County, Florida, and Tri-County Community Council, Inc. regarding utilization of their resources during emergencies and disasters by providing vehicles and drivers for evacuation transportation during a Local State of Emergency
7. Request to approve and authorize the Chairman to sign the Florida Department of Corrections Work Squad Contract #WS1151 for the Parks Department for a three year term
8. Request approval to apply for a Federal Clean Water Act Section 319(h) Grant from the Florida Department of Environmental Protection to connect existing septic systems to sewer within the Coastal Dune Lake Protection Zone

Chairman Chapman announced the Customary Use Hearing will be held on November 3rd at 9:00 a.m. at South Walton High School.

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 \$281,802.04. Ayes 4, Nays 0. Chapman Abstain, Anderson Aye, Comander Aye, Jones Aye. **(Form 8B: Chapman)**

Mr. Jones presented for consideration, the naming of the new South Walton Sports Complex at Peach Creek. Commissioner Comander recommended Walton County Sports Complex at Peach Creek. Chairman Chapman suggested Peach Creek Sports Complex. Commissioner Jones stated the park is not actually in the Peach Creek area and recommended Walton County Regional Sports Complex.

Motion by Commissioner Comander, second by Commissioner Anderson, to name the park Walton County Sports Complex at Peach Creek. After further discussion Commissioner Comander amended the motion to name the park Walton Sports Complex, Commissioner Anderson amended the second. Ayes 4, Nays 0. Chapman Aye, Jones Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve the lowering of speed limits from 25 mph to 15 mph for Winston Lane, Walton Rose Lane, Pompano Street, South Wall Street, South Orange Street, West and East Park Place, Emerald Cove Lane North and South, South Walton Lake Shore Drive and Walton Magnolia Lane, all within the Inlet Beach Neighborhood Plan. Ayes 4, Nays 0. Chapman Aye, Jones Aye, Comander Aye, Anderson Aye. The traffic engineer recommended lowering the speed limits for safety reasons. The sheriff's office has been contacted and had no objections.

Mr. Jay Tusa, TDC Executive Director, requested approval for consideration of the implementation of the High Tourism Impact County Optional Tax. The TDC Council approved moving forward for the board's consideration of implementing the tax. Mr. Tusa stated the next step would be for him to write a letter to the Department of Revenue (DOR) for them to make a determination if Walton County is certified to implement the tax.

Mr. Tusa stated the additional tax would be a bed tax and could be used for additional beach purchases, parking, transportation, multi-use path, or anything the current bed tax is used for. This could help generate approximately \$6 million. He stated it would require a super majority of the board. To be certified by DOR the tax levied would exceed \$600 million in the preceding calendar year or was at least 18% of the county's total taxable sales. He felt the county qualified with the 18% taxable sales.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve for Mr. Tusa to send a letter to DOR to obtain certification. Commissioner Comander stated she was not opposed if the revenue could be used for roads or transit. She voiced opposition to use of the money for marketing.

Mr. Tusa stated if they receive certification, he would like to reassess all of the pennies being collected to determine the best uses.

Ms. Coy Bowman addressed the commissioners.

Ms. Leigh Moore, representing The Howard Group, voiced support for the county exploring and considering this. They agreed that investing in the destination and improving infrastructure itself would be great. She spoke in support of moving forward.

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

Mr. Tusa stated the August bed tax collections were \$2,665,667.00, an increase of 19.22%. Currently the hotels on the west end of the county are 100% filled due to the amount of people working to assist with Hurricane Michael restoration.

Motion by Commissioner Comander, second by Commissioner Jones, to approve advertising to hold a Public Hearing on November 13th at 4:00 p.m., or soon thereafter, at the South Walton Annex to transfer funds in the amount of \$860,000.00 from TDC Reserves to their Capital Improvement Account for construction of the new Dune Allen Regional Beach Access as requested by Mr. Brian Kellenberger, Director of Beach Operations.

Ms. Coy Bowman spoke against the beach access.

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

Mr. Kellenberger spoke about the beach code revisions and stated the TDC agreed not to take action on those items, but move them forward to the board. He stated he would be scheduling meetings individually with each commissioner to go over the revisions. The information will then be presented at the November meeting. Commissioner Chapman asked that those meetings be scheduled quickly.

Mr. Kellenberger provided an update on damages to county parks from Hurricane Michael. There was damage to Pilcher Park and Bay Ranchettes. He has been working with Mr. Jeff Goldberg to request a FEMA inspection and they should be here within a couple weeks. Mr. Kellenberger stated he needs direction for engaging engineering services from the county's pool in order to create bid documents for repairs. Pilcher Park had approximately \$340,000 in damage to boardwalks, sidewalks, barrier fencing, electrical, and the fishing pier. Bay Ranchettes received about \$41,000 in damages. Both parks will require outside contractors to do the work.

Chairman Chapman asked if Pilcher Park was part of the DOT contract and asked if they had been contacted. Mr. Kellenberger stated they had contacted them and stated the Memorandum of Understanding requires the county to perform all repairs to the improvements in the park.

Mr. Kellenberger requested the flexibility to use the original engineer of record, Dewberry Engineers, since they designed the park and handled the contract administration. Mr. Jones stated that would work and the dollars will be accumulated against Dewberry and as they work through other projects they will be disbursed until there is some disparity in the money over a period of time.

Motion by Commissioner Anderson, second by Commissioner Comander, to allow TDC to contact Dewberry Engineering to repair the parks.

Mr. Stephen McBroom addressed the welcome signs. Attorney Noyes advised that item was on the agenda prior to Hurricane Michael, however she overlooked getting it back on the agenda due the rescheduling of several meetings. She apologized for the confusion but will get it on the next agenda.

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

Attorney Sidney Noyes, County Attorney, requested to approve and authorize the Chairman to sign an agreement with Tivoli Historical Society, Inc. This would allow the county to contribute Recreation Plat Fee Funds for the completion of their gym roof.

Mr. Eddie Buck Williamson, President of Tivoli Historical Society, thanked the commissioners and those who have already donated. He stated they have raised in excess of \$18,000.00. This building is a strong building and could house a lot of people as a disaster shelter. Commissioner Chapman advised Mr. Williamson to contact Mr. Jeff Goldberg to determine what has to be done to use the building as a designated shelter.

Motion by Commissioner Anderson, second by Commissioner Comander, to approve Mr. Williamson's request. Ayes 4, Nays 0. Chapman Aye, Jones Aye, Comander Aye, Anderson Aye.

Commissioner Jones stated the remainder of her Recreation Plat Fees after payment of the upcoming \$600.00 would also be donated to this project.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve and authorize the Chairman to sign a Retainer Agreement with Fidelity National Law Group to represent County in T & M United II, LLC v. Freeport Business Park Owners Association, Inc., et al., Case No. 18 CA 000335 as requested by Attorney Noyes. Title insurance will pay the fees. Ayes 4, Nays 0. Chapman Aye, Jones Aye, Comander Aye, Anderson Aye.

Motion by Commissioner Jones, second by Commissioner Anderson, to approve and authorize the Chairman to sign the closing documents for the purchase of real property with property identification number 22-1S-18-14000-003-0010 being purchased from James E. Shutts, II and Jennifer N. Shutts and the purchase of real property with property identification number 22-1S-21-41090-00D-0010 being purchased from David Dufault for the construction of new fire departments. Ayes 4, Nays 0. Chapman Aye, Jones Aye, Comander Aye, Anderson Aye.

Commissioner Comander did not present any items for discussion.

Commissioner Jones announced the resignation of Mr. Rick Wilson. She voiced her appreciation for all he has done and for getting the technology where it is.

Commissioner Comander stepped out.

Motion by Commissioner Jones, second by Commissioner Anderson, to approve utilizing \$600.00 from District Two Recreational Plat Fees for the installation of wood and insulation to the press box at Harbeson Field. Ayes 3, Nays 0. Chapman Aye, Jones Aye,

Commissioner Comander returned.

Commissioner Anderson also voiced his appreciation to Mr. Rick Wilson for his hard work.

Chairman Chapman thanked Mr. Wilson for his work and wished him the best of luck.

Mr. Kevin Boyle, Seaside Arts and Entertainment Corp. requested to close both lanes of Highway 30A from Seagrove Plaza to Downtown Seaside on Saturday, November 24, 2018 from 9:00 a.m. to 10:15 a.m. for the Annual South Walton Holiday Parade. He stated they changed the time to earlier in the morning for safety reasons.

Chairman Chapman voiced concern because of the amount of people who are in town for Hurricane Michael restorations. He stated he was unsure of the impact at that time.

Mr. Boyle stated they do not see as many participants as the 4th of July Parade. The Sheriff participates with the opening of the parade and also at the end of the parade to open traffic flow as the parade ends.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve Mr. Boyle's request. Ayes 4, Nays 0. Chapman Aye, Jones Aye, Comander Aye, Anderson Aye.

Mr. Jim Sumpter, resident of Cypress Drive, Santa Rosa Beach, requested the board approve and authorize the Chairman to sign a resolution in support of additional public beach access to benefit the regions of the west end of CR 30A, with access at Topsail Hill Preserve Park. Mr. Sumpter stated he is seeking the board's help in moving this project forward with state agencies. The proposal comprises an ADA compliant, environmentally sensitive, education oriented public beach access. The access is not exclusive to Cypress Dunes, but a regional beach access for the public. The public would have access to public parking off of CR 30A and a common trail head. No trail head enters, accesses, or crosses Cypress Dunes property. Residents in Cypress Dunes and other communities have offered to pay for the trail and amenities and are not requesting

any funding from the county. Mr. Sumpter stated they have secured written commitments from multiple communities to purchase annual State Park Passes for all residents through their HOA's.

Chairman Chapman questioned where the trail head is located. Mr. Sumpter stated the proposed parking is located on CR 30A near Elmo's Grill. Chairman Chapman stated he has seen two proposals with one trail head being located at Cypress Dunes. Mr. Sumpter stated that is not accurate. The other proposal shows the walkway on the east side of the Topsail property. Mr. Sumpter stated there are several proposals for the trail head, which continue to be debated with the Department of Environmental Protection (DEP). Chairman Chapman stated the resolution being presented show Cypress Crossings and Austin Wood Lane as the location. He felt the specific location should be more generic in the resolution of support and should wait until after the December 5th meeting with DEP to make that determination.

Commissioner Comander recommended striking a portion of language in item 1 on the proposed resolution. Mr. Sumpter stated the current trail has been designated and designed by the state, not his group. He stated the board's support is needed in order for the state to move the process forward. Chairman Chapman stated he would be in support if the specific location is removed from the wording in the resolution.

Mr. Tusa advised the board that TDC has been involved in conversations relating to the boardwalk in that area. The county owns 300 feet of beach between Stallworth Preserve and Topsail State Park. He is trying to find access to county owned parcels. He has spoken with DEP about an alternative to what is being proposed by the Cypress Dunes Community. The December 5th meeting will be hosted by DEP to gather input from the local residents. DEP will present TDC's proposal for a boardwalk on the east side of the park and the Cypress Dunes proposal.

The following individuals spoke in opposition to the Cypress Dunes proposal: Ms. Celeste Cobena; Ms. Barbara Morano, representing South Walton Community Council; Ms. Lisa Boushy; and Ms. Susan Paladini.

There was a large number of people in attendance who were present to show their support.

Dr. Marvin A Cuchens and Mr. Buddy Buros spoke in favor of the proposal.

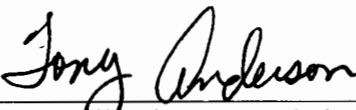
Motion by Commissioner Anderson, second by Commissioner Comander, to approve and allow the Chairman to sign a resolution (2018-88) of support with the amended language as follows: 1) The Walton County Board of County Commissioners support the inclusion of additional public beach access in the Topsail Hill Preserve State park Unit Management Plan, subject to the Florida Department of Environmental Protection approval and any modifications made throughout the approval process.

Chairman Chapman reiterated item 2 states the citizens will bear the construction costs of the proposed boardwalk. Mr. Sumpter agreed.


Ayes 3, Nays 1. Chapman Nay, Jones Aye, Comander Aye, Anderson Aye. Chairman Chapman felt it was best to wait until DEP has completed their assessment.

Ms. Coy Bowman addressed the commissioners.

There being no further business, the meeting was adjourned at 10:22 a.m. upon motion by Commissioner Anderson.

Approved: 

~~W. N. (Bill) Chapman, Chairman~~
Tony Anderson, Vice-Chairman

Attest: 

Alex Alford, Clerk of Courts and County Comptroller