

DECEMBER 11, 2012 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, December 11, 2012, at 4:00 p.m., at the South Walton Courthouse Annex.

The following Board members were present: Commissioner Kenneth Pridgen, Chairman; Commissioner Sara Comander, Vice-Chair; Commissioner Bill Imfeld; Commissioner Bill Chapman; and Commissioner Cindy Meadows. Ms. Toni Craig, County Attorney; Mr. Gerry Demers, Interim County Administrator; Ms. Dede Hinote, Interim Assistant County Administrator; and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Comander led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Pridgen called the meeting to order.

Mr. Gerry Demers, Interim County Administrator, presented the following changes to the agenda for approval:

ADDITIONS:

1. Chairman Pridgen – Natural Bridge Project

DELETIONS:

1. Administration Item 3a – Leigh Morrison – Life Enrichment Senior Center
2. Quasi-Judicial Item 15 – Sugar Sand Lane Plat

Commissioner Imfeld expressed concern with discussion on any pending litigation cases and using the Board as a forum for that discussion.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to refrain using the Board as a forum for discussion on pending litigation and limit that discussion to the court system.

Commissioner Meadows expressed concern with precluding the citizens from voicing their concerns regarding pending litigation cases. Commissioner Imfeld explained that a policy

should be in place not to discuss pending litigation cases and any concerns that are not regarding those cases should still be discussed.

Attorney Toni Craig, County Attorney, explained that there is not a policy currently in place, but the Board does have the authority to limit public comments.

Attorney Shawn Heath, Driftwood residents' representative, explained that there are two pending lawsuits but the Board still has the authority to enforce state statutes. Waiting for a court system decision could take months, even years. He urged the Board to be aware of their options and enforce the law.

Brief discussion ensued regarding the proper process for the attorney's to discuss information then allow the County Attorney to portray that to the Board members, and the ability for the citizens to express concerns regarding pending litigation cases.

Mr. Alan Osborne expressed concern with the inability to discuss issues whether there is pending litigation or not.

Commissioner Meadows stated that reviewing the new information could provide an opportunity to possibly resolve the entire issue.

Mr. Mike Judkins questioned the inability to discuss issues when it could possibly allow the county to address and correct them, rather than waiting to enter into a lawsuit.

Commissioner Comander stated that two Driftwood Subdivision residents provided a 54 page document to the Board for review. She asked Attorney Craig if they could review the information provided to address any concerns with the County Attorney, and then determine if they would like to discuss it at a later time.

Attorney Craig answered that the information presented can be reviewed. She stated that pending litigation with the NOPC cannot be discussed until it is presented to the Board.

Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows  
Nay.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the  
changes to the agenda as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye,  
Chapman Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the  
Consent Agenda as follows. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye,  
Chapman Aye, Meadows Aye.

1. Approve Minutes of November 27, 2012 Regular Meeting
2. Approve surplus and disposition of various items from District 5 and Public  
Works
3. Approve a Resolution (2012-80) to amend 2012-2013 Budget for the Fine and  
Forfeiture Fund for unanticipated grant revenues from the Florida Department of  
Law Enforcement

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the  
Expenditure Approval List (EAL) as follows. Ayes 4, Nays 0. Pridgen Aye, Comander Aye,  
Imfeld Aye, Meadows Aye. (Commissioner Chapman abstained from voting due to a conflict of  
interest.) (Form 8B Submitted)

General Fund	\$ 1,359,257.51
County Transportation	\$ 168,934.42
Fine & Forfeiture	\$ 1,417,894.00
Mosq. Control State	\$ 618.20
Section 8 Housing	\$ 966.92
Tourist Dev. Council	\$ 251,213.48
N.W. Mosquito Control	\$ 2,367.64
Recreation Plat Fee	\$ 24,001.36
Solid Waste Enterprise	\$ 1,476,408.91
Bldg Dept/Enterp. Fund	\$ 1,931.35
Imperial Lakes MSBU	\$ 2,517.66
Inmate Canteen Fund	\$ 19,671.73
Leisure Lake MSBU	\$ 1,812.00
<b>Totals</b>	<b>\$ 4,727,595.18</b>

Mr. Demers discussed the need for an additional \$6,315 to fund the District 5 Commissioner's Office full-time employee. The total funding for the full-time position is \$37,113. He stated that OMB confirmed that there should be enough money left in the general salary account to cover the amount needed. Mr. Demers stated that no action was needed since the funds are in the personnel budget.

Commissioner Meadows commented that the full-time position is a combination of two part-time positions.

Mr. Demers requested approval to purchase additional ULV sprayer equipment for the North Walton Mosquito Control, in the amount of approximately \$10,000. There is a need for standby equipment in the event one of the seven current units becomes inoperable.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve to purchase additional ULV sprayer equipment for the North Walton Mosquito Control, in the amount of approximately \$10,000, as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers requested approval of Amendment #2 to the CDBG Grant Agreement for the Dixie RV Project to extend the deadline for an additional six months.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve Amendment #2 to the CDBG Grant Agreement for the Dixie RV project as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers provided a report on the expenditures for the Mossy Head Industrial Park for review as previously requested by the Board.

Commissioner Meadows asked that a presentation regarding the Mossy Head Industrial Park be provided in the near future to update the newly elected Commissioners on how it is being marketed and the Economic Development.

Commissioner Comander questioned the projected shortfall of approximately \$1,300 and if they need to address that at this time. Mr. Demers explained that there are two estimated amounts included in the improvement costs, at this time the County Finance Director does not feel the need to make any changes.

The Life Enrichment Senior Center informative item was removed from the agenda.

Mr. Demers requested to appoint a representative to substitute Commissioner Pridgen to vote at the annual FACT member meeting on December 13-14, 2012.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to designate Mr. Gerry Demers as the representative to substitute Commissioner Pridgen at the annual FACT member meeting on December 13-14, 2012. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers requested that the Board provide any draft revisions to the Walton County Waterways and Beach Activities Ordinance for review and requested to schedule a Public Hearing on January 8, 2013. A two page summary of why they are proposing the changes and public comments were provided for review.

Motion by Commissioner Comander, second by Commissioner Meadows, to advertise a Public Hearing for the Walton County Waterways and Beach Activities Ordinance on January 8, 2013. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers announced that a Resolution was also attached to the Ordinance which explains the fees and fines.

Commissioner Meadows questioned why electricity and water are prohibited to the outbuildings. Mr. Demers explained that is a condition of DEP and briefly discussed the grandfathering process.

Mr. Demers provided information from five agencies offering to have the county purchase or accept property. He discussed Ordinance 2012-16 procedures for any property acquisition.

1. Cincinnati Insurance Company – Black Creek Boulevard

Mr. Demers stated that Cincinnati Insurance Company asked if the county would be interested in receiving the property if they donated it. The property is a total of 17 acres in the Black Creek area, with approximately 12 acres of wetlands. Mr. Demers stated that the Environmental Department did review the property and recommended a potential use of wetland mitigation.

Motion by Commissioner Meadows, second by Commissioner Chapman, to inform Cincinnati Insurance Company that the county is interested in the property, gather more information about wetland mitigation, and bring the information back to the Board for a determination. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Ms. Mary Nielson expressed concern with discrepancies she had found while researching the five properties and urged the Board to consider all the properties that the county currently owns before acquiring more.

Ms. Ileana Osborne questioned on what date all County Ordinances will be enforced.

Attorney Craig stated that they cannot state a specific date. Mr. Demers commented that enforcement of Ordinances is separate from the effective date, which is the date they are adopted. Commissioner Meadows explained that the Ordinances should be enforced.

2. Arby Pellegrini, Claiborne Investment Group – Chat Holley Road

Mr. Demers explained that there are two parcels, for a total of 1.5 acres, with a structure on the ½ acre parcel. The Environmental Department reviewed the property and reported that there are no wetlands. A land use change would have to be made and could possibly be used as a park or fire station. Mr. Demers explained that there are residential properties surrounding the subject property.

Commissioner Comander stated that due to the size that this property would not benefit the county. Commissioner Meadows stated that if it was connected to other county property and was reasonably priced that they could consider acquiring it, but since there are no adjoining county owned properties they should not consider the property.

3. Tad Hunter/Tom Whiddon – Moll Drive adjacent to Helen McCall Park

Commissioner Meadows explained that the property consists of wetlands and did not recommend acquiring the property unless it would be used for mitigation property. Commissioner Comander stated that she would rather buy property that could be used for parking. Mr. David Kramer announced that the property had already been sold. He recommended reviewing lease property located on Hwy 393 and 30A, adjacent to Ed Walline Park, for beach parking.

Commissioner Comander suggested bringing information about the lease property back to the Board for consideration.

4. Andrews and Arnsdorff Realty – Triangle Chevy Site on Hwy 90

Mr. Demers stated that the property consists of 5 separate parcels where the main sales building and the car lot/wash area is located. Mr. Demers stated that the potential use would be long term for government facilities or Courthouse operations and storage.

Commissioner Comander stated that she would like to know the storage capabilities of the building, which must have the ability for proper climate control. Mr. Demers stated that the next step would be to conduct an appraisal and determine if the owner is willing to sell for that appraised value. Commissioner Imfeld suggested determining if the parcels could be separated. Ms. Martha Ingle, Clerk of Courts, suggested meeting with the Constitutional Officers to allow them to review long term planning which may pose a need for the property. Mr. Demers clarified that he will find out more information on the property before expending any funds. Commissioner Chapman suggested looking at the environmental aspect as well to determine if there is any contamination due to the service bay area.

5. Northwest Florida Water Management District – Sandy Creek Landing  
Road/County Hwy 181-C

Mr. Demers stated that Northwest Florida Water Management has not indicated whether this would be a sale or a donation. The value of the property is a total of \$52,650. There are 10 acres of wetlands on parcel #1.

Commissioner Comander asked that Mr. McKee review the properties that the county currently owns to determine how much wetland mitigation land is on the properties. Commissioner Meadows questioned what is surrounding the property. Mr. Demers stated that there are some residences nearby but it is mainly woodlands. Mr. McKee stated that the ratios vary depending on the quality of wetlands and there is a lot of negotiation and factors to consider

during the mitigation process. Commissioner Meadows stated that they should review the need for mitigation properties before moving forward.

Mr. Demers stated that he will bring information back in January for a property that an individual is interested in buying from the county. He stated that he would use the same approach for the property sale as in Ordinance 2012-16 for real property acquisitions. The Board must first determine if the property is a surplus.

Mr. Demers provided information regarding the Attorney General (AG) opinion on the property use of TDC funds. The Board must find that the project meets the requirements of the statute and it is in the interest of supporting tourism. He suggested if they move forward with these projects that the Board allow an Attorney to correctly state that for legality purposes.

Brief discussion ensued regarding the need to identify a project and the amount of funds needed to repair/maintain that project for the benefit of tourism.

The Board directed Administration to meet with Nabors, Giblin, and Nickerson, P.A. to determine the next steps in making a legislative finding for expenditures and projects.

Mr. Demers stated that the Board will need to prioritize the capital improvements and legislative priorities at the beginning of the year and set the strategic objectives for FY 2013.

Commissioner Imfeld stated that he is reviewing those aspects that deal with the fiscal needs and recommended having a workshop for the public to discuss what the goals are. He suggested that Ms. MacGinnis, Ms. Quimby, and Ms. Hinote work together with Mr. Demers to have a detailed strategic planning session to ensure all aspects are in sync during the budget process.

Commissioner Comander stated that they need to look at long term goals and try to find solutions for them.

Brief discussion ensued regarding the dates to hold a public workshop to discuss the strategic objectives.

Mr. Demers announced that a workshop to discuss funding priorities for the lobbyist will be held January 22, 2013 at 8:00 a.m. in DFS, a workshop will be held on February 11, 2013 at 2:00 p.m. in DFS for the first strategic planning session, and a workshop will be held on February 12, 2013 at 2:00 p.m. in SWA for the second strategic planning session.

Ms. Jackie Markell expressed concern with the limited time frame of the strategic planning meetings. Commissioner Imfeld explained that they hope to address many of the issues at the first workshop. Commissioner Comander stated that another workshop can be scheduled if needed.

Chairman Pridgen called to order the Public Hearing to consider an Ordinance **(2012-39)** granting an Economic Development Ad Valorem Tax Exemption to Professional Products, Inc. Mr. Demers commented that Mr. Pilcher has informed them that the Property Appraiser's Office will need to have a signed Form DR418 in their possession along with the ordinance.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Comander, second by Commissioner Chapman, to adopt Ordinance **(2012-39)** for an Economic Development Ad Valorem Tax Exemption to Professional Products, Inc., as presented contingent upon Form DR418 completion. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Chairman Pridgen called to order the Public Hearing to consider a Resolution **(2012-79)** to amend the 2012-2013 Budget in the TDC Fund for the renovation project of their administration building, for an amount of \$288,160, to bring the building into compliance.

Chairman Pridgen asked for public comment.

There were no public comments made.

Commissioner Meadows stated that the TDC will hold a workshop for the public to provide input regarding the building renovations.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt Resolution (2012-79) to amend the 2012-2013 budget in the TDC Fund, for an amount of \$288,160, for the renovation project of their administration building. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Infeld Aye, Chapman Aye, Meadows Aye.

Attorney Craig had no items to present.

Ms. Pamela Watkins, Director of Sales Tourist Development Council, provided information and requested appointment of the TDC Advisory Council seat vacancies. There are four seats up for renewal: Seat 3 – and Elected Official, Seat 4 – Owner/Operator, Seat 7 – Tourism Related, and Seat 9 – Owner/Operator Tourism Related.

Commissioner Meadows questioned why the appointments expired in 2012 instead of 2014. Ms. Watkins explained that when Ms. Moliterno came onboard to the TDC in 2010, it was discovered they were not in compliance with staggered seats. The change was made in 2010 to ensure staggered seats every four years in order to be in compliance.

The seat appointments will be announced later in the meeting.

Ms. Watkins requested to de-obligate previously approved expenditures for proposals for planning, engineering, surveying, design, permitting and contract Administration for the additional parking lot projects located at Walton Dunes, Santa Clara Phase II, and Montigo Avenue. This will allow the projects to stop and for the Board to re-evaluate without additional expenses being incurred.

Motion by Commissioner Comander, second by Commissioner Chapman, to de-obligate previously approved expenditures for proposals for the additional parking lot projects located at Walton Dunes, Santa Clara Phase II, and Montigo Avenue as requested.

Commissioner Imfeld discussed the recent legislation which would change the credits the county would receive from creating parking spaces for beach re-nourishment. Commissioner Comander stated that she understood the need for fewer parking spaces in order to receive the credit.

Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Commissioner Meadows stated that she had researched the TDC Chairman appointment and stated that in 2010 they were to write a policy to state that the BCC representative would be the TDC Chairman. She stated that she intends to bring transparency to the Board and the public.

Commissioner Comander expressed concern with the BCC representative being the TDC Chairman since they cannot talk individually with other Board members if there is a problem. Commissioner Meadows stated that she would address any issues before the Board at a meeting.

Ms. Ingle announced the TDC Advisory Council seat appointments: Seat 3 – Tim Norris, Seat 4 – Amy Wise-Coble, Seat 7 – Scott Russell, and Seat 9 – Pam Avera.

Ms. Watkins requested appointment of a TDC Advisory Council Chairperson.

Commissioner Pridgen suggested a six month trial period for Commissioner Meadows to serve as Chairman and to elect Ms. Amy Wise-Coble as the Vice-Chair to represent the TDC Council and interact with the BCC members.

Brief discussion ensued regarding the need to have a member that can interact with the BCC to provide updates and address any concerns there may be.

Commissioner Comander questioned if there has previously been a TDC Vice-Chair. Attorney Clay Adkinson stated that there have been in the past.

The TDC Advisory Council Chairman appointment will be announced later in the meeting.

Ms. Watkins provided a TDC update on the following: the October 2012 bed tax collections were 22% over the October 2011 collections, the facilitator of the recent TDC workshops will provide notes to the TDC Advisory Council and the BCC, and the TDC Strategic Planning meeting will be held on February 19, 2012 at Watercolor Inn.

Ms. Ingle announced Commissioner Meadows as the TDC Advisory Council Chairman appointment.

Commissioner Meadows discussed webcasting or televising the BCC meetings. She stated that Neighbor Vision is willing to continue doing as they are and free of charge. She stated that there is also a software program where the county can video the meetings and post it on the website. She would like the Board to consider this option and bring it back for further discussion.

Commissioner Comander stated that she had discussed the option at the October 23, 2012 meeting and has been working with Mr. Wilson and Mr. Svehla to upgrade the acoustics and microphones. They have been looking at some cost upgrades for the systems to allow the TV companies to plug into at the meetings. The rough estimate would be approximately \$20,000 to advance both locations, but could be slightly higher.

Commissioner Imfeld expressed concern with a preselected vendor if an RFP or RFQ has not been advertised. He stated that this needs to become part of the strategic goal process. Commissioner Comander clarified that a vendor has not been selected, but Mr. Svehla has done

research with the vendor who installed the software at the North Walton location for price estimates. Mr. Demers stated that funding would also need to be identified.

Brief discussion ensued regarding the software program, the need to improve the sound system, costs associated with the program, and the ability to fulfill public records requests for the videos.

Mr. Ray Zukowski, Neighbor Vision, expressed concern with the need for additional equipment and staff, and the costs involved to provide webcasting services. He suggested exploring other options which would not cost as much, if anything, to provide the webcasting service to the public.

Mr. Frank Day suggested looking into grant funding as an option to cover some of the expenses involved in providing the service.

Mr. Bob Dobes spoke in favor of using college students for training to provide the webcasting services.

Chairman Pridgen suggested contacting other counties which use a similar program. Mr. Demers stated he would have information back to the Board for review at the beginning of the year.

Commissioner Meadows discussed reinstating bi-monthly meetings for the TDC Advisory Council.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to reinstitute bi-monthly TDC Advisory Council meetings. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Commissioner Meadows discussed the use of bed tax revenues for bike path construction, repair and ongoing maintenance, parking lot land purchases, building parking facilities, building

bike path bridges, and miscellaneous improvements associated with those paths. She suggested creating an Ordinance or Resolution to address these items which are related to tourism and heavily used by the tourists.

Attorney Craig stated that developing some steps will be the beginning of the process to move forward. Mr. Demers clarified that they will contact Nabors, Giblin, and Nickerson to determine the proper process and prepare documents to bring before the Board for review.

Commissioner Comander questioned the signage on Hwy 98 and DOT removing signs. She questioned what they can do to make signage available for the businesses.

Mr. Demers stated that DOT does have a program called the Tourist Oriented Directional Signs for Florida rural communities which they do qualify for. This will not provide a solution for every sign, but only for those businesses that are tourist related. However, the program signage is very limiting.

Mr. Mac Carpenter, Planning Department, stated that DOT will not take any further action until January so that does provide some additional time to address the issue. If the signs comply with the county regulations and are located within the county right-of-way and not in the State right-of-way then those signs are legal.

Brief discussion ensued regarding the location of signs in the right-of-ways.

Commissioner Comander asked that Mr. Demers and Mr. Carpenter remain updated on this process to help the business community.

Commissioner Comander presented information and briefly discussed developing a Code of Ethics Policy to adopt some standards for the community as a whole. Commissioner Meadows expressed concern with the penalties, fines, and enforcement of such a policy.

Commissioners Imfeld and Chapman had no items to present.

Chairman Pridgen announced that Ms. Scarlett Phaneuf had submitted her resignation as the Economic Development Alliance Director (EDA), effective December 28, 2012. Commissioner Comander expressed her appreciation for all Ms. Phaneuf has accomplished during her employment.

Ms. Phaneuf expressed her appreciation for all those that have helped and provided assistance during her employment period.

Commissioner Imfeld asked that Chairman Pridgen, EDA member, suggest to the EDA to consider using a Head Hunter Firm to find the proper candidate for the replacement EDA Director.

Chairman Pridgen discussed the Natural Bridge Property and the ARC request for the county to allocate funds for the project. He stated that there are funds currently budgeted for the Natural Bridge acquisition.

Commissioner Imfeld stated that he understood the funds are in reserves, not in the current budget, and would like more information before moving forward and to allow public input.

Mr. Demers explained that the ARC is asking if the county would be interested in helping with the purchase of the property. ARC wants to purchase the property out of the Florida Forever Funds from the State but they feel it would advance on the list if they had a commitment from the county as well. Ms. Dede Hinote, Interim Assistant County Administrator, explained that there is a December 13<sup>th</sup> deadline and they could consider allocating funds but refrain from setting a specific dollar amount.

Brief discussion continued regarding interest in the Natural Bridge Property and the benefit for the public.

Motion by Commissioner Imfeld, second by Commissioner Comander, to consider allocating funds for the Natural Bridge Property purchase by the State. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Chairman Pridgen asked for public comment.

Ms. Sue Rushing, Rushing Properties, LLC, discussed the disposition and settlement of SHIP funds for the J. Chase Polous and Lance C. Polous property. If the property goes into foreclosure or short sale the SHIP Fund will receive no money. She stated that she is willing to contribute \$1,500 towards the SHIP Fund.

Brief discussion ensued regarding the property purchase from Rushing Properties and the benefit of having some funds go back into the SHIP Fund.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the settlement offer presented by Ms. Rushing. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Nay.

Commissioner Meadows suggested developing procedures to provide protection to recoup funds for the SHIP program if the purchaser goes into default within the five year time frame.

Mr. Ed Goodwin discussed the proposed beach activities ordinance and the ability to keep his property rights.

Commissioner Comander asked Mr. Goodwin to provide his concerns to the Board members for review.

Mr. Rick Helfand, Seaside School Foundation Chairman, stated that the 2013 Half Marathon was approved by the Board in April. He requested permission to close the road on March 3, 2013 for the race. Mr. Demers stated that they will have to get the request from Code

Enforcement to present it to the Sheriff's Office and Fire Department in order to put it on the agenda for approval.

Commissioner Comander suggested putting up signage a few days in advance that the road will be closed for all activities to help notify the citizens. Mr. Helfand stated that they have provided signage in the past and will for this event as well.

Ms. Hinote asked Mr. Helfand to email the request to her so she can put it on the agenda for approval.

Mr. Tim Pauls, Friends of 30A and the 30A Foundation Chairman, explained that signage and parking is a major issue along Hwy 30A. He recommended, along with the parking study, to develop a clear right-of-way policy in terms of what is allowed and to enforce that policy uniformly and fairly.

Commissioner Comander exited the meeting.

Mr. David Kramer recommended allowing public comments regarding the consent agenda items, as many other counties do. He also recommended considering the entire system when reviewing multi-use/bike paths. He stated that this is an excellent time to buy property during the strategic planning process to increase beach parking opportunities.

The meeting recessed at 7:13 p.m. and reconvened at 7:41 p.m.

Commissioner Comander returned to the meeting.

Mr. Carpenter presented a request by Ms. Margaret B. Cone to file a Release of Lien on a property she had entered into a Lien Agreement with the county for SHIP funds on February 28, 2007. Ms. Cone has met the five year residency requirement.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the Release of Lien as requested by Ms. Cone. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Carpenter requested that LSA 12-01.02 be continued to the January 8, 2013 meeting.

Motion by Commissioner Comander, second by Commissioner Chapman, to continue LSA 12-01.02 to the January 8, 2013 meeting as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Carpenter presented a request by Walton County to transmit, to the Department of Economic Opportunity, LSA 12-01.04 to change the text in the Walton County Comprehensive Plan Future Land Use Element Policy L-1.4.10 Light Industrial, to modify the location criteria for new Light Industrial future land use map designations to include a requirement to establish compatibility through a compatibility analysis and to remove the requirement that they be located on a major collector or arterial roadway with immediate access to the regional roadway network. This will allow additional flexibility when identifying sites for Economic Development activities which would require a Light Industrial land use classification.

Motion by Commissioner Comander to approve transmittal of LSA 12-01.04 to the DEO as requested.

Commissioner Meadows expressed concern changing the language to accommodate pending projects and stated that they should take a comprehensive approach instead.

Mr. Wayne Dyess, Planning and Development Services Director, explained that the Light Industrial land use classification is usually a low traffic generator.

Discussion ensued regarding what the Light Industrial classification would entail, the compatibility analysis requirements, and the affects to the surrounding areas.

Chairman Pridgen exited the meeting. Commissioner Comander assumed the Chairman position.

Chairman Comander asked for public comment.

Ms. Shari Judkins, Mr. Mike Judkins, Ms. Laurie Beutelman, and Ms. Anita Page expressed concerns with the language changes to the Light Industrial land use category as presented.

Chairman Pridgen returned to the meeting.

Commissioner Comander withdrew her previous motion to approve transmittal of LSA 12-01.04.

Motion by Commissioner Comander, second by Commissioner Meadows, to add more specific language on the criteria for compatibility and continue LSA 12-01.04 to the January 18, 2013 meeting. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Carpenter presented, for the first hearing, an Ordinance amending Chapter 13.03.04 to allow for flexibility in maximum allowable building signage for anchor and regular tenants in a multiple occupancy complex where regular tenants occupy more than one tenant bay; to provide that master signage plans may be approved to allow a regular tenant occupying more than one tenant bay in a multiple occupancy complex to qualify as an anchor tenant for purposes of appearing on a multiple occupancy complex monument sign where appropriate as determined by the Design Review Board.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Meadows, second by Commissioner Comander, to hold a second hearing on January 8, 2013 to consider an Ordinance amending Chapter 13.03.04 to allow for flexibility in maximum allowable building signage for anchor and regular tenants in a multiple occupancy complex. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Carpenter requested approval of an Ordinance **(2012-40)** amending the Walton County Land Development Code Section 11.03.03 to modify a procedure for valuing platted land for the purpose of calculating recreation impact fees for subdivisions.

Commissioner Imfeld stated that this will provide a consistent approach and possibly accelerate the process as well.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to adopt Ordinance **(2012-40)** amending the Walton County Land Development Code Section 11.03.03 to modify a procedure for valuing platted land for the purpose of calculating recreation impact fees for subdivisions as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Carpenter requested approval of an Ordinance **(2012-41)** amending the Walton County Land Development Code Section 4.06.02 to modify a procedure for valuing land area for the purpose of calculating preservation buy out fees for subdivisions.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt Ordinance **(2012-41)** amending the Walton County Land Development Code Section 4.06.02 to modify a procedure for valuing land area for the purpose of calculating preservation buy out fees for subdivisions as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

The Quasi-Judicial hearing was called to order and Attorney Craig administered the oath to those staff members intending on speaking. Attorney Craig stated that others intending on speaking will have the oath administered at the time the project is presented.

Mr. Carpenter requested to continue **SSA 2012-11** and **SSA 2012-12** to the December 18, 2012 meeting.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue **SSA 2012-11** to the December 18, 2012 meeting. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

Motion by Commissioner Comander, second by Commissioner Meadows, to continue **SSA 2012-12** to the December 18, 2012 meeting. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

**SSA 2012-36:** Mr. Carpenter presented a request from Canaan Recovery Foundation to adopt an Ordinance **(2012-34)** amending the future land use designation of 2 +/- acres from Conservation Residential 2:1 to Institutional. The property is located east of East Hewitt, approximately ¾ mile north of US Hwy 98.

Attorney Craig administered the oath to those intending on speaking.

Chairman Pridgen asked for public comment.

Mr. Dean Burgis, Emerald Coast Associates, was present to address any concerns.

Commissioner Meadows questioned how long the facility has been on the property. Mr. Bach answered that they moved to this location approximately one year ago.

Motion by Commissioner Comander, second by Commissioner Imfeld, to adopt Ordinance **(2012-34)** for SSA 2012-36 as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

**SSA 2012-32:** Mr. Carpenter presented a request by Mr. Donald McCracken to adopt an Ordinance **(2012-37)** amending the future land use designation of 10 +/- acres from General Agriculture to Business Park. The property is located 0.3 miles on Triple G Road from the intersection of CR 1883.

Commissioner Imfeld exited the meeting.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Comander, second by Commissioner Chapman, to adopt Ordinance **(2012-37)** for SSA 2012-32 as presented. Ayes 4, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

**SSA 2012-34:** Mr. Carpenter presented a request from Mr. George Kingston to adopt an Ordinance **(2012-36)** amending the future land use designation of 8.24 +/- acres from Neighborhood Infill to Village Mixed Use. The property is located on the north side of US Hwy 98 and CR 30-A intersection in Inlet Beach. There is a section of each of the four lots that is not proposed to have a land use change because the portion along the north and the east boundary is proposed to be preservation and remain as a buffer to the residential areas.

Commissioner Imfeld returned to the meeting.

Commissioner Meadows questioned the accuracy of the environmental map provided. Mr. Carpenter explained that the environmental assessment included in the package covers a greater area than just the proposed land use change because the assessment is required for the overall project.

Attorney Craig administered the oath to those intending on speaking.

Mr. Richard Bryan expressed concern with the Inlet Beach water system wellhead and the need for a 500 foot buffer.

Ms. Priscilla Etheridge urged the Board to consider the preservation of the Inlet Beach water tower.

Mr. Robert Carroll, representative, explained that they are aware of the water well protection regulations. They would also like to create a service road off of the lighted intersection and provide some light commercial parcels that would utilize the service road.

Commissioner Meadows questioned what is on the property to the west and north of the subject property. Mr. Carroll stated that there are residential areas. Commissioner Meadows discussed the buffers and suggested placing a buffer all along the residential areas.

Motion by Commissioner Chapman, second by Commissioner Imfeld, to adopt Ordinance **(2012-36)** for SSA 2012-34 as presented. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Nay. **(Exhibits: Staff 1)**

**SSA 2012-35:** Mr. Carpenter presented a request from Mr. Phil Weisenhunt to adopt an Ordinance **(2012-35)** amending the future land use designation of 0.241 +/- acres from Residential Preservation to Neighborhood Infill. The property is located south of 30-A, approximately 75 feet west of East Cedar Bend Road.

Mr. Burgis, representative, was present to address any concerns and discussed the property land use change request.

Attorney Craig noted for the record that Mr. Burgis was previously sworn in by oath.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Comander, second by Commissioner Imfeld, to adopt Ordinance (2012-35) for SSA 2012-35 as presented. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Nay. **(Exhibits: Staff 1)**

**SSA 2012-37:** Mr. Carpenter presented a request from Walton County to adopt an Ordinance (2012-33) amending the future land use designation of 2.04 +/- acres from Urban Residential to Industrial. The property is located at the intersection of Hwy 331 North and Oakwood Lakes Boulevard.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Comander, second by Commissioner Imfeld, to adopt Ordinance (2012-33) for SSA 2012-37 as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

**SSA 2012-38:** Mr. Carpenter presented a request from Walton County to adopt an Ordinance (2012-38) amending the future land use designation of 2.10 +/- acres from Urban Residential to Industrial. The property is located at the intersection of Oakwood Lakes Boulevard and Commerce Boulevard/Commerce Circle.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to adopt Ordinance (2012-38) for SSA 2012-38 as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

The Sugar Sand Lane Plat request submitted by Emerald Coast Associates, Inc. was removed from the agenda. **(Exhibits: Staff 1)**

Mr. Carpenter presented the major development order application request for Murphy Express submitted by Murphy Oil Use, Inc., consisting of a gas station with 1,200 square foot convenience store and 8 gas pump stations on 8.787 acres, with a future land use designation of Vacant Commercial. The property is located on the SE corner of SR 30 (Us Hwy 98) and W. Hewitt Road. He stated that the Planning Commission unanimously approved the project contingent upon conditions set in the staff report.

Commissioner Meadows stated that she would like the applicant to build the sidewalks rather than putting the funds into the sidewalk fund for future use.

Brief discussion ensued regarding the roadway access to the subject property and surrounding properties, and the design of the building which is more compatible with the area.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the Murphy Express major development order application submitted by Murphy Oil Use, Inc. as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1) (Ex Parte: Pridgen, Comander)**

Motion by Commissioner Imfeld, second by Commissioner Chapman, to accept the staff report into evidence for the Lupin Beach project. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Nay.

Motion by Commissioner Imfeld to approve the Lupin Beach request as presented. The motion died for lack of second.

Mr. Carpenter presented the major development order application request for Lupin Beach submitted by EBSCO Gulf Coast Development, Inc., consisting of 20 residential lots on 6.36 +/- acres with a future land use designation of NPA-Infill. The property is located at 151 Magnolia Lane. He stated that the request does meet the requirements of the Land Development Code and Comprehensive Plan.

Attorney Doug Hall, representative, discussed the project which has been through an extensive review process. He explained that this project will not destroy the existing dunes on the site. He presented information (Exhibits 2-5) for the record. He requested to approve the final development plan for the Lupin Beach PUD.

Attorney Craig administered the oath to those intending on speaking regarding the Lupin Beach project.

Chairman Pridgen asked for public comment.

Attorney Scott Shirley, representative of Mr. Haines O'Neil, spoke in opposition of the project and urged the Board to address the concerns with the PUD conceptual plan.

Discussion ensued regarding the conceptual approval in 2010 and the conceptual plan presented.

Attorney Hall objected to the submittal of new evidence regarding the Coastal Protection Zone (CPZ). He stated that project was approved in 2010.

Commissioner Chapman stated that the Board should not go back and consider information that had been previously approved. Commissioner Meadows stated that the property has probably changed dramatically in two years.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to sustain the developer's objection and to review the issues at hand only.

Ms. Sue Parsonnet urged the Board to allow public input and listen to the concerns of the citizens.

Ms. Anita Page expressed concerns with the time lapse, and the need to review the documentation and hearings from the 2010 approval.

Attorney Shirley requested that Mr. Doug Mann be allowed to present information for review. He explained that the code says that the conceptual plan does not vest a development as to issues not specifically addressed at the conceptual review. It is impossible for the grading plan to be reviewed at the conceptual review stage if it was not provided. He stated that this is the first time that they have the grading plan which shows significant impacts to the primary dune system.

Attorney Craig reminded the Board that after a development order is approved there is a 30 day appeal time frame in which an appeal was not filed.

Commissioner Meadows encouraged the review of all the information and how the project would affect the dune system.

Ayes 3, Nays 2. Pridgen Aye, Comander Nay, Imfeld Aye, Chapman Aye, Meadows Nay.

Attorney Shirley offered a proffer, which is a submittal of evidence into the record which would have been discussed but was denied (Exhibit 7).

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the proffer of new evidence by Attorney Shirley. (A vote was never made.)

Attorney Hall explained that a proffer is a brief description of evidence, not a full presentation for review. Attorney Craig agreed and stated that Attorney Shirley could proffer any physical evidence to support his case.

Attorney Shirley explained that the information is regarding the protection of dunes, minimal impact on the beach and dune system as a result of the project, the grading plan which shows a significant dune impact, installation of a retaining wall, the CPZ improper delineation, new lot boundary formation, and the "V" zone flood map.

Lengthy discussion ensued regarding the 2010 conceptual plan, the shoreline, the retaining wall, the dune system, and the major impact to the environmentally sensitive location site.

The previous motion was rescinded.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the project contingent upon removing the lots that would require the retaining wall and shifting the dune for a total of 16 homes, and the other conditions set in the staff report. Ayes 2, Nays 3. Pridgen Nay, Comander Aye, Imfeld Nay, Chapman Nay, Meadows Aye.

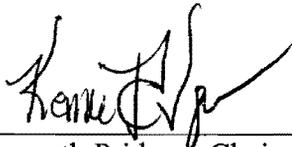
Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve the Lupin Beach major development application submitted by EBSCO Gulf Coast Development, Inc. as presented. Ayes 3, Nays 2. Pridgen Aye, Comander Nay, Imfeld Aye, Chapman Aye, Meadows Nay. **(Exhibits: Staff 1, Petitioner 2-5, Respondent 6-8) (Ex Parte: Pridgen, Comander)**

There being no further business, the meeting adjourned at 10:48 p.m.

ATTEST

  
Martha Ingle, Clerk of Courts  
Alex Alford

APPROVED

  
Kenneth Pridgen, Chairman