

APRIL 9, 2013 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, April 9, 2013, 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. Mr. Mark Davis, Interim County Attorney; Mr. Gerry Demers, Assistant County Administrator; and Mr. Alex Alford, 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, Assistant County Administrator, presented the following changes to the agenda for approval:

ADDITIONS:

1. Sherriff Mike Adkinson requested to address the Board
2. County Attorney Item 7 – Attorney Clay Adkinson – BP Settlement with TDC – set Special Meeting and Executive Session

DELETIONS:

1. Public Works Item 1e – Request to approve a Resolution and Deed to the Florida Department of Transportation for construction of a bridge at Juniper Creek by DOT
2. Public Hearings – Consider an Ordinance amending the current Chapter 22, Section 22-60, Beach Vendors, to stipulate the times beach vendors are allowed on the beach during sea turtle nesting season
3. Public Comments/Citizen Requests Item 2 – Linda Watson, Eagle’s Landing, Lot 6 (Code Enforcement Case 09-183) – Release of Lien

Motion by Commissioner Comander, second by Commissioner Chapman, 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 Chapman, 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 March 26, 3013 Regular Meeting
2. Approve Expenditure Approval List (EAL)

General Fund	\$ 1,383,898.92
County Transportation	\$ 414,735.91
SHIP	\$ 26.00
Fine & Forfeiture	\$ 1,446,003.00
Section 8 Housing	\$ 6,528.39
Tourist Dev. Council	\$ 640,910.56
N.W. Mosquito Control	\$ 5,335.30
Recreation Plat Fee	\$ 20,859.16
Solid Waste Enterprise	\$ 510,598.48
Bldg Dept/Enterp. Fund	\$ 10,163.12
Inmate Canteen Fund	\$ 17,460.61
Capital Projects Fund	\$ 649,912.70
Totals	\$ 5,106,432.15

3. Approve the Investment Report for quarter ended December 31, 2012 as requested by the Clerk's Office
4. Approve Products and Services Agreement with Century Link Sales Solutions, Inc. for procurement of equipment and completion of work for the South Walton Fire District NG-911 for installation of equipment received through a grant as requested by the Sheriff's Office
5. Approve an Interlocal Agreement between the South Walton Fire District and Walton County Sheriff's Office for antiquated E911 equipment received through a grant as requested by the Sheriff's Office
6. Approve a Resolution **(2013-13)** to amend the budget for the Building Department Fund for FY 2012-2013 to recognize excess building permit fee revenue to fund a full-time temporary employee for less than six months as requested by the Office of Management and Budget/Finance
7. Approve a Resolution **(2013-14)** to amend the budget for the Fine and Forfeiture Fund for FY 2012-2013 to account for unanticipated revenue from the Walton County School District for School Resource Officers as requested by Office of Management and Budget/Finance
8. Approve a Resolution **(2013-15)** to amend the budget for FY 2012-2013 to account for unanticipated revenue for an insurance claim involving an accident with a Fire/Rescue vehicle as requested by the Office of Management and Budget/Finance
9. Approve renewal of 12-month Billing Service Agreement with Emergency Medical Service Consultants, Ltd., d/b/a EMS Consultants as requested by the Office of County Attorney

10. Approve Amendment No. 2 to the Agreement for Professional Services with Dr. Jack Blackwood, Jr., DVM, d/b/a Walton County Animal Clinic as requested by Support Services
11. Approve to pay additional charges for previous overpayment of Medicaid to Walton County in the amount of \$7,393.39 as requested by Support Services
12. Approve a name change under the budgeted line item Sales – Leisure/Meetings Mission from Atlanta Film Festival to Decatur Book Festival (Atl) as requested by the TDC
13. Approve a name of venue change from Metropolitan Cooking Show to White Linen Nights in the Sales Leisure/Meetings Missions as requested by the TDC

The following firms provided information on the RFQ 013-006 bids for Engineering Services for the CR 183 project:

Genesis CEI Services: Mr. Jim Sullivan explained that they have worked with Walton County and nearby counties and always look for opportunities to expand their services. Their focus is safety, bid ability, and construction ability. He stated that they work to determine the best solutions for safety issues, maintenance issues, and potential cost issues. The project does have environmental issues and serious pavement issues that will need to be addressed.

Commissioner Comander questioned the project time length. Mr. Sullivan answered that the construction would take approximately 9 months and the design process would take approximately 6 months.

Atkins North America: Mr. Jeff Elms discussed their current project in Walton County to four-lane a portion of Hwy 331 from Owl's Head to Edgewood Circle. There are many deficiencies on the CR 183 project that will need to be addressed. He stated that their firm has managed more resurfacing projects in Northwest Florida than any other firm. He briefly discussed the personnel that would work on the project.

Garver, LLC: Mr. Scott Jenkins introduced the team members and stated that their firm has experience in Walton County with very similar projects as the CR 183 project. He stated that

they have the expertise and availability to ensure that the project is successful. He briefly discussed the past projects with the county.

Commissioner Comander questioned the project time length. Mr. Jenkins stated it would take approximately 6 months.

The Board ranked the firms to determine which would begin negotiations. The tallied votes will be announced later in the meeting.

Commissioner Chapman expressed concern ranking the firms when staff members have more experience and knowledge on the issues. Mr. Demers explained that there is currently a selection committee who ranks the firms, and they could recommend the top ranked firm for approval.

Commissioner Meadows discussed the need for the Board to rank the firms and make the final decision. Commissioner Comander agreed and recommended that staff provide information regarding the projects for review to gain knowledge before making a decision.

Brief discussion ensued regarding the determination to award projects. The Board concurred to allow staff to provide the top three firms, without a ranking order, and allow the Board to rank the top firm.

The following firms provided information on the RFQ 013-008 bids for Engineering Services for the CR 3280 project:

Genesis CEI Services: Mr. Sullivan explained that the CR 3280 project is different than the CR 183 project in the terrain, standing water issues, erosion issues, and safety issues that must be addressed. They would like to create a product that will prevent long term maintenance and provide a long term product.

Atkins North America: Mr. Elms explained that the CR 3280 project is primarily a pavement design project. The accident data will be utilized to determine the best solution for the roadway and address any issues to ensure the safety of the citizens.

Preble-Rish, Inc.: Mr. Cliff Knauer introduced the team that would be working on the project and discussed the existing roadway. Due to the lack of roadway base, the project will need full-depth reclamation. He recommended addressing the base properly to ensure a successful outcome. There are time constraints, and the team will ensure a successful product.

Commissioner Comander questioned staff if there was a problem trying to redesign the intersection on Hwy 20 to realign it and if this project will be a part of that. Mr. Ryan Douglass stated that the intersection is not part of the project; the CR 3280 project is a widening and resurfacing project.

The Board ranked the firms to determine which would begin negotiations. The tallied votes will be announced later in the meeting.

Mr. Alex Alford, Clerk of Courts, announced the firm ranking for RFQ 013-006 for the CR 183 project: 1) Genesis CEI Services, 2) Garver, LLC, and 3) Atkins North America.

Sheriff Mike Adkinson addressed the Board on recent allegations in the media and his goal to refrain from his office to be steered or influenced by political considerations. He stated that he believes in what the Sheriff's Office and all the law enforcement personnel do. He felt that the most important thing that law enforcement does is protect those that are unable to care for themselves. He asked for an explanation to the recent media implication of impropriety.

Commissioner Meadows apologized and explained that the comments made were not directed to Sheriff Adkinson or the Sheriff's Office.

Sheriff Adkinson expressed his appreciation and invited Commissioner Meadows to attend a Children's Advocacy Center to see what services could be brought to Walton County.

Mr. Demers requested to begin negotiations with the top ranked firm, Genesis CEI Services, for RFQ 013-006 for the CR 183 project.

Motion by Commissioner Comander, second by Commissioner Chapman, to begin negotiations with the top ranked firm, Genesis CEI Services, for RFQ 013-006 as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers requested to award Bid 013-009 for Roll-off Containers to the lowest bidder, Iron Container, in the amount of \$12,480.

Motion by Commissioner Comander, second by Commissioner Imfeld, to award Bid 013-009 for Roll-off Containers to low bidder, Iron Container, for the amount of \$12,480, as requested.

Mr. Alan Ficarra questioned what the containers were for. Mr. Demers answered that they would replace containers at the Landfill. Mr. Ficarra urged the Board to place a container in the south end of the county for those residents to use.

Commissioner Comander asked Mr. Buddy Wright to review locations to place a container in the south end for those residents.

Mr. Bob Hudson explained that there are containers at the South Walton Mosquito Control District for items, but certain items are not accepted.

Mr. Kevin Chilcutt recommended reviewing the garbage collection contracts to ensure all items in the contracts are being accepted.

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

Mr. Demers requested to renew the Work Squad Contract #WS831 between Walton County and the Florida Department of Corrections for a work squad utilized at the Landfill.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the Work Squad Contract #WS831 for a work squad utilized at the Landfill as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

The request to approve a Resolution and Deed to the Florida Department of Transportation for construction of a bridge at Juniper Creek by DOT was removed from the agenda.

Mr. Demers requested to approve an extension to Continuing Services Agreements for Atkins, CDG Engineering, and Preble-Rish, Inc. Engineering Firms through June 30, 2013. There is an RFQ out for that service, but will not be completed until the end of May.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the extension to Continuing Services Agreements for Atkins, CDG Engineers, and Preble-Rish, Inc. Engineering Firms through June 30, 2013 as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers requested to allow Public Works to construct an approximately 1375 square foot addition to the existing parking lot at Bay Elementary School as requested by the School Board.

Commissioner Imfeld questioned if this would require an Interlocal Agreement. Attorney Davis stated that it would.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to allow Public Works to construct an approximately 1375 square foot addition to the existing parking lot at Bay

Elementary School as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers requested to advertise for an RFP for Pharmacy Services at the Department of Corrections.

Motion by Commissioner Comander, second by Commissioner Meadows, to advertise for an RFP for Pharmacy Services at the Department of Corrections as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Alford announced the firm ranking for RFQ 013-008 for the CR 3280 project: 1) Preble-Rish, Inc., 2) Genesis CEI Services, and 3) Atkins North America.

Mr. Demers requested to begin negotiations with the top ranked firm, Preble-Rish, Inc., for RFQ 013-008 for the CR 3280 project.

Motion by Commissioner Comander, second by Commissioner Chapman, to begin negotiations with the top ranked firm, Preble-Rish, Inc., for RFQ 013-008 as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Ms. Nan MacGinnis, Human Resources Director, discussed the TDC Executive Director selection process and requested direction from the Board regarding interviews, paid travel time, and the salary range. Ten candidates were selected, but one was removed from the list, for a total of nine candidates.

Commissioner Comander emphasized that the TDC Executive Director is an extremely important position and felt that all nine candidates should be interviewed. She stated that other candidates for other positions were not paid travel expenses and did not feel the need to pay those at this time.

Chairman Pridgen stated that the salary range is very important and the need to determine if the TDC Executive Director would be a contract employee.

Commissioner Meadows felt that the TDC Executive Director should be a regular employee of the county, rather than a contract employee.

Discussion ensued regarding the difference in a regular employee and a contract employee, and the appropriate salary range.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to have the TDC Executive Director as a regular employee of the county. Ayes 3, Nays 2. Pridgen Aye, Comander Nay, Imfeld Aye, Chapman Nay, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to advertise the TDC Executive Director salary range as \$78,599-130,000. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

The Board concurred to have an interview time of one hour per candidate. Mr. Demers stated that the candidates would need to be contacted to determine an interview date and location.

Mr. Dan Owens, Library Systems Manager, requested to adopt a Resolution **(2013-16)** declaring April 14-20, 2013 as National Library Week.

Commissioner Imfeld commended Mr. Owens on his remarkable job in using the minimal resources available to keep the public libraries open and growing.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to adopt Resolution **(2013-16)** declaring April 14-20, 2013 as National Library Week as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Rick Wilson, Technology Support Coordinator, provided an update on the County's technology status and information for review.

Commissioner Imfeld questioned what is trying to be accomplished. Commissioner Meadows stated that they are trying to obtain efficiency in the network.

Brief discussion ensued regarding the County's technology needs and the ability to move forward with upgrades.

Mr. Wilson requested approval of the quotes from All Pro Sound for audio/visual upgrades to the DeFuniak Springs and South Walton Annex boardroom locations, and transfer up to \$20,000 from the Contingency Fund to the Machinery and Equipment Fund.

Mr. Demers explained that the system in the South Walton Annex boardroom is outdated and this upgrade would allow media to plug into the system for sound.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the quotes from All Pro Sound for audio/visual upgrades to the DeFuniak Springs and South Walton Annex boardroom locations, and transfer up to \$20,000 from the Contingency Fund to the Machinery and Equipment Fund as requested.

Commissioner Chapman recommended that Mr. Wilson explore cost options to include monitors in the upgrades due to the inability to see the presentation screens. Mr. Wilson felt that audio and visual upgrades should be performed at the same time.

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

The meeting recessed at 5:36 p.m. and reconvened at 5:48 p.m.

Mr. Demers requested acceptance of the resignation letter submitted by Mr. Bob Halfhill, County Administrator.

Motion by Commissioner Chapman, second by Commissioner Imfeld, to accept the resignation letter submitted by Mr. Bob Halfhill, County Administrator. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers requested short term and long term direction regarding the County Administrator position.

Chairman Pridgen stated that Mr. Demers had served as the Interim County Administrator on several occasions and recommended appointing him as interim through November to complete the budget cycle, and then determine if a new County Administrator is needed at that time.

Commissioner Imfeld recommended using the Florida Association of Counties (FAC) as a head hunter for County Administrator candidates. Commissioner Meadows agreed.

Commissioner Chapman cautioned making a swift decision for the position and recommended that Mr. Demers serve as the Interim County Administrator through the budget cycle and upcoming projects. He stated that all restrictions for the interim would need to be removed to allow Mr. Demers to fulfill the needs of the County.

Commissioner Imfeld reiterated the need to utilize head hunter services and the stability of a strong County Administrator on board as soon as possible. Commissioner Comander agreed and urged Mr. Demers to apply for the permanent County Administrator position.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to utilize the Florida Association of Counties head hunter services to provide County Administrator candidates by July 15th to allow budget process completion and a set tentative budget.

Brief discussion ensued regarding the use of FAC head hunter services for the County Administrator position and the amount of candidates to consider.

Mr. Demers stated that more FAC information would be provided at the next meeting.

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

Motion by Commissioner Imfeld, second by Commissioner Comander, to appoint Mr. Gerry Demers as the Interim County Administrator and remove restrictions to carry out the duties in a full manner. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers discussed the need for an Interim Tourist Development Council (TDC) Executive Director.

Commissioner Comander stated that TDC staff are very knowledgeable but may need administrative oversight and recommended that Mr. Stan Sunday serve as the Interim TDC Executive Director and provide administrative leadership duties until a permanent candidate is chosen. Commissioner Chapman agreed.

Motion by Commissioner Comander, second by Commissioner Chapman, to appoint Mr. Stan Sunday, under the direction of County Administration, as the Interim TDC Executive Director.

Brief discussion ensued regarding Mr. Sunday's schedule and the specialized needs of the TDC.

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

Mr. Jon Ervin, Tourist Development Council, requested approval to Exercise the Second Option to renew the agreement for Sea Turtle Monitoring Services with South Walton Turtle Watch Group, Inc. for one additional year.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the renewal agreement for Sea Turtle Monitoring Services with South Walton Turtle Watch Group, Inc. for one additional year as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers requested to schedule a Special Meeting to discuss the Fire Rescue Study by Government Services Group, Inc.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve a Special Meeting to be held on April 29, 2013 at 4:00 p.m. in DeFuniak Springs to discuss the Fire Rescue Study by Government Services Group, Inc. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Hudson requested a copy of the Fire Rescue Study for review.

Commissioner Comander discussed the need to appoint a citizen committee to help make Fire Rescue decisions. Mr. Hudson stated that the public needs to be informed and involved. Commissioner Comander stated that the Fire Rescue Study will be posted on the website for public review.

Attorney Davis requested approval of an Interlocal Agreement between Walton County and the City of DeFuniak Springs regarding solid waste disposal and distribution of the one cent sales tax levied pursuant to Ordinance 94-16.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve an Interlocal Agreement with the City of DeFuniak Springs regarding solid waste disposal and distribution of the one cent sales tax levied pursuant to Ordinance 94-16 as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Attorney Davis requested approval of an Engagement Letter with Warner Law Firm to represent Walton County with respect to Greater Driftwood Estates Homeowners Association, Inc.; Samuel A. Osborne; Doris Beam; James Hopson; Jim Munro; and Jess Eberthart v. Walton County.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the Engagement Letter with Warner Law Firm as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Attorney Davis requested to approve a Retainer Agreement with Nabors, Giblin & Nickerson to provide legal services as special counsel to the County Attorney. They have been engaged many times and have charged different rates, and the agreement would be for one set rate.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the Retainer Agreement with Nabors, Giblin & Nickerson as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Attorney Davis requested to hold an Executive Session regarding *Kebby Hall v. Walton County*, Case No. 3:12-cv-00338-MCR-EMT.

Motion by Commissioner Meadows, second by Commissioner Comander, to hold an Executive Session to discuss Case No. 3:12-cv-00338-MCR-EMT, *Kebby Hall v. Walton County*, on April 23, 2013 at 8:30 a.m. in DeFuniak Springs. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Attorney Davis was directed to look into charging an admission fee at Morrison Springs and reported that DEP had provided a letter stating that a fee could be charged. Attorney Davis stated that there are some preliminary actions that need to be taken beforehand.

Commissioner Comander stated that they do need to start the process in order to charge an admission fee at Morrison Springs and recommended holding a Workshop to discuss the options.

Motion by Commissioner Comander, second by Commissioner Chapman, to hold a Workshop on May 1, 2013 at 9:00 a.m. in DeFuniak Springs to discuss Morrison Springs. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Attorney Davis requested approval of a conditional Release of Lien for Albert and Kristina Susinskas for Lot 4 Eagles Landing at Inlet Beach. The Code Enforcement Board did recommend approval on March 26, 2013.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the conditional Release of Lien for Albert and Kristina Susinskas as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Attorney Clay Adkinson requested to schedule a Special Meeting and Executive Session to discuss the BP settlement with TDC on April 19, 2013.

Motion by Commissioner Comander, second by Commissioner Chapman, to schedule a Special Meeting and Executive Session on April 19, 2013 at 1:30 p.m. in DeFuniak Springs to discuss the BP settlement with TDC. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Chairman Pridgen called to order the public hearing to consider an Ordinance **(2013-10)** amending Section 3-1 of the Walton County Code of Ordinances; providing for the exception of schools by waiver to the application of set-back requirements.

Motion by Commissioner Comander, second by Commissioner Chapman, to open the public hearing. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Rick Helfand explained that Alys Beach is donating property to the Seaside Neighborhood School to expand to a K-5 school.

Mr. Jason Wyatt spoke in favor of the Ordinance and stated that schools should be granted the same rights that churches have.

Chairman Pridgen asked for public comment.

Mr. David Kramer spoke in favor of the Ordinance and urged the Board to take a more comprehensive approach and consider reducing the footage amount or eliminating the set-back requirements.

Mr. Jim Bagby spoke in favor of the Ordinance request and recommended directing staff to draft an Ordinance to reduce or eliminate the set-back requirements.

Motion by Commissioner Meadows, second by Commissioner Comander, to close the public hearing. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Comander, to adopt Ordinance **(2013-10)** amending Section 3-1 of the Walton County Code of Ordinances; providing for the exception of schools by waiver to the application of set-back requirements. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

The public hearing to consider an Ordinance amending the current Chapter 22, Section 22-60, Beach Vendors, to stipulate the times beach vendors are allowed on the beach during sea turtle nesting season was removed from the agenda.

Chairman Pridgen called to order the public hearing to discuss the Capital Improvements Project on CR 395 and CR 30A.

Motion by Commissioner Comander, second by Commissioner Chapman, to open the public hearing. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Greg Graham, Public Works Department, provided information regarding the two options, a traffic signal or a roundabout, for the intersection improvements.

Mr. Jim Martelli, Innerlight Engineering Company, discussed the project and spoke in favor of a traffic light and including turn lanes at the intersection. He stated that the property owners and EBSCO would like a solution that would be safe and beneficial to all those involved, and they are ready to move forward with a right-of-way agreement with the County.

After brief discussion the Board determined that more information was required and directed staff to determine the best plan of action.

Motion by Commissioner Meadows, second by Commissioner Comander, to continue the public hearing regarding the Capital Improvements Project on CR 395 and CR 30A to the May 14, 2013 meeting.

Mr. Dixon Brooke explained that he understood the special nature of the area and has been working with the County for many years. He stated that they are ready to work with the county to give property on the northeast corner to provide a solution to the intersection to limit the impact and retain the quality.

Commissioner Comander expressed appreciation to the Brooke family for all their efforts to improve the intersection.

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

Ms. Dell Brooke explained that they would like a safe and well constructed intersection.

Mr. Kramer spoke in favor of the improvements to the intersection and recommended a similar solution to the intersection at CR 393 and CR 30A.

Mr. Mark Schnell spoke in favor of the intersection improvements but did not recommend installing a roundabout as the solution. He suggested addressing the traffic congestion throughout the certain times of the year with Sheriff's Deputies directing traffic as a lower cost solution or in the meantime until the improvements are made.

Motion by Commissioner Chapman, second by Commissioner Comander, to close the public hearing. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

The meeting recessed at 7:24 p.m. and reconvened at 7:35 p.m.

Mr. Sid Davis, representing Cote D' Azur Subdivision, requested the County to repair plumbing problems in the subdivision due to signing off on the subdivision when it should not have been.

Mr. Benton Hester explained that several lots are unbuildable due to the underground utility problems because a final inspection was not completed on the system.

Commissioner Meadows questioned if the plat for the subdivision was recorded. Mr. Hester stated that it was.

Attorney Davis asked to investigate the matter further to determine a solution and plan of action.

Mr. Davis stated that the estimated costs for the repairs are approximately \$48,000 for the lift station and approximately \$6,000 for the power requirements.

The request from Linda Watson for a release of lien was removed from the agenda.

Attorney Davis explained that Mr. John and Mrs. Jennifer Steck have requested to enter into a License Agreement to allow them to plant vegetation for dune nourishment on County owned property located in Seagrove Third Addition. They have received DEP approval for the dune nourishment improvements.

Motion by Commissioner Comander, second by Commissioner Meadows, to enter into a License Agreement to allow Mr. John and Mrs. Jennifer Steck to plant vegetation on County owned property located in Seagrove Third Addition for dune nourishment. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Commissioner Meadows provided an update on a funding commitment for a feasibility study from Northwest Florida Regional Planning Council for a tram service on CR 30A. She stated that Walton County does not have the urbanized areas to meet the feasibility for funding for tram services. She had asked how Bay County received funding for their trolley system, and they explained the other mechanism would be by forming a Community Redevelopment Agency (CRA) for funding.

Mr. Thomas Stine urged the Board to conduct a feasibility study and the need for a tram service on CR 30A.

Ms. Vivian Shamel, Planning and Development Services Department, explained that because we do not have the urbanized areas that they would not be able to come up with the funding for the study, unless they considered a larger area where they connected the urbanized areas such as Panama City Beach to Destin.

Commissioner Meadows questioned if the Board wanted to pay for the feasibility study for a tram service on CR 30A. Commissioner Imfeld explained that the request would need to go through the budget scrub process to determine if the project needs to be considered for funding.

Mr. Stine stated that CR 30A is so congested and public transit is inevitable.

Commissioner Meadows discussed the implementation of a Business License Program (a/k/a Business Tax Receipt) and provided information for review. She stated that the main benefit of the program would be for economic development purposes and fire and safety services.

Commissioner Comander provided information to review from research conducted in 2002 regarding an Occupational License Ordinance by Mr. Ken Little.

Attorney Davis asked to work with Mr. Cory Godwin, Tax Collector's Office, to discuss the matter further and explore the options.

The Board concurred to allow Attorney Davis to work with Mr. Godwin regarding a Business License Program.

Commissioner Meadows requested to schedule a Workshop to update NRDA (Natural Resource Damage Assessment) projects and priorities.

Commissioner Comander stated that she had been working with Mr. Billy McKee regarding the environmental issues. She stated that a decision needs to be made soon and spend money on permitting and design.

Ms. Anita Page stated that Phase 3 came quickly and was hoping for more time to get organized, since the Phase 2 selections were just announced. She stated that NRDA will go on for years and projects will keep coming in as issues are identified. She stated that projects need to be identified in Walton County for early restoration funds to ensure a strong position.

Brief discussion ensued regarding the NRDA projects and priorities, and the need for permitting and funding.

Commissioner Meadows recommended discussing the NRDA projects and priorities at the April 23, 2013 meeting.

Commissioner Comander requested to approve an invoice in the amount of \$7,199 for the Gulf Consortium Proportional Share for Walton County's Transition Budget Allocation covering April 1, 2013 through September 30, 2013 as approved by the Gulf Consortium Committee.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve payment of the invoice for the Gulf Consortium Proportional Share for Walton County's Transition Budget Allocation, in the amount of \$7, 199, as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Demers asked if those funds would be taken from the Contingency Fund. Commissioner Comander stated that it would. Commissioner Imfeld suggested using up other funds before the Contingency Funds.

Commissioner Comander announced that she would be giving an update on the Small County Coalition and a request to adopt a Resolution regarding Viva Florida 500 Week at the April 23, 2013 meeting.

Commissioner Imfeld announced that in the meeting last week in Tallahassee, Senator Gaetz has put into the Senate's budget: \$3 million for the Mossy Head Waterworks, \$1.4 million for the Mossy Head Industrial Park Infrastructure, and \$500,000 for the Coastal Dune Lakes Environmental Assessment. He stated that they are working closely to get the House version to accommodate that as well.

Commissioner Chapman and Chairman Pridgen had no items to present.

Chairman Pridgen asked for additional public comments.

Mr. Bob Hudson questioned the contract that was approved with Sandman to clean up beaches on private property and the use of TDC funds for the service.

Attorney Davis explained that former County Administrator Halfhill had been contacted during the first week of Spring Break regarding the large amount of trash being left behind by the public using the public beach accesses and overflowing onto the private property. Mr. Halfhill had asked if he had the authority to take action on an emergency basis to assist in the public beach accesses and those private properties as well. Attorney Davis directed Mr. Halfhill that there had to be health and safety concerns and the money expended must be within his discretion as the County Administrator. He stated that he was unaware that TDC funds were used and recommended replacing those funds.

Brief discussion ensued regarding clean up on private property due to use of the public beach access.

Commissioner Comander suggested scheduling a Workshop at the end of the Spring Break season to address any issues and determine what needs to be changed.

Motion by Commissioner Comander, second by Commissioner Meadows, to direct Attorney Davis to look into replacing the TDC funds used for the contract with Sandman to clean up the beaches as recommended. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Mr. Hudson expressed concern with the deletion of records from computers and the public records laws. He stated that although Mr. Halfhill had resigned, an investigation needs to be conducted regarding the allegations against him.

Attorney Davis explained that the initial investigation had been closed regarding the deletion of records but through conversation with Ms. MacGinnis and Mr. Bearden they have decided to open a new investigation. They have not yet determined if they would hire outside assistance with the matter. He stated that an investigation had been started regarding the allegations against Mr. Halfhill and the completed report will be issued to the Board.

Ms. Suzanne Harris discussed the need to approve a TDC budget and recommended appointing volunteers to help with the budget process before the May deadline. She also discussed the investigation into the public records deletion and the need to protect the identity of the employees.

Attorney Davis explained that he had questioned and is currently waiting on a response regarding the public entity context to assign a number to those involved in the investigation to protect their identity.

The Quasi-Judicial hearing was called to order and Attorney Davis administered the oath to those intending on speaking.

Mr. Wayne Dyess, Planning and Development Services Director, requested to continue the Miramar Court plat application submitted by Rare Earth, Inc. to the April 23, 2013 meeting at 9:00 a.m. in DeFuniak Springs.

Motion by Commissioner Comander, second by Commissioner Imfeld, to continue the Miramar Court plat application submitted by Rare Earth, Inc. to the April 23, 2013 meeting at 9:00 a.m. in DeFuniak Springs as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

Mr. Mac Carpenter, Planning and Development Services Department, presented the request submitted by Michael O'Donnell to approve SSA 2012-11 amending 10 +/- acres from a

future land use of Conservation Residential 2:1 to Light Industrial, or a lesser intense category. The property is located on the east side of Goldsby Road, approximately ¼ mile north of US Hwy 98.

Mr. Darrell Barnhill, representative, was present to discuss the project and requested to approve the Planning Commission recommendation of October 2012 which approves the land use change. The applicant changed the request from Light Industrial to Commercial which would eliminate any Industrial use, and to provide a one acre Conservation Residential buffer on the eastern side of the property. Mr. Barnhill felt that this is the best land use for the property.

Ms. Anita Page asked if the land use change of Commercial was Neighborhood or General. Mr. Barnhill clarified that the land use change would be General Commercial because they feel it is more compatible to the area. Ms. Page questioned how the land use change could be made without a text amendment to the Comprehensive Plan and recommended making a text amendment for that particular area.

Mr. Carpenter clarified that the Planning Commission did recommend approval on October 11, 2012, however the staff report did indicate that a large scale text amendment was required to change the locational criteria for the Light Industrial category. Since the land use category request has been changed to General Commercial, that invalidates the Planning Commission recommendation for approval. He stated that the requested category does not meet the locational criteria.

Commissioner Meadows explained that she had been trying to work with the property owners and the applicant regarding the request.

Mr. Dyess did not foresee a problem in making a General Commercial large scale text amendment for this particular location.

Ms. Loretta Beutelman, Mr. Jim Smith, and Mr. Theodore Batchman spoke in opposition of the land use change as requested, but felt that a two acre buffer adjacent to the residential areas would be appropriate.

Mr. Michael O'Donnell, property owner, discussed the property and felt that a one acre buffer is sufficient.

Discussion ensued regarding the appropriate land use category and buffer acreage to the adjacent residential properties.

Chairman Pridgen asked for additional public comment.

There were no additional public comments.

Motion by Commissioner Meadows to deny the request as proposed because it does not meet the current Comprehensive Plan. The motion died for the lack of a second.

Chairman Pridgen stepped down from Chairman position. Commissioner Comander assumed Chairman position.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve SSA 2012-11 land use change request with a two acre buffer on the east side of the property contingent upon approval of a large scale text amendment for the General Commercial location criteria. Ayes 2, Nays 3. Pridgen Aye, Comander Nay, Imfeld Nay, Chapman Nay, Meadows Aye.

Chairman Pridgen assumed Chairman position.

Brief discussion ensued regarding the need to compromise on the acreage buffer amount.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve SSA 2012-11 with a 1.5 acre buffer on the east side of the property contingent upon approval of a large scale text amendment for the General Commercial land use category location criteria as

discussed. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Nay. **(Exhibits: Staff 1, Petitioner 2-8) (Ex Parte: Meadows, Imfeld)** (An Ordinance will be adopted upon approval of a large scale text amendment.)

Mr. Carpenter presented the request submitted by Gilbert Ziel to adopt SSA 2012-12 amending 10 +/- acres from a future land use of Conservation Residential 2:1 to Light Industrial, or a lesser intense category. The property is located on the west side of Goldsby Road, approximately ½ mile north of US Hwy 98.

Mr. Barnhill was present to discuss the property and stated that the applicant is proposing a General Commercial land use category with a one acre buffer on the west side of the property.

Chairman Pridgen asked for public comment.

There was no public comment.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve SSA 2012-12 with a 1.5 acre buffer on the west side of the property contingent upon approval of a large scale text amendment for the General Commercial land use category location criteria as discussed. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Nay. **(Exhibits: Staff 1) (Ex Parte: Imfeld)** (An Ordinance will be adopted upon approval of a large scale text amendment.)

Mr. Carpenter requested to continue the Donut Hole at Inlet Beach major development order application submitted by Preble-Rish to the April 23, 2013 meeting at 9:00 a.m. in DeFuniak Springs.

Motion by Commissioner Comander, second by Commissioner Chapman, to continue the Donut Hole at Inlet Beach request to the April 23, 2013 meeting at 9:00 a.m. in DeFuniak

Springs as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye. **(Exhibits: Staff 1)**

Mr. Carpenter requested approval of LSA 12-01.01 **(Ordinance 2013-11)** for the transmittal of a Large Scale Text Amendment to the Walton County Comprehensive Plan Future Land Use Element Policy L-1.4.4 Neighborhood Commercial, to modify the location criteria for new Neighborhood Commercial future land use map designations to allow new designations in the Route 30A Scenic Corridor on DeFuniak Street in Grayton Beach south of CR 30A and north of Pine Street.

Chairman Pridgen asked for public comment.

Mr. Billy Buzzett spoke in favor of the land use change text amendment.

Motion by Commissioner Comander, second by Commissioner Chapman, to adopt LSA 12-01.01 **(Ordinance 2013-11)** for the text amendment to Policy L-1.4.4 to modify the criteria for new Neighborhood Commercial as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Imfeld Aye, Chapman Aye, Meadows Aye.

Attorney Davis asked for direction on a request by former County Administrator Bob Halfhill to negotiate an exit agreement as part of his resignation.

The Board made no comment and took no action on the request to negotiate an exit agreement with former County Administrator Bob Halfhill as requested.

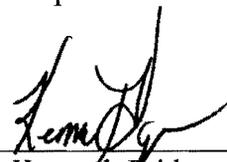
There being no further business, the meeting adjourned at 9:30 p.m.

ATTEST



Alex Alford, Clerk of Courts

APPROVED



Kenneth Pridgen, Chairman