

APRIL 23, 2013 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on April 23, 2013 at 8:30 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner Kenneth Pridgen, Chairman; Commissioner Sara Comander, Vice Chairman; Commissioner Bill Chapman, Commissioner Bill Imfeld; and Commissioner Cindy Meadows. Mr. Gerry Demers, Interim County Administrator; and Attorney Mark Davis, Interim County Attorney; were also present.

Attorney Davis stated that an Executive Session would be held to discuss *Kebby Hall v. Walton County* (Case No.: 3:12-cv-00338-MCR-EMT).

Those attending the Executive Session were Commissioner Kenneth Pridgen, Chairman; Commissioner Sara Comander, Vice Chairman; Commissioner Bill Chapman, Commissioner Bill Imfeld; and Commissioner Cindy Meadows. Mr. Gerry Demers, Interim County Administrator; Attorney Mark Davis, Interim County Attorney; Attorney William Warner, Special Counsel to the Board; and Ms. Sharon Payne, Court Reporter; were also present.

The Regular Meeting was recessed at 8:35 a.m. and the Executive Session was called to order. The Executive Session was closed to the public pursuant to Florida Statute 286.011(8).

The Executive Session was adjourned and the Regular Meeting reconvened at 9:00 a.m.

Commissioner Comander led the invocation and the pledge to the American Flag. Chairman Pridgen called the meeting to order.

Attorney Davis asked that a motion be made to confirm the settlement agreement presented during the Executive Session.

Motion by Commissioner Meadows, second by Commissioner Comander, to confirm the settlement agreement for Kebby Hall presented during the Executive Session. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Gerry Demers, Interim County Administrator, presented the following agenda additions and deletions:

1. Addition: Administration-TDC Executive Director Interviews
2. Addition: Resolution for Viva Florida 500 Week (moved from under Commissioner Comander)
3. Addition: County Attorney-RESTORE Act Senate Bill 1024
4. Addition: Comander-TPO Reapportionment Plan
5. Addition: Comander-Passenger Rail Service
6. Deletion: TDC-Visitor Information Center Amendment to the Standard Operating Procedure
7. Deletion: TDC-Request to advertise for a RFP to select a Public Relations Agency to provide service for Visit South Walton

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

1. Approve Minutes of April 9, 2013 Regular Meeting
2. Approve Expenditure Approval List (EAL)

General Fund	\$	261,890.31
County Transportation	\$	291,367.59
SHIP	\$	18,570.00
Section 8 Housing	\$	733.00
Tourist Dev. Council	\$	292,654.31
N.W. Mosquito Control	\$	963.49

Recreation Plat Fee	\$	2,941.44
Solid Waste Enterprise	\$	187,034.42
Bldg. Dept./Enterp. Fund	\$	1,861.47
Imperial Lakes MSBU	\$	2,517.66
Inmate Canteen Fund	\$	8,921.52
<u>Capital Projects Fund</u>	<u>\$</u>	<u>1,224,382.59</u>
Totals	\$	2,293,837.80

3. Approve purchase of a wide format plotter for the GIS Department for approximately \$8,000 that has exceeded its normal use
4. Approve surplus equipment request from the Tourist Development Beach Maintenance Department, Mosquito Control, Library and Property Appraiser's Office

Mr. Buddy Wright, Public Works, requested to begin negotiations with Attack-One Fire Management Services for RFP 013-011 – Certified Burn Manager in the amount of \$20,800.35. He stated that Attack-One was the only proposal submitted and announced that an agreement would be brought back to the Board for approval or denial.

Motion by Commissioner Chapman, second by Commissioner Imfeld, to authorize the negotiations with Attack-One Fire Management Services. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Wright requested to submit grant applications for Indian Creek Ranch Road and County Road (C.R.) 185 for consideration through the Small County Outreach Program (SCOP) Grant Program and C.R. 183N for the Small County Road Assistance Program (SCRAP).

Commissioner Meadows asked how the roads were selected. Mr. Wright stated that the grants require that the roads be located within the rural areas of the county outside of the TPO boundaries. He stated that evaluations and traffic counts were performed by Public Works. Discussion continued on the selection process.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve the SCOP Grant application for Indian Creek Ranch Road and C.R. 185 and the SCRAP Grant

application for C.R. 183N. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Wright requested to approve **Resolution (2013-17)**, **Resolution (2013-20)** and deed to allow the Florida Department of Transportation (FDOT) to construct improvements on the bridge at Juniper Creek. The deed and resolution are needed to expand the right-of-way on State Road 83 and to improve Davis Road.

Motion by Commissioner Comander, second by Commissioner Imfeld, to adopt **Resolution 2013-17**, **Resolution 2013-20** and approve a deed to allow FDOT to construct improvements on the Juniper Creek Bridge. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Wright requested to advertise for a RFP for U.S. Highway 98 Median Landscape Maintenance. The area to be landscaped is located between Mack Bayou Road and C.R. 30A. He reported that the current contract with Shipes Landscaping is set to expire in August and all options to extend the contract have been exhausted.

Ms. Mary Nielson stated that some of the smaller areas had been neglected and requested that the contract be more detailed in what was to be maintained. Attorney Davis stated that the scope of work had been expanded, but he would discuss these additional changes with Ms. Glyndol Johnson in Purchasing.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve to advertise for a RFP for U.S. Highway 98 Median Landscape Maintenance with the updated scope of work. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Billy McKee, Environmental Manager, briefly discussed the Early Restoration List which was submitted to the Natural Resource Damage Assessment (NRDA) trustee in 2011 and presented an update on the projects currently being addressed. He stated that it may be beneficial to refocus some of the projects and possibly remove some which are further down on the list. He said some of the human use projects have already begun development. Mr. McKee suggested putting an initiative behind specific projects in preparation for NRDA funding. He reported that 230 projects throughout the eight counties have been submitted in the NRDA process which comes to total approximately \$1.6 billion. Commissioner Comander asked Mr. McKee for clarification whether the list needed to be pared down or not. Mr. McKee stated that it would be beneficial to identify projects that the county wanted to pursue more strongly and then have everything ready for the project to be built. He stated that it could be later on in the year before notification is received as to which projects will be admitted to the NRDA Program. Commissioner Comander stated that the projects which were not admitted to the NRDA Program could be submitted to receive funding from the RESTORE Act or National Fish and Wildlife Foundation (NFWF). Discussion continued on permitting the projects in anticipation for funding.

Commissioner Meadows asked which projects have already incurred expenses and which have permits. Mr. McKee stated that the Offshore and Inshore Artificial Reef Construction is the only project that county funds have been spent to obtain permits. He said that a non-profit organization and some people from the community have started the development process for the Fish Hatchery. Discussion ensued regarding the categorization of the top projects. Commissioner Meadows felt that the projects should be ranked by the number of NRDA criteria being met. Chairman Pridgen suggested that Mr. McKee meet with each Board member to discuss the different projects and where they are in the NRDA process. Commissioner Meadows asked that a

spreadsheet be submitted showing the monies spent on each project thus far and the criteria met. Mr. McKee stated that the projects on the list already meet at least one of the NRDA criteria and are considered viable projects.

Ms. Anita Page, South Walton Community Council, discussed the five criteria set by NRDA that each project must meet. She felt that the public has been excluded from this process and suggested that a workshop be held to better inform the public as to the finances of the projects, and who will be responsible for maintenance and repairs in the instance of storms. The Board concurred that a workshop is needed.

Chairman Pridgen asked that Mr. McKee compile the information regarding the criteria and present it at the workshop. Discussion continued on the maintenance and repair.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to schedule a Public Workshop to discuss the NRDA Projects and Process.

Mr. McKee asked that Mr. Lee Edmiston, DEP Environmental Administrator, be invited to give a presentation at the workshop. Discussion ensued as to the date and time of the workshop.

Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(The Workshop will be held on May 7, 2013 at 5:00 p.m. at the Courthouse Annex in Santa Rosa Beach, FL.)**

Chief Brian Coley, Fire Rescue, requested to replace Fire Engine 11 (BCC 5445) through a Lease Purchase Program. He reported that due to the damages incurred to Engine 11 during an accident last year, a replacement would be more prudent than making repairs. He also informed the Board that the current budget included a vehicle that would complete a Lease Purchase

Program. He recommended continuing the Lease Purchase Program for a replacement engine. No additional funding would be required from the current budget.

Commissioner Chapman asked what type of equipment would replace Engine 11. Chief Coley stated that the goal is to replace it with an engine equal in type and use.

Motion by Commissioner Comander, second by Commissioner Meadows, to replace Fire Engine 11 (BCC 5445) through a Lease Purchase Program. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Dan Owens, Library Director, requested to approve the OCLC Services Agreement which maintains the statewide database of library's holding for the State of Florida. This agreement is necessary for the library to be eligible for State and Federal grants.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to approve the agreement with OCLC Services. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Wayne Dyess, Planning and Development Director, presented an update on the Code Enforcement's hours of operation. He stated that an additional officer has been added to Code Enforcement and that weekend rotations have been occurring for the past few months. Commissioner Meadows asked what hours the officers were scheduled to work on the weekends. Mr. Dyess stated that the hours were from 7:00 a.m. to 5:30 p.m. Commissioner Meadows stated that the majority of problems begin after 5:30 p.m. and felt that a Code Enforcement Officer should be made available between the hours of 5:30 p.m. and 11:00 p.m. Mr. Dyess stated that a review of current staffing would be done and a recommendation would be brought back to the Board. Commissioner Meadows asked what number is called for weekend violations. Mr. Dyess stated that there is no on-call number and that the officers patrol the area looking for violations.

Commissioner Meadows voiced concern that the hours of operation are not compatible with the needs of the county and that a phone number should be provided for afterhours and weekends. Commissioner Comander suggested that the Sheriff's Office dispatch be used to contact Code Enforcement during the off hours and weekends. Mr. Dyess stated that the suggestion would be included in the review process. Commissioner Chapman recommended that Mr. Dyess meet with Major Joe Preston, Communications Director Walton County Sheriff's Office, to discuss the use of the dispatch call center.

Mr. Rick Wilson, Technology Support Coordinator, gave an update on the visual upgrades for the Board Room located at the Walton County Courthouse in DeFuniak Springs, FL. He stated that due to the uniqueness of the room, viewing presentations is difficult. He reported that the cost to upgrade the room would be approximately \$3,000. He briefly discussed what equipment would be used and the placement of the equipment for best viewing.

Motion by Commissioner Comander, second by Commissioner Chapman, to authorize County Administration to proceed with the visual upgrades to the Boardroom in the Walton County Courthouse in DeFuniak Springs, FL not to exceed \$3,000.

Mr. Demers reported that the Administration Equipment Budget will not have enough to cover the \$3,000. Commissioner Imfeld stated that the funds should come from the Other Current Charges fund.

Commissioner Meadows asked about the Courthouse Annex upgrades. Mr. Wilson discussed the plans for the Board room in the Annex and stated that the costs to upgrade could be less.

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

Mr. Demers presented an update on the Florida Regional Toll Way Act. He reported that Ms. Kelly Horton, State Lobbyist, is monitoring the situation, and has recommended no action at this time.

Mr. Demers presented a TDC Beach Clean-up Funding update. He stated that Mr. Robert Halfhill, former County Administrator, had authorized the clean-up near the Whale's Tail Bar and Restaurant and to have the TDC contract the clean-up in the amount of \$11,500 (23 days at \$500 per day). He reported that the vendor who normally cleans that area of the beach was overwhelmed by the voluminous amounts of trash and it became a health and safety issue. He stated that he had spoken with the County and Clerk Finance Directors, and recommended that the TDC pay the fee out of their funds because it is the duty of the TDC to clean the beaches.

Commissioner Imfeld asked if an invoice could be sent to the private property owner for the charges incurred for clean-up. Mr. Demers wasn't sure if the county had the authority to ask for reimbursement and stated that he would look into what could be done. Commissioner Meadows felt that the Whale's Tail should be held responsible for the expense since the trash came from their establishment. She also felt that if the county does not ask for reimbursement, then other private property owners will demand free county clean-up services. Attorney Davis stated that he and Mr. Demers would approach the Seascape and Whale's Tail owners about reimbursement for the clean-up done on their property. He also suggested that emergency procedures be in place to address these issues.

Ms. Nielsen spoke in favor of the property owners being held responsible for the expenses incurred.

Mr. Art Miller stated that Sandestin pays approximately \$86,000 each year to clean their beaches. He felt that the beach owners should be responsible for beach clean-up.

Commissioner Meadows questioned whether Mr. Halfhill had discussed the issue with any of the Commissioners. Mr. Demers stated that there were emails between Mr. Halfhill and Mr. Dave Sell, Beach Maintenance Manager; and no Commissioners were involved in the communication. Attorney Davis said that Mr. Halfhill had discussed the issue with him to determine whether or not the issue could be considered an emergency.

Mr. Demers asked for direction on how the clean-up bill should be paid. Commissioner Meadows recommended that the Whale's Tail be held responsible for the amount. Attorney Davis stated that he would meet with the private property owner and bring back the results to the May 14, 2013 Regular Meeting.

Mr. Demers presented a County Administrator Procedures update. He had spoken with Mr. Chris Holley, FAC Executive Director, regarding head hunting services. Mr. Holley asked to come before the Board during the May 14, 2013 Regular Meeting to discuss the head hunting process and the fees to be charged.

Commissioner Chapman stated that on multiple occasions Mr. Demers has made himself available to perform the duties of Interim County Administrator. He said that there were a lot of highly important issues facing the county within the next several months and that strong leadership would be needed.

Motion by Commissioner Chapman to appoint Mr. Demers as County Administrator, to review his appointment in one year to evaluate his performance, and to determine whether to continue or discontinue his appointment as County Administrator. (Chairman Pridgen stepped down as chair to second the motion. Commissioner Comander assumed the Chair position.)

Commissioner Imfeld stated that this issue was not on the agenda, and that the Board had already decided to utilize the FAC head hunting services to find a County Administrator. He felt

that the action voted on April 9th should be followed through. He felt that the head hunter would help to recruit the best person for the position and that the issue to appoint a County Administrator should be tabled for an indefinite period of time.

Commissioner Meadows discussed the issues surrounding the County Administrator selection process prior to the hiring of Mr. Halfhill and felt that the motion to appoint someone as County Administrator was not the proper procedure to follow. She expressed concern that this issue was not on the agenda and felt that Mr. Demers should follow the application process. She also felt that there would be legal problems if the proper process was not followed.

Attorney Davis addressed the concerns made regarding the issue not being on the agenda and stated that this issue would be considered as part of the County Administrators Procedures Update. He said that the Board could choose to change the procedures for hiring a County Administrator.

Commissioner Meadows felt that Mr. Demers improperly handled the issue surrounding Mr. Halfhill's resignation. Commissioner Chapman questioned why Commissioner Meadows felt the issue was improperly handled. Commissioner Meadows compared the TDC related complaints to the complaints filed against Mr. Halfhill. She felt that the complaints against Mr. Halfhill should have been made in writing with signatures and that Mr. Demers should have been fired for the way the issue was handled. Commissioner Chapman stated that with his many years of law enforcement experience and his administrative experience handling complaints of this nature, he felt that the issue was handled correctly. He briefly discussed sexual harassment complaint procedures and the measures taken to address the complaints made against Mr. Halfhill. Commissioner Meadows voiced concern that the complaints filed against the TDC were held for 45 days and the complaints against Mr. Halfhill were acted upon immediately. She felt

that the complainants should have been told that the complaints were to be made in writing and made public record.

Mr. Demers stated for the record the events that happened surrounding the resignation of Mr. Halfhill. He reported that upon his return from a trip to Washington, D.C., he received a complaint of sexual harassment against Mr. Halfhill and immediately sought legal counsel for direction. He stated that the Chairman was then notified of the complaints. He stated that upon advice from counsel, immediate action was not taken. The conversation with the complainant was documented immediately. He reported that a week later three additional complainants filed complaints on the same day. Legal counsel was again sought. Commissioner Meadows stated that Human Resources (HR) should have handled the issue. Mr. Demers stated that HR could not be involved because victims could not be included in the investigation. He stated that all of the Commissioners were notified of the situation. Mr. Demers reported that he and Legal Counsel approached Mr. Halfhill with the complaints; it was not recommended that he resign. Mr. Halfhill voluntarily resigned his position as County Administrator. Discussion continued on how the process was handled.

Commissioner Imfeld stated that head hunters would vet the various management styles. He discussed that while he was County Finance Director, he and Mr. Demers differed on management styles and voiced concern that those management styles would be carried over.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to issue a substitute motion to negate the original motion to appoint Mr. Gerry Demers as County Administrator, and follow the motion made at the April 9, 2013 Regular Meeting to seek the services of the FAC head hunter.

Vice-Chairman Comander stated that a previous motion had already been made. Attorney Davis clarified that Commissioner Imfeld's motion was a substitute motion and stated that Robert's Rules of Order dictates that a substitute motion must be voted on first.

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

Attorney Davis stated that the original motion should be voted on. Commissioner Imfeld reminded Attorney Davis that his motion negated the original motion. Attorney Davis agreed that a substitute motion does take precedence.

Attorney Davis verified that Mr. Demers' account of the actions taken was accurate and reported that he could not state who was involved because the investigation is pending. He said that when more information is available he would present it to the Board. Vice-Chairman Comander questioned if Mr. Halfhill had been asked to resign. Attorney Davis stated that he had not asked Mr. Halfhill to resign.

Commissioner Meadows stated that she had multiple conversations with Mr. Halfhill and he indicated that Chairman Pridgen would not meet with him. Chairman Pridgen stated that he had met with Mr. Halfhill on several occasions. Commissioner Meadows voiced concern that issues such as this would hinder the process to hire a capable County Administrator.

Ms. Jackie Marquel felt that there were still a lot of unanswered questions surrounding this issue and felt that the public should be given more information.

Chairman Pridgen resumed the Chair position.

Mr. Demers presented a Legislative Priorities-Washington DC trip update. He stated that Chairman Pridgen, Commissioner Chapman, Commissioner Imfeld, and he were able to meet with legislative delegates to discuss funding opportunities for Walton County. He reported that

with the elimination of earmarks, the agencies have funding to distribute in the form of grants. These grants are issued with a short time frame to apply. Commissioner Imfeld reported that the county's lobbyist would send notification when grant application opportunities arise. He stated that there will be a three week window to apply for the grants. He stated that staff should be allowed to prepare, for Board consideration, those grant applications which meet the strategic plan so that the time frame could be met. The Board concurred.

Mr. Demers discussed the TDC Executive Director interviews. He reported that there have been three candidates to withdraw from the interview process. He discussed that some of the candidates were asking the County to pay for travel expenses to interview; one candidate has requested moving expenses be paid if they were selected. Commissioner Comander stated that travel expenses have not been reimbursed in the past. She felt that moving expenses were more plausible. Mr. Demers stated that moving expenses could be included in the negotiations.

Mr. Demers requested adoption of a resolution **(2013-18)** proclaiming 2013 as Viva Florida 500 celebrating the 500th year of Juan Ponce de Leon's discovery of Florida. Commissioner Comander commented that the State is planning various events to celebrate this unique anniversary.

Motion by Commissioner Comander, second by Commissioner Imfeld, to adopt **Resolution 2013-18** designating 2013 Viva Florida 500. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Major Stan Sunday, Interim TDC Executive Director, presented the amendments to the Standard Operation Procedures as follows: Consultant Reimbursement Guidelines-to include itemized reimbursement receipts; and Giveaways/Social-after four consecutive attempts to

complete the distribution process to the winner, the TDC shall consider the prize unclaimed. All prizes or packages will be returned to the donating party. He requested approval.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the amendment to the TDC Standard Operation Procedures: Consultant Reimbursement Guidelines which adds the word itemized. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Imfeld asked why the Standard Operation Procedures for Give-a-ways/Social was being amended. Mr. John Irvin reported that there were a few occasions where the gifts were declined.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the Standard Operation Procedures: Give-a-ways/Social to include the return of unclaimed gifts to the donor. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Mark Davis, County Attorney, requested to hold an Executive Session regarding Avalon Dunes Condominium Owners Association, Inc. v. Walton County Board of County Commissioners and Bonezzi Development Company (Case No. 2012-CA-744) on May 14, 2013 at 3:00 p.m. at the Walton Courthouse Annex in Santa Rosa Beach, Florida.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to schedule an Executive Session to discuss Avalon Dunes Condominium Owners Association, Inc. v. Walton County Board of County Commissioners and Bonezzi Development Company (Case No. 2012-CA-744) on May 14, 2013 at the Walton County Courthouse Annex in Santa Rosa Beach, FL at 3:00 p.m. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Davis discussed the RESTORE Act – Senate Bill 1024. He stated that he had spoken with Ms. Kelly Horton, State Lobbyist, and was told that the bill has been withdrawn and resubmitted with a series of amendments which should protect the counties' ability to receive the funds. He recommended that Ms. Horton be formally tasked to monitor the new bill and to inform the county of the status so that the local legislative delegation could voice support or opposition of the bill. Commissioner Comander discussed the bill and agreed that it should be monitored and that an emergency session be called should the need arise.

Attorney Davis readdressed the resignation of Mr. Halfhill and stated that he had been the person who chose to remove the issue from HR because Mr. Halfhill was their direct supervisor. He stated that he wanted to prevent any allegations that Mr. Halfhill was influencing the investigation.

Commissioner Comander readdressed the Senate Bill 1024 issue and asked that the situation be monitored by Ms. Horton. Attorney Davis stated that Ms. Horton had recommended that a resolution not be presented because the bill is still being debated.

Ms. Sandra Luchtefeld discussed Code Enforcement issues surrounding hours of operation. She felt that the hours needed to be changed to be able to address the problems occurring during the evenings.

Commissioner Meadows had no items to present.

Commissioner Comander stated that she had attended a recent TPO Board meeting. She reported that the Census information showed an increase in population in the Freeport area. She said that there is a possibility that an additional person could be appointed, specifically from the Freeport area, to serve on the TPO Board. She also discussed the restoration of passenger rail service between New Orleans, LA and Jacksonville, FL. She distributed a draft resolution in

support of the restoration of the service. Commissioner Comander asked that the Board review this resolution and allow it to be presented at a scheduled Board meeting. The Board concurred.

Commissioner Infeld and Commissioner Chapman had no items to present.

Chairman Pridgen asked if Attorney Davis had any information to present regarding Workshop Procedures with Attorney Davis. Attorney Davis stated that he would bring the information to a later meeting.

There were no additional comments.

The meeting recessed at 10:50 a.m. and reconvened at 11:09 a.m.

Mr. Wayne Dyess, Planning Development Services Director, stated that the Department of Economic Opportunity (DEO) is offering a Planning Technical Assistance Grant which assists local governments with the provisions of the Community Planning Act to promote planning solutions. He said that if enough funding was available, the two projects for consideration would be to review the Land Development Code (LDC) and to review the U.S. 331 Corridor plan. The grant would be up to \$25,000 with no match. He requested to submit a "Letters of Request" to be considered in the upcoming grant cycle.

Motion by Commissioner Comander, second by Commissioner Chapman, to allow Planning Staff to submit Letters of Request in the upcoming Department of Economic Opportunity-Planning Technical Assistance Grant cycle.

Commissioner Meadows questioned the areas the grant would be used and noted that the Funding and Program Agreement presented addressed the three interchanges at I-10. Mr. Dyess said that the primary objectives are to review the LDC and the Corridor Plan. Discussion ensued regarding the sample agreement and that the language would be changed.

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

Mr. Mac Carpenter, Planning and Development, reported that there are several members of the Affordable Housing Advisory Committee whose terms are set to expire or have decided to resign. He requested that the Board present recommendations for new members at the May 14, 2013 Regular Meeting for the Affordable Housing Advisory Committee. He said that the committee is required by Florida Statute due to the acceptance of SHIP Funds. Commissioner Imfeld said that there were 11 individuals whose terms are marked to expire and questioned if the Board needed to recommend someone for all of those positions. Mr. Carpenter stated that some of the members have asked to be re-appointed and the Commissioners would only need to recommend eight individuals.

Attorney Davis discussed the requests being submitted to forgive or to release a lien under two of the following circumstances: 1. The SHIP mortgage is considered a second mortgage, a release is requested, and the owner gives a deed in lieu of foreclosure; 2. A sale of the property with not enough money after the sale to cover the first and second mortgage. He asked to bring the recommendations individually for approval or denial. The Board concurred.

Mr. Carpenter briefly discussed the SHIP Local Housing Assistance Plan (LHAP). He stated that the Affordable Housing Advisory Committee members have completed the required update to the LHAP and requested that the plan be approved by **resolution (2013-19)**. This plan is required to be submitted by May 2, 2013. He reported that the category Emergency Repair no longer exists and that the activities funded under this category have been placed under the Substantial Rehab Program category. He stated that the Legislature has placed the Trust Fund into the General Fund and he briefly discussed the availability of funds. Mr. Carpenter requested

that the Board approve the LHAP in the event that funding becomes available within the next three years.

Motion by Commissioner Comander, second by Commissioner Imfeld, to adopt **Resolution 2013-19** approving the LHAP update. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

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

Mr. Dyess presented the items which have been continued or tabled.

Commissioner Imfeld reported that he was recusing himself from the Sandestin DRI issue due to a business relationship.

Motion by Commissioner Chapman, second by Commissioner Comander, to continue Prominence Phase I to May 14, 2013 at 5:00 p.m. or soon thereafter at the Walton County Courthouse Annex in Santa Rosa Beach, FL. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Chapman, to table Winter Garden at Water Sound Phase 3 Plat. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Chapman, second by Commissioner Comander, to table Winter Garden at Water Sound Phase 4 Plat. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue Sandestin DRI to May 14, 2013 at 5:00 p.m. or soon thereafter at the Walton County Courthouse

Annex in Santa Rosa Beach, FL. Ayes 4, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Abstained, Meadows Aye. **(FORM 8B: Commissioner Imfeld)**

Motion by Commissioner Comander, second by Commissioner Meadows, to continue Rosemary Beach Phase 7B Plat to May 14, 2013 at 5:00 p.m. or soon thereafter at the Walton County Courthouse Annex in Santa Rosa Beach, FL. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Brian Underwood, Planning and Development, presented Idyll Hound Brewery, a major development order application submitted by McNeil Carroll Engineering, Inc., requesting to construct a 7,500 square foot commercial building to operate a beer brewery, bottling, and warehouse facility for wholesale distribution, on 1.03 acres with a future land use of Business Park. The project is located off US Hwy. 98 approximately seven miles east of Hwy. 331 along Serenoa Road. The project is located on the north side of cul-de-sac at the end of Serenoa Road on Lot 17. Staff found that the project will be consistent with the Comprehensive Plan and the Land Development Code contingent upon the conditions as stated in the Staff Report. Mr. Underwood recommended approval.

Commissioner Meadows asked if the parking was for employees only or will there be tours given. Mr. Underwood stated that the parking is exclusively for employees. There are zones allocated for loading, unloading, and distribution.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve Idyll Hound Brewery. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibits: 1-Staff Report)**

Mr. Underwood presented Donut Hole at Inlet Beach, a major development order application submitted by Preble-Rish, Inc., requesting approval to construct a standard restaurant consisting of 6,559 square feet on 1.311 acres, with a future land use of Neighborhood Infill. The project is located at the northwest corner of US Hwy. 98/North Wall Street intersection in Inlet Beach (across from the US Hwy. 98/CR 30A-W intersection. Staff found that the project will be consistent with the Comprehensive Plan and the Land Development Code contingent upon the conditions as stated in the Staff Report. He recommended approval subject to the applicant meeting all conditions.

Commissioner Imfeld discussed the contamination remediation of the lot through the use of a sparge system. He questioned what a sparge system was and if the remediation would interfere with the construction. Mr. Chance Powell, Preble Rish, Inc., stated that the project design will work around the sparge remediation system. Ms. Nikki Hicks, Envirotech, defined the sparge event system and how it is used and stated that it would not interfere with construction. Discussion continued on the operation of the sparge system.

Commissioner Meadows voiced concern that more parking spaces were not added to the west of the project. Mr. Powell discussed the DEP standards that had to be met and how those standards affected the parking area. Commissioner Chapman asked if the tanks had been removed. Mr. Powell and Ms. Hicks stated that there were no tanks on the site.

Commissioner Meadows discussed the issues of restaurant parking and requested that No Parking signs be erected in the North Wall Street right-of-way and along U.S. Highway 98.

Attorney Davis asked that the conditions be read for the record. Mr. Underwood read the conditions as stated in the Staff Report and Commissioner Meadows' recommendation was added to the list.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to approve the Donut Hole at Inlet Beach with the conditions as stated.

Mr. Powell asked if the signs would be provided by Public Works. Commissioner Meadows stated that they would. Commissioner Chapman questioned if FDOT would be contacted prior to erecting the signs. Mr. Powell stated that FDOT would be contacted, but felt that the six inch curb and gutter system currently in place would make it difficult to park in that location.

Attorney Davis asked if Commissioner Meadows' recommendation would be attached to the Development Order or the Certificate of Occupancy. Commissioner Meadows stated that it should be attached to the Development Order.

Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibits: 1-Staff Report) (Ex Parte: Commissioner Meadows)**

Mr. Carpenter presented Miramar Court Plat, a plat application submitted by Rare Earth, Inc. consisting of 10 residential lots, on 1.25 acres with a future land use of Neighborhood Planning Area/Infill. The project is located at the intersection of east Hatchew and Professional Place. Staff found that the project will be compliant with the development order; will meet the requirements of F.S. Chapter 177, the Comprehensive Plan, and the Land Development Code contingent upon the conditions as stated in the Staff Report. He recommended approval.

Commissioner Imfeld asked if the understructure storm water retention basins had been completed. Mr. Carpenter stated that those will be completed as homes are constructed on the lots. This will be addressed with the issuance of building permits.

Commissioner Comander voiced concern with 10 dwellings on 1.25 acres. Mr. Carpenter stated that the lots and homes would be small.

Commissioner Chapman addressed the provision in the Development Order which states that construction must be started within one year or they will lose the Development Order. Mr. Carpenter said that the project had essentially been completed all that was lacking was the platting process. The infrastructure has been recertified.

Attorney Davis addressed the statement on the plat which dedicates the public areas to the county and stated that he did not see the drawing of those areas. Mr. Carpenter stated that the dedication applies to the use, not to the maintenance. The maintenance will be the responsibility of the homeowner's association.

Mr. Carpenter read the conditions for the record. Commissioner Imfeld stated that a Recreational Plat Fee will be required rather than a Recreational Impact Fee. Mr. Carpenter said that the change would be made.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to approve Miramar Court Plat with conditions as stated. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Chapman, to close the Quasi-Judicial Hearings. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Chapman, second by Commissioner Comander, to open the Public Hearing to discuss the proposed U.S. 331 Corridor Ordinance. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Carpenter presented for first reading the proposed U.S. 331 Corridor Ordinance, an ordinance amending Chapter 13 of the Walton County Land Development Code (LDC) to add the U.S. 331 Corridor as a Walton County Scenic Corridor; defining the limits of the U.S. 331 Corridor; adopting a map of the U.S. 331 Corridor; establishing that the intent of the corridor design standards shall be to manage and promote economic development along Walton County's central transportation corridor being widened to four lanes, to preserve and maximize the scenic views along the U.S. 331 Corridor, to enhance the visual characteristics of the east and west sides of the U.S. 331 Corridor, and to eliminate roadside clutter; establishing a requirement for Walton County to develop a U.S. 331 Corridor Master Plan which will establish more specific provisions for permitted uses and structures, prohibited uses and structures, setbacks, landscaping standards, driveway/access/parking standards, sign control, setting standards for parking and right-of-way improvements; providing for severability; and providing for an effective date. He requested that an adoption hearing be scheduled for May 14, 2013 at 5:00 p.m. at the South Walton Courthouse in Santa Rosa Beach. He stated that as U.S. 331 is widened, businesses will develop along this corridor and this ordinance is a framework for development structure in the LDC for the corridor. He stated that there are two provisions in the ordinance that deal specifically with billboards: prohibition of new billboards and removal of abandoned signs.

Commissioner Chapman asked whether existing billboards would have the option to move into a new location. Mr. Carpenter stated that FDOT would have final approval.

Mr. Demers reported that Mr. Larry Jones was recently hired as the Special Projects Coordinator. One of the projects assigned to Mr. Jones was to review the U.S. 331 Corridor.

Mr. Jones stated that he would meet with each commissioner to determine what areas to restrict and where to place standards. He said that Chapter 13 of the LDC would be given to each Commissioner for review to determine which criteria should be applied to the U.S. 331 Corridor.

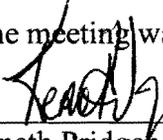
Commissioner Comander spoke in favor of standards being put in place. She stated that if standards are in place now, then they could be lifted later should the need arise. She voiced concern regarding electronic billboards. Mr. Carpenter stated that existing billboards will be grandfathered in if the ordinance is approved.

Ms. Page asked if the Board had decided whether to develop the region as a scenic corridor. Commissioner Chapman spoke in opposition of designating the area as a scenic corridor. Commissioner Comander felt that commercial corridor would be a preferable designation. Mr. Carpenter stated that the ordinance will give the Board time to decide the designation. Commissioner Meadows felt that legal research needed to be done in regards to the billboards.

Motion by Commissioner Comander, second by Commissioner Chapman, to schedule an adoption hearing for May 14, 2013 at 5:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, FL. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Imfeld, second by Commissioner Comander, to adjourn the meeting. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

There being no further items to discuss, the meeting was adjourned at 11:59 a.m.



Kenneth Pridgen, Chairman



Alex Alford, Clerk of Court