

JUNE 24, 2013 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on June 24, 2013 at 9:05 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; Attorney Mark Davis, Interim County Attorney; and Mr. Alex Alford, Clerk of Courts; were also present.

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

Commissioner Meadows submitted a Memorandum of Voting Conflict Form 8B and stated that she had ties with one of the companies being considered for RFQ 013-015-Professional Engineering Services.

Mr. Demers presented the following agenda additions and deletions:

1. Addition: Secretary Barfield, FDOT, to discuss the financing for the U.S. 331 Bridge and present an amendment to the agreement.
2. Deletion: Administration B-Invoices from Sandman, LLC;
3. Deletion: County Attorney-Approve revised Employment Agreement with Mr. Jim Bagby as TDC Executive Director

Motion by Commissioner Comander, second by Commissioner Meadows, 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 agenda. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Meadows, 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 June 11, 2013 Regular Meeting
2. Approve Expenditure Approval List (EAL) for payment

General Fund	\$ 669,912.67
County Transportation	\$ 246,514.38
SHIP	\$ 9,625.00
Section 8 Housing	\$ 142,623.69
Tourist Dev. Council	\$ 40,728.35
N.W. Mosquito Control	\$ 27,704.31
Recreation Plat Fee	\$ 5,453.29
Solid Waste Enterprise	\$ 244,004.87
Bldg Dept/Enterp. Fund	\$ 262.63
Imperial Lakes MSBU	\$ 2,517.66
Inmate Canteen Fund	\$ 7,991.22
Four Mile Village MSBU	\$ 18,307.16
Driftwood Debt Service	<u>\$ 1,804.68</u>
Totals	\$ 1,417,449.91

3. Approve request from the Building Department to surplus/disposal of four trucks (BCC 2732, 3794, 4421, and 5382)
4. Approve a **Resolution (2013-35)** amending the budget for Fiscal Year 2012-2013 to account for fire truck lease loan proceeds in the amount of \$371,512.00
5. Approve surplus equipment request from the Clerk's office for one FI 6130 scanner (1291)
6. Approve surplus equipment request from the Clerk's office for one Sharp ARP350 printer (804)
7. Approve a **Resolution (2013-36)** authorizing the execution and delivery of equipment schedule 04 of Master Lease Agreement No. 04613 with SunTrust Equipment Finance & Leasing Corp.
8. Approve a **Resolution (2013-37)** amending the budget for the Fine and Forfeiture Fund for FY-2012-2013 to account for unanticipated grant revenue in the amount of \$10,316.00 (DOJ Byrne Grant)

Secretary Tommy Barfield, District 3 Secretary FDOT, presented the results of the bids for the U.S. 331 Bridge. He reported that the bid was awarded to Skanska Civil Southeast in the amount of \$118,555,712. The anticipated construction and execution date is July 18, 2013, with

the anticipated Notice to Proceed being August 15, 2013. The anticipated date of project completion will be June, 2016 with weather days added. Secretary Barfield presented an amendment modifying the original contract by changing the County's contribution amount from \$75 million to \$25 million. This change will make available to the county a rebate of \$50 million. He stated that his desire was to give all of the bid savings to the county, but the \$50 million rebate will leave a balance of approximately \$7 million.

Commissioner Comander thanked Secretary Barfield and FDOT for their efforts in getting the U.S. 331 Bridge project underway and returning the savings to the county. Commissioner Imfeld also expressed his gratitude to Secretary Barfield's for upholding his promise to refund the difference. Secretary Barfield stated that State FDOT Secretary Anath Prasaad was instrumental in the original commitment by the agency and in the return of the bid savings.

Commissioner Meadows asked Secretary Barfield to address the remaining \$7 million in bid savings. Secretary Barfield stated that the total bid savings exceeded \$57 million. He said that the agency does not want to release the entire amount since a contract has not been executed, a design has not been submitted, and the project has not been permitted. These factors could change the bid amount and the retention of the \$7 million could go toward covering those costs. Secretary Barfield said that he hoped that over the next year that more of the remaining funds could be released and that he did not anticipate having to make a lot of changes. He said that he would attempt to have the \$50 million delivered to the county this week due to the FDOT fiscal year ending June 30th and the county's accruing interest.

Chairman Pridgen also expressed his gratitude.

Commissioner Comander announced that FDOT will be holding a meeting at the DeFuniak Springs City Hall regarding the expansion of U.S. 331 from U.S. 90 to the Alabama line.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the first amendment to the FDOT local funding agreement for the U.S. 331 Bridge project. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers requested that the Board rank the top three RFQ 013-015 Professional Engineering Services firms which were presented at the workshop held at 8:30 a.m. The rankings were submitted to the Clerk to be tallied with the results to be presented later in the meeting for approval.

Commissioner Imfeld asked when the county changed from employing firms on a rotation basis. Mr. Demers stated that this process has not been used in approximately three years. Commissioner Imfeld asked if there was any reason the rotation basis could not be used again. Mr. Demers stated that the Request for Quotes (RFQ) had in the past specified top ranked firm. Commissioner Imfeld asked if this RFQ had the specification included. Mr. Demers said that it did not and that the Board would have to give direction to staff to continue employing firms on a rotation basis. Commissioner Imfeld felt that the rotation policy would better suit the county's needs as more projects are begun.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to use the rotation policy for RFQ 013-015. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers stated that only the top three firms for RFQ 013-015 needed to be ranked.

Mr. Demers requested that the Board select the top firm submitting for RFQ 013-016 South Walton Parking Needs Assessment and to begin negotiations with that firm. The rankings were submitted to the Clerk to be tallied with the results to be presented later in the meeting for approval.

Mr. Billy McKee, Environmental Manager, requested to submit a project application to NRDA for the replacement of culverts with bridges at 5 Coastal Dune Lakes along C. R. 30A: Draper Lake, Big Redfish Lake, Little Redfish Lake, Deer Lake, and Alligator Lake. He stated that the application could also be submitted to National Fish and Wildlife Foundation (NFWF). Commissioner Comander stated that it would be beneficial to apply for as many grants as possible

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the submission of a project application to NRDA and NFWF for the replacement culverts with bridges at the five Coastal Dune Lakes as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Ms. Wanda Quimby, County Finance Director, requested to appoint the following individuals to the Library Advisory Board: Mr. Craig Reynolds, At-Large Member; Ms. Rebecca A. King, District 2 Representative; and Ms. Jeanne O'Connell, District 5 Representative.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the appointments to the Library Advisory Board as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Tom Baker, Housing Director, reported that there has been funding reductions to the HUD program and requested approval of an amendment to the Agency Administrative Plan for Walton County Housing, Chapter 5 Subsidy Standards. He stated that this change would allow

for two individuals per room rather than one and will decrease the size of housing in the future. Commissioner Chapman asked if this was a mandate from HUD. Mr. Baker replied that HUD has recommended to do whatever is necessary to cut agency costs. Commissioner Comander asked if funding was being severely cut. Mr. Baker stated that there is the possibility of losing approximately 20 families by the end of this year and will carry on over into next year. Commissioner Comander asked if there was any Federal provision for those who would be losing their homes. Mr. Baker said that they are meeting with the tenants to alert them to the changes that are coming. He said that this was not the only agency faced with these cuts and that before any additional funding in the form of reserves is received, proof of cost reduction must be presented. He briefly discussed the processes to receive Federal funding. Commissioner Chapman noted that prior to the national election HUD mandated that more people were to be added and voiced concern that funding is now being cut. Mr. Baker stated that sometime in August or September HUD asked that 30 new families be added each month for three months. He said that only 30 families total was added during that time. He reported that no new vouchers will be issued and that there are more than 250 people on a waiting list that will not be served.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the amendment to the Agency Administrative Plan for Walton County Housing, Chapter 5 Subsidy Standards. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Baker requested to change the Agency Administration Plan for Walton County Housing Chapter 6 Section C Minimum Rents which would increase rent from \$25 to \$50. Commissioner Meadows voiced concern that some of the tenants would not be able to pay. Mr. Baker said that the impact would not be significant to the tenants and that it will be worked out.

Motion by Commissioner Chapman, second by Commissioner Meadows, to approve the changes to Agency Administration Plan for Walton County Housing Chapter 6 Section C Minimum Rents as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Tom Baker requested to change Agency Administration Plan for Walton County Housing Chapter 8 Voucher Issuance Briefings and Recessions which will remove families from the program should funding shortfalls continue. He reported that HUD has required that this policy be in place. He said that currently there are 312 families on the program and that the elderly and disabled would be the last people affected. Landlords would be contacted about reducing the rent prior to removing anyone from the program. Commissioner Chapman wanted explanation of the repayment agreement. Mr. Baker stated that the agency is approximately \$200,000 in debt due to fraud, over payment of rent, and not having accurate information about tenant income. He said that an agreement with a collection agency is being considered. He reported that approximately \$40,000 was recovered last year.

Commissioner Imfeld directed that a spelling error on the last page of the plan be corrected.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the changes to the Agency Administration Plan for Walton County Housing Chapter 8 Voucher Issuance Briefings and Recessions. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Comander thanked Mr. Baker for the outstanding job he has done.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the following firms as top three firms for RFQ 013-015 Professional Engineering Services: Preble-

Rish, Atkins, and Tetra Tech. Ayes 4, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Abstained. **(Form 8B: Commissioner Meadows)**

Motion by Commissioner Chapman, second by Commissioner Meadows, to select Avcon as topped ranked firm for RFQ 013-016 South Walton Parking Needs Assessment and to begin negotiations. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers requested to award RFP 013-012 Disaster Response Service to Crowder Gulf as topped ranked firm and approve the negotiated rates.

Motion by Commissioner Comander, second by Commissioner Imfeld, to award RFP 013-012 Disaster Response Service to Crowder Gulf as topped ranked firm and approve the negotiated rates. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Demers requested to schedule a workshop to allow the Florida Association of Counties (FAC) to discuss the County Administrator selection process. He requested that the workshop be held July 9, 2013 at 3:00 p.m. prior to the Regular Meeting at the Courthouse Annex in Santa Rosa Beach, FL.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to hold a workshop to discuss the County Administrator selection process on July 9, 2013 at 3:00 p.m. at the Courthouse Annex in Santa Rosa Beach, FL. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Larry Jones, Special Projects Coordinator, requested to tentatively approve the Local RESTORE Comprehensive Plan. He said that this plan would be submitted to the Local

RESTORE Committee for their input. Additional language is being considered to cover the Choctawhatchee Basin and upland waterways.

Motion by Commissioner Comander, second by Commissioner Imfeld, to tentatively approve the Local RESTORE Comprehensive Plan. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to issue a RFP or ITB for Operation of the Wastewater Treatment Facility at the Mossy Head Industrial Park. He reported that the plants at Dixie RV Center and Mossy Head Elementary School have been connected and the county is in need of a professional plant operator to operate and maintain this facility.

Motion by Commissioner Imfeld, second by Commissioner Comander, to allow staff to issue a RFP or ITB for Operation of the Wastewater Treatment Facility at the Mossy Head Industrial Park. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to allow staff to prepare and distribute an RFP for water and sewer impact fees study along the U.S. 331 Corridor. He stated that with the improvements being made to U.S. 331, the desire for commercial development will grow. Access to water and sewer will be a critical factor in developing the area. He reported that the study will determine what type of funding would be best suited for the infrastructure.

Motion by Commissioner Chapman, second by Commissioner Comander, to allow staff to prepare and distribute an RFP for water and sewer impact fees study along the U.S. 331 Corridor.

Commissioner Meadows asked if the study would include traffic impact fees. Mr. Jones stated that it would only cover water and sewer.

Commissioner Imfeld asked what the geographic boundaries would be. Mr. Jones stated from I-10 to the north shore of the Choctawhatchee Bay. Commissioner Meadows asked if the study would include the area from the southern shore to U.S. 98. Commissioner Jones stated that that portion is already serviced by either South Walton Utilities or Regional Utilities.

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

Mr. Jones requested to allow staff to prepare and submit an application request to the NFWF to fund a bank erosion study along the Choctawhatchee River and major tributaries. This study will identify the problem areas of erosion.

Motion by Commissioner Chapman, second by Commissioner Comander, to allow staff to prepare and submit an application request to the NFWF to fund a bank erosion study along the Choctawhatchee River and major tributaries. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Imfeld, to open the Public Hearing to discuss the Mossy Head Industrial Park Infrastructure. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Imfeld requested that Mr. Jones discuss the funding for the different phases and give the Board two weeks to review the information so that an appropriate decision as to which phases to go forward with and to set a Public Hearing to move monies from reserves. The Board concurred.

Mr. Jones discussed the Mossy Head Industrial Park Infrastructure Phasing Costs chart and the Overall Grading Plan map. He reported that Zones 1 and 2 includes the area to the west of S. R. 285 and Zones 3 – 6 is the area to the east of S. R. 285. Commissioner Imfeld asked that

recommendations as to which phases are needed immediately be presented at the July 9, 2013 Regular Meeting. He asked if any parcels have been committed to a specific entity. Mr. Demers stated that there have been discussions with companies but no commitments.

Commissioner Meadows asked where the funding would come from. Mr. Jones stated that Solid Waste Reserve would be the likely source. Commissioner Meadows asked what the balance was of the Solid Waste Reserve. Mr. Jones stated that he did not have that information on hand. Commissioner Meadows asked that the balance be presented at the next meeting. She also asked if this transaction would be a budget amendment for next year. Commissioner Imfeld stated that the request will be a budget amendment for the current year. Commissioner Imfeld felt that this needed to be started before September 30, 2013.

Mr. Jones stated that the area to the west (Zones 1 and 2) would need less funding because the road has been installed; with water and sewer to be completed. He recommended that as work began on the eastern areas, that the phases be completed in order. Commissioner Imfeld stated that there have been inquiries into the industrial park and felt that Economic Development should also be consulted to see where the areas of inquiry are located. He asked that an inquiry assessment be presented at the next Board meeting for discussion. Commissioner Meadows asked who would perform the engineering for the infrastructure. Mr. Jones stated that the storm water plans and roadway plans are complete. Commissioner Meadows asked who would perform the work. Mr. Jones stated that the costs were based on Public Works performing the work. Commissioner Meadows questioned if this would take away from other road projects that Public Works is currently working on. Mr. Jones stated that based on Public Works assessment, they would be able to perform the work as well as the other projects.

Ms. Jolene Parrish and Mr. Jerry Parrish stated that they have recently purchased a home near the Industrial Park and voiced concern with what types of industry will be brought into the park. Mr. Jones stated that he would keep the Parrishes informed. The Parrishes discussed other issues that were not related to the Mossy Industrial Park and was told that Public Works would speak with them about those issues.

Dr. Don Riley, Mr. Bill Kern, and Mr. Bob Gilardy voiced concern with the possible use of solid waste funds for the industrial park.

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

Commissioner Imfeld recommended setting the date for the Public Hearing to consider the movement of funds at the July 9, 2013 Regular Meeting.

Attorney Mark Davis, Interim County Attorney, requested approval to enter in a formal agreement with Constangy, Brooks & Smith, LLP for a Human Resources investigation. He reported that the request was placed on the agenda not knowing how large the amount would be; however, the investigation is complete and awaiting the report. He recommended approval of the agreement.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the agreement with Constangy, Brooks & Smith, LLP as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Davis requested to allow Rushing Properties, LLC to satisfy a \$10,000 SHIP Loan for a payment from Rushing Properties to Walton County in the amount of \$1,200. He reported that Rushing Properties has the first mortgage on the property and in the process of

foreclosure proceedings. The owners have agreed to a deed in lieu of foreclosure, if the county agrees to forgive the SHIP loan for \$1,200. Attorney Davis stated that Rushing Properties would pay the cost of foreclosing the property so that the SHIP loan would not be completely lost.

Commissioner Imfeld stated that it had been discussed recently that a policy needed to be created to address these types of issues. He asked if that policy had been completed. Attorney Davis stated that he was still working on that policy and that the many different scenarios that needed to be addressed makes this a difficult policy to construct. He said that the County is the second mortgage holder and with the first mortgage holder foreclosing on the property, the County could lose all interest in the property. Attorney Davis recommended accepting the \$1,200. Discussion ensued on the county's position as second mortgage holder.

Motion by Commissioner Comander, second by Commissioner Chapman, to allow Rushing Properties, LLC to satisfy the \$10,000 SHIP Loan for a payment to Walton County in the amount of \$1,200.

Commissioner Chapman noted that the loan originated in 2009 and felt that a policy needs to be in place to protect the taxpayers in issues such as this. Commissioner Imfeld asked if the County would receive any money if the property went through foreclosure. Attorney Davis stated that it would be extremely difficult to get any money back and discussed the procedures that must be followed.

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

Attorney Davis exited the meeting and Attorney Greg Stewart, Nabors, Giblin & Nickerson, assumed the position as Interim County Attorney.

Mr. Jim Bagby, TDC Executive Director, thanked Major Stan Sunday for the work he has done as TDC Interim Executive Director.

Mr. John Ervin, TDC, requested approval of the new/updated Standard Operating Procedures for 2013-14 Artist of the Year Application, Photo/Video, and Media Hosting. He reported that all three were approved unanimously by the TDC Advisory Council.

Commissioner Comander exited the meeting.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to approve the new/updated Standard Operating Procedures for 2013-14 Artist of the Year Application, Photo/Video, and Media Hosting. Ayes 4, Nays 0. Pridgen Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Comander returned to the meeting.

Ms. Michelle Ray requested to amend FY 2012-2013 TDC Capital Improvements Budget in the amount of \$90,250 to de-obligate funds from Improvements Other Than Buildings and re-allocate to Professional Services to begin engineering services for Dothan Street improvements, Legion Park Boat Ramp and storm water improvements, and Timpooshee Trail Signage replacements. These funds had originally been obligated for the parking projects at Santa Clara, Walton Dunes and Montego which were cancelled pending the outcome of the parking study.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to approve the amendment to the FY 2012-2013 TDC Capital Improvements Budget as presented in the amount of \$90,250. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Ms. Linda Sumblin, Executive Director for Workforce Development Board of Okaloosa and Walton Counties, requested approval of the Fiscal Year 2013-2014 Budget in the amount of

\$3.5 million. She briefly discussed the budget process and reported that the budget year will begin July 1. Ms. Sumblin stated that the Workforce Board is fully grant funded and is not asking for any money.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to approve the FY 2013-2014 budget for the Workforce Development Board of Okaloosa and Walton Counties. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Ms. Sumblin requested approval of two private sector individuals, Mr. Scott Seay and Ms. Meg Northwood, to be appointed to the Workforce Development Board.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to approve the Workforce Development Board members as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Ken Little and Ms. Melinda Wickham, members of the Eglin Noise Committee, provided information regarding the Joint Strike Force F35 Noise Complaints. Mr. Little reported that the F35 has not yielded any more noise complaints than the F15. Most complaints are from the EOD (explosive ordinance disposal).

Ms. Christy R. Johnson, AICP Regional Planner II, West Florida Regional Planning Council, reviewed and discussed the map of Rural County Road Needs for the FDOT Rural Work Program. There are 8 projects being scheduled for funding. She briefly discussed the two newest projects which are the resurfacing of C.R. 181C from S.R. 81 to the Holmes County line (scheduled for 2016) and the feasibility study to widen U.S. 331 from Interstate 10 to the Alabama State line (scheduled for 2014). Ms. Johnson reported that the City Council of Paxton had asked that the paving of Parker Lane be added to the list. The Board concurred to allow the list, as presented, for submission to FDOT.

Ms. Elizabeth Trudeau, Seaview Trace, requested a Release of Lien on the eight lot subdivision. She stated that her husband, Mr. Bernard Trudeau, began the development of the subdivision but has since died. She has recently learned of the liens and requested they be released due to a pending sale.

Commissioner Meadows asked what the liens were for. Ms. Pat Carlyle, Realtor, stated that it was for a Letter of Credit posted by Mr. Trudeau for the final permits for water, sewer, and electricity and that the project would have been completed if Mr. Trudeau had not passed.

Commissioner Imfeld asked what remained to be done. Ms. Carlyle stated that final permitting for water, electricity and sewer needed to be done.

Ms. Rene Bradley, Planning Dept., stated that she had advised Ms. Trudeau to petition the Board for the release. She said that the Code Enforcement claim was due to the expired Letter of Credit stating that a new Letter of Credit would be issued under the new owner if that is acceptable by the Board. Ms. Carlyle stated that the new owner has spent thousands of dollars and wants to make sure that there is a clear title and asks that the lien be forgiven. Commissioner Imfeld asked if this new Letter of Credit is being substituted to insure that the infrastructure would be completed. Ms. Bradley stated that Code Enforcement would forgive all of the liens with the exception of \$2,500 which would have to be paid. Ms. Carlyle stated that she is representing the seller, but the buyer has promised to post a Letter of Credit to finish the project if the lien is forgiven. Commissioner Comander asked if the buyer was willing to pay the \$2,500. Ms. Carlyle stated that either the buyer or the seller will pay the \$2,500.

Ms. Mary Neilson recommended that the Board defer this issue until more information could be acquired. She felt that policies need to be made.

Attorney Stewart stated that he has not had a chance to discuss this issue with Attorney Davis, but understood that he had reviewed the lien and had discussed it with Planning Staff. He felt that the advisement of the Code Enforcement was sufficient for Board action. Commissioner Meadows asked if the lien could be released upon condition. Attorney Stewart stated that the lien would have to be satisfied at closing. Commissioner Imfeld questioned if the closing did not occur the lien would be back to the \$300,000 level. Attorney Stewart stated that it could.

Motion by Commissioner Meadows, second by Commissioner Comander, to release the lien upon closing for \$2,500 and for it to apply only to this transaction. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Dr. Don Riley announced that Mr. Bob Hudson would not be making his presentation as listed on the agenda and asked that the issue be continued to the next meeting.

Commissioner Meadows announced that this is the last meeting in DeFuniak Springs that will be filmed by NeighborVision.

Commissioner Comander invited everyone to the 4th of July Celebration in DeFuniak Springs.

Commissioners Imfeld, Chapman and Chairman Pridgen had no items to present.

Mr. Alan Osborne discussed the Sandestin Annual Report, the expert opinion he obtained regarding that report, and voiced concern that he was not given the Sandestin information in an appropriate amount of time to prepare for this meeting. He asked that a policy be developed that would require land use items be discussed in the portion of the county where the lands are located. He also asked that the Board review the expert opinions regarding the Sandestin Annual Report and felt that the Amendment to Sandestin DRI should be continued to give time to review the expert opinion. Mr. Osborne also addressed the non-compliance of the Development Order.

Attorney Davis returned to the meeting and resumed the position of Interim County Attorney.

Ms. Sandy Luchtefeld addressed the lack of availability of Code Enforcement over the weekend. She stated that her call was sent to an answering machine and not redirected to the Sheriff's Department. She reported that panhandlers were located at the corner in Gulf Place. Commissioner Meadows stated that her office receives a list of permits issued each week and reported that no panhandling permits had been issued for this past weekend. Discussion ensued regarding the problems associated with the allowance of panhandlers on street corners during the summer months and on holidays. Mr. Demers stated that Attorney Davis is preparing an ordinance to address panhandling on street corners and to empower the Sheriff's office to take action. Discussion was continued on the problems surrounding panhandling and what the appropriate action should be. Attorney Davis advised the Board that they could elect to suspend the issuance of new permits for a designated amount of time.

Motion by Commissioner Comander, second by Commissioner Meadows, to suspend the issuance of new panhandling permits until after Labor Day.

Ms. Luchtefeld asked that the ordinance direct how Code Enforcement and the Sheriff's Department communicate and work together.

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

There being no further items to discuss, the meeting recessed at 10:50 a.m. and reconvened at 11:03 a.m.

Attorney Davis did not return to the meeting and Attorney Stewart assumed the position of Interim County Attorney.

Mr. Wayne Dyess, Planning and Development Director, requested to assist the City of DeFuniak Springs in preparing a Large Scale Amendment to their Comprehensive Plan.

Motion by Commissioner Comander, second by Commissioner Chapman, to allow the Planning and Development office to assist the City of DeFuniak Springs in preparing a Large Scale Amendment to their Comprehensive Plan.

Commissioner Meadows asked if the City would be receiving these services without cost. Mr. Dyess stated that the services would be minor and that there would be no charge. Commissioner Meadows asked if the County had enough manpower to provide these services. Mr. Dyess stated yes.

Mr. J. B. Hillard asked how much time and effort would be expended by the county on this project. Mr. Dyess stated that the Planning Department performed large scale amendments quite often for the County and that he did not know what the dollar amount would be. He reported that the City was short on staff and was requesting help. Commissioner Chapman questioned if the City could pay a portion of the services. Mr. Hillard voiced concern with the municipalities asking the County to subsidize their services and felt that a decision should be made after a cost determination is made.

Ms. Sara Bowers, City Manager, stated that the City would pay if necessary and that this project is a benefit to the County and the City. Commissioner Comander stated that the issue would be different if it dealt with fire rescue services that would continually cost and felt that the services should be offered. Commissioner Meadows felt that the City should pay for the services. Mr. Dyess stated that he would bring back information on the cost of the services. Commissioner Imfeld asked what the changes are and how they affected the County. Mr. Mac Carpenter, Planning Manager, stated that the county has not done anything of this nature for the City of

DeFuniak Springs within the city limits. There was an occasion to assist on land located outside of the city limits that also dealt with the city's airport ordinance. This request is on a one time basis. He said that it does not involve County land within the city limits. Commissioner Meadows voiced concern with the impact it would have on the Planning Staff.

Ms. Mary Neilson asked how many private parcel owners are involved in the amendment. Ms. Bowers stated that there were no private property owners.

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

Mr. Carpenter requested approval of the proposed West Florida Regional Planning Council SHIP Administration Contract Renewal for three-year renewal. The current contract expires June 30, 2013.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the proposed West Florida Regional Planning Council SHIP Administration Contract Renewal for three-year renewal. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Dyess requested the Board hear the Amendment to Sandestin DRI first. The Board concurred.

The Quasi-Judicial hearings were called to order and Attorney Stewart administered the oath to those intending on speaking.

Commissioner Imfeld stated that he had a conflict with this Sandestin issue and submitted Voting Conflict Form 8B. Commissioner Imfeld exited the meeting.

Ms. Rene Bradley, Planning and Development Planner, reported that The Howard Group is requesting to amend parcel 208/308 within the Sandestin DRI to change building G formally

approved as a hotel (commercial), to a 250 multifamily residential development (apartments). This proposed change is assumed to be a non-substantial deviation according to the criteria of F.S. 380.06(19) E2k. The project is located in Grand Boulevard. Staff found the request is consistent with F.S. 380.06(19) E2k and is not considered a substantial deviation.

Attorney Stewart submitted a letter on behalf of Driftwood Estates Homeowners' Association voicing opposition to the project. **(Respondent 2)**

Commissioner Meadows referred to the comments regarding the reduction of open space and asked for an update on the issue. Ms. Bradley stated that in the last annual report that there is an overage in open space. She said that staff had questions and still has not accepted everything that has been proposed. Commissioner Meadows asked for staff input on the annual report. Ms. Bradley stated that there were several issues with the report that have not been resolved. Commissioner Meadows questioned that if there were issues with the annual report why the staff had chosen to request approval of the project. Ms. Bradley stated that staff does not have the authority to determine what projects can or cannot be held up. Discussion ensued on the outstanding NOPC and withholding approvals until all conditions are met.

Mr. Dyess discussed the open space issues and stated that even with the concerns the proposed project does not fall into a substantial deviation area. Discussion continued on substantial deviation determination.

Attorney Stewart discussed the DRI Statute (F.S. 380.06) which states that in order to halt all development; the Board must determine that the developer is not in substantial compliance with the development order. Commissioner Meadows voiced concern that the Board is being asked to approve a project without having all of the information. Attorney Stewart said that according to Statute, property owners should not be shut down until the Board makes a

formal determination. He said that the process has begun to develop actual background information to make the determination. He addressed the open space issue and stated that it appears that there would be a deviation but not enough to rise to a level of substantial deviation. Commissioner Meadows voiced concern with what the developer is considering as open space.

Commissioner Comander felt that Sandestin needed to be held accountable to address the outstanding NOPC now. She also felt that the proposed change from commercial to residential would lessen the impacts on many different areas and would consider it a minor deviation.

Mr. Darrin Taylor, Carlton Fields, was available on behalf of the applicant for questioning.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the amendment and give Sandestin DRI two years to comply with the outstanding NOPC **(Ordinance 2013-16)**. Ayes 3, Nays 1. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Nay. **(Exhibits: Staff Report-1; Respondent-2)(Form 8B-Memorandum of Voting Conflict: Imfeld)(Ex Parte: Meadows)**

Commissioner Comander directed staff to address the NOPC and to set a deadline for its completion.

Commissioner Imfeld returned to the meeting.

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

Mr. Brian Underwood, AICP, Senior Planner, presented Windswept Estates Property Owners Association SSA 2013-010, an application submitted by Preble-Rish, Inc. for a proposed small scale amendment to the Future Land Use Map of the Walton County Comprehensive Plan

requesting approval of an amendment to 6 acres from General Agriculture to Estate Residential. The project is located southeast of the intersection of J.W. Hollington Road and Joe Dugger Road. Staff found that the proposed amendment is consistent with the Walton County Comprehensive Plan and Land Development Code.

Mr. Chance Powell, agent for the applicant, was available for questioning.

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Imfeld, to approve Windswept Estates Property Owners Association SSA 2013-010 (**Ordinance 2013-14**). Ayes 4, Nays 0. Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. (**Exhibit: Staff Report-1**)

Mr. Carpenter presented the Amendment to Walton County Industrial Park PUD aka Mossy Head Industrial Park PUD and requested approval to revise development standards in PUD documents, consisting of 333.20 acres with a future land use of Industrial. The project is located south of U.S. Highway 90 and North of I-10 and on the east and west side of U.S. 285. This amendment would expedite economic development at the industrial park.

There were no public comments.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve Amendment to Walton County Industrial Park PUD aka Mossy Head Industrial Park PUD. Ayes 4, Nays 0. Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. (**Exhibit: Staff Report-1**)

Commissioner Imfeld stated that there were some minor housekeeping issues with the Mossy Head PUD and requested that these be corrected and brought back to the Board at a future date. Mr. Carpenter stated that are some corrections that could be handled at staff level and that the corrections would be presented to the Board.

Ms. Bradley presented Blackstone SSA 2013-09; an application submitted by Bonezzi Development Company for a proposed small scale amendment to the Future Land Use Map the Walton County Comprehensive Plan, requesting approval of an amendment to 4.7 acres from Rural Residential to General Commercial. The project is located on the west side of Ammons Road approximately 400 feet north of U.S. Hwy. 90. Staff found the proposed amendment is consistent with the Walton County Comprehensive Plan and Land Development Code.

There were no public comments.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to adopt **Ordinance 2013-15** approving Blackstone SSA 2013-09. Ayes 4, Nays 0. Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibit: Staff Report-1)**

Chairman Pridgen rejoined the meeting and resumed the Chair position.

Ms. Bradley presented Blackstone PUD, a major development order application submitted by Bonezzi Development Company, consisting of 1,303 acres, requesting to develop the residential and commercial areas and sell the areas by phases, with a future land use of Rural Village, Rural Residential, and General Commercial. The project is located north of U.S. Hwy. 90 directly east of the Mossy Head Elementary School, approximately 0.5 miles north of the S.R. 285 and I-10 interchange, approximately 15 miles east of Crestview and approximately 12 miles west of DeFuniak Springs. Any fill will require State and Federal permitting. She reported that the Staff Report noted four conditions needed to be addressed as recommended by the Environmental Department (Staff Report Page 6 of 8). The applicant is requesting a variance in setbacks from 7.5 feet side and 15 feet rear to 5 foot side and 5 foot rear. Staff found that the request is consistent with the Walton County Land Development Code and Comprehensive Plan.

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the Blackstone PUD with conditions as stated in the Staff Report. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Ms. Bradley presented Verizon Wireless-Gordon, a major development order application submitted by Mr. Bob Chopra, Satya Acquisition Management, Inc., requesting the approval to erect a communications tower, 250 feet in height, on 37 acres with a future land use of General Agriculture. The project is located at 173 C. R. 2-A. Staff recommended approval.

Commissioner Imfeld questioned why there are no proposed accessory structures citing that other towers required equipment buildings. Mr. Chopra stated that there will be a concrete pad to house the generator and radio cabinets.

There were no public comments.

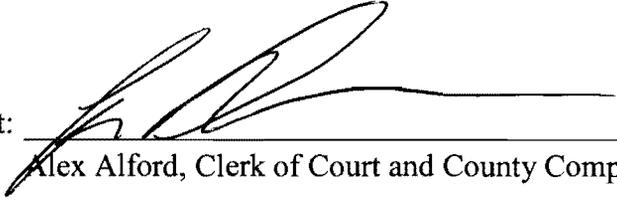
Motion by Commissioner Commander, second by Commissioner Chapman, to approve Verizon Wireless-Gordon. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. **(Exhibits: Staff Report-1)**

Mr. Carpenter requested that the Gregory and Carla Hard Vested Rights Determination be removed from the agenda. He reported that the disposition of this issue will be addressed through an administrative decision by the Planning Director.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to remove the Gregory and Carla Hard Vested Rights Determination from the agenda. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

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

Approved: 
Kenneth Pridgen, Chairman

Attest: 
Alex Alford, Clerk of Court and County Comptroller