

## NOVEMBER 7, 2013 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Thursday, November 7, 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-Chairman; Commissioner Bill Chapman; Commissioner Bill Imfeld; and Commissioner Cindy Meadows. Mr. Mark Davis, County Attorney; Mr. Larry Jones, County Administrator; Ms. Dede Hinote, Deputy County Administrator; Mr. Stan Sunday, Deputy County Administrator; and Mr. Alex Alford, Clerk of Courts and County Comptroller, 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. Larry Jones, County Administrator, presented the following changes to the agenda.

### ADDITIONS:

1. Consent Agenda Item 23 – Approve for the Chair to sign Equitable Sharing Agreement and Certification as requested by the Sheriff's Office
2. Public Works Item g – Authorize the Chair to sign a letter designating environmental needs for Alligator, Eastern and Western Coastal Dune Lakes
3. County Attorney Item 3 – Ratification of Pending Litigation Actions per Contract

### DELETIONS:

1. TDC Item 1 – Bid 013-005 – Grayton Beach Dune Walkover
2. Planning and Development Item 1 – Floodplain Management Ordinance – Tabled to November 26, 2013 meeting

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

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 1,637,087.71
County Transportation	\$ 325,037.19
SHIP	\$ 18,581.00
Fine & Forfeiture	\$ 1,497,920.00
Mosq. Control State	\$ 199.00
Section 8 Housing	\$ 127,226.31
Tourist Dev. Council	\$ 690,564.59
N.W. Mosquito Control	\$ 1,635.15
Recreation Plat Fee	\$ 1,874.25
Solid Waste Enterprise	\$ 373,384.17
Bldg Dept/Enterp. Fund	\$ 1,790.78
Inmate Canteen Fund	\$ 28,835.07
Driftwood Debt Service	\$ 1,101.82
Capital Projects Fund	\$ 236,011.92
<b>Totals</b>	<b>\$ 4,941,248.96</b>

2. Approve Minutes of October 22, 2013 Regular Meeting
3. Approve Investment Report for Quarter Ended September 30, 2013
4. Approve surplus equipment and vehicles request from the Tourist Development Council
5. Approve 2014 BCC Regular Meeting dates, times and locations
6. Approve 2014 BCC Holidays
7. Approve a Resolution **(2013-88)** to amend FY 2013-2014 Budget in the General Fund for unanticipated grant revenue from Florida Department of Economic Opportunity for the US 331 Corridor Design Master Plan
8. Approve a Resolution **(2013-89)** to roll forward encumbrances, projects and grants from FY 2012-2013 into FY 2013-2014
9. Approve a Resolution **(2013-90)** amending the FY 2013-2014 Budget in the County Transportation Fund for anticipated grant funds from Three Rivers Resource Conservation and Development Council, Inc. for the Oyster Lake Bridge Replacement Project
10. Approve a Resolution **(2013-91)** to amend FY 2012-2013 Budget to account for unanticipated administrative payment revenues in the Section 8 Housing Fund
11. Approve EMS County Grant Application from the Florida Department of Health

12. Approve a Resolution (2013-92) for Emergency Medical Services County Grant
13. Approve the Walton County Public Library System's updated Annual Plan for FY 2013-2014
14. Approve Quarterly Report from the Senior Center for Fourth Quarter 2013
15. Approve a Resolution (2013-93) recognizing November 2013 as Alzheimer's Awareness Month
16. Approve a Resolution (2013-94) supporting the efforts of the City of DeFuniak Springs in designating Lake Erie College of Osteopathic Medicine as a valuable asset to the City of DeFuniak Springs and Walton County
17. Approve request from the Sheriff's Office to enter into a Sub-grant Agreement for the State Homeland Security Grant Program for Emergency Management training in the amount of \$14, 200
18. Approve Financial Policies for: Travel, Cash Handling, and Budget Transfers and Amendments as requested by the Office of Management and Budget
19. Approve Lease Agreement with the City of Paxton for the Health Clinic located in Paxton
20. Request to schedule and advertise for a Public Hearing to be held November 26, 2013 for a Budget Amendment to bring funds from the Landfill Reserves and 30A Proportional Fair Share accounts into the Public Works Department for the Big Redfish Bridge Project
21. Approve to sign and submit a grant application in the amount of \$75,000 for the Florida Department of Environment Protection Recreational Trails Program
22. Approve Memorandum of Understanding with Florida Division of Emergency Management and Walton County Emergency Management Division for use of State owned 800 MHz (SLERS) radio as a redundant means of communication with the State EOC in times of disaster
23. Request to schedule and advertise for a Public Hearing to be held November 26, 2013 for a Budget Amendment to bring funds from the 30A Proportional Fair Share account into the Public Works Department for Big Redfish Bridge Project

Mr. Jones presented the request from Ms. Colleen Krika, Prudential PenFed Realty, for a client to purchase three County owned lots located in the Old Town of Santa Rosa. He explained that staff reviewed the lots and determined there is merit in maintaining ownership. He recommended denying the offer to purchase the property.

Motion by Commissioner Comander, second by Commissioner Chapman, to deny the offer from Ms. Krika's client to purchase three County owned lots in the Old Town of Santa Rosa. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to adopt procedures for the annexation of property into the Mossy Head Industrial Park.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve the procedures for the annexation of property into the Mossy Head Industrial Park as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested approval of the letter submitted by Dixie RV to be annexed into the Mossy Head Industrial Park.

Motion by Commissioner Comander, second by Commissioner Imfeld, to allow Dixie RV to annex into the Mossy Head Industrial Park as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to consider a rate schedule for the Mossy Head Waste Water Facility. He explained that the facility is only used by Dixie RV at this time, and they do not anticipate any charging until usage requirements of 250,000 gallons daily can be met.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to approve the rate schedule for the Mossy Head Waste Water Facility as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones announced that the agreement with Dixie RV states that once they are at 75% of their system capacity that construction will begin on the 250,000 gallon daily waste water facility. As progress is made the Board will be notified.

Mr. Jones requested to review and approve the proposed policy/amendment allowing for a process to permit temporary extraction on a limited basis. This would allow a property owner with 40 acres to mine 5 acres, and would require a permit and hauling limitations. The request would begin the process of amending the LDC.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve to move the request to the Planning Commission for further approval process. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to consider amending the fees for Planning Services. He explained that it is now an appropriate time to adjust those fees and costs of services provided.

Commissioner Meadows suggested lowering the variance and variance appeal fees from \$700 to \$500.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve amending the fees for Planning Services and reducing the variance and variance appeal fees from \$700 to \$500. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to remove from consideration, the current Parking Ordinance and allow staff to present a new course of action. He felt it would be more beneficial to take a more focused approach clearly identifying where/what the issues are, and then addressing those individually instead of a broad approach. He suggested holding a series of public workshops to allow public input to move forward with enforceable provisions.

Commissioner Comander agreed and felt that Mr. Gary Shipman should present his agenda item at this time.

Mr. Gary Shipman requested to establish a Blue Ribbon Committee to review proposed ordinances and develop other solutions for parking, traffic, events, and licensing issues that have a potential effect to the business environment. He explained that the business community wants to find solutions that are beneficial for everyone involved.

Commissioner Comander asked Attorney Davis how the committee could be formed legally. Attorney Mark Davis, County Attorney, explained that the Board has the ability to form a committee but the committee members would have to operate within the Sunshine Laws.

Commissioner Meadows questioned what the committee would accomplish that a public workshop could not. Mr. Shipman felt that workshops are held to address one specific ordinance at a time whereas the committee would be considering all of the ordinances. Commissioner Meadows felt that a committee would not be an appropriate route to take.

Motion by Commissioner Comander, second by Commissioner Chapman, to establish a Blue Ribbon Committee involving the Sheriff's Office, the business community, fire departments, TDC, Chamber of Commerce, public works department, and the planning department and bring back information at the November 26, 2013 meeting for ratification and legal information.

Commissioner Meadows felt that more members should be involved because this issue affects the tourists, residents, and the business community.

Commissioner Comander amended her motion to include the South Walton Community Council. Commissioner Chapman seconded the motion.

Commissioner Chapman expressed concern with developing a blanket approach.

Discussion ensued regarding the ability to form a Blue Ribbon Committee and their goals to provide a solution for the business community.

Commissioner Comander withdrew her motion to form a Blue Ribbon Committee, but felt that the committee should be formed at the next meeting. Mr. Jones stated that he would meet with Mr. Shipman to determine who the stakeholders would be in forming the Blue Ribbon Committee and meet with all of those who want to be involved in the process.

Ms. Jackie Markel urged the Board to make a decision that would be beneficial to the entire county.

Mr. Michael McGinnis expressed his interest in being involved in the process.

Mr. Jones requested to allow proactive enforcement by Code Enforcement when they see issues relating to the four following matters: 1) junk and debris, 2) signs, 3) change of use, and 4) roadside vending. He also recommended eliminating anonymous complaints.

Motion by Commissioner Imfeld, second by Commissioner Comander, to allow proactive enforcement by Code Enforcement as requested.

Attorney Lloyd Blue urged the ability to receive anonymous complaints.

Mr. Jones explained that Mr. Dyess did include anonymous complaints in his memo but was not part of his (Mr. Jones') recommendation.

Brief discussion ensued regarding ability to receive anonymous complaints.

Attorney Davis stated that Code Enforcement had been taking anonymous reports.

The motion to allow proactive enforcement by Code Enforcement was amended to include anonymous complaints. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to approve the negotiated fee proposal from Atkins Engineering for Engineering, Surveying, Permitting, and Construction Engineering Inspection Services, in the amount of \$199,403, for the CR 1084 Roadway Improvement Project.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the negotiated fee proposal from Atkins Engineering, in the amount of \$199,403, for the CR 1084 Roadway Improvement Project as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to approve the option to renew the current agreement with Roadscape North Florida, Inc. for Construction Contract Thermoplastic Striping. The current agreement expires in December 2013.

Motion by Commissioner Chapman, second by Commissioner Meadows, to approve the option to renew the current agreement with Roadscape North Florida, Inc. for Construction Contract Thermoplastic Striping as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to approve the Florida Department of Corrections Work Squad Agreement WS#813 Amendment and Addendum A. This is a replacement agreement; the current agreement will expire in April 2014.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the Florida Department of Corrections Work Squad Agreement WS#813 Amendment and Addendum A as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to award ITB 013-031 for US Hwy 98 Median Landscape Maintenance to low bidder, Harper Landscaping, LLC., for the amount of \$44,990.

Motion by Commissioner Comander, second by Commissioner Chapman, to award ITB 013-031 for US Hwy 98 Median Landscape Maintenance to low bidder, Harper Landscaping, LLC., for the amount of \$44,990, as requested. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Nay.

Mr. Jones requested to approve negotiated fees with Genesis for Contract Administration Services and Inspection proposal for the CR 2 Paved Shoulder Project, Phase III in the amount of \$248,669.36.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the negotiated fees with Genesis for Contract Administration Services and Inspection proposal for the CR 2 Paved Shoulder Project, Phase III, in the amount of \$248,669.36, as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested to sign and submit an application to DEP and ACOE for an Artificial Reef Construction Permit.

Commissioner Chapman questioned if this application would result in a financial or liability issue for the county. Attorney Davis stated that it would not be an issue.

Motion by Commissioner Chapman, second by Commissioner Meadows, to sign and submit an application to DEP and ACOE for an Artificial Reef Construction Permit as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Jones requested authorization for the Chair to sign a letter designating environmental needs for Alligator, Eastern and Western Dune Lakes authorizing the expenditure of \$300 for a waiver of application fees for Joint Coastal Permits.

Motion by Commissioner Comander, second by Commissioner Chapman, to sign a letter designating environmental needs for Alligator, Eastern and Western Dune Lakes as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

The TDC item to request awarding Bid 013-005 for the Grayton Beach Dune Walkover Improvement Project to Cole Services, Inc. was removed from the agenda.

Mr. Jim Bagby, TDC Executive Director, presented the following TDC updates on bed tax collection: 12.16% over September 2012 collection and over FY 2012 year-to-date collection by 12.71%.

Attorney Davis requested to approve a Service Agreement with Preferred Governmental Claim Solutions, Inc. to perform Third Party Claims Administration Services for past self-insured workers' compensation claims.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve a Service Agreement with Preferred Governmental Claim Solutions, Inc. to perform Third Party Claims Administration Services as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Davis requested approval of the EMS Mutual Aid Agreement with Bay County.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the EMS Mutual Aid Agreement with Bay County as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Attorney Davis requested ratification of Pending Litigation Actions provided per contract.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve ratification of Pending Litigation Actions as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Commissioner Imfeld discussed the Planning Division's Land Use agenda items and recommended holding a separate meeting for lengthy items on the third Tuesday of every month, and holding those hearings affecting the north and south areas at the north or south meeting locations.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to hold an additional BCC meeting on the third Tuesday of the month as needed for lengthy Planning Division items, and holding those affecting the north and south areas at the appropriate meeting

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

Commissioners Meadows, Comander, Chapman, and Pridgen had no items to present.

Chairman Pridgen asked for additional public comments.

Ms. Betty Letcher expressed her appreciation for the Board in trying to find a solution for the parking issues.

The meeting recessed at 5:04 p.m. and reconvened at 5:22 p.m.

Mr. Wayne Dyess, Planning and Development Services Director, requested to continue the Floodplain Management Ordinance to the November 26, 2013 meeting at 9:00 a.m. in DeFuniak Springs.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue the Floodplain Management Ordinance to the November 26, 2013 meeting as requested. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

Mr. Dyess presented the Prominence DRI/PUD LSA 2013-022 application submitted by Walton County, requesting to change the land use from Court Ordered Overlay to Traditional Neighborhood Development on 44.5 +/- acres. The project is located south of CR 30A, east of Dune Drift Lane and west of Bridge Lane. He stated that the request is to correct a mapping error.

Chairman Pridgen asked for public comment.

There were no public comments made.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the Prominence DRI/PUD LSA 2013-022 land use change as requested. 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.

There were no Ex Parte Communications submitted for the following Quasi-Judicial items. There were no objections made to the publication notices.

Ms. Renee Bradley, Planning and Development Services, presented the Prominence DRI/PUD Amendment (**Ordinance 2013-20**) submitted by Innerlight Engineering, Corp., requesting to decrease density and intensity. The proposed modifications will reduce the total density and intensity of the PUD from 650 residential dwelling units to 625, from 200,000 Gross Square Feet (GSF) of retail to 40,000 GSF of general commercial, from 120 hotel rooms to zero (0), and from 5,000 GSF of spa to zero (0) GSF of spa. The project is located on 79.22 +/- acres with a future land use of Traditional Neighborhood; two (2) miles west of Watersound Parkway. She explained that the request is a non-substantial deviation.

Ms. Bradley read aloud and discussed the deviations requested by the applicant, environmental conditions, and Planning Commission conditions presented in the staff report. Staff recommended approval with the conditions set forth in the staff report.

Mr. David Smith, representative, was present to address any concerns.

Chairman Pridgen asked for public comment.

Ms. Pat Blackshear questioned if preservation area in the DRI that was designated as preservation area is being allowed by the applicant to buy out, and if previously approved PUD's will be allowed to ask for a deviation. Mr. Dyess explained each PUD has their own merits and would be required to show that there is merit for buy out; and would be handled on a case by case basis. Ms. Bradley stated that the state did determine there was not a decrease in open space

for the Prominence project, which is what E2 is based on. She stated that when an applicant applies for an E2 change it is reviewed by the state to see if there is a decrease in open space.

Mr. Alan Ficarra questioned if the applicant had previously had the ability to do the buy out. Ms. Bradley stated that they did not but they now do for 5 acres if the application is approved. Mr. Ficarra expressed concern with future changes and the deviation requested to not hold public hearings. Mr. Dyess stated that the modification requested allows any future changes to go before the Technical Review Committee. He felt that the plans for the project are detailed enough that minor phases can move forward. Mr. Ficarra questioned if major changes would be required to come before the Board for approval. Mr. Dyess confirmed.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to approve the Prominence DRI/PUD Amendment (**Ordinance 2013-20**) with the deviations, environmental conditions, and Planning Commission conditions set forth in the staff report as presented. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye. (**Exhibits: Staff 1-2**)

Mr. Tim Whaler, Planning and Development Services, presented the EcoLead Homes, LLC, petition for abandonment submitted by Ward & Ketchersid, P.A., consisting of 0.112 +/- acres with a future land use of Coastal Center. The project is located on the south side of US Hwy 98 east. Staff did receive notice from DOT that they plan to make future improvements in the area.

Commissioner Imfeld voiced concern approving the abandonment when notification has been received from DOT stating they plan to widen the roadway to six lanes.

Mr. Jeremy Cranford provided correspondence with DOT regarding the property abandonment stating that the only roadway construction for the area is resurfacing on existing right-of-way and would not need additional right-of-way.

Mr. William Ketchersid explained that the roadway already consists of six lanes and urged the Board to consider the request for abandonment. He stated that DOT has expressed no interest in the property.

Commissioner Imfeld felt that DOT should correspond with staff for clarification that the abandonment would not create any issues for the roadway.

Motion by Commissioner Imfeld, second by Commissioner Comander, to table the request from EcoLead Homes, LLC for petition of abandonment to the November 26, 2013 meeting. Ayes 4, Nays 1. Pridgen Aye, Comander Aye, Chapman Nay, Imfeld Aye, Meadows Aye. **(Exhibits: Staff 1-3, Petitioner 4-5)**

Motion by Commissioner Comander, second by Commissioner Imfeld, to adjourn the meeting at 6:00 p.m. Ayes 5, Nays 0. Pridgen Aye, Comander Aye, Chapman Aye, Imfeld Aye, Meadows Aye.

ATTEST

  
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Alex Afford, Clerk of Courts  
and County Comptroller

APPROVED

  
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Kenneth Pridgen, Chairman