

MARCH 25, 2014 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, March 25, 2014, at 8:30 a.m., at the Walton County Courthouse in DeFuniak Springs.

The following Board members were present: Commissioner W.N. “Bill” Chapman, Chairman; Commissioner Cindy Meadows, Vice-Chairman; Commissioner Kenneth Pridgen; Commissioner Sara Comander; and Commissioner Bill Imfeld. Mr. Mark Davis, County Attorney; Mr. Larry Jones, County Administrator; Mr. Stan Sunday, Deputy County Administrator; and Mr. Alex Alford, Clerk of Courts and County Comptroller, were also present.

Attorney Mark Davis, County Attorney, announced that an Executive Session would be held at 8:30 a.m. to discuss James and Melanie Nipper vs. Walton County, Florida, Case No. 2013-CA-694. The following will be in attendance: Commissioner Chapman; Commissioner Meadows; Commissioner Pridgen; Commissioner Comander; Commissioner Imfeld; Attorney Mark Davis, County Attorney; Ms. Sidney Noyes, Assistant County Attorney; Mr. Larry Jones, County Administrator; and Ms. Sharon Payne, a certified court reporter. This meeting was not open to the public pursuant to Florida Statute 286.011(8).

Motion by Commissioner Comander, second by Commissioner Meadows, to enter the Executive Session at 8:31 a.m. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

The meeting recessed at 8:31 a.m. and the Executive Session adjourned at 8:55 a.m.

Chairman Chapman called the meeting to order at 9:01 a.m. Commissioner Comander led the invocation followed by the Pledge of Allegiance to the American Flag.

Mr. Larry Jones, County Administrator, presented the following changes to the agenda for approval:

ADDITIONS:

1. County Attorney Item 10 – Informational Item – Update on pictures submitted at the March 11, 2014 meeting
2. County Attorney Item 11 – Approval of Contract for Maintaining Multi-Use Trails in Walton County

DELETIONS:

1. Administration Item g – Request to review and comment on the Work Task Order for Emergency Operations Center (EOC)

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

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

Chairman Chapman asked for public comment regarding any agenda item.

Mr. Alan Osborne discussed Ordinance 2014-06 for Osprey Pointe and the inclusion of Item 10 (Exhibit A) which was not advertised for that hearing. Exhibit A includes a road and open space master plan. He requested to rescind Item 10 (Exhibit A) of Ordinance 2014-06 or correct that error.

Attorney Davis explained that he is researching this issue.

Commissioner Meadows questioned if Exhibit A was included when the E2 change for Osprey Pointe was sent to the Department of Economic Opportunity. Mr. Osborne explained that Item 9 states that the application included a traffic analysis, and Item 10 states based on the foregoing proposed change the application and composite Exhibit A are hereunto incorporated into the Sandestin DRI Development Order. Composite Exhibit A is a two page traffic study by

Tim Whaler and a single page map of the master traffic plan. He requested to remove Exhibit A from Ordinance 2014-06.

Chairman Chapman directed staff to research the issue. Commissioner Meadows stated that if that is the case they need to notify the Department of Economic Opportunity to clarify that was not the intent of the Ordinance adoption. She asked that Mr. Dyess report back at the next meeting regarding Ordinance 2014-06, Exhibit A.

Mr. Don Riley discussed the contracts that will be presented by the County Attorney and urged those Board members who were not serving at that time to abstain from voting. He felt that retroactive approval is not the appropriate venue and there is a conflict of interest for a law firm to represent conflicting interests.

There were no additional comments made.

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

Clerk's Items:

1. Approve Expenditure Approval List (EAL)	
General Fund	\$ 331,764.31
County Transportation	\$ 369,788.75
Fine & Forfeiture	\$ 145,340.34
Section 8 Housing	\$ 66.00
Tourist Dev. Council	\$ 142,473.34
N.W. Mosquito Control	\$ 287.78
Solid Waste Enterprise	\$ 284,503.38
Bldg Dept/Enterp. Fund	\$ 504.93
Imperial Lakes MSBU	\$ 2,517.66
Inmate Canteen Fund	\$ 5,332.65
Leisure Lake MSBU	\$ 1,812.00
Totals	\$ 1,284,391.14

2. Approve Minutes of March 11, 2014 Regular Meeting

Administrative Items:

1. Approve to advertise for an RFP for an Insurance Consultant
2. Approve the installation and repair of card readers in the amount not to exceed \$13,000 for both the Walton County Courthouse and South Walton Courthouse Annex

Budget Amendment Resolutions/Transfers:

1. Approve a Budget Amendment transferring funding for the Department of Corrections to the Walton County Sheriff's Office
2. Approve a Resolution **(2014-32)** to amend the budget in the Tourist Development Council fund in the amount of \$5,370,000 for unanticipated revenue from the BP "Deepwater Horizon" Oil Spill Final Settlement Agreement
3. Approve a Resolution **(2014-33)** amending the budget in the Sidewalk fund for Professional Services in the amount of \$36,000
4. Approve a Resolution **(2014-34)** to amend the budget in the Fine and Forfeiture fund to recognize unearned grant revenue in the amount of \$145,340 for an E911 Grant

Agreements/Contracts:

1. Approve the FY 2014 Small County Consolidated Grant Agreement (Landfill Grant from DEP)
2. Approve a Resolution **(2014-35)** authorizing the County Grants Coordinator to apply for and administer a Grant from the Florida Fish and Wildlife Conservation Commission through the Florida Boating Improvement Program for the Shoal River Boat Ramp project

Mr. Bill Bard, Friends of the Walton County Animal Shelter President, provided information regarding an Oxygen Concentrator donated by the Friends of the Shelter. The euthanasia rate upon opening in 2010 was extremely high, about 75%. In the past 4-5 years that amount has reduced drastically and last year there were only 490 animals euthanized. He presented Ms. Lois Marlow, Animal Control Supervisor, with a plaque in memory of the Friends of the Animal Shelter founder, Ms. Ella G. Caro.

Ms. Marlow expressed appreciation to the Friends of the Animal Shelter and the Board for their efforts to help Animal Control.

Mr. Jones requested to consider the request from the School Board to utilize the Boardroom at the South Walton Courthouse Annex for one meeting a month. Staff recommended approval with the five terms and conditions presented in the staff report.

Commissioner Meadows questioned if the Administrative IT staff would be paid overtime. Mr. Jones clarified that a contract would be approved with an agreed upon rate, they would not be on BCC payroll at that time.

Brief discussion ensued regarding the use of School Board facilities and the appropriate fee to charge for the use of the South Walton Courthouse Annex.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to allow the School Board to utilize the South Walton Courthouse Annex boardroom as requested with five conditions set forth in the staff report and to include a \$100 fee per meeting. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Mr. Jones announced that Mr. Jay Howard has notified staff that he is no longer interested in purchasing a 50 acre tract of property in the Mossy Head Industrial Park.

Mr. Jones presented a map of the current layout of the Mossy Head Industrial Park for review. He stated that they anticipate approximately 160-170 jobs and approximately \$70 million in annual sales.

Mr. Jones requested to approve a Notice to Proceed to Polyengineering for final design and bid documents relating to the Mossy Head Industrial Park Waste Water Treatment Facility. This will lead into the construction phase and the cost of the work is outlined in the contract as it were in 2007. Some minor adjustments were requested to be made by Polyengineering due to the time lapse from 2007 to the present.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the Notice to Proceed to Polyengineering for final design and bid documents relating to the Mossy Head Industrial Park Waste Water Treatment Facility as requested. Aye 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Mr. Jones requested to re-designate the Negotiation Team to consist of Mr. Jerry Copeland, Ms. Wanda Quimby, Ms. Ella Mae Walters (replaces Ms. Nan MacGinnis), Mr. Stan Sunday (replaces Mr. Larry Jones), and Chief Brian Coley for the Union Contract.

Motion by Commissioner Meadows, second by Commissioner Comander, to re-designate the Negotiation Team for the Union Contract as requested.

Attorney Davis reminded the Board not to discuss salary, benefits, or working conditions with any firefighter or anyone covered under the collective bargaining agreement.

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

Mr. Jones discussed the need of direction for allocation of the BP settlement funds of \$3.2 million. He reminded the Board that these funds were generated from calculations utilizing three revenue streams: sales tax, one cent surtax, and local option gas tax. This is revenue that would have been general fund revenue if we had received it at the time.

Commissioner Imfeld stated that the Public Works fund should be considered as part of the recipient for the funds because of the local option gas tax revenue source. He felt that the funds should not be used as an operational fund. Several different departments have deferred costs and felt those funds should be used in ways that would benefit the public the most.

Commissioner Meadows felt that the funds should be placed in a reserve account and allocate those during the 2014-2015 budget hearings to see where those funds are needed the most. She also suggested leveraging that account to spend the interest on the account.

Commissioner Comander agreed and felt that time should be taken to assess the needs and spend the funds wisely.

Chairman Chapman discussed the need for Sheriff's Office patrol cars and questioned if some of those funds should be allocated by the ordering deadline in April.

Lengthy discussion ensued regarding the appropriate use of the BP funds and the need to review the needs of all the departments including the Sheriff's Office before allocating any funds.

Mr. Jones stated that staff would meet with each member individually to determine what needs should be met by allocating the BP settlement funds.

Commissioner Imfeld questioned if the 2013 CAFR is complete. Mr. Alex Alford, Clerk of Courts and County Comptroller, stated the report is complete and should be provided by the end of March for review.

Commissioner Meadows asked to report what the tax revenues are. Ms. Wanda Quimby, Finance Director, stated that they could obtain a preliminary report from the Property Appraiser's Office. Commissioner Meadows stated that sales tax estimates would also be beneficial to review.

Mr. Jones requested to review and approve the draft Pumping on Private Property Policy as presented. He asked to have all comments provided to staff by the first part of next week and place the policy on the April 8, 2014 agenda for consideration.

Commissioner Meadows understood that the policy would not allow any pumping on private property and felt that the language was confusing. Mr. Jones explained that they can adopt a policy to eliminate any pumping on private property but their intention is to have a policy in place for extenuating circumstances and in the public's best interest.

Commissioner Comander felt that pumping should not be allowed on private property except in certain circumstances.

Mr. Jones stated that revisions would be made in the policy for clarification.

Mr. Jones requested to review and comment on the Work Task Order for the Emergency Operations Center (EOC). He stated that Preble-Rish, Inc. has been working on the project and the task order will allow them to move forward.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the Work Task Order for the EOC as presented. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Mr. Jones requested to approve the Civil Citations Fees recommendations and Resolution **(2014-36)** as presented.

Mr. Jason Catalano, Code Enforcement Officer, explained that a written warning must be the first interaction with the violator, and the maximum fine per statute is \$500 per citation. Once the first warning is written it is valid for each subsequent offense. He stated that each county put emphasis on different types of violations.

Commissioner Meadows commented that there were no citations listed for illegal clearing of wetlands or preservation areas, and dumping into the Bay. Mr. Catalano stated that those types of violations are brought before the Code Enforcement Board because those are reoccurring fines until the issue is corrected. Mr. JC Alford, Code Enforcement Director,

explained that the fines issued by the Board are per violation/per day, which would result in a higher fine until the issue is corrected.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt the Civil Citations Fees Resolution **(2014-36)** as presented. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Mr. Jim Bagby, Tourist Development Council Executive Director, requested to amend the 2013-14 Improvements Other Than Buildings line item for the Montego Walkover Improvements to the Timpoochee Trail Sign Replacement Project, in the amount of \$30,446, to replace the Timpoochee Trail signs and award Bid #014-007 to low bidder, Creative Mailbox Designs, LLC, in the amount of \$30,442.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the request to award Bid#014-007 to low bidder, Creative Mailbox Designs, LLC, in the amount of \$30,442, for the replacement of the Timpoochee Trail signs. Ayes 5 Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Mr. Bagby presented the following TDC updates: there were 565 responses to the strategic planning survey questionnaire, those results will be presented on April 1, 2014 at 8:00 a.m., and the parking needs assessment meeting will be held on April 23, 2014 at 5:30 p.m.

Attorney Davis requested to approve and authorize chairman signature of the contract with Creative Mailbox Designs, LLC for Bid #014-007 for the Timpoochee Trail Wayfinding Sign Replacement, in the amount of \$30,442, as presented.

Attorney Davis stated that they are currently working on a policy for contract approvals to approve a contract at the same time the bid is awarded. On some occasions, conditions are made and the agreement would need to be amended prior to signature approval.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve and authorize chairman signature of the contract with Creative Mailbox Designs, LLC for Bid #014-007 for the Timpoochee Trail Wayfinding Sign Replacement, in the amount of \$30,442, as presented. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Attorney Davis requested to ratify the agreement with Beasley, Allen, Crow, Methvin, Portis and Miles, P.C. and Adkinson Law Firm, LLC on the Walton County BP claim as presented. He explained that the contract was presented to the Board as part of a response to the request for proposals for BP firms in April 2011. The Board voted to award the Bid on April 15, 2011 to Beasley, Allen, Crow, Methvin, Portis and Miles, P.C. and Adkinson Law Firm, LLC. This contract was part of the response to the request for bids that was presented to the Board.

Commissioner Meadows abstained from voting on County Attorney Items 2, 3, and 4 regarding ratifying agreements/contracts with (Item 2) Beasley, Allen, Crow, Methvin, Portis and Miles, P.C. and Adkinson Law Firm, LLC, (Item 3) Walton County, TDC and Adkinson Law Firm, and (Item 4) Nix Patterson & Roach, LLP. **(FORM 8B submitted)**

Motion by Commissioner Imfeld, second by Commissioner Comander, to ratify the agreement with Beasley, Allen, Crow, Methvin, Portis and Miles, P.C. and Adkinson Law Firm, LLC as presented. Ayes 4, Nays 0. Chapman Aye, Pridgen Aye, Comander Aye, Imfeld Aye. **(Commissioner Meadows – FORM 8B)**

Attorney Davis requested to ratify the agreements between Walton County, TDC, and the Adkinson Law Firm as presented. On January 26, 2010 former County Attorney Lynn Hoshihara received approval to secure outside legal counsel as needed and to utilize local attorneys. Pursuant to that authority, on November 1, 2010 Attorney Hoshihara entered into a contract with

the Adkinson Law Firm to provide general representation to Walton County. On January 3, 2011 a second contract was entered into with the Adkinson Law Firm to provide services for special counsel. On January 1, 2014 another contract was entered into to provide land use and planning type advice. When Attorney Hoshihara resigned she came back before the Board on December 14, 2011 and asked the Board to change the contract between the Adkinson Law Firm and Lynn Hoshihara as the County Attorney on behalf of Walton County to Walton County and the Adkinson Law Firm. The Adkinson Law Firm is currently operating under that contract for a fee of \$2,500/month. He felt that this contract does not need any action at this time.

No action was made by the Board on this item to ratify agreements with Walton County, TDC and the Adkinson Law Firm.

Attorney Davis requested to ratify the contract with Nix, Patterson & Roach, LLP as presented. On January 11, 2011 the Board granted to the former TDC Executive Director, Ms. Dawn Moliterno, permission to contract with a firm to represent the TDC in its claim against BP. Ms. Moliterno then entered into a contract on January 14, 2011 with Nix Patterson & Roach, LLP. Per the contract, the TDC was to receive 80% of any recovered proceeds and Nix Patterson & Roach, LLP would receive the remaining 20%. Out of that 20% there were a number of other firms that would receive a portion of those proceeds, including the Adkinson Law Firm. A preliminary payment was made in April 2011 to the TDC for their lost revenue claims. On April 15, 2011 a Resolution (2011-33) was adopted to amend the budget to account for the unanticipated revenue that was received with the preliminary claim. At this meeting Beasley, Allen, Crow, Methvin, Portis and Miles, P.C. and the Adkinson Law Firm was selected for BP claim representation.

Mr. Osborne felt that the Adkinson Law Firm acted as a local government attorney and felt that there is a conflict for the TDC to also use that firm for representation. He encouraged the Board to request a formal written opinion from the Ethics Commission to determine if this is a conflict before ratifying the contract.

Attorney Davis stated that he requested an Ethics Commission opinion on that issue about a week and a half ago. He reiterated that the money was never received by the County, but it was received by Nix Patterson & Roach, LLP who then distributed it to the firms listed in their contract. He stated that he has not yet made a request for an Attorney General opinion at this time.

Ms. Suzanne Harris read aloud minutes from Executive Sessions discussing the BP claims and felt that it is very clear that the Adkinson Law Firm represented Beasley, Allen, Crow, Methvin, Portis and Miles, P.C. and are local counsel for the TDC. She stated that it is not mentioned that the Adkinson Law Firm is also representing the TDC with Nix Patterson & Roach, LLP.

Attorney Clayton Adkinson explained that the contracts were approved and the Board was well aware of the actions made. He explained that the Adkinson Law Firm is not the only local counsel with Nix Patterson & Roach, LLP. During the Executive Sessions as discussed by Ms. Harris, he explained that they felt the County was eligible for a higher claim than the TDC and they were not stating that the TDC should not receive any of the claim.

Commissioner Meadows stated that it was not clear during those Executive Sessions that they were representing both the County and the TDC. She felt that it was two different law firms arguing against each other.

Attorney Davis clarified that he is asking for the contract to be ratified, not to determine if there is a conflict.

Commissioner Meadows felt that the adamant argument by Attorney Clayton Adkinson to file for \$30 million, and which he got angry when they didn't support that recommendation during the Executive Session, he was arguing for the County and the other firm was arguing for the TDC.

Commissioner Meadows discussed the issue that Mr. Osborne raised if it is ethical for the County Attorney that represents the County to recommend another law firm to handle a case and then once that case settles to receive part of the settlement that is paid. Attorney Davis stated that is the opinion he is requesting from the Ethics Commission.

Commissioner Comander felt that ratifying the contract and receiving an opinion from the Ethics Committee are two separate issues.

Motion by Commissioner Comander, second by Commissioner Imfeld, to ratify the contract with Nix Patterson & Roach, LLP as presented. Ayes 4, Nays 0. Chapman Aye, Pridgen Aye, Comander Aye, Imfeld Aye. **(Commissioner Meadows – FORM 8B)**

Attorney Davis requested to approve the Volunteer Agreement Form for use by the County as presented. There are a number of people who do volunteer work (does not apply to land use board volunteers) that need to have an agreement and understanding with the County.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the Volunteer Agreement Form for use by the County as presented. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Attorney Davis requested approval of the Parks Fee Schedule Resolution **(2014-37)** as presented.

Chairman Chapman questioned Mr. Shane Supple how they would approach an individual interested in use of the fields at the Helen McCall, Gene Hurley and Wee Care Parks. Mr. Supple explained that these are County parks and the only time you would need to reserve the park is if you want to ensure 'you only' have use of the field. Once the fields are reserved a confirmation email is sent to the individual to provide as documentation if any issues shall arise during that reservation day/time.

Motion by Commissioner Comander, second by Commissioner Pridgen, to adopt Resolution **(2014-37)** for the Parks Fee Schedule as presented. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Attorney Davis requested approval of a Resolution **(2014-38)** authorizing the County Attorney to execute satisfaction or release of Code Enforcement Liens once paid.

Commissioner Imfeld questioned when it is decided to place a lien on the property. Attorney Davis explained that the Code Enforcement Board will meet and determine that an individual is in violation of a particular section and then given a timeline to resolve the issue. If the issue is resolved within that timeframe there will be no day to day fine imposed. If the issue is not resolved then it will eventually become a lien. There is an administrative fee of \$450 for having to bring that issue to the Code Enforcement Board which is recorded as a lien on that property until it is paid.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to adopt Resolution **(2014-38)** authorizing the County Attorney to execute satisfaction or release of Code Enforcement Liens once paid as requested. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Attorney Davis requested to approve the Multi-Use Pathways and Pedestrian Bridges Over Inland Lakes and Water Bodies Resolution (2014-39) as presented. He explained that this is the legislative finding that you need to make in order to expend TDC funds for that purpose. He requested to approve the resolution, the legislative findings, and authorize chairman signature of the resolution.

Motion by Commissioner Imfeld, second by Commissioner Comander, to adopt Resolution (2014-39) for Multi-Use Pathways and Pedestrian Bridges Over Inland Lakes and Water Bodies, approve the legislative finding, and authorize chairman signature as requested. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Attorney Davis requested to approve and ratify the actions made to the pending litigation status. He briefly discussed the case history of two development orders and explained why those were not on the litigation list provided.

Chairman Chapman discussed item 27 on the pending litigation list and urged staff to take all necessary actions to notify the tenants that they are residing on county property.

Motion by Commissioner Comander, second by Commissioner Pridgen, to ratify the actions taken by the County Attorney's Office on the pending litigation status as requested. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

Attorney Davis discussed photographs and allegations presented at the March 11, 2014 meeting regarding previous County Commissioner Scott Brannon and Attorney Clay Adkinson. He explained that he had contacted the two parties after the meeting and was shown, by Clayton and Clay Adkinson, personal receipts/emails of the purchases by Clay Adkinson and Scott Brannon.

Commissioner Meadows questioned if receipts were provided for Ms. Dawn Moliterno's purchases.

Attorney Clayton Adkinson explained that the receipts provided clearly indicate that personal funds were used and felt that the photographs are not public record because they are not part of business in the County. He urged the Board to conduct an investigation to determine how Ms. Harris received the photographs.

Attorney Davis disagreed and stated that once an item is received with allegations of wrong doing they do become a public record.

Discussion ensued regarding the Board's responsibility to review actions to verify County funds are not being used for personal business and the need to review Ms. Moliterno's payment for the trip to Atlanta.

Attorney Davis stated that he would request that information to review and report back to the Board in the future.

Commissioner Imfeld also suggested reviewing the TDC financials to see if any reimbursements were made for that trip and report back to the Board as well.

Attorney Davis requested to approve the contract for Maintaining Multi-Use Trails. This bid was awarded at the March 11, 2014 meeting and the contract was not prepared at that time.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the Maintaining Multi-Use Trails contract as presented.

Commissioner Imfeld questioned how to address maintenance along the other side of the street from the multi-use path. He suggested incorporating that to further use tourist funds to clean up the other areas. Mr. Babgy stated that trash cans are provided in the parking areas, and

the area along the other side of the road across from the multi-use path is maintained by the Public Works Department.

Commissioner Imfeld felt that another contract should be made to address the other right-of-way because it is tourist related.

Brief discussion ensued regarding the need to maintain debris on the other side of the roadway across from the multi-use path.

Attorney Davis suggested a separate RFP for the other side of the roadway. Commissioner Comander recommended researching why the work squads are no longer maintaining the area across from the multi-use path.

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

Chairman Chapman called to order the Public Hearing to consider a Resolution **(2014-40)** amending the budget to recognize \$288,230 in Proportionate Fair Share funding to construct northbound and southbound turn lanes at the intersection of US 98 and CR 395.

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

Chairman Chapman asked for public comment.

There were no public comments made.

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

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt Resolution (2014-40) amending the budget to recognize \$288,230 in Proportionate Fair Share funding to construct northbound and southbound turn lanes at the intersection of US 98 and CR 395 as presented. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye.

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

Chairman Chapman asked for additional public comments.

There were no additional public comments made.

The meeting recessed at 11:23 a.m. and reconvened at 11:33 a.m.

The Quasi-Judicial Hearing was called to order and Assistant County Attorney Sydney Noyes administered the oath to those intending on speaking. There were no objections made to the advertisement notices as published.

Mr. Tim Whaler, Planning and Development Services, presented the John Minger SSA 13-018 Ordinance request submitted by Kermit George, to amend the Future Land Use Map designation of 8.95 +/- acres from Estate Residential to General Commercial. The project is located on West Indian Creek Road, east boundary of parcel is 670 feet east of Hwy 331. He explained that this request is unique because this is one Parcel ID and one deed on the property, consisting of 17.9 +/- acre total parcel. The request is only for the eastern half of the parcel, the western half has already been classified as General Commercial.

Mr. Whaler explained that there was an official lot fusion in 2011 but separate deeds and Parcel ID's were not allocated to the project. He stated that based on the lot fusion the request

does meet the Comprehensive Plan locational criteria, fronting Hwy 331. He presented a written comment by Mr. Tim Pauls as Exhibit 3 for the record.

Commissioner Comander questioned how the property can be joined into one parcel again. Mr. Whaler explained that it was initially one parcel and is still recorded as one parcel. The parcel does front Hwy 331 and the Comprehensive Plan does specifically require the parcel front Hwy 331.

Commissioner Imfeld questioned why this request was continued recently due to the Hwy 331 frontage requirement. Mr. Whaler explained that the confusion was due to the title search in the application showing the property as one parcel. Once they reviewed the clerk documents to see that a fusion was actually recorded they continued the project further to allow the fusion to allow the property to return to the original configuration.

Commissioner Imfeld questioned what is required for a fusion to be approved. Mr. Whaler stated that it must meet the Land Development Code and Comprehensive Plan and provide documentation of certified surveys for the fusion to be established.

Commissioner Meadows felt that the request is an intrusion into the Estate Residential area.

Discussion ensued regarding the effect that the widening of the highway will have on the property and the commercial corridor criteria for Hwy 331.

Mr. Kermit George, applicant representative, was present to address any concerns. He stated that the applicant is concerned that he will lose a portion of the western parcel due to the widening of Hwy 331.

Mr. Dyess stated that he would obtain the roadway widening plans from Public Works to determine the effect it will have on the property and bring that information back for review at the next meeting.

Commissioner Comander expressed concern with how the land use change would affect the surrounding areas and the need to balance those new commercial areas with the residential areas.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue the John Minger SSA 13-018 land use change request to the April 8, 2014 meeting. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye. **(Exhibits: Staff 1-3)**
(Ex Parte Communications: Comander, Pridgen, Meadows)

Mr. Tim Pauls spoke in opposition of the request and stated that the extension of commercial would greatly affect the area and felt the land use change is not a wise designation at this time without knowing the exact layout of the widened roadway.

Mr. Jones suggested allowing staff to require any future requests along the corridor to show the impact of the widening of Hwy 331 to their project.

Mr. Dyess requested to table the Walton County CR 395/30A Abandonment request submitted by Walton County, consisting of 0.138 +/- acres of right-of-way, adjacent and contiguous to parcels with future land use of Residential Preservation.

Motion by Commissioner Comander, second by Commissioner Meadows, to table the Walton County CR 395/30A Abandonment request. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye. **(Exhibits: Staff 1-2)**

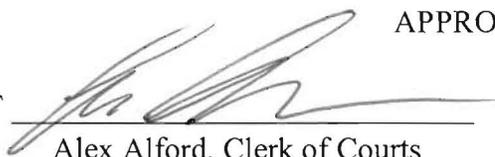
Mr. Whaler presented the EcoLead Homes, LLC Abandonment Resolution **(2014-31)** to re-adopt the previously approved Resolution (2013-95) for abandonment submitted by

Ketchersid & Cranford Esq., 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. He explained that the Notice of Abandonment was not advertised pursuant to Florida Statutes within 30 days of the prior adoption.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt Resolution **(2014-31)** for the EcoLead Homes, LLC Abandonment as requested. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Pridgen Aye, Comander Aye, Imfeld Aye. **(Exhibits: Staff 1-2)**

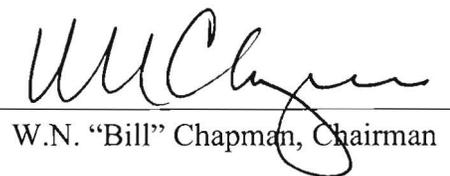
There being no further business, the meeting adjourned at 11:58 a.m.

ATTEST



Alex Alford, Clerk of Courts
and County Comptroller

APPROVED



W.N. "Bill" Chapman, Chairman