

## MAY 27, 2014 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on May 27, 2014 at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner W. N. (Bill) Chapman, Chairman; Commissioner Cindy Meadows, Vice Chairman; Commissioner Sara Comander, Commissioner Bill Imfeld; and Commissioner Kenneth Pridgen. Mr. Larry Jones, County Administrator; and Attorney Mark Davis, County Attorney; were also present.

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

Chairman Chapman announced that Mr. Rusty Floyd, Landfill Manager, had passed away on Sunday, May 25, 2014 and expressed his condolences to the Floyd Family.

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

1. Deletion: Public Works-Draft Policy for Timber Hauling on County Maintained Roads for review and comment
2. Deletion: Public Works-Draft Right-of-Way Policy for review and comment.
3. Addition: County Administration-Resolution extending the Local State of Emergency

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

There were no public comments.

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$	268,166.80
County Transportation	\$	479,933.11
Section 8 Housing	\$	104,102.95
Tourist Dev. Council	\$	395,042.85
N.W. Mosquito Control	\$	5,726.17
Solid Waste Enterprise	\$	614,610.68
Bldg Dept/Enterp. Fund	\$	943.30
Capital Projects Fund	\$	15,367.83
<b>Totals</b>	<b>\$</b>	<b><u>1,883,893.69</u></b>

2. Approve Minutes of May 13, 2014 Regular Meeting
3. Approve to appoint Mr. Tom Waldrop, Jr. and Ms. Leigh Moore to serve on the Design Review Board as recommended by Staff
4. Approve for Public Works to purchase a 6 foot Bush Hog, 10 foot Bush Hog, 15 foot Bush Hog, two 60 inch zero turn SCAG and a steel wheel not to exceed \$95,000 (these funds were budgeted)
5. Request approval of Contract for C.R. 183 Widening and Resurfacing Project with CW Roberts, Inc.
6. Request to approve the Contract with Retif Oil and Fuel, LLC as the primary vendor for gasoline and diesel oil

Mr. Larry Jones, County Administrator, requested adoption of a resolution **(2014-51)** extending the Local State of Emergency for one additional week. The situation will be reassessed to determine whether or not to seek an additional extension.

Motion by Commissioner Imfeld, second by Commissioner Comander, to extend the Local State of Emergency for one additional week **(Resolution 2014-51)**. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones presented a request from Attorney Rene Youell, attorney for Argyle Fire District, to allow Argyle Fire Department (FD) to place a referendum to increase their Annual Non-Ad Valorem Special Assessment on the Ballot for the August 26, 2014 Primary Election.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to allow Argyle FD to place a referendum to increase their Annual Non-Ad Valorem Special Assessment on the

Ballot for the August 26, 2014 Primary Election. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to extend the term of the existing agreement with Combined Insurance Services of North Florida, Inc. for sixty (60) days to provide health plan and benefits consultant services. A RFP has been developed to advertise for these services. The request for extension will provide coverage during the RFP period.

Motion by Commissioner Pridgen, second by Commissioner Comander, to extend the term of the existing agreement with Combined Insurance Services of North Florida, Inc. for sixty (60) days to provide health plan and benefits consultant services. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested permission to begin working on ordinance revisions to provide objective standards for lots of record impacted by environmental and other restrictions. Lots of record are vested with the entitlement of one single family dwelling. The restrictions currently in place protect the Coastal Dune Lakes and other coastal areas. He said that the goal is to develop objective standards to allow the restrictions to perform as they are designed and to allow the construction of single family dwellings.

Commissioner Comander asked that the structures be placed as far from the water's edge as possible.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to allow work to begin on ordinance revisions to provide objective standards for lots of record impacted by environmental and other restrictions. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones presented a request from Love's Travel Stops and Country Stores to amend the amended request to purchase an additional 7.78 acres rather than the original 5 acres for their hotel/restaurant site in the Mossy Head Industrial Park in the amount of \$20,000 per acre. Attorney Mark Davis, County Attorney, stated that this request is subject to Florida Statute Chapter 125.

Motion by Commissioner Imfeld, second by Commissioner Pridgen, to approve the request from Love's Travel Stops and Country Stores regarding the purchase of an additional 7.78 acre parcel for their hotel/restaurant site in the Mossy Head Industrial Park subject to compliance of Florida Statute Chapter 125. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to approve dates for public meetings regarding the parking needs assessment. AVCON held a public meeting on April 23, 2014 to present their findings for the parking needs in south Walton. The recommended segments to discuss at the meetings are Scenic Gulf Drive west to C.R. 83; C.R. 83 to C.R. 395; and C.R. 395 to east 30A/U.S. 98. He recommended holding the meetings at 3 p.m. prior to the next three Regular Meetings in SWA (June 10, July 8, and August 12). A different segment will be discussed at each meeting. Commissioner Comander requested that the meetings begin with the July 8<sup>th</sup> meeting due to the compliance hearing being held on June 6. Commissioner Meadows stated that there was not a lot of change with the Scenic Gulf Drive segment and could be heard on June 10<sup>th</sup>.

Motion by Commissioner Comander, second by Commissioner Meadows, to consider the Scenic Gulf Drive west to C.R. 83 segment of the AVCON assessment on June 10, 2014 at 3:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Motion by Commissioner Comander, second by Commissioner Meadows, to consider the C.R. 83 to C.R. 395 segment of the AVCON assessment on July 8, 2014 at 3:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach.

Chairman Chapman questioned if all three segments should be voted on in one motion. Attorney Davis stated that the dates could be approved in the same motion.

Motion amended by Commissioner Comander, second by Commissioner Meadows to consider Scenic Gulf Drive west to C.R. 83 on June 10, 2014; C.R. 83 to C.R. 395 on July 8, 2014; and C.R. 395 to east 30A/U.S. 98 on August 12; at 3:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Commissioner Meadows asked that advertising for these meetings begin immediately.

Mr. Jones reported that the Sheriff has begun housing federal inmates and is anticipating revenue of approximately \$20,000 each month. The funds will be used for maintenance and operations to facilitate the housing of the inmates. The Sheriff is also working to bring in additional state and federal inmates which will significantly increase the monthly amount. Mr. Jones stated that the Sheriff is requesting that these funds be placed into a line item in the budget to allow access on an as needed basis. Commissioner Pridgen asked if the inmates would be in the first pod. Mr. Jones stated that the federal inmates are currently in the general population and as the number increases, work will be done to insure that the new pod will be available. Commissioner Pridgen asked if these funds would be used to bring the pod back up to standards. Mr. Jones stated yes.

Motion by Commissioner Comander, second by Commissioner Imfeld, to allow the Sheriff's Office to receive additional funding for housing Federal, State and local inmates on an

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

Mr. Jones requested to approve a **Resolution (2014-52)** to amend the Fine and Forfeiture Budget in the amount of \$120,000 for unanticipated revenue from housing Federal, State, and local inmates as requested by the Sheriff's Office.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt **Resolution 2014-52** approving to amend the Fine and Forfeiture Budget in the amount of \$120,000 for unanticipated revenue from housing Federal, State, and local inmates as requested by the Sheriff's Office. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested approval of the purchase agreement between Walton County and the Florida Department of Transportation for the United Fire District located on U.S. 331 in the amount of \$500,000. He reported that Mr. Stan Sunday, Deputy County Administrator, was able to negotiate with the FDOT to increase the sale price from \$240,000 to \$500,000.

Mr. Sunday stated that he would be presenting three items: the purchase agreement, the resolution, and the lease agreement for the relocation of the United Fire station. He requested approval of the purchase agreement in the amount of \$500,000. He reported that the final amount was a total of the \$240,000 appraisal amount plus a \$260,000 administrative increase. Mr. Sunday said that there is an additional pot of money in the amount of \$50,000 to be used for the relocation of utilities.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the purchase agreement between FDOT and Walton County for the purchase of the United Fire

District property in the amount of \$500,000. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Sunday requested adoption of a resolution **(2014-53)** codifying the purchase of the property in the amount of \$500,000.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to adopt **Resolution 2014-53** for State's purchase of the United Fire District property. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Sunday requested approval of the lease agreement with FDOT for a parcel of property to relocate the United Fire station. The property is located about 2 to 3 miles south of the current location.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the lease agreement with FDOT for the relocation of the United Fire District station. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones announced that the fire station must be vacated by December 1, 2014. He said that the plan is to erect a steel-framed building and may need to move forward with ordering of the structure. He requested approval to begin the relocation process and ordering the building.

Motion by Commissioner Comander, second by Commissioner Pridgen, to begin the relocation process and order the steel-framed structure to be used for the United Fire District station. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Commissioner Comander questioned who would clear the land. Mr. Jones stated that the contractor for U.S. 331 will be utilizing the remaining parcel as a lay down yard for the construction and will clear both parcels.

Mr. Sunday said that the check would be available within 30 days.

Mr. Jones requested to approve Change Order No. 6 for one weather day due to heavy rain on March 28, 2014 for Oyster Lake Bridge Improvements with Dalton Brothers.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve Change Order No. 6 for one weather day due to heavy rain on March 28, 2014 for Oyster Lake Bridge Improvements with Dalton Brothers. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to approve Change Order No. 7 for an increase of \$4,150.00 for Oyster Lake Bridge Improvements with Dalton Brothers.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve Change Order No. 7 for an increase of \$4,150.00 for Oyster Lake Bridge Improvements with Dalton Brothers. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Commissioner Comander questioned when the late days would be addressed. Attorney Davis stated that notification has been sent.

Mr. Jones requested to extend the contract with Ecological Associates, Inc. for Professional Services related to the County's Habitat Conservation Plan to January 31, 2015.

Motion by Commissioner Comander, second by Commissioner Meadows, to extend the contract with Ecological Associates, Inc. for Professional Services related to the County's Habitat Conservation Plan to January 31, 2015. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jim Bagby, TDC Executive Director, requested approval of the following Commissioner nominees for the North Walton Marketing Event Committee (a/k/a North Walton

Advisory Committee and the North Walton County Event Advisory Committee): Ms. Diane Merkle, Mr. Butch Lawrence, Mr. Hayward Tomas, Ms. Evelyn Smith, Mr. Gus Andrews, Mr. Bill Fletcher, Mr. Russ Barley, Mr. Bob Campbell and Ms. Kellie Jo Killberg.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the appointments to the North Walton Marketing Event Committee as presented. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Bagby reported that the half-cent sales tax for Southwest Airlines and emerging markets would be sunseting September 30, 2014. He requested that a resolution be adopted which would add a referendum to the August, 2014 Primary Ballot for the establishment of a half-cent bed tax for capital construction and maintenance projects effecting tourism. He stated that there has been an increased demand on the TDC resources. He suggested allowing the Southwest Emerging Market half-cent sales tax sunset and to consider establishing a half-cent tax to fund capital construction and maintenance issues. He stated that this would be a non-binding referendum.

Commissioner Comander questioned how much money would be collected, if there was a list of projects with the amount needed for each project, if the new tax would have a definite sunset, how long it would take to raise the money needed to fund these projects, and will it be limited to a specific number of projects. She felt that there were a lot of questions to be answered before moving forward with the referendum. She also said that the November Ballot would be an option if all the questions are answered and the Board approves. Commissioner Meadows felt that it should go to the people for a vote. She discussed the Attorney General opinion on areas TDC funds could be spent. She suggested that the language be specific to what the money would be used for. Mr. Bagby stated that the reason for placement on the August Primary was due to

accounting purposes. Commissioner Meadows questioned the definition of non-binding. Mr. Bagby stated that the governed would be asked for their input. He reported that there were several surveys sent out, particularly to the Chamber of Commerce, and the Walton County Taxpayers Association as a part of the strategic plan. He said that 61% of the responses supported the continuation of the half-cent tax for capital construction and maintenance projects. Mr. Bagby said that he had been informed that the WCTPA had included it in their survey and 70% of their responses opposed the tax. Chairman Chapman pointed out a typographical error in the fourth paragraph of the resolution. He discussed the right of the public to make the decision whether or not to have a tax imposed and felt that the referendum should be binding. He felt that it should also state in the language that the referendum is binding.

Mr. Bagby stated that the half-cent will generate approximately \$2 million this year. Some of the unfunded requirements are beach access improvements, entry way improvements, bike path maintenance, and coastal dune lake signage. He said that he and the TDC will support the decision of the Board in regards to determining whether the referendum is binding or non-binding. He reported that the referendum would only be on the ballots south of the inter-coastal waterway. He stated that the vote would be made by only those who live in this special taxing district. Mr. Bagby said that most of the people south of the inter-coastal seem to favor the tax. Commissioner Comander reiterated her need for more information and questioned how much money was in TDC reserves that could be used toward these projects. Mr. Bagby stated that the reserves were to be used for Hurricane Storm Damage Reduction Project. He said that he would like to add the purchase of beach accesses to the list of projects. Commissioner Pridgen voiced his surprise that he had not received any communication in support of or opposed to this tax.

Commissioner Imfeld questioned if there would be an identifier placed in the TDC budget to indicate which unfunded project would be funded by the half-cent tax. Mr. Bagby stated that all the capital projects could be funded by this tax and is hoping to have the budget submitted this week.

Commissioner Meadows discussed the improvements that are needed and said that if the TDC bed tax is unable to fund these repairs then the county will be held responsible. She suggested allowing the people to decide.

Ms. Bonnie McQuiston spoke in opposition to the extension of the tax and felt that it should sunset as promised by the Board.

Dr. Don Riley, Walton County Taxpayers Association President, said that the WCTPA also did a survey which resulted in 1,486 people against the tax and approximately 637 for it. He spoke in opposition of the tax, upholding the promise to sunset the tax, and felt that a referendum should be binding.

Commissioner Imfeld asked Attorney Davis if a referendum is required under State Statute. Attorney Davis replied that a referendum is required if the tax is tied to a specific issuance of a bond.

Discussion continued on whether the issue needed to be approved by a referendum or by the Board, the need for more information, and the need to fund improvements.

Ms. Mary Nielson spoke in opposition of the tax and asked for a breakdown of areas that could fund hurricane restoration. She also felt that more information was needed.

Ms. Suzanne Harris, Edgewater Beach Condominiums, spoke in favor of sunsetting the tax. She said that most of the bed tax collectors are opposed to the tax and felt that more

information needed. She also felt that advertising should be done to bring more people in during the shoulder season which would produce revenue year round.

Mr. Bagby stated that he had been hearing concern from the bed tax collectors that their money is being used for destination improvements. He discussed the possible uses for the half-cent sales tax and said that he would meet with anyone wishing to discuss the allocation of the \$18 million BP funds.

Commissioners Comander and Pridgen spoke in favor of sunseting the tax and collect more information.

Motion by Commissioner Comander, second by Commissioner Pridgen, to take no further action until after the tax has sunset and to address this issue at a future date. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Bagby reported that Congress has authorized the Hurricane Storm Damage Reduction Project and is awaiting the President's signature on the project. He said that the non-federal portion of the project will be approximately \$42 million and that more than half of the TDC reserves will be put toward that project. Chairman Chapman asked what the process would be from this point forward. Mr. Bagby said that appropriations will be issued after the President's signature has been obtained. It may be next fall before the funds are received. He reported that there is a possibility for receiving approximately \$10 - \$11 million from the State. If these funds are not received, the TDC money will be exhausted.

Mr. Bagby announced that a new informational sign has been erected at Western Lake and encouraged the Board to visit the site.

Attorney Mark Davis, County Attorney, requested approval of an Engagement Letter dated May 19, 2014 with Nabors, Giblin & Nickerson, P.A. to provide bond counsel services. He

said that the bond counsel is needed to facilitate the refinancing of a loan to pay for the aports complex south of the bay.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to approve the Engagement Letter with Nabors, Giblin & Nickerson, P.A. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Attorney Davis requested approval to exercise a sixth option to renew the agreement with Ecological Associates, Inc. for Consulting Services in relation to the County's Habitat Conservation Plan.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the Sixth Option to Renew the Agreement with Ecological Associates, Inc. for Consulting Services. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

The Commissioners had no items to present.

Mr. Kevin Boyle requested to close Scenic Highway 30A for the annual July 4 Parade in Seaside. He said that permission has been received from the South Walton Fire Department, Walton County Sheriff's Office and private property owners to hold the parade.

Motion by Commissioner Pridgen, second by Commissioner Comander, to close Scenic Highway 30A for the annual July 4 Parade in Seaside. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Ms. Jannis Reynolds-Hannah and Mr. Larry Hannah discussed the road conditions of Pioneer Drive and requested that it be maintained by the county. The residents have maintained the road for 40 years; age, health concerns and financing are keeping the residents from continuing the maintenance.

Commissioner Comander said that there is a county program which enables the residents to pay to have the road graded. Mr. Hannah stated that the program has been used in the past. He stated that there was one area the needed to be filled in.

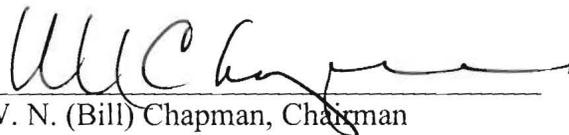
Commissioner Pridgen asked Mr. Jones to direct Public Works look at this issue. Mr. Jones stated that there is a criterion that must be met to accept the road for maintenance. A report will be brought back for review.

Mr. Charles Moll presented a proposal to sell his property near Helen McCall Park to the county in the amount of \$550,000.

Mr. Jones stated that there is an ordinance which outlines how property is acquired. He will have staff review the property and bring back their findings for consideration.

There was no additional public comment.

There being no further items to discuss, the meeting was adjourned at 10:22 a.m.

Approved:   
W. N. (Bill) Chapman, Chairman

Attest:   
Alex Alford, Clerk of Court and County Comptroller