

AUGUST 12, 2014 - REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on August 12, 2014 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, 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; Attorney Mark Davis, County Attorney; and Mr. Alex Alford, Clerk of Courts and County Comptroller; were also present.

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

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

1. Addition: Consent Agenda-Approve the State Financial Assistance Agreement with the Florida Department of Environmental Protection for the Mossy Head Wastewater Treatment Facility in the amount of \$4.4 million for construction of a 250,000 gallon per day wastewater treatment facility
2. Addition: Consent Agenda-Approve to apply for a Landfill Consolidated Small County Grant for FY 2014-2015
3. Deletion: Citizens Request-Sean McSheehy request to approve 23rd Annual Triathlon to be held October 11, 2014 and road closures
4. Change: Consent Agenda Item 6: to receive for review and will have staff present at next BCC meeting

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

There was no public comment regarding agenda items.

Motion by Commissioner Pridgen, 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	\$ 1,485,644.38
County Transportation	\$ 437,268.60
SHIP	\$ 8,011.00
Fine & Forfeiture	\$ 1,991,263.87
Section 8 Housing	\$ 134,220.81
Tourist Dev. Council	\$ 509,871.20
N.W. Mosquito Control	\$ 52,346.53
Recreation Plat Fee	\$ 6,363.76
Solid Waste Enterprise	\$ 42,678.08
Bldg Dept/Enterp. Fund	\$ 2,128.95
Imperial Lakes MSBU	\$ 2,517.66
Capital Projects Fund	\$ 24,067.51
Totals	<u>\$ 4,696,382.35</u>

2. Approve Minutes of July 22, 2014 Regular Meeting and July 30, 2014 TDC Public Workshop
3. Approve the Walton County Investment Report for quarter ended June 30, 2014
4. Approve surplus equipment from the Clerk's Office (CC#'s: 787, 966, 1018, 1026, 1039, 1078, 1134, 1169, 1186, 1222, 1223,, 1351, 1358, 985, 1164, 1226, 1227, 1111, 1339)
5. Approve to surplus/dispose of assets from the Public Works Department and the Public Defender's office
6. Approve to review a resolution to consider adopting the Walton County Comprehensive Emergency Management Plan and have staff present the resolution at the August 26, 2014 for adoption
7. Approve a **Resolution (2014-69)** to amend the Fine and Forfeiture Budget in the amount of \$7,431 for unanticipated revenue from insurance reimbursements and recycling proceeds
8. Approve to transfer \$5,500 from Emergency Response Machinery & Equipment to Operating Supplies to purchase five sets of bunker gear
9. Approve purchase of 1 K12 Saw for \$1,749.13 and 1 Stryker Power Assist Stretcher for \$12,684.13 from account 001-7040-526.6400 in lieu of SCBA Bottles
10. Approve purchase of a wireless AP, Patch Panel X 3, UPS, switch, Uplink Transceivers X 4, wall mount frame, and patch cable needed for the data communications in the new

Public Works building in the amount not to exceed \$13,000.00 and transfer funds from the Road Materials Account

11. Approve to purchase 2 Dell Precision M4800 laptops for the Engineering Department in the amount not to exceed \$4,000.00
12. Approve the Severe Storms, Tornadoes, Straight-Line Winds, and Flooding (FEMA41-77-DR-FL) Federally Funded Public Assistance Agreement
13. Approve a Right of Way Easement with CHELCO, Inc. to provide electrical power to the fuel pumps at Brown Pit
14. Approve First Option to renew Lease Agreement between Mossy Head Water Works and the Walton County Health Department
15. Approve the State Financial Assistance Agreement with the Florida Department of Environmental Protection for the Mossy Head Wastewater Treatment Facility
16. Approve to apply for a Landfill Consolidated Small County Grant for FY 2014-2015

(Additions and Deletions)

Dr. Mary Knovsky briefly discussed the Good to Great Project and the leadership principles found in the book *Good to Great* by Jim Collins. She distributed a packet which contains the Collins Social Sector Monograph, the proposal originally submitted for the Good to Great Project, a Hedgehog Concept handout and information on Jim Collins work at WestPoint.

Mr. Larry Jones, County Administrator, stated that Ms. Linda Wright wished to deed three separate parcels of land in Seagrove Beach to the county at no charge. Two of the parcels have beach accesses while the third is a wetland area. He recommended that the property be accepted. Mr. Jones stated that although a sale transaction was not taking place, procedures of the Land Acquisition Ordinance (2012-16) must be followed. He briefly discussed the requirements of the ordinance. He requested authority to work with the County Attorney to proceed with the acquisition according to ordinance procedures.

Motion by Commissioner Comander, second by Commissioner Meadows, to proceed with the acquisition as requested. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to approve the 2015 Small County Outreach Program (SCOP) Agreement and adopt **Resolution (2014-70)** for paving Walton Bridge Road from C.R. 280 to Rock Hill Road.

Motion by Commissioner Pridgen, second by Commissioner Comander, to adopt the SCOP **Resolution (2014-70)** for paving Walton Bridge Road from C.R. 280 to Rock Hill Road. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the SCOP Agreement for paving Walton Bridge Road from C.R. 280 to Rock Hill Road. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to approve the 2014 Small County Outreach Program (SCOP) Agreement and adopt Resolution **(2014-71)** for the resurfacing of C.R. 181C from S.R. 81 to the Holmes County Line.

Motion by Commissioner Pridgen, second by Commissioner Comander, adopt the SCOP **Resolution (2014-71)** for the resurfacing of C.R. 181C from S.R. 81 to the Holmes County Line. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the SCOP Agreement for the resurfacing of C.R. 181C from S.R. 81 to the Holmes County Line. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to approve the 2015 Small County Road Assistance Program (SCRAP) agreement and Resolution **(2014-72)** for the resurfacing and reconstruction of C.R. 285 from S.R. 187 to the Alabama State line.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the SCRAP **Resolution (2014-72)** for the resurfacing and reconstruction of C.R. 285 from S.R. 187

to the Alabama State Line. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the SCRAP agreement for the resurfacing and reconstruction of C.R. 285 from S.R. 187 to the Alabama State Line. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to approve to advertise for construction bids for the U.S. 98 and C.R. 395 intersection improvements.

Motion by Commissioner Meadows, second by Commissioner Comander, to advertise for construction bids for the U.S. 98 and C.R. 395 intersection improvements. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to approve the Local Government Emergency Relief Reimbursement **Resolution (2014-73)** and agreement with the Florida Department of Transportation (FDOT) regarding the reimbursement for C.R. 30A at Draper Lake.

Motion by Commissioner Meadows, second by Commissioner Comander, to adopt **Resolution 2014-73** and approve the agreement with the FDOT regarding the reimbursement for C.R. 30A at Draper Lake. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested approval of the Local Government Emergency Relief Reimbursement Resolution **(2014-74)** and agreement with the FDOT regarding the reimbursement for C.R. 30A at Little Redfish Lake Shoulder Erosion Project.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt a **Resolution 2014-74** and approve the Local Government Emergency Relief Reimbursement

agreement with FDOT regarding the reimbursement for C.R. 30A at Little Redfish Lake Erosion Project. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested approval to transfer funds in the amount of \$19,115.12 from the County Transportation Trust (CTT) Road Materials Account to C.R. 1084 Improvements Account.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the transfer of funds in the amount of \$19,115.12 from the CTT Road Materials Account to C.R. 1084 Improvements Account. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to award Bid 014-018 Resurfacing of C.R. 1084 from S.R. 187 (U.S. 331) to S.R. 83 and to approve the contract with Midsouth Paving, Inc. as lowest bidder in the amount of \$1,526,043.12.

Motion by Commissioner Imfeld, second by Commissioner Pridgen, to award Bid 014-018 Resurfacing of C.R. 1084 from S.R. 187 (U.S. 331) to S.R. 83 and to approve the contract with Midsouth Paving, Inc. as lowest bidder in the amount of \$1,526,043.12. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones presented ITB 014-012-Construction for the North Walton Mosquito Control Building. He stated that the lowest bidder, Cathy Construction & Development, LLC, contacted the county to report that a mathematical error had been made in calculating their bid price and would result in a higher bid amount. They requested that their bid be pulled. Mr. Jones presented two options: 1. Reject all bids and re-bid the project; or 2. Award the project to GLC Contracting as the second lowest bidder in the amount of \$421,783.00 and pull the Bid Bond for Cathey

Construction which is 5% of their bid. The amount collected from the bid bond will be applied to the project. He reported that there are sufficient funds in the Mosquito Control Operating Account. He recommended option 2.

Mr. Brian Cathey, Cathey Construction & Development, LLC, discussed the reason for the withdrawal of their bid and asked to work with the county to perform the project. He said that his company cannot perform the work at bid price. He stated that he had been attempting to contact the county to determine what needed to be done. Attorney Davis discussed the options and recommended the second option. Discussion ensued regarding the fair treatment for all bidders.

Motion by Commissioner Imfeld, second by Commissioner Meadows, to award ITB 014-012 to GLC Contracting, Inc. as second lowest bidder in the amount of \$421,783.00, pull the Bid Bond for Cathey Construction, and accept the additional funding from Mosquito Control. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Cathey asked to be given the opportunity to discuss solutions with staff. Board concurred to leave the action as taken.

Mr. Brad Pickel, Seahaven Consulting President, gave a brief update on the easement from property owners for the Walton County Hurricane & Storm Damage Reduction Project. He briefly discussed the three different phases of the project: design, permitting and easement. Mr. Pickel also discussed the six issues which were addressed at public workshops: 1. Perpetual nature of the easement; 2. Assignment of who could work under the contract; 3. Easement allowances; 4. Public use of the easement; 5. Defining what the project is in accordance to the Water Resources Reform and Development Act (2014); and 6. Impact on existing erosion control devices.

Commissioner Imfeld asked what the timeframe would be to accomplish the project. Mr. Pickel replied that the goal is to get the easement form approved as quickly as possible. The Corps will be producing an attachment for each easement which shows the homeowners where the easement will fall on their property. This is anticipated to be completed by the end of August. Obtaining the easements from the property owners should take six to nine months. Mr. Pickel stated that information will be presented to the Board to show which areas have easements and which that do not. He said that there will be more workshops held. Chairman Chapman asked if the Corps had reviewed the last draft of the easement. Mr. Pickel stated yes. Chairman Chapman asked if beach front property owners were required to sign the easement. Mr. Pickel replied that they were not.

Commissioner Comander asked how many workshops had been held. Mr. Pickel stated that there have been multiple workshops held for both the western and eastern areas.

Commissioner Imfeld asked if the western portion was completed in 2006. Mr. Pickel stated that it was completed January, 2007. Commissioner Imfeld asked what the status was of the sand that was placed at that time. Mr. Pickel stated that 96% of sand is still in place between the dune and the first sandbar. He reported that the sand placed in Bay County remained even after Hurricanes Ivan and Dennis.

Commissioner Meadows asked if there were any other sections, other than State Park lands, that are exempt. Mr. Pickel stated the area between Big Red Fish and Little Red Fish Lakes and WaterSound. Discussion ensued on the changes in the Beach Storm Damage Reduction Easement.

Ms. Suzanne Harris, Mr. Emmett Hildreth, Ms. Sherry Chase, and Mr. Charles Booth all spoke in opposition to the Beach Storm Damage Reduction Easement.

Chairman Chapman suggested that a Special Meeting be scheduled to discuss the easement and take public comment. Commissioner Imfeld felt that the easement being presented needed more review before a decision could be made. Commissioner Meadows agreed that a Special Meeting was needed.

Motion by Commissioner Meadows, second by Commissioner Comander, to schedule a Special Meeting to hold further discussions regarding the Beach Storm Damage Reduction Easement.

Discussion ensued on the need for beach renourishment and an appropriate time to hold the special meeting. The Board concurred to meet from 4:00 p.m. to 7:00 p.m.

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

Discussion ensued on which date to schedule the Special Meeting.

Motion amended by Commissioner Meadows, second amended by Commissioner Comander, to hold the Special Meeting on September 3, 2014 from 4:00 p.m. until 7:00 p.m. at the Courthouse Annex in Santa Rosa Beach.

Mr. Bagby asked if the paragraph relating to Section 161.141 Florida Statutes (F.S.) could be removed as long as a legislative consideration is made. Attorney Davis stated that it could be removed. He said that the provisions are not being waived and that the grantors and the grantees will not be waiving any of the provisions found in Section 161.141 F.S.

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

Mr. Jim Bagby, TDC Executive Director, requested to approve the updated Tourist Development Plan for FY 2015. He stated that the updated plan would reflect the sunseting of

the ½ cent tax for Emerging Markets and how the anticipated revenue will be spent omitting the Emerging Market activities.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the updated Tourist Development Plan for FY 2015. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jon Ervin requested to exercise the auto-renewal of the Beach Safety Contract with South Walton Fire Department for an additional year with no increase in cost.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the auto-renewal of the Beach Safety Contract with South Walton Fire Department for an additional year. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Ervin requested to exercise the option to renew the Public Relations Contract with Spring O'Brien & Company, Inc. for one additional year with no increase in cost.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the option to renew the contract with Spring O'Brien & Company, Inc. for Public Relations services for one additional year. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Ervin requested to award RFP 014-019: TDC Web Platform Rebuild to Miles Media as top ranked firm in an amount not to exceed \$250,000.00. Commissioner Imfeld questioned if this was budgeted. Mr. Ervin stated that this was not an original line item but that funds were available.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to award RFP 014-019: TDC Web Platform Rebuild to Miles Media Group as top ranked firm in an amount not

to exceed \$250,000.00. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the contract as presented with Miles Media Group. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Bagby requested to renew the State Lobbyist Contract with Heffley & Associates for one year with no cost increase.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the renewal of the State Lobbyist Contract with Heffley & Associates. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Brian Kellenberger, Beach Operations Director, requested to award Bid 014-021 Dothan Avenue Walkover Improvements to Backwoods Bridges, as lowest bidder, in the amount of \$138,761.00.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to award Bid 014-021 Dothan Avenue Walkover Improvements to Backwoods Bridges, as lowest bidder, in the amount of \$138,761.00. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Kellenberger stated that the contract would be presented for approval at the August 26, 2014 Regular Meeting.

Mr. Ervin presented the new South Walton brand mark and requested to proceed with replacing the brand for all organizational and public uses representing the official destination.

Discussion ensued regarding the brand coloring, interpretation and reason for the change.

Commissioner Comander voiced concern with the change stating that the current logo has only been in effect approximately three or four years. She also voiced concern for the cost of the change. Mr. Bagby estimated that to begin the first phases of the change would cost between \$150,000 and \$200,000. He stated that the Sandestin water tower would not be repainted.

Ms. Suzanne Harris spoke in favor of the new brand.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to proceed with replacing the brand for all organization and public uses representing the official destination. Ayes 3, Nays 2. Chapman Aye, Meadows Aye, Comander Nay, Imfeld Nay, Pridgen Aye.

Mr. Bagby reported that June, 2014 bed tax revenue was up 5.18% over June, 2013 and that the county has experience the first \$4 million bed tax month in the history of the TDC. He said that TDC team members Ms. Carly McMillan, Ms. Kelly Carter, and Ms. Angela Vaughn are in Orlando receiving State wide Golden Image Awards for programs created and managed by the team.

Mr. Alan Osborne questioned when the TDC would be able to hire more Code Enforcement Officers. Commissioner Comander stated that funding has been included in the 2014/2015 Budget. Mr. Bagby stated that one additional officer requested in the 2014/2015 Budget. He reported that it will be recommended that a Beach Maintenance crew be utilized to tag/pick-up the "Leave No Trace" items to enable the Code Enforcement Officers to focus on other areas (i.e. lighting, dogs on the beach, glass on the beach, etc.). Commissioner Comander questioned if the TDC is still considering sharing a Code Enforcement Officer with the county Code Enforcement. Mr. Bagby said that it is still being considered.

Attorney Mark Davis, County Attorney, requested the Board review the Litigation Matrix and to ratify the actions of the Office the County Attorney as amended.

Motion by Commissioner Comander, second by Commissioner Meadows, to ratify the Litigation Matrix and actions of the Office of the County Attorney as amended. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Attorney Davis request to approve the Engagement Agreement with Nabors, Giblin & Nickerson, P.A. for the matter of Sandestin Investments, LLC v. Walton County (Case No.: 14CA441). He briefly discussed the duties which would be required.

Commissioner Imfeld stated that he had a conflict with this issue and recused himself from voting. He submitted Form 8B: Memorandum of Voting Conflict.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the Engagement Agreement with Nabors, Giblin & Nickerson, P.A. in the matter of Sandestin Investments, LLC v. Walton County (14CA441). Ayes 4, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Abstained, Pridgen Aye. **(Form 8B: Imfeld)**

Attorney Davis requested approval of the Agent Authorization Form for construction of the Children's Advocacy Center.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the Agent Authorization Form for construction of the Children's Advocacy Center. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Chairman Chapman called to order the Public Hearing to consider a Resolution amending the Budget to move \$500,000 from the General Fund Reserves into the County Transportation Fund for Engineering Expenditures related to Storm Water issues for FY 2013-2014.

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

Mr. Alan Osborne spoke in support of moving the money and asked that an additional \$500,000 be designated to study the drainage issues. Commissioner Comander stated that an extensive study was done a few years ago and felt that it needed to be updated. Mr. Jones stated that Public Works is utilizing the current study in developing a plan where to use these funds.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to adopt a **Resolution (2014-75)** amending the Budget to move \$500,000 from the General Fund Reserves into the County Transportation Fund for Engineering Expenditures related to Storm Water issues for FY 2013-2014. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

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

Commissioner Meadows requested that Administration and TDC be directed to work on beach vending policies. The Board concurred.

Commissioner Meadows asked Mr. Cliff Knauer, Preble-Rish, LLC, to give an update on the Western Lake Pedestrian Bridge Project. Mr. Knauer discussed the permitting process and the goals of the project. He said that lighting at the C.R. 283 intersection will be considered along with intersection improvements. He discussed the condition of the bike paths, the possibility of future parking on the north side of C.R. 30A, the installation of underground utilities and funding. Commissioner Meadows questioned if all the bridges should be equipped with directional lighting for the safety of the pedestrians and bicyclists. Mr. Knauer discussed the directional lighting concept. Commissioner Meadows voiced that the intersection and parking area lighting also needed to be addressed. Commissioner Comander questioned what the cost

would be to retrofit the bridges with the directional lighting. Mr. Knauer stated that the LED lighting is low cost, low voltage, and very efficient. He said that installation costs would be low. He said that the area is very dark and that lighting is recommended from a safety standpoint. Commissioner Comander asked for more information prior to making a decision.

Mr. Matthew Jones asked if bollards were considered to keep golf carts from using the walkway. Commissioner Meadows stated yes.

Ms. Jacquie Marquel spoke in favor of the lighting and felt that test lighting should be done to prevent over lighting.

Ms. Celeste Cobena spoke in opposition of lighting the bridges.

Commissioner Comander discussed the creation of a working group to research the availability and solutions to providing broadband services throughout Walton County. The Board concurred to appoint Mr. Steve Yeager, Mr. Rick Wilson, Mr. Robert Nelson, and Ms. Angie Biddle to the research group.

Commissioner Comander discussed the consortium meeting which was held in Pensacola. She reported that there are problems still occurring from the oil spill (tar balls, underwater damage, and fish with lesions).

Commissioner Imfeld addressed parking needs and beach accesses. He felt that future tourist needs should be anticipated when considering the parking and beach access needs. He stated that if funding is given to TDC by the Board for capital outlay, then the Board must give a legislative finding that the principle use of the funding will be for tourist. Commissioner Imfeld said that he had researched the proposed Topsail Beach Access and found that out of the four neighborhoods that will have use of the access, only 28 of the 185 residences submit bed tax monies to Walton County. He voiced concern with approving the use of TDC monies to fund

that particular beach access due to the low percentage of residences producing tourist revenue. He suggested that the Board give direction to the TDC to look into acquiring additional property for regional accesses, parking with shuttle/tram service, and promoting the use of State Parks with discounts to county residents. He felt that the Neighborhood Beach Accesses should be tabled due to the contention that is occurring. He asked that the information be brought back to the Board.

Mr. Bagby addressed Commissioner Imfeld's comments and stated that he had spoken with the State Parks and found that Grayton Beach does not want to participate and that Deer Lake and Topsail State Parks may be open to the proposal. He briefly discussed limitations that may inhibit the purchase of property.

Commissioner Meadows voiced the need for Neighborhood Accesses to disburse the many tourists wanting to access the beaches. She stated that residents prefer not to have a regional access near their homes. She felt that the number of home owners contributing to the bed tax not should be a factor to determine the need for a beach access.

Discussion ensued on the use of TDC funds for beach accesses.

Mr. Bill Muldowney spoke in favor of Neighborhood Beach Accesses.

Ms. Stacy Froeschner spoke in favor of shuttle buses carrying tourist from parking areas to the beach accesses.

Commissioner Pridgen and Chairman Chapman had no items to present.

Ms. Alicia Butler and Mr. Jason Beer requested to approve the 13th Annual Seaside School Half Marathon and 5K Run to be held March 1, 2015 and approve the corresponding road closures.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the 13th Annual Seaside School Half Marathon and 5K Run and the corresponding road closures. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jason Draughn requested to approve the 28th Annual Sandestin Triathlon to be held August 23, 2014 and approve the corresponding road closures.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the 28th Annual Sandestin Triathlon and corresponding road closures. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Ron Kelley, Healthmark Regional Hospital, discussed the negative affect of the FDOT's plan for widening U.S. 331 on north Walton County healthcare. There have been no new FDOT plans submitted for hospital consideration. The hospital does not support the current plan which will create a bottle neck of traffic. Hospital officials have made an effort to compromise with FDOT to resolve the issue. FDOT has stated that the plans created in 1996 have not changed. Mr. Kelley stated that the hospital was built in 1999 and FDOT has had ample time to update their plans and take the hospital into consideration. Healthmark Regional is the only hospital in a 30 mile radius and has served as the primary healthcare provider for this area over 22 years. Commissioner Imfeld questioned if FDOT had offered to give the hospital additional land adjacent to the existing property for expansion. Mr. Kelley stated that that solution had not been offered. Commissioner Imfeld stated that a newspaper article had reported that FDOT had proposed to move the right-of-way 80 feet. Mr. Kelley said that this proposal has not been directly presented to the hospital. He said that that proposal would still not alleviate the problems. Commissioner Imfeld asked if there was ongoing discussion between the hospital and FDOT. Mr. Kelley said that numerous discussions have been held and more are scheduled.

Commissioner Comander exited the meeting.

Ms. Lisa Miller, Florida PACE Funding Agency representative, briefly discussed the Property Assessed Clean Energy (PACE) Program which aides qualifying property owners in funding improvements such as wind resistance, energy efficiency and renewable energy. The repayment of the funding would be included on the owner's tax bill. Ms. Hope Childree, Immediate Green Technologies (IGT), discussed renewable energy and the savings benefit for property owners. She briefly discussed the different areas where IGT projects have been completed.

Commissioner Comander returned to the meeting.

Ms. Miller stated that the PACE Program has been adopted by several counties and requested that the program be adopted in Walton County. Discussion ensued on the inclusion of the payment on the tax bill, how protests would be handled, the risks to the Agency, the qualifying factors in order to receive funding, and the projects eligible for funding.

Motion by Commissioner Imfeld, second by Commissioner Pridgen, to adopt **Resolution 2014-68** and approve the PACE Funding Agency Agreement with the understanding that the use of the program is solely the choice of the individual property owner. Ayes 3, Nays 2. Chapman Aye, Meadows Nay, Comander Nay, Imfeld Aye, Pridgen Aye.

There were no additional public comments.

The meeting recessed at 6:42 p.m. and reconvened at 7:04 p.m.

Mr. Wayne Dyess, Planning and Development Director, requested to amend the Planning Fees Resolution (2014-08) to add a fee for U.S. 98 and U.S. 331 Scenic Corridor Outdoor Display Review.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt **Resolution 2014-76** amending the Planning Fee Resolution (2014-08) to include a fee for the U.S. 98 and U.S. 331 Scenic Corridor Outdoor Display Review. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Mac Carpenter, Planning and Development, requested to award RFP 014-0202- SHIP Program SHIP Replacement Housing Strategy Sponsor to Habitat for Humanity of Walton County, Inc. Habitat for Humanity was the only applicant.

Motion by Commissioner Comander, second by Commissioner Meadows, to award RFP 014-0202- SHIP Program SHIP Replacement Housing Strategy Sponsor to Habitat for Humanity of Walton County, Inc. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Carpenter presented the General Commercial Text Amendment, an ordinance amending the Comprehensive Plan Policy 1-1.4.3 General Commercial (GC) to allow an exception to the Location Criteria in South Walton; providing for severability and an effective date. He reported that Attorney Gary Vorbeck, representing the applicant, had asked that the words "on non-state owned lands" be added to the Location Criteria. Commissioner Meadows suggested that the language in Location Criteria (2) should be changed to state "or direct access to" and questioned the definition of direct access. Mr. Carpenter replied that direct access could be a drive way to the U.S. 98 or U.S. 331 right-of-way. Commissioner Meadows requested that the language be clarified. Mr. Carpenter stated that the language could be changed for clarification. Discussion continued on direct access, the state-owned parcels, and buffers.

Mr. Hans Beutelman discussed stormwater retention systems and spoke in opposition to retention ponds near residential areas. He requested that stormwater management systems be

removed from the language. Mr. Carpenter stated that the Code currently allows up to 40% encroachment into a land use buffer which is applied around the perimeter of the property. Discussion continued on the parcels affected by the policy and buffer encroachments.

Mr. Andrew Czarnecki voiced concern with the stormwater drainage.

Motion by Commissioner Comander, to approve the General Commercial Text Amendment. Motion died due to a lack of a second.

Mr. Tim Brown, Senior Planner, Planning and Development, presented LSA 13-020-Stonegate, a large scale amendment application submitted by W. Development & Architects, requesting the approval to change the land use from Conservation Residential 2:1 to Small Neighborhood, consisting of 19.63 acres. The project is located on the north side of West Hewitt Road. He stated that the Planning Commission recommended denial. He stated that this is a request to transmit to the Department of Economic Opportunity (DEO).

Attorney Dana Matthews, representing the applicant, briefly discussed the applicant's project history in Walton County.

Attorney Davis stated for full disclosure that he had represented the applicant in the past on an issue not related to this project.

Attorney Matthews submitted a Summary Memorandum for Stonegate-LSA. He discussed the proposed change and the land use changes in the surrounding areas.

Ms. Wendy Grey, Wendy Grey Land Use Planning, discussed her analysis and stated that she felt that the project is consistent with Comprehensive Plan and the surrounding area.

Mr. William "Bill" Pope, architect, briefly discussed the flooding issues raised at the Planning Commission and the reason for the change to Small Neighborhood.

Mr. Scott Jenkins, Jenkins Engineering, addressed the drainage patterns in the area and stated that the project's water management system has not yet been designed but will be designed to meet the criteria. He said that the project will be reviewed by the Board as a major development order.

Commissioner Meadows asked if this was in a flood zone. Mr. Jenkins stated no. Commissioner Meadows noted that the soil in that area is poorly draining. Mr. Jenkins stated that different soils are suitable for different types of storm water treatment. He discussed which types of retention would be best suited for the area. Chairman Chapman expressed concern with how run-off from the retention ponds would be handled. Mr. Jenkins stated the designs would have a 6:1 slope giving the pond a larger surface area. This would also allow run off to drain into a mosquito control ditch. Commissioner Meadows asked if this was a part of the Hewitt Bayou tributary. Mr. Jenkins stated that the mosquito control ditch terminates into the wetlands. Chairman Chapman asked if there was an arrangement between the developer and the Mosquito Control District. Mr. Jenkins stated that the applicant will seek an agreement. Mr. Pope stated that the ditch is 50ft wide and 10-22 ft. deep. He said that if the area is maintained correctly it will be beneficial to whole area.

Commissioner Meadows questioned why this change was rejected by the Planning Commission. Mr. Dyess stated that it was due to flooding issues. Mr. Carpenter stated that the request was presented on July 9th right after the last severe flood event.

Mr. Osborne, Ms. Harris, Mr. Beutelman and Mr. Czarnecki spoke against the land use change citing flooding and traffic issues.

Mr. Alan Ficarra spoke favor of the request.

Attorney Matthews addressed the issues raised at the Planning Commission meeting regarding the issue of potential flooding and felt that this is an appropriate land use change.

Commissioner Meadows questioned how large the parcel was at the front of the site plan. Mr. Pope stated approximately five acres. Commissioner Meadows asked if that would be an area for assisted living. Attorney Matthews state that it was senior living not assisted living. Discussion continued on the proper land use category for the density and use of the project.

Discussion ensued regarding the staff's recommendation to approve.

Motion by Commissioner Imfeld to approve Stonegate LSA. Motion died due to the lack of a second.

Commissioner Meadows stated that a plan needed to be presented that would allow for clustering for senior apartments. Mr. Carpenter stated that the category being requested is a performance based category. Commissioner Meadows felt that the category being requested will give an opportunity to max out the density. Attorney Matthews asked if it would be acceptable if one of the two parcels was designated infill and the other low density residential. Discussion continued on dividing the designations.

Attorney Davis stated that he treats motions which die for a lack of second as a denial without prejudice and that the issue could be brought back as an amended application. Attorney Matthews stated that the applicant would like the opportunity to amend the application.

The Quasi-Judicial Hearings were called to order and Attorney Davis administered the oath to those intending to speak. There were no objections to the Notice of Publications. Attorney Davis requested that the Commissioners submit any Ex Parte they may have received on any of the four issues.

Commissioner Imfeld stated that he had a conflict with the following issues Sandestin DRI Development Order and Grand Boulevard Building "S" and submitted Form 8B-Memorandum of Voting Conflict for each issue.

Commissioner Pridgen stated that he had accepted campaign contributions from the Howard Group and would recuse himself from the Sandestin DRI Development Order and the Grand Boulevard Building "S" issues. He submitted Form 8B-Memorandum of Voting Conflict for each issue. Commissioners Imfeld and Pridgen exited the meeting.

Ms. Rene Bradley, Planning and Development, presented an ordinance amending the Sandestin DRI Development Order, providing for severability and an effective date. This is a Notice of Proposed Change (NOPC) to the Sandestin DRI; application submitted by Carlton Fields Jordan Burt, requesting for development within Grand Boulevard, owned by the Howard Group, to be reviewed within a 90 day alternative process, to add open space, correcting Grand Boulevard master Plan to add 9.2 acres, to add a definition of ancillary development, and to add provision for Howard Group to submit annual reports (Parcel 208/308) for the Grand Boulevard Master Plan, with a future land use of Coastal Center. She discussed each of the requested amendments and the definition to ancillary space. Ms. Bradley stated that there have been two objection letters received. She stated that the Planning Commission voted to approve the NOPC with conditions as stated on page 11 of the Staff Report. She said that there have been no objections from DEO (Department of Economic Opportunity). Staff found that unless other evidence is presented to the contrary, the requested project is consistent with the FL Statutes 380.06 and is not considered a substantial deviation. Ms. Bradley said that with the different interpretations of ancillary space over the years, that Staff supports the definition included in the

ordinance. She also said that staff is concerned that the entitlement issues with the Blalock parcel (Tract 3) is still pending. **(Exhibit 1: Staff Report; Exhibit 2: Minshew Letter)**

Commissioner Meadows addressed the list of entitlements found on page 3 of the proposed ordinance. Ms. Bradley stated that the entitlements include everything but the Blalock parcel. Commissioner Meadows felt that the entitlements should include the Blalock parcels and that the Blalock development should be allowed to go forward if this request is approved. Ms. Bradley stated that the judge has not made a determination of what the intensities are for the Blalock issues and that their Development Order is still on hold.

Attorney Nancy Linnan, Carlton Fields Jorden Burke-representative for the Howard Group, stated that the entitlement chart referred to earlier does include the Blalock parcels. She briefly discussed the project, the legal issues surrounding the project, and why the NOPC was being presented. She reported that the Development Order only applies to the properties owned by the Howard Group with the exception of the Baytowne Lane property which was transferred from the Howard Group to the Sandestin Owners Association (SOA). **(Exhibit 3: Howard Group Exhibits)**

Commissioner Meadows stated that the applicant had requested that the definition of ancillary space be accepted with two exceptions and questioned why the definition would not apply to the exceptions. Attorney Linnan stated that the June 3 email from DEO stated that even though there is no definition of ancillary space in the current DRI, a local definition could be created and applied to future developments. The developments for the exceptions have already been approved within both the DRI and local development orders.

Commissioner Meadows questioned if the retail space provided was included in the remaining commercial entitlement. Attorney Linnan directed the question to Mr. Darrin Taylor, Certified Planner/Government Consultant.

Mr. Taylor replied to the question stating that the 30,000 square feet is included in the entitlements. Discussion ensued on the determination of the commercial space in the entitlements. Mr. Taylor discussed the addition of the definition of ancillary space. He stated that the NOPC is proposing to amend the entitlements table, clarify the ownership, and the right for the SOA to rebuild their guard house.

Mr. Alan Osborne voiced concern regarding the open space determination and the drainage standards. Mr. Carpenter stated that landscape buffers can be considered open space.

Attorney Lisa Minshew, K & H Development Group, Inc. and Blalock Development Group, Inc. representative; spoke in opposition to the NOPC and felt that the Howard Group has been preferred over her clients. She felt that the NOPC was not necessary to adopt a definition for ancillary space; it could be done in a separate ordinance.

Mr. Walter Moss and Mr. Tim Norris spoke in favor of the change.

The meeting recessed briefly.

Mr. Joe Capers and Mrs. Leigh Capers spoke in favor of the change. Mr. Capers submitted a statement from Mr. Roger Hall. **(Exhibit 4: Letter from Roger Hall)**

Attorney Linnan stated that no preferential treatment has been given to the Howard Group. She briefly rebutted the opposition comments.

Motion by Commissioner Comander to adopt the ordinance amending the Sandestin DRI Development Order NOPC. Motion died for lack of a second. **(Exhibits: Staff Report-1) (Ex Parte: Chapman, Comander, Meadows) (Form 8B: Imfeld, Pridgen)**

Commissioner Meadows felt that The Howard Group should not be treated differently than Sandestin Investments.

Ms. Bradley presented Grand Boulevard Building “S”, a major development order application submitted by Innerlight Engineering, Inc. requesting the approval to build 39,007 square feet commercial/retail space on 9.83 acres with a future land use of Coastal Center. The project located on the northwest corner of U.S. 98/St. Charles Place. With the approval of the NOPC, Staff found that this project is in compliance with the Land Development Code and Comprehensive Plan and recommends approval contingent upon conditions being met as stated in the Staff Report. Ms. Bradley asked how the ancillary space needed to be addressed without an adopted definition. Discussion ensued on possible ways to provide an adopted definition. Ms. Bradley stated that the second staff recommended condition would be that the applicant accepts the ancillary space definition as proposed in the Sandestin DRI NOPC request. Attorney Linnan agreed to the condition presented by Ms. Bradley. **(Exhibit 1: Staff Report)**

Mr. Jim Martelli, Innerlight Engineering, briefly discussed the project and felt that the project was consistent with the Comprehensive Plan and Land Development Code.

Mr. Alan Osborne spoke in opposition of the project.

Mr. Chase Stone spoke in opposition of the project. **(Exhibit 2: Grand Boulevard Building “S”-Respondent)**

Attorney Minshew spoke against the project and felt that if Building “S” is approved then the K&H/Blalock project should also be approved. Discussion ensued on when the K & H/Blalock project was presented to the Board and what actions can be taken.

Mr. Martelli addressed the storm water issues raised during public comment.

Commissioner Comander questioned if the storm water which will be produced by this building would be more than that produced by an impervious parking lot. Mr. Martelli stated that it would not.

Attorney Davis asked for staff and Planning Commission recommendations. Ms. Bradley stated that both recommend approval on the condition that the NPDES permit is obtained prior to construction, and the definition of ancillary space as proposed in the NOPC is accepted. Commissioner Comander asked to add an additional condition which would ensure that there is no additional storm water runoff.

The Howard Group exhibits were submitted for the record. **(Exhibit 3: Howard Group Exhibits)**

Chairman Chapman stepped down from the Chair position and Commissioner Meadows assumed the Chair position.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve Grand Boulevard Building "S" with conditions as stated. Ayes 2, Nays 1. Chapman Aye, Meadows Nay, Comander Aye, Imfeld Abstained, Pridgen Abstained. **(Exhibits: Staff Report-1; Respondent-2; Petitioner-3)(Form 8B: Imfeld, Pridgen)**

Commissioners Pridgen and Imfeld returned to the meeting.

Mr. Brian Underwood, Planning and Development, presented The Retreat at Miramar, a major development order application submitted by ECM, John Elamad P.E., requesting approval to develop 27 residential lots on 4.62 acres with a future land use of Neighborhood Planning Area/Neighborhood Infill. The project is located 775 feet south of the intersection of U.S. 98 and Ellis Drive. Staff found the project is consistent with and conforms to the conditions included

within the Final Order which was issued for the project site and is currently unexpired. Staff recommended approval upon conditions being met as stated in the Staff Report.

Mr. Chance Powell, Preble-Rish, Inc., discussed the drainage issues and reported that the issues with outfall structure have been addressed. He stated that the drainage meets the minimum requirements of the LDC and the Comprehensive Plan.

Mr. John Elamad, applicant, briefly discussed the project.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve The Retreat at Miramar with the condition that engineering staff complete the review and resolution of the onsite storm water. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report)**

Mr. Tim Whaler, Senior Planner, presented Watercolor Town Center Homes, Beachside I, a petition to vacate the WaterColor Town Center Homes, Beachside 1 plat submitted by Kirby H. Williams. The plat consists of 2.09 acres with a future land use of Court Ordered Overlay. The project is located on the south side of C.R. 30A, 0.75 miles west of the intersection with C.R. 395. Staff found that the requested plat will be compliant with the development order; meets the requirements of F.S. Chapter 177, the Comprehensive Plan, and the Land Development Code with conditions as listed in the Staff Report. **(Exhibit 1: Staff Report)**

There were no public comments.

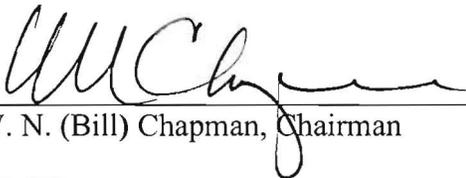
Commissioner Meadows questioned why the plat was being vacated. Mr. Kirby Williams, applicant, stated that it was not developed as a condominium under the FL Statutes. The plat was established and recorded in the Condo Plat Book and Page of Walton County. It is

now identified in the public record under the Declaration of Condominium and the plat is no longer needed.

Motion by Commissioner Meadows, second by Commissioner Comander, to adopt **Resolution 2014-77** vacating the Water Color Town Center Homes Beachside 1 plat. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye. (**Exhibits: Staff Report**)

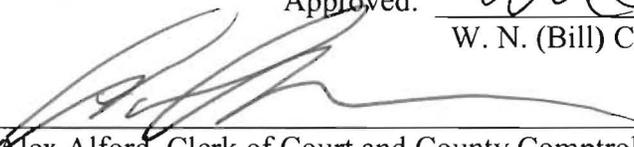
There being no further items to discuss, the meeting was adjourned at 10:14 p.m.

Approved:



W. N. (Bill) Chapman, Chairman

Attest:



Alex Alford, Clerk of Court and County Comptroller