

## SEPTEMBER 9, 2014 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on September 9, 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; 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 Comander, second by Commissioner Imfeld, to approve the agenda revisions as follows. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

1. Deletion: Public Comment: Mr. David Lilienthal – Drainage Issues
2. Deletion: County Attorney-Outdoor Events Ordinance

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

Mr. Steve Jaeger, Walton County Economic Development Alliance Executive Director, submitted a memo regarding an India based company seeking a site for its first USA manufacturing facility. He reported that the company manufactures supplies and components for the munitions and fire arms industry. He stated that the company is reviewing different areas in

which to build; Freeport Industrial Park being one of the locations to be considered. Mr. Jaeger stated that the company's CEO would be visiting the different areas. He said that he has been working with Enterprise Florida on an incentive package. He said that a business plan has not been received. The Commissioners had no comments.

Ms. Suzanne Harris expressed concern regarding emails/texts indicating that Mr. Scott Brannon would be seeking her removal from the Planning Commission. The emails/texts indicated that her residency was in question. She discussed her home in Birmingham, AL, the inability to obtain a Florida Driver's License. She affirmed that she rents a home in Florida and her husband lives in Birmingham. Ms. Harris also expressed concern regarding a report from a DEP Agent who implied that a Commissioner-Elect had requested a Stop Work Order for the Edgewater seawall.

Ms. Joan Hooper Fiebelman spoke in opposition to the proposed beach access at Topsail Hill State Park being present as TDC Agenda Item 4. She encouraged the Board to vote against the project.

Chairman Chapman stated that several meetings had been held in accordance to Florida Statutes in which to receive public input on the beach access issue. He questioned if a separate meeting to discuss this issue would be necessary due to the length of the meeting agenda. Commissioner Meadows said that additional information had been received and felt that a Special Meeting should be schedule to hold a Public Hearing on this issue. Commissioner Comander asked if public comment could be closed and that only the Board be allowed to discuss the issue. Attorney Mark Davis, County Attorney, stated that the Board could decide not to take further public comment. Discussion continued on scheduling a Special Meeting.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to schedule a Special Meeting on September 29, 2014 at 5:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Ms. Jackie Marquel and Ms. Anita Page requested that the new information be made available for public review prior to the Special Meeting. Commissioner Meadows stated that she was unsure when the information could be released. Chairman Chapman stated that alternate locations are being sought for the walkover. Mr. Jim Bagby, TDC Executive Director, reported that Commissioners and constituents have presented ideas for alternate routes and briefly discussed the routes being considered. He said that research is being done and that when more solid information is in hand it would be made available to the public.

Mr. Mike Flynt expressed his gratitude regarding the timely work being done at the Geronimo/U.S. 98 intersection.

Mr. Alan Ficarra discussed the results of the recent primary and felt that the election laws should be changed to allow for run-offs between the two candidates with the highest percentage of votes when the percentage is below 50%. Commissioner Meadows asked if this was an action that could be taken by the Board. Commissioner Comander stated that it was State regulated.

Mr. Alan Osborne addressed the Topsail Hill Beach Access issue and asked the commissioners to visit the site prior to making a decision. He also spoke in support of Mr. Ficarra's comments.

There were no further public comments.

Motion by Commissioner Imfeld, second by Commissioner Meadows, 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	\$ 1,261,232.86
County Transportation	\$ 1,461,630.42
SHIP	\$ 9,950.00
Fine & Forfeiture	\$ 25,123.96
Section 8 Housing	\$ 130,387.58
Tourist Dev. Council	\$ 373,323.73
N.W. Mosquito Control	\$ 20,210.82
Recreation Plat Fee	\$ 650.00
Solid Waste Enterprise	\$ 789,532.90
Bldg. Dept./Enterp. Fund	\$ 1,088.36
Imperial Lakes MSBU	\$ 2,000.00
Daughette Subdivision	\$ 29,500.00
Four Mile Village	\$ 1,750.00
Capital Projects Fund	\$ <u>11,592.34</u>
<b>Totals</b>	<b>\$ <u>4,117,972.97</u></b>

2. Approve Minutes of August 26, 2014 Regular Meeting
3. Approve to surplus/dispose of a 2009 GMC Truck (BCC: 7307) and 2010 Beach Tech as requested by TDC
4. Approve to surplus/dispose of several items from Fire Rescue, Public Works, Landfill and Mosquito Control
5. Request to move the October 14, 2014 4:00 p.m. Regular Meeting from the South Walton Annex to the Walton County Courthouse in DeFuniak Springs and move the October 28, 2014 9:00 a.m. Regular Meeting from the Walton County Courthouse in DeFuniak Springs to the South Walton Annex due to the Supervisor of Elections utilizing the Boardroom in DeFuniak Springs for early voting.
6. Approve a **Resolution (2014-88)** proclaiming the week of September 28, 2014 through October 3, 2014 as Childhood Cancer Awareness Week in Walton County
7. Approve to move \$419,000 of unanticipated revenue into Funding Sponsorship rants as requested by the TDC.
8. Approve a budget amendment to transfer \$266,950 from Industry Development and Promotional Activities to Administration/Website to fund the approved contract to rebuild the TDC website as requested by the TDC

9. Approve to enter into a State Hazard Analysis Sub-Grant Agreement with the State of Florida, Division of Emergency Management in the amount of \$4,852.00.
10. Approve Walton County Fire Rescue Certificate of Public Convenience & Necessity dated July 31, 2013 through June 10, 2014.
11. Approve the FY 2015 State Aid to Libraries Grant Agreement
12. Approve the Engagement Letter and Agreement for auditing services with Carr, Riggs & Ingram for the FY 2014 HUD Housing Audit
13. Ratify the agreed upon procedures Engagement Letter with Carr, Riggs & Ingram for completion of the FY 2014 Annual Local Government Financial Report
14. Ratify the Agreement with Carr, Riggs & Ingram for annual testing of Walton County's Investment Policy Compliance
15. Ratify the Engagement Letter with Carr, Riggs & Ingram for the FY 2014 Financial Statement Audit
16. Ratify the Engagement Letter with Carr, Riggs & Ingram for the FY 2014 Solid Waste Program Management Escrow Cash Account Audit
17. Ratify the agreed-upon Procedures Engagement Letter with Carr, Riggs & Ingram for attestation of compliance with the State of County Funded Court Related Functions, 29.0085 F.S.

Ms. Linda Sumblin, Workforce Development Board, requested to renew the Interlocal Agreement between Okaloosa County and Walton County.

Motion by Commissioner Pridgen, second by Commissioner Imfeld, to approve the Interlocal Agreement with the Workforce Development Board. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Commissioner Imfeld announced that Ms. Sumblin had recently been inducted into the Hall of Fame in Okaloosa County for her work there. He recommended that Walton County develop a way to recognize the Workforce Staff.

Mr. Jones discussed the City of Freeport's request to consolidate their fire department with the county. He stated that more information will be brought back for review.

Mr. Jones reported that Mr. David Smith who had been appointed to the Value Adjustment Board as a citizen appointee could no longer serve. He requested that Ms. Shayne Betts be appointed to the Value Adjustment Board as a citizen appointee.

Motion by Commissioner Comander, second by Commissioner Imfeld, to appoint Ms. Shayne Betts to the Value Adjustment Board as a citizen appointee. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to award RFP 014-016-Telecommunication Auditing Service to Troy and Banks as the top rated firm.

Motion by Commissioner Pridgen, second by Commissioner Comander, to award RFP 014-016-Telecommunications Auditing Service to Troy and Banks. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested to reject the bids for RFP 014-026 for Security Monitoring Services and to re-advertise the bid. He stated that the only responsible bidder had finances that were not in line with county standards.

Motion by Commissioner Imfeld, second by Commissioner Comander, to reject the bids for RFP 014-026 Security Monitoring Services and to re-advertise the bid. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones presented an update on the Walton County 30A and U.S. 331 Tax Increment Projects. Government Services Group (GSG) was engaged to look at the 30A and U.S. 331 areas and have provided the preliminary findings. Ms. Camille Tharpe, GSG, will be presenting the findings in a few weeks.

Mr. Jones presented an update on the sports park property. He reported that two appraisals had been obtained and that Mr. M. C. Davis felt that they were too low. He obtained a third appraisal which was substantially higher than the two obtained by the county. Attorney Davis is reviewing all of the appraisals to determine if they all were acceptable to county standards; negotiations will begin after a determination is made. Attorney Davis stated that he

would make a recommendation once he has completed his review. Commissioner Meadows asked how this land compared to the purchase by the School Board. Attorney Davis stated that the difference is that the School Board parcel fronts U.S. 98.

Mr. Jones requested approval to allow staff to convert the vacant environmental position/funding to support RESOTRE Act via a staff position, consultant, or hybrid of both. Staff proposes to utilize the vacant environmental position, and funding of that position to develop and implement a plan to hire either in house, a consultant, or a hybrid of both, to handle and lead all efforts relating to RESTORE and other initiatives associated with the Deep Water Horizon Oil Spill. Utilizing the vacant position will have no or minimal impact to the budget or FTE count. He stated that with Board authorization, staff would look for the most beneficial means to fill the opening.

Motion by Commissioner Comander, second by Commissioner Imfeld, to review the conversion of the vacant environmental position and funding to support the RESTORE Act. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones presented a proposal from Mr. Jim Busby, James Busby limited Partnership, to purchase a 5 acre parcel in the Mossy Head Industrial Park with a purchase price of \$20,000/acre. Mr. Busby's client wishes to build a 5,000 square foot facility for an international perishable food service company and would employ approximately 10 people. Mr. Jones stated that this parcel is the last parcel that could service retail establishments or establishments complimentary to the truck stop, hotel and future restaurant. He reported that Mr. Busby said that the company would only need 0.5 acres and that the remaining 4.5 acres would be sold to future clients with similar businesses. Mr. Busby agreed for the Board to consider selling the eastern 1.5 acres of the parcel and reserving the remainder for future development. Commissioner

Pridgen asked if this was the highest and best use for that parcel. Commissioner Meadows asked if there was another parcel available for this facility. Mr. Jones stated that more parcels would be available once the roadway was complete.

Mr. Busby stated that his client was ready to begin the project and felt that he would not want to wait until the roadway was complete to have access to other parcels. Mr. Jones questioned how long it would take to site the building. Mr. Busby stated that it would take approximately 30 days to prepare the plans for the building and 90 days to construct.

Commissioner Comander asked how long it would take to complete the roadway. Mr. Jones stated that it would be early to late spring for completion (six to eight months). Commissioner Imfeld asked if the contract for the infrastructure monies had been received. Mr. Jones replied that it had not. The bid process is moving forward in anticipation of the funds.

Commissioner Imfeld felt that the design is architecturally compatible to the existing facilities.

Mr. Busby stated that the facility would need a 250 feet by 260 feet area and felt the triangular area would not be sufficient.

Discussion ensued on how the remaining portion of the parcel could be used.

Motion by Commissioner Imfeld, second by Commissioner Comander, to approve the sale of 1.5 acres on the eastern most side of the parcel subject to the requirements of Chapter 125 for discussion.

Mr. Alan Osborne, Ms. Mary Nielsen, and Dr. Don Riley felt that the property was worth more. Ms. Nielsen suggested getting an appraisal after every sale for the remaining parcels to determine future selling amounts. Mr. Osborne recommended not selling the parcel until the roadway was complete.

Chairman Chapman stated that this parcel is the last parcel closest to I-10 and Highway 285. He felt that it could be used for something more than a warehouse. Commissioner Meadows voiced her agreement with Chairman Chapman's comments.

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

Mr. Jones stated that he would inform Mr. Busby when something else becomes available.

Mr. Jones requested to award ITB 014-015 Pine Tree Planting at the Walton County Landfill to Choctaw Land & Timber, LLC as lowest responsive/responsible bidder in the amount of \$240.55 per acre.

Motion by Commissioner Pridgen, second by Commissioner Comander, to award ITB 014-015 to Choctaw Land & Timber, LLC as lowest responsive/responsible bidder in the amount of \$240.55 per acre. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jones requested approval of the agreement with Choctaw Land & Timber, LLC for Pine Tree Replanting at the Walton County Landfill (ITB 014-015).

Attorney Davis said that the date in Article 3 (A) should be December 31, 2014 not April 15, 2015 as stated. Choctaw Land and Timber agrees to the change.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve the agreement with Choctaw Land & Timber, LLC for Pine Tree Replanting at the Walton County Landfill with the date change as discussed. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Jim Bagby, TDC Executive Director, requested to approve to initiate the Real Property Purchase (Ordinance 2012-16) process for the possible purchase of the Angelos Parcel on Beachside Drive.

Motion by Commissioner Comander, second by Commissioner Meadows, to direct the staff to begin the process to purchase the Angelos Parcel on Beachside Drive according to the Property Acquisition Ordinance (2012-16). Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Commissioner Meadows clarified that this property would be used for a regional beach access. Mr. Bagby said that it would be contingent upon the ability to include the parking and facilities on the parcel.

Mr. Bagby requested approval of a budget amendment for the allocation of \$200,000 towards Phase I landscaping for the east C.R. 30A/U.S. 98 Improvement Plan and \$228,000 for the Pathways of Phase I upon contingency that developers will fund ongoing Phase 1 maintenance cost that was approved at the August 5, 2014 TDC meeting.

Commissioner Imfeld voiced concern that the project did not have a balanced budget and questioned if additional information had been submitted regarding additional contributions for this project. Mr. Bagby stated that there has been no new information. Commissioner Imfeld felt the project had merit but that it would be best to defer the vote until a balanced budget for the project could be submitted. Commissioner Meadows felt that the project needed to be started as soon possible.

Motion by Commissioner Meadows, second by Commissioner Comander, to include the funding of the Improvement Plan in the TDC's budget amendment for discussion.

Commissioner Imfeld stated that what was presented to the Board was a public/private partnership funding for the project with the only private funding commitment being for the maintenance of Phase I. He felt that without a consistent funding plan, the county should not fund the project until all of the private funding sources have been identified.

Commissioner Meadows replied that this project was similar to MHIP in that the support is undetermined and is economic development for east C.R. 30A/U.S. 98. A brief discussion ensued on the differences between the project and the MHIP and funding.

Mr. John Freer addressed Commissioner Imfeld's concerns. He stated that the developers along the eastern corridor of 30A and Inlet Beach have said that they will support the maintenance aspect of this project 100%. The developers will also support the shortfall in landscaping. He discussed the safety issues of the area. Commissioner Imfeld concurred that there were safety issues that needed to be addressed. He stated that it was presented to the Board that the project was \$400,000 short of having necessary funding to do the project. There is no business plan showing where the additional money was coming from other than the county controlled funds. Mr. Freer stated that the maintenance is a capital investment and is in perpetuity in the approximate amount of \$72,000/year. He assured the Board that the remaining costs would be raised if the county funded the requested \$430,000 and that the project would be completed on time with the support of local developments, businesses and community leaders.

Commissioner Meadows asked how much money of in-kind services has been put into this project for engineering, landscape architects, etc. Mr. Freer stated approximately \$15,000.

Commissioner Imfeld felt that based on the information given by Mr. Freer, a written plan could be developed and submitted for review. Discussion continued on what information would need to be included.

Mr. Osborne felt that this is a good project, but felt that an agreement should be created stating the amounts each party is responsible to contribute. He suggested that the motion should include a stipulation that a written business plan or an agreement be submitted.

Mr. Richard Bryan, Mr. Bob Murfin and Mr. Oak Bryan all spoke in favor of the project.

Discussion continued regarding county funding and the need to improve the area.

Commissioner Imfeld asked that the motion be amended to include the stipulation that a written commitment from all the funding sources be submitted for Phase I of the project.

Commissioner Meadows stated that she would amend the motion but wanted the motion to state that the caveat is that the developers be required to provide a written commitment on their \$72,000 of maintenance in perpetuity. Commissioner Imfeld stated that it should be in addition to the \$400,000 landscape shortfall. Discussion continued on the project's landscaping budget.

Ms. Leigh Moore stated that it is difficult to get a specific list of contributors when the amount needed is unknown. She clarified that a portion of the approximate \$400,000 shortfall would come from Proportionate Fair Share funding and would be dedicated for the Pathways portion of the project. She said if it is approved, then the remaining amount for private funding will be changed. Commissioner Imfeld would like to see a written business/finance plan showing how much will be coming from private parties.

Discussion continued on funding the project and future maintenance.

Motion amended by Commissioner Meadows, second amended by Commissioner Comander to include the caveat that a written commitment be submitted by the developers to make up the balance in funds. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the budget amendment for the allocation of \$200,000 towards Phase I landscaping for the east C.R. 30A/U.S. 98 Improvement Plan and \$228,000 for the Pathways of Phase I contingent upon developers providing funding for Phase I Shortfall. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Mr. Bagby presented on update on the July, 2014 TDC bed tax numbers. There was an increase of 15.55% from July, 2013 bed tax numbers. July, 2014 was the second \$4 million bed tax revenue month. Year to date shows an increase of 7.11% over 2013. He reported that Orange County and Walton County were the top two bed tax revenue collectors in Florida for the month of June.

Mr. Jon Irvin requested approval of an agreement between Visit Florida and the TDC for Emeril's Florida television program for the 2015 season in the amount of \$120,000.

Chairman Chapman asked what services were provided for that amount. Mr. Irvin stated that the county receives advertisement on one episode with Visit Florida purchasing most of the episodes advertisement.

Commissioner Meadows asked how many years the county has been paying \$120,000. Mr. Irvin stated that this is the third season and reported that the budgeted amount was \$150,000 but was able to negotiate for the \$120,000. Commissioner Meadows questioned if this was presented to the TDC Advisory Council. Mr. Irvin stated that it was a line item in the budget.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve an agreement between Visit Florida and the TDC for Emeril's Florida television program for the 2015 season in the amount of \$120,000. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Commissioner Meadows exited the meeting.

Attorney Mark Davis, County Attorney, requested that no action be taken to adopt a resolution establishing the highest and best use for the property on which the Cowford Water Well lies. He requested time to research deed restrictions associated with funding from other sources and to determine if the county has the legal authority to convey the property out. He stated that this property was purchased with FEMA funds. Commissioner Imfeld asked if water was currently being supplied from county property to the homeowners. Attorney Davis stated that there have been issues with this well for a number of years and that homeowners are receiving water from this well.

Mr. John Faircloth stated that it is the only source of water for the area. Attorney Davis stated that the well was on the property at the time of the county acquisition. Mr. Faircloth discussed the water issues in the area.

Commissioner Imfeld asked if there were homes on the property at the time of the acquisition. Mr. Faircloth stated that the homes on the FEMA property across the road were demolished. Commissioner Imfeld asked if there was a septic system on this property. Mr. Faircloth stated there were none on the well property. Attorney Davis said that there was a public boat ramp with parking on the property. He asked to present the research information at the next Board meeting.

Commissioner Comander asked if it would be possible for people to construct their own wells. Mr. Faircloth said no due to the size of the lots and the restrictions on well digging.

Commissioner Meadows rejoined the meeting.

The Board concurred to direct Attorney Davis to research the issue.

Attorney Davis requested approval of a Donation Agreement for the proposed donated land from Wells Fargo Bank. The property is a foreclosure and is located on S. McHenry Road. He asked that a form of the agreement be approved to allow staff to begin the acquisition process.

Commissioner Meadows recused herself from voting due to her personal mortgage being held by Wells Fargo and submitted Form 8B: Memorandum of Voting Conflict.

Ms. Nielsen questioned what the property could be used for. Chairman Chapman stated that the plans were to use the mobile home at Windswept Fire Department and to use the property later possibly for a fire department for Eucheeanna, the Valley and the Douglas Crossroads areas.

Motion by Commissioner Comander, second by Commissioner Imfeld, to approve a form of the Donation Agreement with Wells Fargo Bank to allow staff to begin the acquisition process. Ayes 4, Nays 0. Chapman Aye, Meadows Abstained, Comander Aye, Imfeld Aye, Pridgen Aye. **(Form 8B: Meadows)**

Attorney Davis requested to hold a Special Meeting on Tuesday September 23, 2014 at 11:00 a.m. or soon thereafter at the Walton County Courthouse in DeFuniak Springs, for the purpose of calling to order an Executive Session to discuss the status of the Collective Bargaining Negotiations with the Walton County Firefighters Union. He reminded the Board that while at the negotiation table Commissioners cannot have any discussion with any firefighter or a member of the union regarding labor or pay. Everything that is discussed in the Executive Session cannot be divulged during negotiations.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve to hold a Special Meeting on Tuesday September 23, 2014 at 11:00 a.m. or soon thereafter at the

Walton County Courthouse in DeFuniak Springs for the propose to call to order an Executive Session to discuss the status of the Collective Bargaining Negotiations with the Walton County Firefighters Union. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Attorney Davis addressed an earlier accusation regarding the Sunshine Law and stated for the record that Commissioners may have discussions with individual citizens regarding issues being presented at the scheduled public meetings; however, they may not meet with another Commissioner(s) outside of a meeting to discuss any issues being presented.

Chairman Chapman called to order the Public Hearing to approve a resolution amending the Budget for the Daughette MSBU Fund to bring forward \$27,000 for expenditures related to a dredging project 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 Ficarra stated that he owned property in the Daughette area and questioned the reasons for the budget amendment. Mr. Jones stated that these funds were collected through the MSBU and are in excess of what is needed to service the debt. The excess funds are used toward the dredging of the Daughette Canal. This is a public hearing to move the funds into the appropriate account to pay for the dredging. Mr. Ficarra asked which property owners were affected by the MSBU. Mr. Mike Wiemorts, Daughette Canal Improvement Association, stated that only the canal front property owners are affected. He stated that the canals and channels are maintained with these excess funds on a 5 – 7 year cycle.

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

Motion by Commissioner Imfeld, second by Commissioner Meadows, to adopt **Resolution 2014-89** amending the budget for the Daughette MSBU Fund to bring forward \$27,000 for expenditures related to a dredging project for FY 2013-2014. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Meeting recessed at 5:45 p.m. and reconvened at 6:00 p.m.

Commissioner Meadows presented an update on the Northwest Florida Beaches International Airport and submitted a packet which included a July, 2014 Activity Report, Total Passengers (2011-2014), Summary of Operating Results ending July 31, 2014, Budget Revenues, Expenses and Cash Balances. She reported that expansions are being made to the airport master plan.

Commissioner Meadows announced that the TDC will be sponsoring and scheduling a Public Space Design Charrette to look at signage, lighting, pathway design, and other physical site elements in southern Walton County. A facilitator for the charrette will be appointed by the TDC.

Commissioner Meadows discussed the Tax Increment Financing District Study and stated that she would be meeting with Ms. Camille Tharpe, Government Services Group.

Commissioner Meadows felt updates regarding storm water projects should be presented at every meeting due to the volume of calls and letters asking what work is being done. Mr. Greg Graham, Public Works, discussed the current storm water projects and reported that staff is waiting on the consultants to submit a manpower estimate and fee proposal. This information

will be provided to the Board at the next meeting. He said that the consultants would be preparing data gathering, storm damage survey, alternatives, opinions of costs, and benefit cost analysis on the projects. Commissioner Meadows stated that some of the reports should be ready by March, 2015.

Commissioner Meadows discussed the Special Magistrate's Recommendation on Driftwood Estates and requested implementation of those recommendations. She noticed that the Board recommended proceeding with the recommendations of the Special Magistrate. She asked that Attorney Davis review the list of recommendations to determine what has and has not been done and what the costs would be.

Mr. Osborne briefly discussed the findings and solutions to comply with the recommendations. He submitted the Driftwood Response to the Special Magistrates recommendations.

Commissioner Comander requested Mr. Robert Nelson be appointed to the North Walton Tourist Advisory Council to replace Mr. Gus Andrews.

Motion by Commissioner Comander, second by Commissioner Meadows, to appoint Mr. Robert Nelson to the North Walton Tourist Advisory Council. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

Commissioner Imfeld announced that the first Regular Meeting in November is scheduled for November 11 which is Veterans Day and a county holiday. He asked that staff reschedule the meeting date.

Commissioner Pridgen and Chairman Chapman had no items to present.

Mr. Jones stated that Mr. Sean McSheehy is requesting approval of the 23<sup>rd</sup> Annual Triathlon (30A Triathlon) to be held October 11, 2014 and the corresponding road closures. The

race will run simultaneously with another race which will be restricted to the bike path. Mr. McSheehy's request has been approved by the Sheriff's Office and the South Walton Fire Department has also approved the event contingent upon the water safety plan being submitted. Mr. McSheehy stated that the water safety plan has been submitted. Chairman Chapman voiced concern with the safety of the small children in the other race. Mr. McSheehy stated that the children will have a different path. Commissioner Meadows stated that there will be several deputies in attendance to help with the races.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the 23<sup>rd</sup> Annual Triathlon and the corresponding road closures. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

There were no additional public comments.

The meeting recessed at 6:15 p.m. and reconvened at 6:30 p.m.

Mr. Wayne Dyess, Planning and Development Director, requested authorization for the Chairman's signature on the Annual Report Certification and to transmit the Annual Reports to the Florida Housing Finance Corporation for SHIP Program years FY 2011-12, FY 2012-13, and FY 2013-14.

Motion by Commissioner Comander, second by Commissioner Pridgen, to authorize the Chairman's signature on the Annual Report Certification and to transmit the Annual Reports to the Florida Housing Finance Corporation for SHIP Program years FY 2011-12, FY 2012-12, and FY 2013-14. Ayes 3, Nays 0. Chapman Aye, Meadows Absent, Comander Aye, Imfeld Absent, Pridgen Aye.

Commissioner Imfeld and Commissioner Meadows returned to the meeting.

Mr. Dyess requested to continue the review of the Outdoor Events Ordinance and submission of comments to the September 23, 2014 Regular Meeting. Attorney Davis stated that there would be changes in the definition of outdoor event.

Motion by Commissioner Meadows, second by Commissioner Comander, to continue the Outdoor Event Ordinance review and comments to the September 23, 2014 Regular Meeting. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye.

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 publications. Attorney Davis asked that notices of all Ex Parte communication be submitted to the Clerk.

Commissioner Comander asked if emails sent prior to the meeting but not read until after the meeting should be submitted. Attorney Davis stated that they could be submitted as a practicality.

Mr. Tim Whaler, Senior Planner; presented Bay-Walton Sector Plan a sector plan submitted by The St. Joe Company, requesting the approval of the Long Term Master Plan in accordance with F.S. 163.3245. The project area consists of 13,284 acres with future land uses of Coastal Center, Coastal Village One, Conservation, General Agriculture, and Traditional neighborhood Development. The project is located generally west of the Bay County line, north of U.S. 98 except for the WaterSound DRI which extends south of U.S. 98 to C.R. 30A, east of Point Washington State Forest and south of S.R. 20 and Black Creek Road. Florida Statutes require that Sector Plans be approved in two steps (1. Approval of the Long Term Master Plan, 2. Approval of Details of Specific Area Plans (DSAP) which will be processed as major developments). Mr. Whaler stated that the Long Term Master Plan will be adopted as a Comprehensive Plan amendment with two components. Staff found that unless other evidence is

presented to the contrary, the proposed project will meet the requirements of F.S. Sections 163.3245 and 163.3177 as well as the Comprehensive Plan pending the resolution of all outstanding Technical Review Committee Comments and conditions as stated in the Staff Report. **(Staff Report-1)**

Mr. George Gonzalez, St. Joe Company, briefly discussed the Long Term Master Plan and stated that the approval of the Long Term Master Plan does not authorize the company to move forward with any projects. He said that all DSAP procedures would be followed and that this would be a 50 year plus plan. Mr. Gonzalez stated that the sector planning process is not required, but The St. Joe Company felt that it is the best tool for the planning process. He briefly discussed the different planning areas and the steps that have been taken to present the plan to the public. The majority of the project is in Bay County and is going through the same processes as the Walton County portion of the project. Commissioner Meadows questioned how they plan to address getting the people north of U.S. 98 to the beaches. Mr. Gonzalez replied that he does not have a specific answer, but that the planning process does include reviewing different ideas and concepts. This project is not being planned as a beach project but will include beach transportation solutions. Commissioner Meadows asked that a condition be added to the plan that transportation to the beaches is addressed in the DSAPs. Mr. Gonzalez agreed to the condition.

Mr. Osborne discussed open space and conservation. He recommended that conditions be set for the amount of land to be used for open space and conservation. He stated that the Walton County Sector Plan should meet Walton County standards and that it does not have to be exactly like the Bay County Sector Plan.

Mr. Kent Wimmer, Defenders of Wildlife Northwest Florida Representative, spoke in opposition to the project siting that the plan does not adequately protect wildlife, endangered

species and habitats. He discussed the changes that need to be made to plan to protect the wildlife and submitted a letter outlining the recommendations. **(Respondent-2)** Mr. Gonzalez addressed Mr. Wimmer's concerns and reported that the majority of the plan was approved under an Ecosystem Management Agreement with the Department of Environmental Protection (DEP) and a regional general permit with Army Corps of Engineers (ACoE).

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the Bay-Walton Sector Plan to be transmitted to DEO with the contingency that the DSAP plan addresses beach access and transportation to the beach. Ayes 5, Nays 0. Chapman Aye, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report-1; Respondent Wimmer Letter-2)(Ex Parte: Comander)**

Mr. Whaler presented ESCAPE Lot 3 Revisions, a major development order application submitted by Emerald Coast Associates, Inc. requesting approval to amend the preservation area on Lot 3 as approved in the E-SCAPE major development order and recorded on the E-SCAPE Plat Book 18 Page 42. The project consists of 0.245 acres with a future land use of Neighborhood Infill. The project is located on the south side of Pompano Street, 200 feet east of South Wall Street. He reported that the 2006 Development Order was approved with the northern extent of the preservation delineated at the Coastal Construction Control Line (CCCL). Mr. Whaler discussed the requirements of the Comprehensive Plan for designated preservation areas. Staff found unless other evidence is presented to the contrary, the proposed project will meet the requirements of the Comprehensive Plan and Land Development Code. **(Staff Report-1)**

Commissioner Meadows asked if there was dune vegetation on the western side of the lot. Mr. Whaler stated that the environmental assessment does show some dune vegetation on the western side most of which was contained in the buffer. He stated that the dune vegetation will

have to meet the 95% preservation requirement and will be documented on the re-plat. Commissioner Meadows asked if the maximum impervious area was still 1600 square feet as stated on the site plan (page 3). Mr. Whaler deferred the question to the applicant.

Mr. Dean Burgis, Emerald Coast Associates, stated that the 1600 square foot area footprint was for the storm water calculations. The calculations took into account the additional square footage that would be allowed to demonstrate that the storm water system would still work. This would not limit the lot to 1600 square feet. Commissioner Meadows asked if the request includes the change in the maximum impervious area. Mr. Dyess stated that the only change that staff is aware of is the change to the preservation area. Mr. Burgis said that the storm water calculations have been resubmitted with the larger footprint (setback to setback). Commissioner Meadows asked what the maximum impervious area is now. Mr. Burgis stated that he would have to look it up.

Discussion continued on the 2006 presentation of the project and the change in the maximum impervious area.

Chairman Chapman discussed the inclusion of the preservation line north of the CCCL in 2006 and asked if the request now is to move the preservation line south of the CCCL. Mr. Dyess stated that when the project was originally approved the developer had exceeded the county's requirements in their placement of the preservation line. The applicant is asking that the line be moved back to an area which still meets the county requirements for preservation. He said any other change requests have not been submitted nor advertised. Chairman Chapman asked if the applicant was intending to build below the CCCL and if State approval had been granted. Mr. Dyess deferred the question to Mr. Burgis.

Mr. Burgis gave an overview of the project's history and discussed why the preservation area was placed at the CCCL in 2006. He stated that any development on the lots would be brought to the Board for approval. He confirmed that the western side of the property does include dune vegetation. Mr. Burgis submitted and discussed the Construction Line of View and area photos. **(Petitioner Exhibit-2)**

Commissioner Imfeld commented that it seemed the intent of the applicant is to build seaward of the CCCL. Mr. Burgis replied that approval would allow him to do so and reported that adjacent properties are beyond the CCCL with some even into the Coastal Protection Zone (CPZ). Mr. Burgis stated that development would not encroach on the CPZ nor dune vegetation and would be held to the Comprehensive Plan standards. Mr. Burgis said that he had located the Storm Water report and it does request an increase in buildable area to 1,722 square feet.

Discussion ensued regarding the new calculations.

Ms. Anita Page questioned why the applicant was allowed to leave more vegetation than required and referenced Comprehensive Plan Policy C-1.11.32(a)1. She briefly discussed the Comprehensive Plan requirements for the CPZ, CCCL and the 95% dune vegetation preservation. Mr. Scott Caraway, Public Works, addressed Ms. Page's comments and stated that 95% of dune vegetation south of the CCCL and within the CPZ has to be preserved. One of the conditions for this project is that all of the vegetation south of the CCCL and on the west side of the property must remain. The only area to be impacted is the previously cleared areas. Ms. Page questioned when those areas were cleared. Mr. Caraway stated the environmental assessment was performed in 2005 and the area was clear at that time. The exact time the clearing occurred is unknown.

Mr. Osborne felt that a condition should be added that any disturbed/moved vegetation is replaced square foot for square foot within the lot.

Ms. Page questioned if a developer had to have all the permits in hand prior to approval and if the policy was different in 2006. Mr. Mac Carpenter, Planning and Development, stated that in 2006 any State or Federal permits had to be in hand prior to receiving a Development Order. In 2011 the law was changed and now the Development Order is issued before the applicable permits are obtained.

Discussion ensued on the change of the maximum square foot of impervious area and the lack of advertisement.

Commissioner Imfeld questioned what the oval shaped areas on the eastern side of the property were. Mr. Burgis stated they were drainage swells.

Mr. Bob Murfin submitted a letter and Site & Geometry Plan. He spoke in opposition to the project. **(Respondent-3)**

Commissioner Pridgen questioned if the property was owned by the same owner in 2006 as it is now. Mr. Burgis stated yes with the exception of one.

Mr. Scott Beach, applicant, discussed his plan for the development and asked to utilize the area which is already cleared.

Mr. Danny Hornsby submitted photos of the area and spoke in opposition of this project. **(Respondent-4)**

Ms. Page asked why the applicant is requesting to amend the preservation plan if there is no plan to impact the Coastal Strand seaward of the CCCL. Mr. Burgis replied that the area that is labeled on the plat as preservation was not filled with required preservation in 2006 and stated that Comprehensive Plan only requires preservation of existing vegetation. The existing

vegetation is larger than what was there in 2006. Ms. Page and Mr. Burgis discussed the designation of Coastal Strand and preservation area. Ms. Page asked when the lots were cleared. Mr. Burgis stated that he did not know. Ms. Page spoke in opposition of the project.

Discussion returned to the change in the maximum impervious area.

Ms. Betty Lecher spoke in opposition to the project.

Mr. Beach said that he was planning to preserve the vegetation between the CPZ and CCCL and that he did not intend to destroy the dune.

Mr. Burgis addressed the Comprehensive Plan and the CCCL vegetation and stated that all vegetation will be preserved. He said that this project meets the requirements of the Land Development Code and the Comprehensive Plan. The applicant is not asking for variances or special provisions. Chairman Chapman asked how much further south he wanted to move the footprint. Mr. Burgis replied approximately five to 10 feet north of the CPZ line. He addressed the public comments.

Motion by Commissioner Meadows, second by Commissioner Comander, to deny ESCAPE Lot 3 Revisions. Ayes 4, Nays 1. Chapman Nay, Meadows Aye, Comander Aye, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report-1; Petitioner-2; Respondent-3; Respondent-4)(Ex Parte: Comander, Meadows, Pridgen, Imfeld)**

Commissioner Comander exited the meeting.

Mr. Dyess presented "The Hub" Prominence Commercial Plat, a plat application submitted by Innerlight Engineering, Corporation, requesting approval of the Prominence commercial – "The Hub" plat in compliance with the Prominence Phase II South Commercial Infrastructure Development Order. The plat consists of 2.60 acres with a future land use of Traditional Neighborhood Development. The project is located on the south side of C.R. 30A,

two miles west of WaterSound Parkway. Staff found unless other evidence is presented to the contrary, the requested plat will be compliant with the development order; will meet the requirements of F.S. Chapter 177, the Comprehensive Plan and Land Development Code. **(Staff Report-1)**

Mr. David Smith, Innerlight Engineering, was available for questioning.

Commissioner Meadows asked where the drainage would go. Mr. Smith stated that it would be directed toward an existing master storm water facility in the Prominence PUD.

Commissioner Meadows asked if the applicant would pay the Proportionate Fair Share for traffic. Mr. Smith replied yes.

There was no public comment.

Commissioner Imfeld stated that the Proportionate Fair Share fees were not noted. Mr. Whaler stated that the Proportionate Fair Share fees would be paid at the permitting and building phase not prior to platting.

Motion by Commissioner Pridgen, second by Commissioner Imfeld, to approve "The Hub" Prominence Commercial Plat. Ayes 4, Nays 0. Chapman Aye, Meadows Aye, Comander Absent, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report-1)**

Mr. Brian Underwood, Planning and Development, presented Carson Oaks Phase II, a major development order application submitted by Jenkins Engineering, Inc., requesting the approval to construct fifteen single-family residential lots on 5.51 acres with a future land use Neighborhood Infill, within the existing Lots 66, 67, 68 and 69 of Carson Oaks Phase I Subdivision, along Carson Oaks Lane. The project is located on Mack Bayou Road, 1.3 miles north of the intersection of U.S. Highway 98 and Mack Bayou Road. Staff found unless other evidence is presented to the contrary, the project will be consistent with the Comprehensive Plan

and Land Development Code contingent upon the conditions as listed in the Staff Report are met.

Condition two in the Staff Report has been addressed. (**Staff Report – 1**)

Commissioner Meadows asked if there was a sidewalk on Mack Bayou Road. Mr. Underwood stated that there was a multi-use path.

Mr. Scott Jenkins, Jenkins Engineering, gave a brief overview of the project.

Mr. Tony Richards spoke in favor of the project and asked that the sidewalks not be installed. He felt that the trees would be damaged with the installation of sidewalks. Commissioner Meadows asked how wide the streets were in the existing development. Mr. Jenkins stated approximately 20 feet. Commissioner Meadows noted that there was nowhere to walk and that sidewalks would add value to the subdivision. Mr. Richards stated that there were no sidewalks in the existing area of the subdivision and felt that the new development should be consistent with the existing. Commissioner Meadows asked if a sidewalk buyout could be done for both sides. Mr. Underwood stated that only one side could be bought out. Mr. Jenkins said that Section 5.03.04(H) of the Land Development Code allows the director to waive the requirements in rural areas.

Mr. Osborne spoke in favor of the project.

Mr. Jenkins added that the developer would either put in sidewalks, buyout, or put in alternate sidewalk material, as the Board directed. Mr. Carpenter said that staff supports the buyout of one side. Commissioner Meadows suggested using a special material that does not harm the trees. Mr. Dyess said that staff would work with Mr. Jenkins to find alternatives.

Motion by Commissioner Imfeld, second by Commissioner Pridgen, to approve Carson Oaks Phase II and to use a special sidewalk material which does not harm the trees. Ayes 4, Nays

0. Chapman Aye, Meadows Aye, Comander Absent, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report-1)**

Mr. David Smith requested that Highland Park at Blue Mount Beach (BMB) Phase 2, Lots 127-143 be continued to the September 23, 2014 Regular Meeting.

Motion by Commissioner Pridgen, second by Commissioner Imfeld, to continue Highland Park at BMB Phase 2 to the September 23, 2014 Regular Meeting. Ayes 4, Nays 0. Chapman Aye, Meadows Aye, Comander Absent, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report-1)**

Mr. Underwood presented Sharruf Building, a major development order application submitted by ECM, Inc., requesting the approval to construct a 3,700 square foot, two-story commercial building on 1.157 acres with a future land use of Coastal Center. The project is located 0.25 miles east of the intersection of U.S. 98 and Holiday Road. Staff found unless other evidence is presented to the contrary, the project will be consistent with the Comprehensive Plan and the Land Development Code contingent upon all conditions listed in the Staff Report being met. **(Staff Report – 1)**

Mr. Tom Talty, ECM, Inc., stated that the project is replacing a building, additional storm water retention. He stated that the previously existing lounge is being removed and asked if the Proportionate Fair Share reflects the change. Mr. Underwood stated that it has been recalculated based on the new design.

There was no public comment.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve Sharruf Building with conditions as stated in the Staff Report. Ayes 4, Nays 0. Chapman Aye, Meadows Aye, Comander Absent, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report-1)**

Mr. Tim Brown, Senior Planner, presented SSA 14-005-Lula Cone Peterson Revocable Trust, a small scale amendment application submitted by ECM, requesting to change the future land use designation of 2.516 acres from Conservation Residential 2:1 to Neighborhood Infill. The project is located on the south side of Louva Lane at the intersection with Deno Drive. Staff found the proposed amendment to the Comprehensive Plan and Future Land Use Map provides for an orderly and logical development pattern in the neighborhood and does not contravene the goals, objective, and policies of the Comprehensive Plan. **(Staff Report – 1; Staff Report Objection Letters - 2)**

Mr. Talty felt that this is a logical extension of the development in the area.

Chairman Chapman noted that other areas surrounding the parcel site are designated Conservation Residential (CR). Mr. Talty stated that the CR area to the east was developed with a density of 6.25 units per acre. Commissioner Meadows asked how the larger density was approved. Mr. Carpenter stated that he did not have an answer and that it predated his time with the Planning Department.

Discussion ensued on the density of the project and the designated preservation areas.

Mr. Alan Osborne, Mr. Steve McCloskey, Ms. Anita Page and Ms. Jackie Marquel all spoke in opposition to the project. **(Respondent-3 Area Map Submitted by Ms. Page)**  
**(Respondent-4 Letter and Map Submitted by Ms. Marquel)**

Mr. Mike Hewitt, applicant, addressed the concerns voiced during public comment and would agree to lowering the density.

Discussion ensued on possible other land use designations.

Mr. Talty stated that this was only a land-use change and that any development would have to be presented to the Board for approval. Commissioner Meadows discussed the surrounding areas which are VMU and high density.

Motion by Commissioner Meadows, second by Commissioner Imfeld, to deny SSA 14-005 Lula Peterson Cone as presented. Ayes 4, Nays 0. Chapman Aye, Meadows Aye, Imfeld Aye, Pridgen Aye. **(Exhibits: Staff Report-1; Staff Report Objection Letters-2; Respondent-3; Respondent-4)(Ex Parte: Comander, Meadows, Chapman, Pridgen, Imfeld)**

There being no further items to discuss, the meeting was adjourned at 9:02 p.m.

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

Attest:   
Alex Alford, Clerk of Court and County Comptroller