

## DECEMBER 22, 2014 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on December 22, 2014 at 9:00 a.m. at the Walton County Courthouse in DeFuniak Springs, Florida.

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

Chairman Imfeld called the meeting to order.

Chairman Imfeld recognized the special guests in attendance.

Motion by Commissioner Comander, second by Commissioner Jones, to approve the agenda revisions as follows. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

1. Addition: Consent Agenda-Approval of the Annual Records Management Compliance Statement
2. Addition: Consent Agenda-Approval of the Rackspace Hosting Term Renewal Agreement as requested by TDC

Motion by Commissioner Chapman, second by Commissioner Comander, to approve the agenda with revisions. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the Consent Agenda as follows. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 954,527.67
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Motion by Commissioner Comander, second by Commissioner Jones, to approve the agreement with Maximus Consulting Services.

Commissioner Chapman asked that the motion be amended to direct that the cost not be split.

Motion amended by Commissioner Comander, second amended by Commissioner Jones to approve the agreement with Maximus Consulting Services with the county paying for the full costs from the General Fund.

Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones requested to approve the Interlocal Agreement with the City of Freeport to repay the Sewer Loan. He briefly discussed the history of the sewer expansion which lead to the original loan agreement between the two entities and stated that the agreement provides an alternative method to repay the loan. He reported that Mr. Stan Sunday, Deputy County Administrator, has been working with the City to prepare the agreement.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the Interlocal Agreement with the City of Freeport to repay the Sewer Loan.

Chairman Imfeld along with Commissioners Comander and Jones expressed their gratitude to both county and city staff for all the hard work that has gone into creating this agreement. Commissioner Chapman asked if the proposed agreement had been presented to the city council. Mr. Gary Mattison, Freeport City Clerk, stated that it had.

Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones requested approval of the Interlocal Agreement with the City of Freeport for Fire Services. He stated that discussions have been held for some time in an attempt to determine how the city and the county could best work together to provide fire services at an acceptable

rate. The merger of the city fire department into the county would be beneficial not only to the city but the county as well.

Attorney Davis stated that there was a typographical error in the agreement that would be corrected.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the Interlocal Agreement with the City of Freeport for Fire Services.

The Board expressed their gratitude for all involved in preparing this agreement.

Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones stated that President Barack Obama has issued an Executive Order establishing December 26, 2014 as a Federal Holiday and directing that all Executive offices be closed. Governor Rick Scott has issued a letter directing that the Federal holiday be observed at the State level and that State offices be closed. Mr. Jones requested that the Board follow suit and recognize December 26, 2014 as a Federal and State Holiday and close all county offices for this year only. Commissioner Chapman stated that banks and governmental agencies will be closed and will be difficult for county staff to perform their duties.

Motion by Commissioner Chapman, second by Commissioner Comander, to recognize December 26, 2014 as a Federal, State and County holiday and close all county offices.

Commissioner Jones felt that the employees have worked hard and deserve the extra day off.

Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones requested acceptance of the resignation of Mr. Michael Flynt, Environmental Representative, from the Walton County Local RESTORE Act Committee and to extend the county's gratitude and appreciation of his leadership and hard work. He said that Ms. Pat

O'Brian, Local RESTORE Act Committee Educational Representative, has requested that her appointment be changed and allow her to be the Environmental Representative. He said that the Board should be prepared to appoint another Educational Representative at the next meeting. Commissioner Comander voiced her disappointment and requested that a letter be given to Mr. Flynt thanking him for his service. She asked if there were any criteria for the educational opening. Mr. Jones replied that it is general requirements for someone from the educational field.

Motion by Commissioner Comander, second by Commissioner Jones, to accept the resignation of Mr. Michael Flynt and to direct staff to prepare a letter of appreciation to be given to Mr. Flynt. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones presented project updates on the Mossy Head Road Construction; Sleep Inn Hotel at the Mossy Head Industrial Park (MHIP); Wastewater Treatment Facility at MHIP; Construction of the new United Fire Station; and renovation of the Emergency Operations Center.

Commissioner Jones questioned if there was an aerial plan of the MHIP. Mr. Jones stated that he would send her a map of what has been done so far in the MHIP.

Mr. Jones requested to cancel all bids for ITB 015-005 Helen McCall Park Tennis Courts.

Motion by Commissioner Chapman, second by Commissioner Jones, to reject all bids for ITB 015-005. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones requested permission to advertise for bids for the construction of four post tension concrete tennis courts, two 60 foot by 120 foot and two U10 (36 foot by 60 foot) tennis courts including a basketball court and associated site work all to be located at Legion Park.

Motion by Commissioner Comander, second by Commissioner Jones, to approve to advertise for bids for the construction of four post tension concrete tennis courts at Legion Park. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones requested approval of Task Order No. 14-013 with Atkins North America, Inc. for Professional Engineering Services for the resurfacing or reconstruction of C.R. 285 in the amount not to exceed \$199,900.00. He stated that this project is a part of the SCRAP agreement which has been previously approved and will be funded with SCRAP funds.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve Task Order No. 14-013.

Attorney Davis stated that this is a complete project and is not being divided to keep it under the limits.

Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones requested approval of Florida Department of Corrections Work Squad Agreement (WS 959) for the Parks Department. He asked that this agreement be renewed for a three year term.

Motion by Commissioner Chapman, second by Commissioner Jones, to approve FDOC Work Squad agreement WS 959. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jones requested to re-advertise ITB 015-003 for a chain link fence for Helen McCall Park. He reported that only one response was received, but was not responsive and was submitted late.

Motion by Commissioner Comander, second by Commissioner Jones, to re-advertise ITB 015-003. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Jim Bagby, TDC Executive Director, reported that the Army Corps of Engineers had received the FDEP permit for the Hurricane Storm Damage Reduction Project (HSDRP). He commented that the Legion Park Boat Ramp and the Dothan Avenue Walkover has been completed. He announced that several area establishments have received tourism awards.

Chairman Imfeld asked how the holiday bookings looked for Thanksgiving and Christmas. Mr. Bagby stated that they were strong for Thanksgiving but had no information on December bookings. Commissioner Jones questioned how the upcoming Beach Vendor Ordinance workshop would be conducted. Mr. Bagby stated that if it follows the same format as the HSDRP Workshop, then questions would be submitted by Commissioners, staff and public prior to the meeting and that 5X8 cards would be provided the night of the workshop for additional public questions. Chairman Imfeld said that this procedure would help eliminate duplicate comments and/or questions and will help to conduct the meeting efficiently. Discussion continued on what would be discussed at the workshop. Mr. Jones reported that the workshop will not serve as a Public Hearing; the Public Hearing will be held at a separate date and time.

Attorney Mark Davis, County Attorney, requested approval of the Engagement Agreement with the Warner Law Firm, P.A. to advise and represent the Board with respect to Counts 9 and 10 of the Seventh Amended Complaint in the matter of Cynthia L. Abbott Revocable Trust, et al v. Olsen & Associates of NW Florida, Inc., et al (Case No.: 3:14-cv-646). **(Commissioner Comander abstained from voting due to her being listed as a defendant in the case. Form 8B was submitted.)**

Motion by Commissioner Chapman, second by Commissioner Jones, to approve the Engagement Agreement with Warner Law Firm, P.A. in the matter of Cynthia L. Abbott

Revocable Trust, et al v. Olsen & Associates of NW Florida, Inc., et al (Case No.: 3:14-cv-646) as presented.

Commissioner Jones questioned if attorney fees could be recovered in the event that the county won the case. Attorney Davis stated that as with all cases, the attempt would be made to recover attorney fees.

Commissioner Chapman noted that this was the 7<sup>th</sup> amended complaint and asked about closure on the case. Attorney Davis explained how the amendment process worked.

Ayes 3, Nays 0. Imfeld Aye, Comander Abstained, Chapman Aye, Jones Aye. **(Form 8B: Comander)**

Attorney Davis requested to advertise and hold a Public Hearing on January 27, 2015 to discuss an ordinance granting an Economic Development Ad Valorem Tax exemption to Empire Truck Sales, LLC. The Board concurred to allow the Public Hearing to be scheduled.

Chairman Imfeld called to order the public hearing to consider a **Resolution (2014-128)** electing to use the Uniform Method of Collection Non-Ad Valorem Special Assessments levied within the unincorporated area of Walton County. Mr. Jones discussed the resolution and stated that it is required in order to establish any new MSBU's should the need arise.

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Comander, to adopt **Resolution 2014-128** electing to use the Uniform Method of Collection Non-Ad Valorem Special Assessments levied within the unincorporated area of Walton County. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

The Commissioners had no items to present, but individually expressed their wishes for everyone to have a safe and happy holiday season. Chairman Imfeld recognized Ms. Wanda Quimby, County Finance Director, as this was her last Board meeting and would be retiring.

Ms. Tami Reinhart stated that in order for her to get her beach vendor's license she needed to become a certified lifeguard. She said that after extensive research she found that there were currently no certification classes being offered within a 200 mile radius. She asked that the Board look into what she could do. Staff was directed to look into Ms. Reinhart's request.

Mr. David Watson addressed the Non Ad Valorem Special Assessments resolution and asked what the MSBU was needed for. Mr. Jones stated that it was a general provision which would allow the Board to implement MSBU's in the upcoming calendar year. This resolution does not establish specific MSBU's and there are currently no new MSBU's planned. Mr. Jones stated that this resolution is adopted on an annual basis. Mr. Watson asked if the Board will be able to recover any expenses involved in finding out if MSBU's will be needed. Mr. Jones stated that in the past, if there was a request for a new MSBU, the Board would fund the up-front cost. If the MSBU is moved forward, then a provision is in place to recover the administrative costs.

Mr. Wayne Dyess, Planning and Development Director, requested to enter into negotiations with Tetra-Tech for Emergency Planning and Disaster Recovery and Hazard Mitigation Grant Program Services.

Motion by Commissioner Comander, second by Commissioner Jones, to enter into negotiations with Tetra-Tech for Emergency Planning and Disaster Recovery and Hazard Mitigation Grant Program Services. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Dyess discussed the Mossy Head Industrial Park (MHIP) Covenants and Restrictions and requested Board approval to work with Empire Trucks to customize the landscape area. Mr. Jones reported that a similar process was done with Love's Travel Stop.

Motion by Commissioner Comander, second by Commissioner Jones, to allow staff to work with Empire Trucks to customize the landscape area. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

The Quasi-Judicial Hearings were called to order. Attorney Davis administered the oath to those intending to speak. There were no objections to the advertisements. He asked that any Ex Parte be submitted.

Chairman Imfeld questioned if the Ex Parte for WaterColor Town Homes plat vacation should be submitted due to the possible continuance of the issue. Attorney Davis stated that the Ex Parte can be held and submitted at the time of the hearing.

Mr. Dyess requested that the WaterColor Town Center Homes petition to vacate plats be continued to February 10, 2015.

Motion by Commissioner Chapman, second by Commissioner Jones, to continue the WaterColor Town Center Homes petition to vacate plats to February 10, 2015. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye.

Mr. Brian Underwood, Planning and Development Senior Planner, presented Dale E. Peterson (SSA 14-009) a Small Scale Amendment application submitted by Preble-Rish, Inc., requesting to change the future land use designation of 0.688 acres from Residential Preservation to Neighborhood Commercial. The project is located on the north side of C.R. 30A between North Gulf Drive and North Lake Drive. Staff found that the proposed amendment from Residential Preservation to Neighborhood Commercial is consistent with the Walton County



Mr. Jones commented that Commissioner Meadows was visiting family and was unable to attend today's meeting. He wished the Board a Merry Christmas on behalf of county staff.

There being no further items to present, the meeting was adjourned at 9:41 a.m.

Approved:   
Bill Imfeld, Chairman

Attest:   
Alex Afford, Clerk of Court and County Comptroller