

FEBRUARY 10, 2015-REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on February 10, 2015 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

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

Chairman Imfeld called the meeting to order. He expressed his gratitude for the many condolences during his family's bereavement.

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

1. Addition: County Attorney-Request to authorize the Chairman to sign the General Release and Settlement Agreement with Ramon Shaw for and on behalf of Walton County and Florida Association of Counties Trust
2. Addition: County Administration-Ratify the 2015-2016 State and Federal Project Priorities List approved during the February 10, 2015 Workshop
3. Deletion: TDC-Request approval to advertise and hold three "staff" Public Workshops to receive public input on the potential design of beach access improvements

Motion by Commissioner Chapman, second by Commissioner Meadows, to approve the amended agenda. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Ms. Patricia Witbeck, Driftwood Estates HOA, expressed a desire to speak regarding issues affecting Driftwood Estates. Chairman Imfeld questioned if her comments were related to

current Driftwood litigation. Ms. Witbeck stated no and briefly discussed the public safety issues regarding the roads built in Driftwood and the lack of upgrades to the ingress and egress. She requested a fresh look be taken at the Driftwood issues.

Mr. Alex Kish requested to present information regarding Driftwood Estates. Chairman Imfeld questioned if it related to the current Driftwood litigation. Mr. Kish did not feel that it was and discussed information regarding a recently expired grant application which depicts Driftwood as a safety hazard. He asked that the Board reconsider meeting with the Driftwood residents and felt that a long term goal should be set to resolve the issues. Commissioner Meadows asked who withdrew the grant application. Mr. Kish stated that Commissioner Brannon withdrew the application and said that the State had asked for additional information which was not supplied. Commissioner Meadows questioned who was funding the grant. Mr. Kish reported the State of Florida Joint Hazard Mitigation Grant Program-Florida Mitigation Systems. Chairman Imfeld stated that the Board was unaware of this development and directed staff further research this issue. Commissioner Jones stated that one of the recommendations of the Special Magistrate was that staff was to meet with the Driftwood residents on a regular basis and stated that she would like to meet with the residents to discuss the issue.

Mr. Alan Osborne voiced opposition to the inability to discuss issues relating to litigations and discussed his recent Code Enforcement complaint regarding the information presented by Mr. Kish.

Ms. Janet Stevenson wished to speak regarding the Quasi-Judicial item: South Wall Street Subdivision Major Development Order. Chairman Imfeld asked that she present her comments during the public comment portion of that issue.

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

1. Approve Expenditure Approval List (EAL)

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|----------------------------|------------------------|
| General Fund | \$ 1,031,090.21 |
| County Transportation | \$ 567,773.43 |
| Fine & Forfeiture | \$ 2,036,931.05 |
| Mosq. Control State | \$ 23,311.58 |
| Section 8 Housing | \$ 1,211.73 |
| Tourist Dev. Council | \$ 395,154.56 |
| N.W. Mosquito Control | \$ 2,027.62 |
| Solid Waste Enterprise | \$ 360,614.08 |
| Bldg Dept/Enterp. Fund | \$ 2,768.04 |
| Capital Projects Fund | \$ 125,455.95 |
| Mossy Head Industrial Park | \$ 177,429.13 |
| Totals | <u>\$ 4,723,767.38</u> |

2. Approve minutes of January 13, 2015 Special Meeting
3. Approve request from Emergency Management to declare BCC #3890, 2002 Ford Explorer, as surplus
4. Approve to appoint Geneva Lee to the SHIP Program AHAC Committee (Real Estate Professional)
5. Request approval to grant \$5,000 of FY 2015 Event Sponsorship funds for marketing of the Joffrey Ballet as requested by the TDC
6. Request approval to grant \$5,000.00 of the North Walton Events Sponsorship funds for the Southeast Regional Series Bike Race as requested by the TDC
7. Request approval to engage landscape architects to develop a preliminary design for the landscape and signage at the gateway entrances; amount not to exceed \$5,000.00 as requested by TDC
8. Request approval of the TDC Ambassador Travel Policy as requested by the TDC
9. Approve a **Resolution (2015-08)** amending the Budget to recognize \$316,530.00 in unanticipated revenue in the General Fund resulting from payment from the City of Freeport for Transfer of Freeport Fire Department to Walton County during FY 2014-2015
10. Approve Capital Purchase Plan Amendment to include purchase of one Panasonic Toughbook Notebook CR-53SALZARM Notebook with Windows 8 for the new Code Enforcement Officer position in the amount of \$1,545.00 as requested by the TDC
11. Request approval of an amendment of the Beach Operations Capital Purchase Plan to allow for acquisition, installation, and utility connection for a Cultural Arts Alliance Pottery Shed in the amount of \$13,770.00 as requested by TDC

12. Approve Amendment No. 1 to the 2014-15 Agreement between Walton County and Northwest Florida Comprehensive Services for Children, Inc. d/b/a Families Count; changing the name Families Count to "90 Works"
13. Approve and authorize the Chairman to sign the TDC copier lease and maintenance agreement with Copy Products to be effective March 15, 2015 as requested by the TDC
14. Approve for Legal to terminate current contract for Professional Services with Marlowe & Company, LLC for Lobbying Services as requested by Marlowe & Company, LLC
15. Approve the Florida Department of Corrections Work Squad Agreement (WS 831) Contract with Addendum for a 3 year term with a 3 year renewal (Landfill)
16. Approve Master Lease Agreement with Verizon Wireless for installation of Small Cell Technology in Walton County

Mr. Larry Jones, County Administrator, presented the top five priorities for the 2015-2016 State and Federal Legislative Appropriations Project Priorities as discussed during the 3:00 p.m. workshop: 1. Drainage improvements throughout the county including C.R. 30A, 2. Water and sewer along U.S. 331 and the expansion of U.S. 331, 3. Sewer to the Choctawhatchee Bay and Coastal Dune Lakes area residents which are currently serviced by septic tanks, 4. Maintaining and expanding the rural health clinics, and 5. Paving dirt roads which lead to the Choctawhatchee Bay and the Coastal Dune Lakes.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve the 2015-2016 State and Federal Legislative Appropriations Project Priorities as presented. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Mr. Danny Hinson, Florida Division of Emergency Management Community Rating System (CRS) Coordinator, presented the CRS Class 6 Plaque to the Board. He said that the CRS is a voluntary part of the National Flood Insurance Program and affords a discount to residents with flood plain policies. He reported that the savings for the residents equates to \$938,000 annually. The Class 6 ranking means a significant benefit to the residents. Mr. Wayne Dyess, Planning and Development Director; stated that this has been a long standing goal for the county and thanked those who were involved.

Mr. Jones requested that the Board hold a Special Meeting on Tuesday, February 24, 2015 at 8:00 a.m. to interview the top three engineering firms for RFQ #015-008 Engineering Services for County Road 181C Project and RFQ #015-009 Engineering Services for Walton Bridge Road Project.

Motion by Commissioner Chapman, second by Commissioner Comander, to approve to hold a Special Meeting on February 24, 2015 at 8:00 a.m. to interview the top three engineering firms for RFQ 015-008 and RFQ 015-009. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Mr. Jones requested approval of Change Order No. 2 to Contract No. 014-018 with Midsouth Paving, Inc. for County Road 1084 improvements for an increase in the contract sum in the amount of \$6,000.00 and an increase in the contract time by 25 days.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve Change Order No. 2 to Contract 014-018. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Mr. Jones requested permission to allow Public Works Environmental Staff to schedule a “staff” Public Workshop to solicit public comments on the proposed draft Artificial Reef Management Plan on Tuesday, March 3, 2015 at the Walton County Courthouse Annex Boardroom located in Santa Rosa Beach, FL.

Motion by Commissioner Comander, second by Commissioner Chapman, to allow Public Works Environmental Staff to schedule a “staff” Public Workshop regarding the draft Artificial Reef Management Plan on Tuesday, March 3, 2015 at the Walton County Courthouse Annex in Santa Rosa Beach, FL. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Mr. Chance Powell, Preble-Rish, presented the recommendations of the AVCON Parking Study submitted by the Engineering Staff, Public Works, and TDC. Mr. Powell briefly discussed the AVCON Parking Needs Assessment Analysis Report, which was accepted by the Board on October 28, 2014, and stated that the eight sites being recommended for consideration are: 1. Scenic 30A at C.R. 283 ROW, 2. Blue Mountain Beach, 3. C.R. 393 Eastern ROW (adjacent to Gulf Place), 4. Fort Panic 30A ROW, 5. Gulfview Heights, 6. Walton Dunes, 7. Eastern Lake, and 8. Property North of Ed Walline. Mr. Jones stated that the construction cost estimate for the Property North of Ed Walline Park (Site 8) does not include the cost of purchasing the property. Mr. Powell stated that the total construction cost estimate for all eight sites is approximately \$1.6 million. This cost does not include engineering, design and permitting.

Commissioner Comander asked if the construction costs for Site 8 would be decreased if storm water was installed and the lot not paved. Mr. Powell stated that Site 8 is a regional beach access point. Discussion ensued on whether or not to pave the Site 8 area.

Commissioner Meadows asked if all the individual construction cost estimates included paving. Mr. Powell stated that the costs included an asphalt type system with a subsurface drainage facility. Commissioner Meadows asked if it would reduce the cost to use gravel in some areas and pave other areas. Mr. Powell stated that it could be considered based upon engineering, survey, and geotechnical information of the water table, and the County will consider non-paved surfaces for the parking improvements as per the AVCON recommendations.

Chairman Imfeld asked Mr. Powell if he had worked with Mr. Bagby on some of the other off-site parking areas. Mr. Powell stated that other properties are being considered and that he had spoken with Mr. Brian Kellenberger and Mr. Dave Sell.

Commissioner Jones asked if golf cart parking had been considered. Mr. Powell stated that it could be reviewed and that spaces could be made available.

Commissioner Comander stated that in the past a parking garage had been discussed to be constructed near Pompano Joes. Mr. Powell stated that the garage was addressed in AVCON's report but was not considered by staff due to costs.

Commissioner Meadows asked that Site 1 be started so that it can be included with the Western Lake Bridge construction and design. Chairman Imfeld asked what the Board wished to do with the other sites. Commissioner Meadows stated that Gulfview Heights needed further review. Mr. Jones suggested letting engineering begin with Site 1 and meet with TDC regarding the other sites. Discussion continued on Gulfview Heights.

Commissioner Meadows also suggested that Sites 2, 3, 4, and 7 be started and that staff look into the purchasing of the Site 8 property. She felt that Sites 5 and 6 needed further review.

Motion by Commissioner Meadows, second by Commissioner Comander, to move forward with the following projects: 1. Scenic 30A at C.R. 283 ROW, 2. Blue Mountain Beach, 3. C.R. 393 Eastern ROW, 4. Fort Panic 30A ROW, 7. Eastern Lake, and look into purchasing 8. Property North of Ed Walline.

Discussion ensued regarding the purchase of the Site 8 property.

Commissioner Meadows questioned the funding source of these projects. Chairman Imfeld stated that the parking is for the benefit of the tourist and therefore would be funded by the TDC.

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

Attorney Mark Davis stated that a resolution with the Legislative findings approving TDC funding would be brought back for adoption.

Mr. Jon Ervin, TDC, requested approval to fund a special opportunity afforded by Visit Florida's co-op program with NBC Sports and Golf Channel at a total investment of \$40,000.00 for the Platinum Package offering a media value of \$222,500.00 to promote Florida's golf destination assets in Walton County.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve to fund a special opportunity afforded by Visit Florida's co-op program with NBC Sports and Golf Channel at a total investment of \$40,000.00 for the Platinum Package and authorize the Chairman's signature on the agreement. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Mr. Jim Bagby, TDC Executive Director, requested approval of the Choctawhatchee Basin Alliance 2015 contract in the amount of \$23,850.00 to support the enhancement of nature based tourism and authorize the Chairman's signature.

Motion by Commissioner Comander, second by Commissioner Jones, to approve the 2015 Choctawhatchee Basin Alliance contract to support the enhancement of nature based tourism and authorize the Chairman's signature. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Mr. Bagby requested approval of the proposed Lord and Son settlement in the amount of \$8,160.00 in liquidated damages resulting in a final payment of \$38,493.31 for the renovation improvements of the TDC building. He reported that a 90 day extension was authorized with Change Orders. Mr. Bagby stated that Lord and Son took an additional 64 days beyond the approved 90 days to complete the renovations. The TDC Advisory Council and staff recommended charging Lord and Son \$8,160.00 in liquidated damages which would be what is owed by the company for taking the additional 64 days to complete.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the settlement with Lord and Son in the amount of \$8,160.00 in liquidated damages resulting in a final payment of \$38,493.31.

Attorney Davis said that this would be an offer to Lord and Son for that amount. He was unsure whether or not Lord and Son would accept. Discussion ensued regarding the reasons the project took longer than anticipated.

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

Mr. Bagby requested approval to advertise for bids for a Coastal Management Consultant. The services provided by Seahaven Consulting will be terminated effective March 31, 2015.

Motion by Commissioner Chapman, second by Commissioner Comander, to advertise for bids for a Coastal Management Consultant. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Mr. Bagby stated that bed tax revenue was up 8.47% for December. He reported that bed tax collections were up 25-30% for the year. He announced that there were two committee vacancies which are being advertised. Mr. Bagby said that items with the new logo have been received for the Visitors' Center and announced that there has been a 40% increase in the number of visitors to the Visitors' Center.

Chairman Imfeld questioned if the easement cover letter had been prepared. Attorney Davis stated that they were waiting for the packet to be provided by the Corps to be included with the easement. Mr. Bagby stated that a conference call has been scheduled with the Corps to discuss the package.

Attorney Davis requested direction whether or not to enter into contract negotiations with Environmental Research and Design, Inc. (Dr. Harvey H. Harper, III, P.E.) for the Response to Request for Proposal: Engineering Services for Review of the Special Magistrate's Recommendations dated December 18, 2009, regarding Greater Driftwood Estates/Walton County, Florida to perform the services detailed in the Proposed Work Efforts of the firms response dated January 6, 2015 in the amount of \$63,231.96.

Commissioner Comander and Chairman Imfeld each stated that they had a voting conflict with this issue, submitted Form 8B: Memorandum of Voting Conflict, and exited the meeting. Commissioner Chapman assumed the position as Chairman.

Motion by Commissioner Meadows, second by Commissioner Jones, to enter into contract negotiations with Environmental Research and Design, Inc. (Dr. Harvey H. Harper, III, P.E.) for the Response to Request for Proposal: Engineering Services for Review of the Special Magistrate's Recommendations dated December 18, 2009, Regarding Greater Driftwood Estates/Walton County, Florida to perform the services detailed in the Proposed Work Efforts of the firms response dated January 6, 2015 in the amount of \$63,231.96. Ayes 3, Nays 0. Imfeld Abstain, Comander Abstain, Chapman Aye, Jones Aye, Meadows Aye. **(FORM 8B: Comander, Imfeld)**

Chairman Imfeld and Commissioner Comander returned to the meeting. Chairman Imfeld resumed the position as Chairman.

Attorney Davis requested approval of the Performance Agreement regarding Economic Development Ad Valorem Tax Exemption for Professional Products, Inc. He reported that the Board voted in December, 2012 to adopt Ordinance 2012-39 granting an Ad Valorem Tax

Exemption to Professional Products. The ordinance adopted the application as is, with no conditions or terms. He stated that the agreement has been prepared as set forth in the ordinance.

Commissioner Meadows asked what the requested amount of the tax revenue was per year. Attorney Davis stated that he did not have that information with him and said that the request was for 10 years. Discussion continued on the requested amount as stated in Section 3 of the ordinance and the expansion of the existing facility.

Commissioner Chapman asked if The City of DeFuniak Springs had been approached by Professional Products. Attorney Davis said that the city had approved the request. Commissioner Meadows asked if they would be receiving the same amount from the City. Attorney Davis reported that they would get a lesser amount from the City.

Commissioner Jones asked if this was the commitment made by the past commission. Attorney Davis stated yes. Commissioner Meadows said that Ordinance 2012-39 is a general umbrella ordinance that gives the ability to grant a tax exemption; what is being presented is a new proposal requesting more money. She voiced concern with granting tax exemptions when there are so many storm drainage issues throughout the county.

Commissioner Comander questioned if the term could be limited to five years instead of 10. Attorney Davis stated that any term could be placed in the agreement. Commissioner Comander suggested that the agreement limit the term to five years.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve the Performance Agreement regarding Economic Development Ad Valorem Tax Exemption for Professional Products, Inc. with a term limit of five years.

Commissioner Jones felt that prior commitments must be kept.

Mr. Bob Hudson stated that the people of the county voted to allow tax exemptions to entice businesses to develop in Walton County. At the time there was no definitive formula to determine eligibility, but staff has since developed criteria the businesses must meet. He spoke in favor of consistency and felt that if a business met the criteria then they should receive the exemption to enable expansion of the economic development of the county.

Mr. Bill Fletcher and Dr. Don Riley spoke in opposition to all businesses meeting the criteria being allowed an exemption. They felt that all businesses cannot provide the same benefit to the county and felt that all applicants should be carefully examined prior to the exemptions being granted.

Mr. Kelly Jo Killburg, Walton County Area Chamber of Commerce, stated that this is a performance based incentive and suggested having a matrix showing what is being given back.

Commissioner Meadows requested clarification that this is not a rebate, but rather a yearly reduction of the ad valorem tax. Attorney Davis confirmed and stated that there are provisions in both the Ordinance and the Agreement for the recoupment of funds for non-performance.

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

Attorney Davis requested to re-advertise and hold a Public Hearing on March 24, 2015 to consider the Empire Truck Sales Tax Exemption Ordinance. He stated that the last vote to hold a Public Hearing ended in a tie (2/2) vote. He read the provisions that determine what steps are to be taken in the instance of a tie vote. The provisions provide for the ordinance to be re-presented at a later time.

Commissioner Jones asked if there is a time limit for the Public Hearing to be held. Attorney Davis said no. Chairman Imfeld temporarily stepped down as Chairman in order to make a motion. Commissioner Comander assumed the position of Chair.

Motion by Commissioner Imfeld, second by Commissioner Chapman, to re-advertise and hold a Public Hearing on March 24, 2015 to consider the Empire Truck Sales Tax Exemption Ordinance to break the tie vote and determine if the tax exemption should be granted.

Mr. Fletcher reiterated his earlier objections and felt that since Empire is already operational it should not receive an exemption. Commissioner Imfeld asked that Mr. Fletcher present his comments and facts during the Public Hearing so that it would be on the record.

Commissioner Meadows stated that stormwater issues needed to be addressed before tax exemptions are given.

Dr. Riley asked when and how the rules of business were adopted. Commissioner Chapman stated that when the Commissioners were beginning their service, they concurred to continue with the policy and procedures which have already been established.

Ayes 3, Nays 2. Imfeld Aye, Comander Aye, Chapman Aye, Jones Nay, Meadows Nay.

Commissioner Comander stepped down as Chair and Chairman Imfeld resumed the position as Chair.

Attorney Davis requested to advertise and hold a Public Hearing on March 24, 2015 to consider the Triangle Chevrolet Tax Exemption Ordinance. The City of DeFuniak Springs has approved the ordinance. Commissioner Comander asked that all the information regarding costs and job growth be presented at the hearing. Commissioner Meadows asked that the requested amount be presented also. Attorney Davis stated that the ordinance would contain the requested

information and that Mr. Patrick Pilcher, Property Appraiser, has also asked that as much information as possible be placed in the ordinance.

Motion by Commissioner Chapman, second by Commissioner Comander, to advertise and hold a Public Hearing on March 24, 2015 to consider the Triangle Chevrolet Tax Exemption Ordinance providing that all documentation and data is received. Ayes 4, Nays 1. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Nay.

Attorney Davis requested acceptance of the Pending Litigation Status matrix as of January, 2015.

Motion by Commissioner Comander, second by Commissioner Chapman, to accept the Pending Litigation Status Matrix as of January, 2015. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Attorney Davis requested to authorize the Chairman to sign the general release and settlement agreement with Mr. Ramon Shaw for and on behalf of Walton County, Florida and the Florida Association of Counties Trust in the amount of \$12,500 (12CA611). Attorney Tim Warner, Warner Law Firm-Special Counsel, briefly discussed the case and recommended approval.

Motion by Commissioner Comander, second by Commissioner Jones, to authorize the Chairman to sign the general release and settlement agreement with Mr. Ramon Shaw for and on behalf of Walton County, Florida and the Florida Association of Counties Trust. Ayes 4, Nays 1. Imfeld Aye, Comander Aye, Chapman Nay, Jones Aye, Meadows Aye.

Mr. Jones reported that there is approximately \$886,000 in infrastructure costs currently needed at the Mossy Head Industrial Park (MHIP). He requested approval of a resolution which

would roll forward funds from prior year land sales at the MHIP into the Mossy Head Industrial Park Capital Projects Fund FY 2015 budget to cover those expenses.

Motion by Commissioner Comander, second by Commissioner Chapman, to call to order the Public Hearing to consider a Resolution amending the Capital Projects Fund and Mossy Head industrial Park Capital Projects Fund to bring forward land sales at the Mossy Head Industrial Park for infrastructure costs. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Chairman Imfeld called the Public Hearing to order.

Commissioner Meadows asked what the amount was of the total landfill account to date. Mr. Jones stated \$1.2 million. Commissioner Meadows asked that that the \$368,627 that was borrowed from the landfill account to start the MHIP infrastructure be paid back to the landfill account. Chairman Imfeld stated that once the infrastructure is completed, that amount will be returned to the landfill account. Discussion continued on the repayment of the \$368,627. Ms. Melissa Thomason, County Finance Manager, said that after factoring in the land sales, amount from the State and the cost of the infrastructure; there is currently \$885,754 that will not be funded by the State. She said that this will leave approximately \$140,000 left in the fund. Chairman Imfeld clarified that once the infrastructure is completed then the funds would be returned to the landfill account. Ms. Thomason agreed.

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

Motion by Commissioner Comander, second by Commissioner Chapman, to adopt **Resolution 2015-09** amending the Capital Projects Fund and Mossy Head Industrial Park Capital

Projects Fund to bring forward land sales at the Mossy Head Industrial Park for infrastructure costs. Ayes 4, Nays 1. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Nay.

Commissioner Meadows discussed the misuse of Proportionate Fair Share Funds and the need for stricter standards for the use of the funds. She asked that Attorney Davis bring back ordinance language for Board review. Attorney Davis stated that he had discussed this issue with Mr. Tim Whaler, Planning and Development, and will present a new ordinance due to the change in Statute.

Commissioner Meadows requested that Planning include the establishment of zoning as a part of the Evaluation and Appraisal Report (EAR) and give options on how to implement. Mr. Jones stated that the integrity of the EAR amendment needed to be protected.

Commissioner Comander would like to use \$10,000 of Recreational Plat Fee money to be used toward the infrastructure for the Little League Park in DeFuniak Springs. She said that at the appropriate time that she also wished to donate \$10,000 to the Miramar practice field when the field becomes available. Mr. Jones stated that her request would be placed on the next agenda.

Commissioner Jones had no items to present.

Commissioner Chapman asked for an update on the action by the City of DeFuniak Springs to move the recreational park on Gene Hurley to the Wee Care Park. Mr. Jones said that the move to the Wee Care Park would not be a feasible option. Staff is considering the county property located across from Chairman Imfeld's office. He said that there is a lot of work to be done and wants to work with the City to relocate the park. Commissioner Chapman asked if the School Board had taken the property located near Maude Saunders back from the City. Attorney Davis stated that he was not aware of any such action. He said that the School Board deeded the

property to the City with a reverter clause in the case that there was no construction within a certain period of time. Commissioner Chapman asked if the property on Gene Hurley could be used for additional fields. Attorney Davis felt the cost would be too high.

Commissioner Comander asked for an update on the contracts with the City of DeFuniak Springs. Mr. Jones reported that those are still being processed.

Chairman Imfeld had no items to present.

The meeting recessed at 5:36 p.m. and reconvened at 5:45 p.m.

Attorney Davis clarified that the workshop for the Outdoor Events Ordinance is a staff workshop not a Board workshop.

Mr. Wayne Dyess, Planning and Development Director, requested authorization to proceed with the Evaluation and Appraisal Report (EAR) Process.

Motion by Commissioner Comander, second by Commissioner Chapman, to authorize Planning and Development to proceed with the EAR process. Ayes 4, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Absent, Meadows Aye.

Ms. Vivian Shamel, Planning and Development presented for final hearing the Grayton Beach Neighborhood Plan Overlay District Ordinance, an ordinance revising the Walton County Land Development Code by adding Section 2.03.08 adopting the Grayton Beach Neighborhood Plan (NP.GB) as an overlay district in accordance with the procedure established by Ordinance 2008-10 and LDC Section 2.03.02, establishing a defined boundary; establishing that the intent of the plan is to preserve the unique heritage of the Grayton Beach neighborhood and past development patterns and land uses; establishing provision for density, intensity and setbacks, existing non-conforming uses, structures and properties, minimum and maximum lot sizes, streets and infrastructure, parking for new residential construction, neighborhood commercial

parking requirements; provisions to confirm the existing building height limitations ordinance, noise ordinance and alcohol ordinance; establishing provisions for ingress and egress to the public beach, permitted vehicles on the beach roadside vending operations, Grayton Beach charter fishing fleet and future goals; providing for the incorporation of the Grayton Beach Neighborhood Plan as Appendix NP-6 to the Walton County Land Development Code; providing for severability; and providing for an effective date. Ms. Shamel discussed the changes which were recommended by the Planning Commission and the County Commission and stated that she had met with Commissioner Meadows and Legal staff to address the streets and infrastructure. Commissioner Meadows stated that staff had done a good job incorporating all the suggested changes.

Mr. Billy Buzzett, Grayton Beach Neighborhood Association, addressed the driving on the beach permits. He said that he had obtained a list of all the permit holders, but some of the addresses were redacted. Mr. Jones stated that the redaction was due to the possibility that some of the addresses may have been certain classes of law enforcement officers which are protected. Mr. Buzzett stated that approximately 70 Grayton Beach property owners do not have permits and asked for 50 additional permits to be made available to the property owners. Commissioner Chapman asked who would determine which of the 70 property owners would receive the permits. Mr. Buzzett said that he would like to work with the county on the determination. Mr. Jones stated that the Beach Activities Ordinance would have to be amended to accommodate the additional 50 permits. Commissioner Chapman voiced concern with the monitoring of the permits to ensure that the property owner is the only user. Commissioner Comander stated that this section of the Neighborhood Plan would be useless if the Beach Activities Ordinance is not amended. Commissioner Meadows felt that the 50 additional beach driving permits should be

incorporated in the Neighborhood Plan and not within the Beach Activities Ordinance. She said that this would allow the Neighborhood Association to determine who would receive the permits. Attorney Davis discussed what type of language could possibly be used in the Neighborhood Plan to allow for the permits. Discussion continued on the criteria to determine which property owner would receive a permit and enforcement to insure that only the property owners are using the permits.

Attorney Davis asked that the Public Hearing be continued to the next meeting to allow time to prepare the appropriate language. Mr. Buzzett asked that the language in Section 20 state "not to exceed 50 permits."

Dr. Riley, Ms. Mary Nielson, and Ms. Betty Letcher spoke in opposition to the additional 50 permits and special privileges being given to residents of certain areas. Ms. Nielson questioned whether or not the State, The Fish and Wildlife Commission and any other government agency had been consulted about the additional permits. She also felt that Section 16.0 Vending should be removed and that all vendors should be treated equally.

Attorney Davis addressed the vending section and stated that this adopts the current ordinance and requires annual written authorization from the State of Florida.

Chairman Imfeld asked if any of the state agencies had been contacted. Ms. Shamel stated that they were not. Commissioner Meadows said that the State properties were included in the notifications regarding the votes on the plan, but did not respond. Mr. Buzzett replied that the State was notified and that DEP called to say that they were not going to vote. He responded to the public comments which were made.

Motion by Commissioner Meadows, second by Commissioner Jones, to adopt the Grayton Beach Neighborhood Plan Overlay District Ordinance with the addition that Section 20 state “not to exceed 50 permits.”

Commissioner Comander felt that the beach driving permits should be addressed in the Beach Activities Ordinance and not in the Neighborhood Plan.

Chairman Imfeld expressed concern with Section 16-Vending and felt that the vending and driving on the beach issues should be addressed in the Beach Activities Ordinance.

Commissioner Chapman agreed that issuing the permits would be unfair to other county citizens and also felt that the issue should be addressed within the Beach Activities Ordinance.

Ayes 2, Nays 3. Imfeld Nay, Comander Nay, Chapman Nay, Jones Aye, Meadows Aye.

Motion by Commissioner Comander, second by Commissioner Chapman, to adopt the Grayton Beach Neighborhood Plan Overlay District **Ordinance (2015-02)** excluding Section 20 and to address the beach driving permits in the Beach Activities Ordinance at a future Public Hearing.

Commissioner Jones asked if the beach driving issue could be addressed prior to the season starting. Commissioner Meadows did not feel that there would be ample time to address the issue. Discussion continued on amending the Beach Activities Ordinance.

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

Mr. Jones clarified that staff is to work with Mr. Buzzett to draft more appropriate language. Commissioner Comander asked that the draft language be presented at the next meeting.

Mr. Dyess presented for final hearing the Recreation Plat Fee Amendment Ordinance, an ordinance amending the Walton County Land Development Code Section 11.03.03; providing

for an increase in Recreation Buyout Fees for Plat Proposals from five percent to six percent of the gross value of the subdivision; and providing for an effective date.

Motion by Commissioner Meadows, second by Commissioner Chapman, to open the Public Hearing to consider the Recreation Plat Fee Amendment Ordinance. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

Chairman Imfeld called the hearing to order.

There were no public comments.

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

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt the Recreation Plat Fee Amendment **Ordinance (2015-03)**. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye.

The Quasi-Judicial hearing was called to order and Attorney Davis administered the oath to those intending to speak. He stated that all Ex Parte should be submitted to the clerk.

Mr. Tim Whaler, Planning and Development, presented Watercolor Town Center Homes Petition to vacate plats submitted by Clark, Partington, Hart, Larry, Bond and Stackhouse and consisting of 1.064 acres with a future land use of Court Ordered Overlay. The Watercolor Town Center, a mixed-use condominium declaration has been recorded in the public record that corresponds to and supersedes the plats. The project is located at the corner of County Road 30A and Watercolor Boulevard. Unless other evidence is presented to the contrary, the requested plat will meet the requirements of F.S. Chapter 177, the Walton County Comprehensive Plan and the

Land Development Code. **(Exhibit: Staff Report-1a and 1B; Petition Signatures-2; Correspondence-3)**

Commissioner Chapman discussed an email from Mr. Myers giving eight reasons for denial of the petition and asked if these had been addressed. Mr. Whaler stated that Mr. Myers reasons were reviewed prior to the meeting and briefly discussed how the issues were addressed.

Mr. Brut Campbell-Work, applicant, stated that notices were sent, signatures have been received, and Chapter 177 has been followed.

Attorney Davis clarified that the subdivision plat ordinance was changed to allow the recordation of condominium plats and Covenants and Restrictions. He reported that there are times that the references to subdivision plat statutes do not apply because the projects are condominiums and is a different type of recording.

Commissioner Comander questioned what the ultimate goal of the plat vacation was. Mr. Kirby Williams, partner with Mr. Campbell-Work, stated that the multi-family units at Watercolor were developed as a vertical subdivision instead of a condominium form. Due to State insurance regulations, the owners in the vertical subdivision wanted to designate this development as condominiums to meet Florida law. This action also gives clear title to the properties. Commissioner Chapman asked if Mr. Myers was an owner in the vertical subdivision. Mr. Williams stated no, that he was a single family owner.

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

Motion by Commissioner Chapman, second by Commissioner Comander, to approve Watercolor Town Center Homes Petition to vacate Plat. Ayes 5, Nays 0. Imfeld Aye, Comander

Aye, Chapman Aye, Jones Aye, Meadows Aye. **(Exhibits: Staff Report-1; Staff-2: Signature Pages) (ExParte: Imfeld, Chapman, Comander)**

Mr. Brian Underwood, Planning and Development, presented South Wall Street Subdivision Major Development Order, an application submitted by Jenkins Engineering consisting of five residential lots on 1.266 acre(s) with a future land use of Neighborhood Infill. The project is located at the southeast corner of South Wall Street and Walton Rose Lane. Staff found the project consistent with the Comprehensive Plan and Land Development Code, and recommended approval contingent upon the conditions being met as stated in the Staff Report.

(Exhibit: Staff Report-1)

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

Mr. Jamie Eubanks, Jenkins Engineering, stated that there is an increase in pedestrian traffic and asked that the sidewalk buyout be applied to this area. Commissioner Comander voiced concern that the sidewalk buyout was supported with the increase in pedestrian traffic. Mr. Eubanks stated that there were no other sidewalks on either side of South Wall Street. Discussion continued on the sidewalk buyout.

Commissioner Comander voiced concern with the recreational buyout stating that children need an area to play in their neighborhood. Commissioner Meadows said that she agreed with the concept, but felt that the recreational buyout was appropriate due to the majority of these homes being beach rentals.

Commissioner Comander expressed concerned regarding the Inlet Beach Neighborhood Plan and felt that these homes should adhere to that standard.

Ms. Janet Stevenson submitted photos of the area (**Respondent Photos-2**). She spoke against the development and felt that it would affect the uniqueness of Inlet Beach.

Chairman Imfeld noted that there were no details in the Staff Report regarding the Planning Commission meeting and their conditional approval. Mr. Underwood stated that there was discussion on the character of the Inlet Beach Area and whether the proposed project would be compatible. He could not recall the conditions discussed by the Planning Commission. Mr. Mac Carpenter, Planning and Development, reported that the conditions listed in the Staff Report (page 8) were the same as was discussed in the Planning Commission meeting.

Commissioner Meadows questioned staff's opinion of the height compatibility of the project to the surrounding area. Mr. Underwood briefly discussed the areas around the proposed project and stated that the project would be subject to the same set back language. Commissioner Meadows felt that height restriction information needed to be provided on the plat. Mr. Dyess stated that he and Mr. Underwood had reviewed the site and said that they were uncertain what size homes would be built on the lots. He said that there would be no setbacks for one-story homes, but setbacks would be required for multi-story homes. Commissioner Meadows recommended that the setback information be added to the plat.

Ms. Stevenson felt that the project should not be over two stories to keep in character with the rest of the neighborhood.

Commissioner Comander asked if the project was located within the Inlet Beach Neighborhood Plan and whether height is address in the plan. Mr. Dyess stated that the project is within the Neighborhood Plan, but that the plan does not address height.

Commissioner Chapman asked if the developer knows whether or not he would go to the maximum 50' height limit. Mr. Eubanks stated that the developer has not determined the height

of the buildings, but did not feel that he would go to the maximum height limit. Discussion continued on the allowable square footage of the buildings.

Ms. Letcher spoke in opposition of the project and felt that it should be limited to two stories. She also felt that a park area should be included.

Ms. Stevenson agreed with Ms. Letcher and re-addressed the compatibility of the project.

Commissioner Meadows asked what the land use was on the surrounding properties. Mr. Dyess replied Infill.

Mr. Eubanks submitted photos of the existing three story homes and said that the 10' setback per story applied to parcels south of C.R. 30A; this project is east of C.R. 30A and south of U.S. 98. **(Exhibit 3: Petitioner)**

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

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the South Wall Street Subdivision Major Development Order with the exclusion of the sidewalk buyout and limiting the building height to two-story. Ayes 5, Nays 0. Imfeld Aye, Comander Aye, Chapman Aye, Jones Aye, Meadows Aye. **(Exhibit: Staff Report-1; Respondent Photos-2; Petitioner Photos-3)**

There being no further items to discuss, the meeting was adjourned at 7:06 p.m.

Approved: _____

Bill Imfeld, Chairman

Attest: _____

Alex Alford, Clerk of Court and County Comptroller