

## JULY 10, 2012 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting July 10, 2012 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

The following Board members were present: Commissioner Scott Brannon, Chairman; Commissioner Kenneth Pridgen, Vice Chairman; Commissioner Larry Jones; Commissioner Cecilia Jones; and Commissioner Sara Comander. Mr. Gerry Demers, Interim County Administrator; Attorney Toni Craig, County Attorney; and Ms. Martha Ingle, Clerk of Courts; were also present.

Commissioner L. Jones led the invocation and the pledge to the American Flag. Chairman Brannon called the meeting to order.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the agenda addition and deletions as follows. Ayes 5, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

1. Addition: Administration-1D: Consider a County-Wide Fire Assessment Study by Government Services Group
2. Deletion: Administration-1C: Request to schedule a Special Meeting on July 17, 2012 at 10:00 a.m. at the Walton County Courthouse in DeFuniak Springs, to evaluate RFP's to select a Bank Loan Provider(s) regarding the ½ cent Transportation System Surtax
3. Deletion: TDC Item 1-Request to reprint 25,000 visitor guides to meet demands of increase visitor inquiries until the new guide is available

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the Consent Agenda as follows. Ayes 5, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 1,228,584.05
County Transportation	\$ 282,055.30
SHIP	\$ 50.00
Fine & Forfeiture	\$ 1,432,797.00
Section 8 Housing	\$ 745.28
Tourist Dev. Council	\$ 865,090.49
N.W. Mosquito Control	\$ 611.30
Recreation Plat Fee	\$ 7,700.90
Solid Waste Enterprise	\$ 444,602.96
Bldg Dept/Enterp. Fund	\$ 6,452.05
Imperial Lakes MSBU	\$ 2,517.66
Inmate Canteen Fund	\$ 5,947.49
Daughette Subdivision	\$ 11,586.03
<u>Capital Projects Fund</u>	<u>\$ 912,033.58</u>
<b>Totals</b>	<b><u>\$ 5,200,774.09</u></b>

2. Approve Minutes of July 24, 2012 Regular Meeting
3. Approve to surplus five computers from the Planning and Development Services Department
4. Approve to transfer \$10,000 from District 1 Recreational Plat Fees for the Eucheeanna Community Center
5. Approve to apply for a Florida Boating Improvement Program Grant from the FWCC and adopt a **Resolution (2012-31)** to amend FY 2011-2012 Budget to recognize deferred Vessel Registration Fees in the amount of \$33,740 for Lafayette Creek Phase II Improvement
6. Approve to re-appoint Dr. James Howell as the EMS Medical Director for a term of one year
7. Approve to surplus various equipment as requested by the Clerk's Office (CC #: 1220; 1229; 1221; 1231;1232; 1235; 1289)

Mr. Gerry Demers, Interim County Administrator, addressed issues concerning the policy on surplus equipment, disposal of county property/equipment, and the need for the County Wide Fire Assessment study. He stated that according to Florida Statute 274 there were three options to dispose of county property, once it has been declared surplus: donation to another non-profit agency within the county, selling the item to another non-profit agency, or selling the item under the sealed bid process. He reported that he had met with the Walton County Fire Chief's Board

to discuss funding issues within all the fire districts. It was suggested that a county-wide fire assessment study be conducted by Government Services Group (GSG) to determine the needs.

Mr. Demers requested to declare a 2001 F550 (BCC Vehicle # 3663) from Fire Rescue as surplus.

Motion by Commissioner Comander, second by Commissioner C. Jones, to surplus BCC Vehicle #3663. Ayes 5, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Mr. Demers said that a method in which to dispose of BCC Vehicle #3663 needed to be decided. He suggested selling the vehicle through the sealed bid process, stating that the monies received from the sale could be used to fund the fire assessment study or other needs within the fire districts. He submitted a letter from the Liberty Fire District requesting to obtain BCC Vehicle #3663.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the sale of BCC Vehicle #3663 through a sealed bid process.

Chairman Brannon asked why the truck is not being sold in the county-wide equipment auction. Mr. Demers stated that the annual auction had already been held.

Ayes 4, Nays 1. Brannon Aye, Pridgen Aye, L. Jones Nay, C. Jones Aye, Comander Aye.

Mr. Demers requested approval to begin the process with GSG to conduct a county-wide fire assessment study to determine what the Walton County fire district needs are. Commissioner Comander voiced support of the assessment and stated that the levels of service should be reviewed throughout the county. Chairman Brannon asked what other studies had been done. Mr. Demers reported that fire assessment studies had been performed in 2004 and 2007, and that those studies excluded municipalities and the South Walton Fire District. This study would

include the special fire districts, municipalities, and the South Walton Fire District. Discussion ensued regarding what information would be required to compile the study data; meeting of the districts and municipalities to discuss the needs and funding; and possible referendums should the need to increase funding within each special district and municipalities arise.

Motion by Commissioner Comander, second by Commissioner C. Jones, to move forward with the county-wide fire assessment by Government Services Group. Ayes 5, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Attorney Toni Craig, County Attorney, introduced Miss Catherine Trotman, County Legal Intern.

Ms. Dawn Moliterno, TDC Executive Director, requested approval of Outpost Design's Independent Contractor Agreement for continuing service to South Walton TDC to provide website/mobile maintenance, online advertising, eNewsletters, and analytic performance.

Motion by Commissioner Comander, second by Commissioner C. Jones to approve the Outpost Design Independent Contract Agreement. Ayes 5, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Ms. Moliterno requested approval of Big House Marketing Independent Contract Agreement for continuing service to South Walton TDC to provide online media advertising.

Motion by Commissioner Comander, second by Commissioner to C. Jones to approve the Big House Marketing Independent Contract Agreement. Ayes 5, Nays 0. Brannon Aye, Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Ms. Moliterno announced that the entire TDC staff has been located to the first floor of the TDC building.

Commissioner Comander commended Ms. Moliterno and the TDC Staff for the work they have done to promote and represent Walton County. She also announced that Ms. Moliterno had been appointed to the VISIT FLORIDA Board of Directors.

Commissioner C. Jones gave an update on the Restoration Bill and stated that its passage would mean up to \$122 million being awarded to Walton County to be used for environmental restoration, or economic development. There are several projects planned to which the funds could be applied. Mr. Demers stated that the County Administrators within the eight coastal counties have been meeting, and discussed the processes followed by each county to assess and present the needs for approval. Commissioner Comander felt that the funds should go toward funding infrastructure and IT development.

Commissioner L. Jones expressed his gratitude for Commissioner C. Jones's work on getting the Restoration Act passed.

Commissioners Comander, Pridgen and Chairman Brannon had no items to present.

Mr. Demers reported that proposals for the Bank Loan Provider(s) regarding the ½ cent Transportation System Surtax have been received, and that the financial advisor is putting the information together with an analysis of each of the proposals. He stated that this information will be given to each Commissioner for review. He announced that the proposals would be presented for final selection and approval at the Regular Meeting to be held on July 24, 2012.

Mr. Ron Romano, South Walton resident, discussed the increasing population of South Walton, and the lack of adequate recreational and event areas. He requested that an additional football/soccer field be developed. Commissioner C. Jones stated that new field has been planned. Mr. Romano addressed the need for a multi-purpose center to accommodate different event venues.

Mr. Bobby Stewart, South Walton Turtle Watch, discussed sea turtle nesting season and the non-compliance of the turtle lighting ordinance (2009-03). He also felt that more officers are needed to enforce the ordinance. Chairman Brannon asked how Walton County turtle nesting numbers compared to the neighboring counties. Mr. Stewart stated that nesting numbers were up throughout Northwest Florida region. He expressed concern with the allowance of bonfires during nesting season. Commissioner Comander reported that the HCP plan has been sent to the State for review, and upon its approval by the State, bonfires will be regulated. She also discussed the need to increase the authority given to Code Enforcement Officers. Commissioner C. Jones stated that an additional enforcement officer position could be considered during the budget process.

Ms. Bonnie McQuiston, south Walton resident, expressed appreciation to Mr. Demers for continuing to pursue the fire assessment issue, and she also thanked Mr. Pridgen for his efforts in getting U.S. Highway 331 four laned.

Ms. Shirley Flint discussed recreational needs and recommended that developers donate land to develop recreational areas.

There being no further items to discuss, the meeting recessed at 4:51 p.m. and reconvened at 5:05 p.m.

Chairman Brannon did not return to the meeting. Commissioner Pridgen assumed the Chair position.

Mr. Wayne Dyess, Planning and Development Services Director, requested that the South Beechview Estates Plat be tabled to the August 14, 2012 Regular Meeting at the South Walton Courthouse Annex.

Motion by Commissioner L. Jones, second by Commissioner Comander, to table South Beechview Estates Plat to the August 14, 2012 Regular Meeting at the South Walton Courthouse Annex. Ayes 4, Nays 0. Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Mr. Mac Carpenter, Planning and Development Services, discussed the issues surrounding the differences between the Property Appraiser's values and real market values. He requested approval to prepare an ordinance amending Ordinance 2009-07 modifying the methodology for valuation of land subject to Preservation Impact Fees, to prepare an ordinance amending Ordinance 2009-06 modifying the valuation of land subject to Recreation Impact Fees, and to hold a Public Hearing before the Planning Commission for both amendments. Both ordinances will address changed economic conditions.

Commissioner L. Jones voiced concern that there would be significant differences as the market changes.

Motion by Commissioner L. Jones, second by Commissioner Comander, to approve the preparation of an ordinance amending Ordinance 2009-07 and setting a Public Hearing before the Planning Commission. Ayes 4, Nays 0. Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the preparation of an ordinance amending Ordinance 2009-06 and setting a Public Hearing before the Planning Commission. Ayes 4, Nays 0. Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

Mr. Jason Bryan, Planning and Development Services, presented SSA 2012-22 SELRAHC, LP, requesting to amend 4.88 +/- acres in Walton County north of the Choctawhatchee Bay from Rural Residential to Rural Low Density. The property is located on

the southeast side of Lake Jackson, with portions on both sides of Lake Jackson Drive. Staff found the request consistent with the Land Development Code (LDC) and Comprehensive Plan.

Ms. Pat Blackshear, Blackshear Planning, LLC, stated that Mr. Charles Smith had authorized her to modify the request to accept the Staff's recommendation, discussed the amendment, and stated that there will be no septic tanks on the lakefront portion of the amendment. The modified application has been addressed and she feels the request is consistent with the LDC and Comprehensive Plan.

Mr. Larry Gamble felt that the area near the lake should remain wetlands. He suggested that the area be designated as a lake access rather than residential. Commissioner Comander asked if other houses were built on the lake side. Mr. Bryan stated that there were.

Discussion ensued regarding the flood zones, wetland areas, and the requirements to be met prior to building.

Ms. Sheila Anderson spoke in opposition of rezoning the area and asked that the wetland area remain in a natural state.

Commissioner Comander asked if a permit had been issued to fill in the wetlands. Ms. Blackshear stated that she did not know when the property was filled, and reported that Mr. Smith had been in communication with the Core and DEP regarding the fill. Discussion continued on the lakeside wetlands classification; and the determination by DEP what can and cannot be done with the lakeside portion.

Commissioner L. Jones asked if the request was one parcel or two. Ms. Blackshear stated that it was one parcel which is split by Lake Drive. She reported that the other lots abutting the road do not cross it. Mr. Dyess stated that Lake Drive is a county maintained easement crossing the Smith property, and that the easement maintains the continuity of the parcel. Discussion

ensued regarding the county maintained easement. Commissioner L. Jones voiced concern that the request, could allow for four units to be built lake side. Ms. Blackshear replied that to comply with the Comprehensive Plan only one unit would be allowed lake side. Commissioner L. Jones questioned whether the recommendation could be divided with the upper portion being designated Rural Low Density and the lake side portion designated as rural residential once the Core issues are resolved. Attorney Craig stated that the application was for one parcel. Mr. Dyess questioned if a legal description were submitted, would the division be legally allowable. Attorney Craig stated that it would be admissible due to the submission of two applications for a subdivided parcel. Ms. Blackshear felt that the division would create a non-conforming situation. Discussion continued on the development of the lake side portion and division of the property. Commissioner L. Jones felt that a solution would be for Mr. Smith to deed the road easement to the County creating two separate parcels, and include both parcels in the request. Ms. Blackshear stated that Mr. Smith would agree to the deeding of the easement to the County. Mr. Mac Carpenter, Planning and Development Services, suggested that the issue be tabled to give time to research the legality of the lot of record status. Attorney Craig requested that the item only be presented if the proper documentation has been prepared.

Motion by Commissioner L. Jones, second by Commissioner Comander, to table SSA 2012-22 SELRAHC, LP to the August 14, 2012 Regular Meeting to be held at the South Walton Courthouse Annex contingent upon the completion of the proper documentation, and instruct staff to work with the applicant to complete the documentation. Ayes 4, Nays 0. Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye.

The Quasi Judicial hearing was called to order and Attorney Craig administered the oath to those intending on speaking.

Commissioner C. Jones exited the meeting.

Mr. Todd Harris, Gulf Coast Community Bank, presented Sunset Villas Replat submitted by Gulf Coast Community Bank, replating lot 8-12 of Sunset Villas lots on 0.458 +/- acres with a future land use of Residential Preservation.

Commissioner Comander reported that she had been contacted by Mr. Bob Sterner who stated that there was a dispute with the property ownership. She asked that the issue be tabled to allow for time to review the ownership issues.

Attorney Craig submitted a packet of letters and emails concerning the dispute.

Mr. Harris asked if Ex Parte had been submitted documenting Mr. Sterner's communication. Commissioner Comander affirmed that it had. Mr. Harris stated that all the proper notices have been sent regarding the hearing.

Motion by Commissioner Comander, second by Commissioner L. Jones, to table Sunset Villas Replat to the August 14, 2012 Regular Meeting to be held at the South Walton Courthouse Annex. Ayes 3, Nays 0. Pridgen Aye, L. Jones Aye, Comander Aye. **(Exhibits: Staff Report-1; County Attorney Packet-2; ExParte: Comander)**

Commissioner C. Jones rejoined the meeting and Commissioner Comander exited the meeting.

Mr. Scott Jenkins, 393 Land Company, LLC Representative, presented an abandonment application concerning the following ingress/egress and utility easement to wit: as legally described as the following: 33 feet along the South boundary of lot 11, Subdivision of Section 2 Township 3 South, Range 20 West.

Mr. Bryan discussed the request and stated that it is to be abandoned via plat. Staff found the request does not contravene the goals, objectives, and policies of the Walton County

Comprehensive Plan or the Land Development Code. The Planning Commission recommended that the abandonment be contingent upon submittal of an approved development plan.

Ms. Jacqueline Dunn spoke in favor of the Planning Commission's recommendations.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to approve the request contingent upon the plat being finalized and recorded as presented by Mr. Jenkins. Ayes 3, Nays 0. Pridgen Aye, L. Jones Aye, C. Jones Aye. **(Exhibits: Staff Report 1)**

Commissioner Comander rejoined the meeting.

Mr. Dyess submitted a letter from Attorney Dana Matthews, Inlet Beach Capital Investment Representative (Park Avenue West PUD) regarding an issue with Policy L-1.5.1. Commissioner Pridgen questioned if the issue should be continued to give time to review the letter. Attorney Matthews stated that the letter was sent in April and that he had requested that the letter be included in the Board package. He felt that there has been adequate time to review the letter. Mr. Dyess stated that his understanding was that a new letter would be submitted for the packet. Attorney Gary Vorbeck, Representative for Inlet Beach Historical Association, requested time to review the letter. Attorney Craig stated that her legal opinion had been submitted in response to Attorney Matthews' letter, and submitted emails in which the matter was discussed.

Motion by Commissioner L. Jones, second by Commissioner Comander, to continue Park Avenue West PUD until August 14, 2012 Regular Meeting to be held at the South Walton Courthouse Annex. Ayes 3, Nays 0. Pridgen Aye, L. Jones Aye, C. Jones Aye. **(Exhibits: Staff Report-1; Petitioner-2: Matthews Letter; Staff-3: Craig Emails; ExParte: C. Jones)**

Commissioner Comander requested that all documentation, for projects to be considered, be submitted prior to the meeting for Board review.

Ms. Jennifer Bell, Bell Engineering, presented Dollar General, a major development order application submitted by Bell Engineering Services, LLC, requesting approval for a 9,026 square foot retail store on 1.1 acres with a future Land Use of Coastal Center. The project is located on the southwest corner of US Highway 98 and Sandtrap Road.

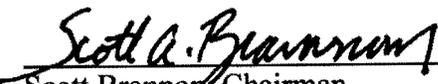
Ms. Vivian Shamel, Planning and Development Services, discussed the project. Staff found the project to be consistent with the Walton County Comprehensive Plan and the Land Development Code contingent upon the conditions as stated in the Staff Report.

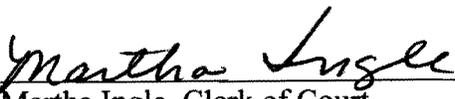
Mr. Slate Lindsey voiced concern regarding the additional traffic and traffic flow.

Mr. Carpenter stated that design changes have been made at the request of the FDOT to include a West bound right turn only lane with no East bound entry from Highway 98. He reported that the traffic analysis shows 19 less PPM trips assigned to this particular type of development compared to the existing development. Mr. Carpenter said that changing the type of development on this site reduces the number of daily trips.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to approve the Dollar General as presented. Ayes 4, Nays 0. Pridgen Aye, L. Jones Aye, C. Jones Aye, Comander Aye. **(Exhibits: Staff Report 1)**

There being no further items to discuss, the meeting adjourned at 6:12 p.m.

  
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Scott Brannon, Chairman

  
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Martha Ingle, Clerk of Court