

Regular Meeting
June 23, 2016
Milton, Florida

The Board of County Commissioners of Santa Rosa County, Florida, met in Regular Session on the above date with the following members present: Chairman Lane Lynchard, Don Salter, and Rob Williamson. Robert "Bob" Cole was absent. Also present were the Public Works Director (Stephen Furman), Clerk of Court (Donald C. Spencer), Administrative Assistant (Emily Spencer), County Administrator (Tony Gomillion), County Attorney (Roy Andrews), County Engineer (Roger Blaylock) and Budget Director (Jayne Bell). Lynchard called the meeting to order at 9:00 a.m. The meeting was opened in prayer by Pastor Kathy Knight, Milton First United Methodist Church. Those present joined in the pledge of allegiance to the flag.

First on the agenda, Lynchard moved approval without objection of the minutes of the June 6, 2016 Budget Workshop and the June 9, 2016 Regular Meeting. He said Cole is absent and will be joining the meeting by telephone.

Next, Lynchard read aloud a letter, dated June 22, 2016, from Commissioner Jayer Williamson to Supervisor of Elections, Tappie Villane, regarding his immediate resignation from the Board of County Commissioners. He said the letter states that J. Williamson is currently running for the Florida House of Representatives and will be unable to complete his term as county commissioner due to the Florida Election Law, as the terms of the two offices will overlap. Lynchard read aloud a statement by J. Williamson.

Lynchard said he wishes J. Williamson well and appreciates the work he has done for Santa Rosa County.

R. Williamson said it has been a privilege serving with J. Williamson. He said J. Williamson has handled his job with class and with integrity and he knows he will do a great job for the county, in the state house.

Salter said it has been a pleasure to work closely with J. Williamson. He said he has been a great commissioner and he wishes him well in the future.

Next, Lynchard moved approval without objection of the agenda as revised.

Next on the agenda, Bobby Odom with Volkert Inc. gave a power point presentation to the Board regarding an update to the 2003 Land Acquisition Study (Attachment in file).

Salter said the number one reason in the country for base closing is encroachment. He said the history of base closures are due to incompatible land use and encroachment. Salter said this is extremely important for protecting the future of the base.

Lynchard recognized Prudence Caskey and the Discovery 4-H Day Camp for being present this morning.

Economic Development Committee- J. Williamson & Lynchard

- 1) Special Event Application for Annual Dead Pirate 5K Run/Walk
Recommend approval of the Special Event Permit application from Krewe of Karibbean to host the 3rd Annual Dead Pirate 5K Run/Walk. Lynchard moved approval without objection.
- 2) Tourist Development Office Local Event/Marketing Program Funding
Recommend approval of the Tourist Development Office Local Event/Marketing Grant applications for FY 2016/2017 in the amount of \$61,225. Lynchard moved approval without objection.

Administrative Committee - Lynchard & J. Williamson

- 1) Executive Session Meeting - Blue Water Holdings SRC, Inc.
Recommend approval to advertise for an Executive Session of the Board to be held at the conclusion of the July 28th regular meeting in order to discuss the Blue Water Holdings SRC, Inc. case. Lynchard moved approval without objection.
- 2) Florida Coalition Against Domestic Violence (FCADV) Agreement
Recommend approval of the annual agreement with Florida Coalition Against Domestic Violence. Lynchard moved approval without objection.
- 3) Flexible Benefits Administration
Discussion of acceptance of proposal submitted by Lockard & Williams Insurance Services, P.A. for administration of Flexible Benefits Plan with option for two renewal terms of three years each.

Gomillion said representatives from Saltmarsh, Cleaveland & Gund and Lockard and Williams are both in attendance. He said he believes the Board received corrective information that the Clerk's Office provided, indicating a revised cost analysis on Saltmarsh. Gomillion said he believes the number is \$4.57 per month. He said both of these firms are very capable. He said the county has had a good experience recently with Lockard and Williams. He said he feels Lockard and Williams has provided a level of service that is very personal and responsive.

Stephen Reyes (Saltmarsh, Cleaveland & Gund) said he came to address his concern regarding allegations of improper billings. He distributed information to the Board regarding FSA participation for the years of 2004-2007. Reyes said the charges increased because participation increased. He said at the time, the county had 15-17 different options for premium only plans and an individual person could be assigned to several of the options. Reyes said it is not a number of employees; it is a number of planned participants. He distributed and discussed a savings analysis that the county reaped during Saltmarsh, Cleaveland & Gund's plan review with the county in 2005. Reyes further discussed Saltmarsh, Cleaveland & Gund's billing process.

There was further discussion regarding increased participation and the billing process.

R. Williamson asked Reyes if what the county was billed and what the county paid, was consistent with the agreement. Reyes said yes. He said he does not believe there was any misunderstanding, at the time, of how this was done. Reyes said Saltmarsh, Cleaveland & Gund was reporting back to the county, monthly, on participation and billing, and having monthly meetings. He said Saltmarsh, Cleaveland & Gund are 10% lower than the current provider.

Kenny Anderson (Lockard and Williams Insurance) said Lockard and Williams has been doing the administration of the county's flex plan since 2007 and it has gone very well. He discussed a payroll audit, done by the clerk's office, of the plan year that ended Sept 30, 2007, indicating that there were 175 participants in flexible spending yet the county was being billed for 414. Anderson said this number is based on a payroll audit that was done by the clerk office. He said in no way at all does he think it was intentional. Anderson said he worked for Saltmarsh, Cleaveland & Gund for 10 years and this is a great firm. He said he thinks there was a billing error, that neither side caught, that continued to keep getting paid.

Cole said he does not think this issue will be resolved today. He said he thinks Andrews and the Clerk's Office need to work this out. Cole said he has not seen any issues like this raised with the current provider. He said he feels the county has received good service from the current provider and there have been no complaints from the employees.

Salter said he is sure that both of these firms are good but he will be supporting Lockard and Williams.

R. Williamson said the county employees have said they are comfortable with their relationship with Lockard and Williams. He said he is going to support the current provider. R. Williamson said he would like to see staff work with Saltmarsh, Cleaveland & Gund on making sure that the county does not have any issues with billing or if there is anything that the county needs to recoup funds for.

Lynchard said he thinks Lockard and Williams has done a good job for the county. He said he does not see any need for change at this point.

Lynchard moved approval without objection of the submitted proposal by Lockard and Williams and direct staff to work towards a contract to bring back to the Board.

4) Fiduciary First Contract

Recommend contracting with Fiduciary First, Inc. for deferred compensation fiduciary services as recommended by Human Resources Director.

DeVann Cook (Risk Manager/Human Resource Director) said Fiduciary First is assisting the county to manage and follow the federal guidelines for deferred compensation administration. He said if there is a mistake made with an employee, Fiduciary First will take responsibility. Cook said this will give a level of comfort that the county is following all of the deferred compensation rules and that the employees will be given good advice.

R. Williamson said the only information in the backup, that he can find, that refers to the cost to the county and to the employees is \$1,875 a month. Cook said that is a fixed fee and there will be no changes. He said he will clarify this before the contract is approved. R. Williamson asked if the Board will get a more formalized agreement back with clearly defined prices. Cook said he will clarify that. He said the \$1,875 is not based on the number of participants; it is based on what Fiduciary First feels is an appropriate fee to run the program for the county. Cook said any change in the amount would have to come back to the Board for a new contract.

Andrews said staff will make sure to include schedule A or remove any reference to it.

Cole said he agrees there needs to be a better defined scope of services.

Gomillion said staff will fill in the blanks and bring the agreement back to the Board.

Lynchard said his understanding is that Fiduciary First will work with the investment companies to reduce the management fees and the management fees will make up the delta.

Lynchard moved approval without objection to direct staff to bring back a contract with Fiduciary First at the next Board meeting.

5) Chipper / Maranatha Drainage Project - HMGP Agreement Time Extension

Recommend Modification Number One to the HMGP grant agreement for the Chipper/Maranatha drainage project extending the period of performance deadline for Phase I deliverables six additional months from August 4, 2016 to February 4, 2017. Lynchard moved approval without objection.

6) Meeting List

• Tourist Development North End Committee	July 5	Cancelled
• Marine Advisory	July 5	5:00 p.m.
• Tourist Development South End Committee	July 6	Cancelled
• Tourist Development Council Board Meeting	July 7	Cancelled
• Blackwater Soil and Water Conservation District	July 7	7:30 a.m.
◦ Jay Service Center, 3927 Hwy. 4, Ste. 102, Jay		
• Commission Committee	July 11	9:00 a.m.
• Fire Department Executive Group	July 11	Cancelled
• Building Code Board of Adjustments	July 13	Cancelled
• Commission Regular	July 14	9:00 a.m.
• Zoning Board Meeting	July 14	6:00 p.m.

Lynchard moved approval without objection.

7) Appointment of Vice-Chairman to the Board of Commissioners

Salter nominated R. Williamson as Vice-Chairman. Cole seconded and the motion passed unanimously with Lynchard, Salter, and Cole all voting in favor.

Engineer's Report

1) Navarre Beach Restoration Draft Funding Agreement

Discussion of draft funding agreement up to \$8.2 million with the Florida Department of Environmental Protection for the Navarre Beach Dune Restoration project as approved by the Florida legislature during their two previous sessions. (No action was taken on this item)

Blaylock said he has not received a draft agreement. He said staff will bring this back at the next meeting.

2) Navarre Beach Restoration Deductive Change Order

Recommend approval of draft Change Order #1 from Weeks Marine, Inc. for the Navarre Beach Restoration project reducing construction cost of \$14,920,300 by ±\$1.8 million subject to determination of final payment quantities. Lynchard moved approval without objection.

3) RFP for Water Quality Support Services

Recommend approval to advertise for water quality, sampling, analysis and support services for Environmental Department. Lynchard moved approval without objection.

4) Chipper Lane/Maranatha Way Drainage HMGP

Recommend additional scope and fees in the amount of \$21,160.00 to Baskerville-Donovan, Inc. for engineering services, topographic and boundary survey for the Chipper Lane/Maranatha Way Drainage HMGP project with 75% State, 25% local cost sharing. Lynchard moved approval without objection.

5) Heather's Place Boulevard Entrance Variance Request

Discussion of request for variance to the boulevard entrance requirement of the Land Development Code for the Heather's Place subdivision.

Edwin Henry said he believes the Boards backup information for Monday's meeting was incorrect. He said the preliminary plat showed the first submission to engineering and planning that did not have the stub out for the exit street.

Lynchard said he sees one other change on the preliminary plat which is a bulb out in the powerline easement. He said the earlier plat did not have that bulb out referenced in that particular section. Henry said there was a recommendation from engineering to put this bulb out which he included.

Blaylock said the stub out is a requirement of the Land Development Code (LDC), specifically requiring the provision for interconnectivity to future development. He said the fact that Henry stubs to the vacant property is not the second entrance provision required in the LDC. Blaylock said it is meeting a stub out to adjacent property but does not necessarily connect a second entrance to the county road network. He said the LDC is explicit in providing a boulevard or providing two entrances for a subdivision over 50 lots. Blaylock said if Henry can assure the county, through the form of a subdivision construction plan, showing one of the access points being connected and bonded for the future that would qualify; because that assures that the roadway will be built.

R. Williamson said based on the new plat he will be in favor of the variance.

Cole said he is also in favor of the variance. He said he believes in the future there is a responsibility for Henry and a realization that there will be more connectivity.

Salter said he will support this with the understanding as Henry develops that property to the north, that he develops the other entrance.

Lynchard moved approval without objection.

6) Heather's Place Low Pressure Sewer Variance Request

Recommend request to allow the installation of a low pressure sewer system in the Heather's Place subdivision. Lynchard moved approval without objection.

7) Heather's Place Preliminary Plat

Discussion of Preliminary Plat for Heather's Place, a 61 lot subdivision, located in District 5. Lynchard moved approval without objection.

Lynchard said the subsequent preliminary plat is a 60 lot subdivision. Edwin Henry said he believes it is now 59 lots, with the two stub-outs.

8) Robinson Estates Interconnectivity

Recommend approval of interconnectivity option for Robinson Estates' second entrance to be Rolyat Road or extension of Benny Russell Park access drive. Lynchard moved approval without objection.

Heath Jenkins (Hatch Mott McDonald) said he has provided an alternate preliminary plat and will keep the request on the table for interconnectivity to the Benny Russell Park extension, if it ever occurs. He said this will reduce this development from a 105 lot plat to a 104.

9) Robinson Estates Preliminary Plat

Discussion of Preliminary Plat for Robinson Estates, a 105 lot subdivision, located in District 1.

Blaylock said with that approval, staff is recommending the revised 104 lot plat with a connection to Rolyat Road. He said with a proviso that if Benny Russell access drive is extended, they will connect there in lieu of Rolyat Road. Lynchard said or they will have the option to connect there instead of Rolyat Road.

Lynchard moved approval without objection.

10) Pace Mill Creek Phase Four Preliminary Plat

Recommend Preliminary Plat for Pace Mill Creek Phase Four, a 20 lot subdivision located in District 1. Lynchard moved approval without objection.

11) Heritage Estates Paved Road and Drainage Maintenance

Recommend Paved Road and Drainage Maintenance for Heritage Estates, a 53 lot subdivision located in District 1. Oak Orchard Circle 2365 LF; Rineoak Court 300 LF; Scarlet Oak Court 400 LF. Lynchard moved approval without objection.

Public Service's Committee- Cole & R. Williamson

1) EMPA/EMPG Grant Awards

Recommend acceptance of annual FY2017 EMPA/EMPG grant agreements in the amounts of \$115,806 and \$76,353. R. Williamson moved approval without objection.

2) Memorandum of Understanding - US Navy

Recommend approval of updated MOU between the Department of Navy, Santa Rosa County and all fire departments for the provision of firefighting assistance. R. Williamson moved approval without objection.

Public Works Committee- Salter & Cole

No Agenda Items.

Budget & Financial Management Committee- R. Williamson & Salter

1) Bid Action

Recommend bid from Escape Landscaping in the amount of \$34,800 annually for Tourist Corridor Landscaping Maintenance as the low bidder meeting specifications. R. Williamson moved approval without objection.

2) Budget Amendment 2016-152

Recommend Budget Amendment 2016-152 in the amount of \$2,055 transferring funds from District V Recreation Fund to Parks department to re-stripe the basketball court, tennis court, and 4-square, hopscotch, and shuffle boards at Swenson Park. R. Williamson moved approval without objection.

3) Budget Amendment 2016-153

Recommend Budget Amendment 2016-153 in the amount of \$31,056 to carry forward funds in the Building Maintenance department for overtime necessary to perform essential after hours duties. R. Williamson moved approval without objection.

4) Budget Amendment 2016-154

Recommend Budget Amendment 2016-154 in the amount of \$42,510 to carry forward Law Enforcement Trust funds and allocate for the Sheriff's expenditure in the Fine & Forfeiture fund.

R. Williamson moved approval without objection.

5) Budget Amendment 2016-155

Recommend Budget Amendment 2016-155 in the amount of \$310,866 to recognize current year program income on Trust Fund Administration per SHIP (State Housing Initiative Program) and reallocates to the housing cost center. R. Williamson moved approval without objection.

6) Check Register

Recommend County Check Register. R. Williamson moved approval without objection.

Adjournment

There being no further business to come before the Board at this time, the meeting adjourned.

BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA

By: Lane Lynchard, Chairman

Attest: Donald C. Spencer, Clerk of Court

Rezoning Meeting
June 23, 2016
Milton, Florida

The Board of County Commissioners met on the above date with the following members present: Chairman Lane Lynchard, Don Salter and Rob Williamson. Also present were County Administrator (Tony Gomillion), County Attorney (Roy Andrews), Planner III (Darliene Stanhope), Planning and Zoning Director (Beckie Cato), and Planner II (Danny Collins). The meeting was called to order by Chairman Lane Lynchard in the Santa Rosa County Administrative Complex Board Room at 6:00 p.m. Those in attendance joined in the Pledge of Allegiance to the Flag.

New Business:

1. 2016-V-035 APPEAL
Project/Applicant: Daniel Horan
Represented by Tom Gillespie of Pensacola Pools
Location: 6655 Tidewater Drive, Navarre, FL
Parcel(s): 22-2S-27-0830-00B00-0010
Zoned: R1 (Single Family Residential)
Request: Variance to reduce the Shoreline Protection Zone setback from 50 feet from the mean high water line to 39 feet from the mean high water line to accommodate a pool. (LDC 12.01.02.A)
District: Commissioner District #5
Zoning Board
Decision: Denied with a vote of 5 – 0

Angela Jones (representing Pensacola Pools) said Pensacola Pools was hired in March and pulled permits in mid-March. She said during the footing inspection, the inspector discovered the pool was not in compliance with the shoreline protection district. She said the inspector informed Pensacola Pools of the error. Jones said the supervisor on the job was very experienced with pools but new to the panhandle. She said the pool passed electrical inspection. Jones said the pool has now been completed.

Lynchard said if this variance is denied, then the pool has to be removed. Jones said yes. She said reconstructing the pool, in an area that has already been dug, will not produce a stable footing.

Lynchard said he supports the variance because of the circumstances. He said moving the pool 10 feet will probably cause more environmental problems than leaving it in the current location. Salter said he agrees.

R. Williamson asked who pulled the permits for this pool because it would have needed a site plan. Jones said the original site plan depicted the pool properly but on the day of digging, the property owner changed the location.

R. Williamson said it is his understanding that the inspectors notified the contractor and the property owner of the violation before cement was poured.

Jones said the owner of Pensacola Pools was not on the job site, daily, due to injury and the superintendent did not understand the importance of the setback lines.

R. Williamson said he feels this sets dangerous precedent.

Lynchard moved approval of the request. R. Williamson objected.

Salter moved approval of the request. Lynchard seconded, and the motion passed with Salter and Lynchard in favor. R. Williamson opposed.

2. 2016-CU-012
Project/Applicant: Pittman Recycling
Represented by Joshua Pittman
Location: 6443 Waylon Dr, Milton, FL
Parcel(s): 20-2N-26-0385-00000-0290
Zoned: AG-RR (Rural Residential-Agriculture)
Request: Conditional Use to allow trade service and repair, specifically a recycling business. (LDC 6.09.02.AA)
District: Commissioner District #2
Zoning Board
Recommendation: Recommend denial with a vote of 8 – 1, Jeremy Reeder opposing

Joshua Pittman said he owns a mobile recycling business. He said he does not have a yard that people come, to sell recyclables. Pittman said he stores recyclables for resale. He said he has been doing this for over 2 years. Pittman said the property is not open to the public. He said he is registered with the state as a second hand metal dealer. Pittman said this issue came about when code compliance investigated a complaint. He said if this request is not approved it will probably shut his business down.

Steve Jones, President of Blackwater River Subdivision Homeowners Association, discussed details of the subdivisions covenants and restrictions. He said Pittman is not the owner of the subject property. Jones said this

issue came up because Pittman put in a storage shed near the road and called it a bath house. He said Pittman lives in this storage shed. Jones said he does not want a business in this subdivision.

Tonya McHale said she bought property in 2004 as residential. She said she would not have bought in this area, if she knew it could be zoned commercial residential. McHale said commercial operations will decrease her property value.

Lynchard said this operation is more of an industrial use and he believes it will create problems in the long term. Salter said he agrees.

R. Williamson said a conditional use goes with property. He said there are no special conditions that would allow him to support this request

Lynchard moved denial without objection.

3. 2016-CU-013

Project/Applicant: Holley-Navarre Water System
Represented by Paul Gardner
Location: 2100 Block of Hwy 87 South Navarre, FL
Parcel(s): 17-2S-26-0000-00161-0000
Zoned: HCD-HON (Highway Commercial Development-Heart of Navarre Overlay)
Request: Conditional Use to allow a private utility to construct a water storage tank and booster pump building in HCD-HON (Highway Commercial Development-Heart of Navarre Overlay.) (LDC 6.09.02.J)
District: Commissioner District #4
Zoning Board
Recommendation: Recommended Approval with a vote of 9 – 0

R. Williamson moved approval without objection.

4. 2016-R-008

Project/Applicant: Parker Properties
Represented by Angela Jones, Locklin, Saba & Jones
Location: 2500 Block of Hwy 87 S., Navarre, FL
Parcel(s): 09-2S-26-0000-00200-0000
Existing Zone: R1 (Single Family Residential)
Proposed Zone: HCD (Highway Commercial Development)
Existing FLU: SFR (Single Family Residential)
Proposed FLU: COMM (Commercial)
Area Size: 9.18 (+/-) Acres
District: Commissioner District # 4
Zoning Board
Recommendation: Recommended Approval without objection

R. Williamson moved approval without objection.

5. 2016-R-009

Project/Applicant: Harrell Downey
Location: 2000 Block of Wallace Lake Road, Pace, FL
Parcel(s): APO 10-2N-30-0000-00109-0000
Existing Zone: AG2 (Agriculture 2)
Proposed Zone: PIT (Borrow Pit and Debris Disposal Facility)
Area Size: 27(+/-) Acres
District: Commissioner District #3
Zoning Board
Recommendation: Recommended denial which failed with a vote of 4 – 4 with Bill Seelman, Colten Wright, Lonnie Hawkins, Scott Kemp voting in opposition

Lynchard said the applicant has requested to table this item until the July 28th Rezoning meeting.

Samuel Peterson said he is Downey's project manager and he is requesting an extension to allow time for further research.

Salter asked for a show of hands from the audience of attendees that live on Wallace Lake Road. He said he will oppose a pit in the area. Salter said he is displeased with the behavior of some people, regarding this request, at the Zoning Board meeting. He said he opposes tabling the request. Salter said this road does not need heavy traffic from a pit operation.

Salter moved to deny the tabling of this request without objection.

Salter said based on potential unsafe conditions on this road, he will oppose this request. He said he hopes Downey can find a better location.

Bill Lewis said he apologizes for his behavior at the Zoning Board meeting. He said Downey said things at the Zoning Board meeting that were not true.

R. Williamson said it looks like all conditions are met. He asked about infrastructure availability. Cato said the request meets criteria in relation to the pit rezoning district. She said one of the things that it does not address is configuration of an access road. Lynchard said the Board has to consider if this operation is compatible in the area and the burden on infrastructure.

R. Williamson said there is going to be a residential development nearby so there is likelihood that there will be trucks utilizing this road for development. He said he cannot see why this operation would not be allowed in this location.

Salter moved denial of the request. Lynchard seconded, and the motion passed with Salter and Lynchard in favor. R. Williamson opposed.

6. Recommend the Ordinance

Lynchard moved approval of the ordinance without objection.

**ORDINANCE NO. 2016-17 RECORDED IN ORDINANCE BOOK NO. 14 AT PAGES 318-320
AND RECORDED IN OR BK 3535 AT PAGES 178-180.**

Adjournment:

There being no further business to come before the Board, the meeting adjourned.

BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA

By: Lane Lynchard, Chairman

Attest: Donald C. Spencer, Clerk of Court