

Regular Meeting  
July 28, 2022  
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 Robert “Bob” Cole, James Calkins, David C. Piech and Colten Wright. Sam Parker was absent. Also present were the County Administrator (DeVann Cook), Assistant County Administrator (Brad Baker), County Attorney (Tom Dannheisser), Budget Director (Jayne Nicholas), Administrative Services Director (Jared Lowe), Clerk of Court (Don Spencer), County Engineer (Rebecca Jones) and Environmental Director (Michael Schmidt). Cole called the meeting to order at 9:00 a.m. at the County Administrative Complex. The meeting was opened in prayer by Worship Pastor Cameron Theodos, Immanuel Baptist Church. Those present joined in the pledge of allegiance to the flag

Agenda Approval

Wright said he would like to discuss the Alabama Bayway proposal. Cole said he would add this under Commissioner Items.

County Administrator - County Attorney

Employee of the Quarter - Hunter Fair, Landfill

Baker read a statement regarding Fair’s employment as a Scale House Attendant.

Cole read a proclamation recognizing Fair as Employee of the Quarter.

Commissioner Items

Wright said ALDOT (Alabama Department of Transportation) has said their intention is to take Interstate 10 and replace the existing Bayway with a toll. He said he takes great issue with putting a toll on a major thoroughfare of the interstate, coming into Santa Rosa and Escambia Counties. Wright said he does not see a problem with tolls and consumption taxes, but he has great issue with putting a tax on a major interstate thoroughfare. He said the reasoning is “they” say it is a \$2.7 billion project and “they” are trying to rush it because “they” say there is \$150 million to \$158 million of federal funds. He said he thinks it would be wise for the Board to reach out to Baldwin County, Mobile County, and ALDOT via letter to state as neighbors “we” find this to not be a wise use of funds and that “our” citizens would oppose a toll on a major interstate thoroughfare.

Calkins, Piech, and Cole said they agreed with Wright and will support a letter.

Jeff Snow (Milton City Council) said this was discussed four years ago at the TPO (Transportation Planning Organization) and he thought it failed. He said he is in shock to hear it is being brought back up. Snow said he appreciates the Board taking a stand on this.

Public Forum

Cole said David Weber owns the skating rink on Stewart Street.

David Weber said the track will be world certified which means it will bring the World Championship’s to Milton.

Snow said he thanks everyone involved and this will be a gamechanger for the area.

Nancy Forester (Vice-President of Preserve Navarre) discussed the Holley Navarre Water Board. She said there is a 99-year agreement between the county and the Holley Navarre Water Board to provide services. Forester asked why this agreement is in place. She said the Chief Executive Officer has a criminal record, being convicted of embezzlement and grant theft in Texas and Nigeria. She said he oversees \$73 million of the water department. She said there is no private sector competition. Forester said the citizens cannot ask questions at the meetings and are advised to send emails. She said customers and businesses have been harassed and threatened. Forester said she will gladly arrange for private meetings between “you” and “them”. She said the 99-year agreement shields the water department from any government accountability. Forester said an ordinance signed March 14, 2001, states there is supposed to be a Utility Board created by the Board of Commissioners. She asked if the Utility Board exists. Forester asked why is there no Form 990 for the tax year 2021 filed for this non-profit. She asked what happened to “you” looking into whether Holley Navarre Water Board is under the Sunshine Law. Forester said it is her understanding that three Holley by the Sea board members are on the water board. She said there needs to be a forensic audit by an outside agency.

Piech said the franchise agreement was signed 30 years ago. He said the CEO was hired by the board and the board is voted in by the members. Forester said it is her understanding there was a third-party hiring

company and that company reported he had no felonies. Piech said from what he has found, because it is a member owned utility it does not fall under the Public Utilities Commission.

Dannheisser said the 99-year term is standard because of the large investments. He said the rates are not regulated because it is a member owned utility. Dannheisser said the only regulation the county has ever done was private commercial utilities. He said his understanding is the State Attorney gave the opinion they are not covered by the Sunshine Law. Dannheisser said if there is a dispute it can be determined by a judge.

Forester said there needs to be a determination.

Calkins said when Preserve Navarre first began it was a positive group trying to make a difference in the community. He said it has become a group that has been known for going after people. Calkins said the water system is a privately held organization. He said there is an elected board that is tasked to hire the CEO. Calkins said when he was a part of that board if there was a problem with someone that was hired “you” took that to their board.

Cole said he has spoken with Carmen Reynolds regarding this. He said he does not like what is going on, but hands are tied to a degree. Cole said “we” are working with “them” on a joint effort for the spray field. He said to him this opens the opportunity for the Board to have some knowledge of what is going on in this organization. Cole said he requested their financials but has never received them.

Forester said she has been told by the state that an individual cannot make a complaint to the state, it can only come from a commissioner, so she is requesting that.

Sherry Chapman said she cannot imagine there is not something in the contract that the county can step in if by-laws are not followed. She said she would ask Dannheisser to investigate this. Chapman said there is still red clay running into “our waters”. She said the fine is \$300 and it needs to be increased. Chapman said this is a serious issue. She said the meetings need to be held at a time where citizens can come.

Dannheisser said the fines are capped at \$500 by state statute. He said the goal is to get things changed on the ground, not just citations.

Cole said he and other staff have been out to Airway Oaks. He said Cook had a meeting with DEP (Department of Environmental Protection) because at a certain point DEP and Water Management should be addressing the problem and that is where the heavy fines can be placed.

Ryan Fowler discussed the Alternative Subdivision Provision. He discussed the history and plans of the Jubilee development.

Ellen Fowler said she read The Communist Manifesto by Carl Marx and she is sure the Board does not want to follow that book. She said allowing high density homes and commercially zoned property in the country is following The Communist Manifesto. E. Fowler said please do not rezone any property in a rural area to increase the density or allow for commercial against the will of the neighbors. She said please delete the Alternative Subdivision section of the LDC. E. Fowler said please deny Jubilee’s application for a CDD (Community Development District). She said please do not rezone any parcels of Jubilee’s land.

Laura Fowler said the hearing for Jubilee to be considered as a CDD is scheduled for August 11<sup>th</sup> and there have not been any of the promised townhall meetings.

Cole said he knows the Public Hearing is scheduled for August. He said everyone on the Board has indicated they will not move forward with anything regarding Jubilee until the Public Hearings that were promised by them are held. Cole asked if the Public Hearing can be canceled. Dannheisser said yes. He said it was his recollection that was being discussed in the context of any rezoning.

Cole said the gentlemen who represents Jubilee promised two or three public hearings and there is no way they can be held before August.

Cole said he is willing to cancel the public hearing.

Calkins said he will contact them and see what is going on regarding the public hearing.

Cole said this would be a public meeting held by the developer, not the county.

Piech said his recollection is the public meetings were to be held in June. He said he believes the CDD hearing should be put off until there is a resolution regarding the three public meetings.

Wright said he supports that.

**Cole moved approval without objection to cancel the August 11<sup>th</sup> CDD Public Hearing until date to be determined.**

Dannheisser said he will advise them of that. Cole said there should be at least two public meetings before it is addressed.

9:00 AM Public Hearing

1) Public hearing to consider vacation of a public right-of-way as requested by Paradise at Blackwater, LLC.

**Cole moved approval without objection.**

**CONSENT AGENDA**

**Cole moved approval without objection.**

1) Minutes for Approval:

Approval of minutes from the May 26, 2022 Regular Meeting and the June 23, 2022 Budget Workshop.

2) County Administration - District One Medical Examiner Facility Location

Approval to conceptually support the new District One Medical Examiner office being located in Santa Rosa County.

3) County Administration - Lease Renewal with FDACS

Approval to renew a lease agreement with FDACS for use of a county-owned parcel at the corner of Pine Forest Road and Old Bagdad Highway and approve a sublease renewal between FDACS and the Division of Forestry.

4) County Administration - Noise Variance Requests

Approval of two noise variance requests as follows:

- Wedding reception at 5855 Osage Trail, Milton, FL from 5:00 PM - 11:00 PM on September 11, 2022
- Movie night at Windjammers on the Navarre Beach Pier on October 29 and October 30 from 8:00 PM - 10:00 PM and 8:00 PM - 12:30 AM, respectively.

5) County Administration - Task Order to Coastal Technology Corporation for Professional Services

Approval of Task Order No. 5 to Coastal Technology Corporation in a not-to-exceed amount of \$140,230 for professional services related to on-going Hurricane Sally grant management.

6) County Administration - Sale of Property at 8147 Segura Street

Approval to award bid for property at 8147 Segura Street to Patricia Cocciolone for the high bid in the amount of \$100,030.

7) County Administration - Sale of Property at 2166 Garcon Point Road

Approval to award bid for property at 2166 Garcon Point Road to Amy Estey for the high bid in the amount of \$25,000.

8) County Attorney - Sale of Property Adjacent to 1983 America Avenue, Gulf Breeze

Approval to sell a 45' by 419' parcel adjacent to 1983 Americas Avenue for \$1,500 pursuant to Section 125.35, Florida Statutes.

9) County Attorney - Acceptance of Donated Property

Approval to accept donated property from a non-profit corporation, Crab, Inc., for parcels adjacent to Tom King Bayou.

10) Event Requests

Approval of the following event requests:

- Mary Louise Bone and the "Pace Bridge" group requests to utilize the Benny Russell Event Room every Tuesday and Friday from 9:30 AM to 12:30 PM and requests a waiver of fees until June 30, 2023.
- Micro Systems, Inc. requests to utilize Technology Avenue and Innovation Lane in the I-10 Industrial Park to test GPS equipment from 7:00 AM to 4:00 PM on July 29, 2022.

11) Human Resources – University of West Florida Internship Agreement

Approval of an agreement with the University of West Florida regarding student interns.

12) Engineering - Ashley Plantation Retrofit Stormwater Design  
Approval of Task Order No. 20 to Baskerville Donovan for design services of Ashley Plantation retrofit drainage improvements in the amount of \$82,720 and authorize the chairman to sign all related documents.

13) Engineering - Peach Drive Drainage Easement  
Approval to accept a 20-foot drainage easement for the construction of drainage improvements and additional inlets on Peach Drive; authorize the chairman to sign all related documents.

14) County Attorney - Non-exclusive License Agreement for Occasional Parking on County Property  
Approval for staff to draft a non-exclusive license agreement for occasional parking on county property as described in the backup.

15) Facilities Management - Renewal of Contract with Paul Patrick Electric, Inc.  
Discussion and approval to exercise a one-year renewal with Paul Patrick Electric, Inc. for repair and maintenance services at county-maintained facilities.

16) Environmental - Annual Detailed Work Plan Budget for Mosquito Control  
Approval to submit the annual mosquito control work plan budget to FDACS for FY 2022-2023

17) Environmental - Purchase of Chevrolet Silverado 1500 Double Cab 4WD Work Truck  
Approval to purchase one 2022 or newer Chevrolet Silverado 1500 Double Cab 4WD work truck from Alan Jay Fleet Sales in the amount of \$40,168.

18) Environmental - Boone Bayou Construction Change Order No. 1  
Approval of Change Order No. 1 to provide 90 additional days to Complete Site Source for the Boone Bayou Project and authorize the chairman to sign all related documents.

19) Environmental - Navarre Beach Waste Valve Replacement  
Approval of contract award to Constantine Constructors for the Navarre Beach Waste Valve Replacement project in the amount of \$100,888 and authorize the chairman to sign all related documents.

20) Environmental - Navarre Beach Dune Restoration – Florida Department of Environmental Protection FY 2023/2024 Local Government Funding Request  
Approval of a resolution affirming Santa Rosa County will serve as the local sponsor for required construction and monitoring of the Navarre Beach Dune Restoration Project and authorize the chairman to sign all related documents.

21) Public Works - Plantation Woods Stormwater Pond Excavation  
Approval of Change Order No. 3 from Three Trades Consultants for the Plantation Woods stormwater pond excavation in the amount of \$121,479.85.

22) Public Works - Navarre Beach Bridge Fender System Design  
Approval of engineering fee proposal from Volkert Engineering in the amount of \$167,062 for the Navarre Beach Bridge fender system design and permitting; authorize the chairman to sign all related documents.

23) Public Works - Navarre Beach Causeway Seawall Design  
Approval of engineering fee proposal from Atkins North America in the amount of \$56,560 for the Navarre Beach Causeway seawall design and permitting; authorize the chairman to sign all related documents.

24) Budget Amendment 2022 - 133 Santa Rosa 2-1 Water Quality Monitoring Award  
Approval of Budget Amendment 2022 - 133 in the amount of \$786,346 to recognize the RESTORE grant award for the water quality monitoring program and allocate for expenditure in the Grant Fund.

25) Budget Amendment 2022 - 134 SRC Engineering/Environmental Renovation Design Task Order  
Approval of Budget Amendment 2022 - 134 in the amount of \$24,200 for the Task Order for professional architectural and engineering services related to the spatial/planning study of the SRC Engineering/Environmental, Veteran Services and Housing Departments.

26) Budget Amendment 2022 - 135 Milton Interchange Park Program Management  
Approval of Budget Amendment 2022 - 135 in the amount of \$218,063 to carry forward funds for the Milton Interchange Park Program Management as approved at the July 14th meeting.

27) Budget Amendment 2022 - 136 East Bay Cross Drain Replacement Design  
Approval of Budget Amendment 2022 - 136 in the amount of \$45,776 for the design of East Bay Cross Drain Replacement as approved at the July 14, 2022 meeting.

28) Budget Amendment 2022 - 137 East Bay Cross Drain Replacement Construction  
Approval of Budget Amendment 2022 - 137 in the amount of \$576,979 to Chavers Construction for the East Bay Cross Drain Replacement as approved at the July 14, 2022 meeting.

29) Budget Amendment 2022 - 138 Taxiway B Design Grant Award Agreement  
Approval of Budget Amendment 2022-138 in the amount of \$194,965 to recognize FAA grant of \$175,468 and 10% match of \$19,467 for the design of Taxiway B rehab construction at Peter Prince Airport as approved at the July 14, 2022 meeting.

30) Check Register  
Discussion and approval of the check register from July 8, 2022 - July 21, 2022.

31) County Administration - Edward Byrne Memorial Justice Assistance Grant  
Approval to submit a grant application to the Dept. of Justice in the amount of \$18,542 for the Edward Byrne Memorial Justice Assistance Grant; authorize the chairman to sign all related documents.

### **REGULAR AGENDA**

#### Economic & Tourist Development Committee - Piech & Cole

1) No items.

#### Administrative Committee - Cole & Calkins

1) No items.

#### Development Committee - Calkins & Parker

1) No items.

#### Operations Committee - Parker & Wright

1) No items.

#### Budget & Financial Management Committee - Wright & Calkins

1) No items.

#### Meeting List

All meetings are held in the County Administrative Center Boardroom, 6495 Caroline Street, Milton, Florida, unless otherwise indicated.

<u>MEETING</u>	<u>DATE</u>	<u>TIME</u>
Commission Special Rezoning	July 28	5:00 PM
Tourism Development Council	August 4	8:30 AM
Commission Committee Meeting	August 8	9:00 AM

**Cole moved approval without objection.**

#### Adjourn

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

BOARD OF COUNTY COMMISSIONERS  
SANTA ROSA COUNTY, FLORIDA

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By: Robert "Bob" Cole, Chairman

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Attest: Donald C. Spencer, Clerk of Court