

WALTON COUNTY CUSOMARY USE ORDINANCE ADVISORY COMMITTEE

Regular Meeting February 13, 2017

Walton County Courthouse Annex, Santa Rosa Beach, FL

MINUTES

PRESENT: Chair, Thomas McGee; David Bailey; Lisa Boushy; Beth Clay; Celeste Cobena; Lisa Evans; Charles Schneider; Mike Sturdivant; Brenda Rees

ABSENCES: Vice-Chairman, Mike Huckabee; Tammy Mims

STAFF: Sidney Noyes, Asst. County Attorney; Rick Wilson, Projects and Programs Manager; Marti Bishop, BCC Administrative Asst., acting as meeting recorder.

Call to Order: The meeting was called to order by the Chair, Thomas McGee who noted a quorum is in place.

Minutes for Approval: A motion was made by Beth Clay, seconded by Brenda Rees, to approve the Minutes of the meeting February 6, 2017. All Ayes, motion carried.

Public Comments (Restricted to Agenda Items Only And Limited to Three Minutes per Presenter): Mr. McGee called for any public comments. Public comments.

Statement by Mediator: Rob McNeely regarding pros and cons of each side's position. Mr. McNeely discussed the possible outcome of a decision to enact a customary use ordinance and the possible outcome if an ordinance is not enacted. Mr. McNeely discussed the possible legal issues regarding both sides of the issue.

ACTION: A motion was made by Mike Sturdivant, seconded by Lisa Boushy, to discuss the issues before a motion to call for a vote to support the customary use Ordinance is called. All Ayes, Motion carried.

Sheriff Michael Adkinson gave an overview of the role of the sheriff's office position on the authority of his officers to determine who has the right to say what happens on private property and what the boundary lines are. Customary Use – From a criminal standpoint, if an ordinance is passed, depending on the language, it would change the complainant from only the property owner to the property owner or the county (ordinance). Question and Answer period between the Committee and Sheriff Adkinson. Mr. Adkinson stated that the Sheriff's office will be as reasonable as possible in every case. He encouraged the Committee to recommend comprehensive education for the public as one of the most important actions once a decision is made. And his office will adjust their policies and practices to whatever the BCC decides. Sheriff Adkinson - We are going to be involved as a criminal or safety standpoint. With or absent an ordinance for customary use you cannot deprive someone of the peaceful use of their property. Sheriff Adkinson requested that the Board be as specific as possible in the customary use ordinance as to activities that are allowed and/or not allowed. Larry Jones explained the differences between the customary use ordinance and the beach activities ordinance. Public questions for Sheriff Adkinson. Mike Sherosé – question regarding private use of property. Richard Bryan – Video surveillance. Bob Brooke - Questions regarding the public using private beach property. Sheriff Adkinson encouraged anyone with further questions or concerns to contact Audie Rowell who is the South End District Commander.

5:35 pm Break 15 min.

Re-convene 5:45 pm

Each Committee member will be given 15 min to discuss their concerns and ideas regarding customary use on the beach as it relates to private property:

Mike Sturdivant, 11:15 Reserved; Brenda Rees, 7:45 reserved; Beth Clay, 12:55 reserved; Charles Schneider, 6:00 reserved; Lisa Boushy, 8:00 reserved; Lisa Evans, 8:45 reserved; David Bailey, 4:20 reserved; Celeste Cobena, 2:00 reserved

7:17 pm – Chairman McGee - requested the committee focus on the customary use issue to better use the time available. Mr. McGee recommended paring down paragraph 4 to only the following activities (list them) and eliminate paragraph 5. Activities on public beach are covered by the Beach Activities Ordinance and are not being considered by this committee. Suggested that the Ordinance be properly promulgated and the cost borne by the TDC. Motion for Sidney Noyes, OCA, to draft and bring back to the committee recommend changes to the Customary Use Ordinance with only the following activities allowed on private beaches: (paragraph 4) Walking; jogging; sitting on the beach; swimming; surfing; sunbathing; fishing and building sand creations. No tobacco or alcohol may be used on private property. Strike paragraph 5. Ayes: Lisa Boushy; Beth Clay; Celeste Cobena; Lisa Evans; Charles Schneider; Mike Sturdivant; Brenda Rees. Nay: David Bailey.

Sidney Noyes will also draft language, for the committee's approval, to represent the committee's intent and will bring back to the next meeting.

Motion by Celeste Cobena, seconded by Mike Sturdivant, to set the next committee meeting for February 27th, 2017 beginning at 4:00 pm. All ayes, motion carried.

Committee discussion.

Motion by Lisa Boushy, seconded by Mike Sturdivant, to adjourn the meeting. All ayes, motion carried.

Adjourn: There being no further business, the meeting was adjourned by the Chair at 8:07 pm.

Respectfully submitted by: Marti Bishop/January 14, 2017/BCC Administration