

**WALTON COUNTY CUSOMARY USE ORDINANCE ADVISORY COMMITTEE**

**Regular Meeting February 27, 2017**

**Walton County Courthouse Annex, Santa Rosa Beach, FL**

**MINUTES**

**PRESENT:** Chair, Thomas McGee; Vice-Chairman, Mike Huckabee; Tammy Mims; David Bailey; Lisa Boushy; Beth Clay; Celeste Cobena; Lisa Evans; Charles Schneider; Mike Sturdivant; Brenda Rees

**ABSENCES:** None

**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 Lisa Boushy, seconded by Tammy Mims, to approve the Minutes of the February 13, 2017 meeting. All Ayes, motion carried.

**Statement by Chair:** Due to their absence at the previous Customary Use Meeting, Mr. McGee called for comments from Mr. Huckabee and Mrs. Mims to discuss their concerns and ideas regarding customary use on the beach as it relates to private property. Mr. Huckabee and Mrs. Mims comments.

**Public Comments (Restricted to Agenda Items Only And Limited to Three Minutes per Presenter):** Mr. McGee called for any public comments. Public comments by Jim Bagby and Richard Bryan.

**ACTION:** Committee discussion and reading of motion proposed at previous meeting and recommended changes.

Motion made by Beth Clay, seconded by Brenda Reese to approve a redacted version, with updates from this meeting, of the customary use Ordinance to be presented, as this Committee's recommendations, to the BCC. To be updated/drafted and distributed by Sidney Noyes. 9 Ayes (Brenda Reese, Beth Clay, Tammy Mims, Celeste Cobena, Charles Schneider, Mike Sturdivant, Lisa Boushy, Lisa Evans, Mike Huckabee), 1 Nay (David Bailey). Motion carried. Sidney Noyes will draft the proposed ordinance recommendations as approved.

Motion by Mike Sturdivant to add language to the Ordinance regarding a buffer zone. Motion dies for a lack of second.

Motion by Lisa Evans, Seconded by David Bailey, to recommend that the County delay the implementation and enforcement, of a Customary Use Ordinance, until they have had sufficient time to review this committee's efforts and input from the Sheriff's department. Committee discussion. 4 Ayes (Lisa Evans, David Baily, Mike Huckabee, Tammy Mims) 6 Nays (Brenda Reese, Beth Clay, Celeste Cobena, Charles Schneider, Mike Sturdivant, Lisa Boushy). Motion denied.

Motion by Lisa Boushy to recommend to the BCC that this Ordinance shall become effective on such date as the BCC finds that this Ordinance is property promulgated and Walton County, Walton County Sheriff's Office and TDC Code enforcement are prepared to enforce the provisions herein, but not later than December 31, 2017. Dies for a lack of second.

Committee Discussion regarding recommendations of promulgation of the Ordinance to the BCC.

Motion by Lisa Boushy, seconded by David Bailey, to add an amendment to the Ordinance to state: whenever the general public's uses, listed in paragraph 4 of this section, may infringe on or interfere with the right of the property owner to use their deeded property, upon the request of the property owner or the property owners legally authorized agent, the general public shall move or relocate to the extent necessary to eliminate the infringement or interference.

Committee discussion. 3 Ayes (Lisa Boushy, David Baily, Beth Clay) 7 Nays (Brenda Reese, Celeste Cobena, Charles Schneider, Mike Sturdivant, Lisa Evans, Mike Huckabee, Tammy Mims), motion denied.

Motion by Mike Huckabee, seconded by Lisa Evans, to recommend to the Board of County Commissioners to purchase land for the purpose of general public beach accesses, restroom facilities and parking. Also, to work cooperatively with existing state parks for greater access to the beach by the general public including parking and restroom facilities. Committee discussion. 9 Ayes (Mike Huckabee, David Bailey, Lisa Evans, Lisa Boushy, Tammy Mims, Beth Clay, Brenda Reese, Celeste Cobena, Charles Schneider) 1 Abstain (Mike Sturdivant), motion carried.

Motion by Lisa Boushy, seconded by David Bailey, to recommend the BCC adopt a resolution to set a fine schedule of: 1<sup>st</sup> Warning; 2<sup>nd</sup> \$50; 3<sup>rd</sup> \$100; 4<sup>th</sup> \$250; 5<sup>th</sup> \$500. Committee Discussion. All Nays, motion denied.

Motion by Beth Clay, seconded by Lisa Evans, to encourage the Board of County Commissioners to erect signage at public accesses to educate the public on the rules and regulations enacted for Customary Use, paid for by the TDC. Committee discussion. 8 Ayes (Brenda Reese, Beth Clay, Mike Huckabee, David Bailey, Lisa Evans, Charles Schneider, Celeste Cobena, Lisa Boushy), motion carried.

Motion by David Bailey, seconded by Lisa Evans, to recommend that the BCC add a paragraph to the Ordinance, under section 2 after paragraph 1, to state: The right of private entities, owning dry sand areas of the beaches, to use such areas for any activity not prohibited by federal, state or local government statute, is hereby recognized and protected. Committee discussion. 6 Ayes (Mike Huckabee, David Bailey, Lisa Evans, Lisa Boushy, Tammy Mims, Beth Clay), motion carried.

Motion by Mike Sturdivant, to move the previous motion just passed to paragraph 7. Motion died for a lack of a second.

Motion by Mike Huckabee, seconded by Lisa Evans, to submit to the County what has been drafted and recommended by this Committee. All ayes, motion carried.

Judge McGee thanked everyone involved and will present the findings of this Committee to the Board of County Commissioners at their next meeting. Mr. McGee offered Mr. Bailey 10 minutes for comment.

Motion by David Bailey, seconded by Mike Sturdivant, to adjourn. All Ayes, motion carried.

Larry Jones thanked all of the Committee members for their participation.

**Adjourn:** 6:50 pm.