

MAY 11, 2009 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Monday, May 11, 2009, at 4:00 p.m., at the South Walton Annex.

The following Board members were present: Commissioner Sara Comander, Chairman; Commissioner Scott Brannon, Vice-Chair; Commissioner Larry Jones; Commissioner Kenneth Pridgen; and Commissioner Cecilia Jones. Mr. Ronnie Bell, County Administrator; Mr. Mike Burke, County Attorney; and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner L. Jones led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Comander called the meeting to order.

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

1. Approve Expenditure Approval List (EAL)	
General Fund	\$ 734,906.17
County Transportation	\$ 404,905.50
SHIP	\$ 9,236.90
Fine & Forfeiture	\$ 1,032,974.94
Section 8 Housing	\$ 1,149.80
Tourist Dev. Council	\$ 49,595.38
N.W. Mosquito Control	\$ 585.71
W. Co. Library	\$ 5,359.70
Recreation Plat Fee	\$ 13,200.70
Public Safety- 911	\$ 14,878.73
Solid Waste Enterprise	\$ 366,887.19
Special Law Enf. Trust	\$ 8,280.00
Sidewalk Fund	\$ 6,776.14
Bldg Dept/Enterp. Fund	\$ 1,388.82
Imperial Lakes MSBU	\$ 2,765.91
Inmate Canteen Fund	\$ 7,314.64
Capital Projects Fund	\$ 458,622.92
Totals	\$ 3,118,829.15

2. Approve Minutes of April 28, 2009 Regular Meeting and Workshop

May 11, 2009 - Regular Meeting
Prepared by: Tina Earley

3. Approve Investment Report for Quarter Ended March 31, 2009
4. Approve Interlocal Agreement concerning Building Department Services with the City of DeFuniak Springs
5. Approve Lease Agreement with Regional Utilities for 1.5 acre parcel
6. Approve Edward Byrne Memorial Justice Assistance Grant (JAG) Program-American Recovery and Reinvestment Act of 2009 as requested by the Sheriff's Office
7. Approve request from Regional Utilities to sell abandoned water well site #10
8. Surplus BCC 5213 and BCC 5214 (two Solid Waste Facility John Deere Gators) to the Walton County Correctional Institute

Mr. Ronnie Bell, County Administrator, presented from Citizen Services, a request to adopt Resolution **(2009-49)** amending Resolution 2009-01 approving the Local Housing Assistance Plan Incentive Strategies as required by the State Housing Initiatives Partnership Program Act.

Motion by Commissioner Pridgen, second by Commissioner L. Jones, to adopt Resolution **(2009-49)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell presented from the Emergency Response Division, a request to adopt Resolution **(2009-51)** declaring the week of May 19-23, 2009 as Emergency Medical Services Week.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to adopt Resolution **(2009-51)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell presented from Public Works, a request for permission to enter into LAP Agreements with FDOT and approve a waiver from the local vendor preference requirement.

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

Mr. Bell requested considering the proposed agreement with Mr. John King regarding Goldsby Road. The Legal Department has drawn up the agreement and Mr. King has approved it.

Mr. Allen Brown, Deputy Public Works Director, provided a handout from the South Walton Fire District. Mr. Sammy Sanchez, South Walton Fire Marshal, is in full support of an alternative route to Hwy 98. An environmental assessment has also been conducted.

Chairman Comander questioned the time frame. Mr. Brown briefly discussed the option of a dirt/gravel road to be paved in the near future. Their goal is to improve traffic circulation and safety for the residents.

Mr. Bob Goldsby expressed his support of an alternative route.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve the agreement with Mr. King regarding Goldsby Road as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested to establish a Capital Improvement Project Account for Lakeview Circle, in the amount of \$75,000. He stated that this was de-obligated in the 2007-08 budget year and they would like to add that into the 2008-09 budget year.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve a Capital Improvement Project Account for Lakeview Circle, in the amount of \$75,000. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested awarding RFP 09-015 to low bidder, Tractor & Equipment, for one Wheel Loader, in the amount of \$237,940.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to award RFP 09-015 to low bidder, Tractor & Equipment, for the amount of \$237,940. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested awarding RFP 09-016 to low bidder, Pensacola Tractor, for two 4x4 Tractors with Boom Mowers, each in the amount of \$90,895.75.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to award RFP 09-016 to low bidder, Pensacola Tractor, for a total amount of \$181,791.50. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested acceptance of all Driftwood Drainage Easements and permission to construct the improvements for the northwest outfall (Bay Villas Outfalls, Diethelm Trust NW Outfall and Driftwood Estates Phase II Common Areas).

Attorney Mike Burke, County Attorney, stated that some of the easements had a requirement for additional language. He recommended allowing the County Attorney to add the sovereign immunity language to those easements.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to accept the above mentioned Driftwood Drainage Easements and allow the County Attorney to add sovereign immunity language. Ayes 3, Nays 0. Comander Aye, Pridgen Aye, C. Jones Aye. Commissioners L. Jones and Brannon abstained from voting.

Mr. Bell requested to allow the Clerk of Court to collect on the Arrow Westdale Limited Liability Limited Partnership letter of credit for the Tuscana Subdivision, in the

amount of \$41,827.50, if the letter of credit is not extended before the expiration date on May 24, 2009.

Chairman Comander questioned Mr. Lyle Seigler, Public Works Director, if they are going to request an extension. Mr. Seigler agreed that they are going to request for an extension prior to May 24, 2009.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to approve collection on the Arrow Westdale Limited Liability Limited Partnership letter of credit as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Seigler gave a brief overview of the Solid Waste Facility and stated that viable alternatives are being reviewed.

Mr. Bell requested approval of the Mack Bayou and Gulfview Heights Pedestrian Path change order #1, in the amount of \$18,742.73. He stated that \$5,000 of the Gulfview Heights improvements would be reimbursed to the County through TDC because it connects to a TDC park.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the Mack Bayou and Gulfview Heights Pedestrian Path change order #1, for the amount of \$18,742.73, as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell presented, from the Administration Department, a request from the Children's Volunteer Health Network (CVHN) for the County Shop to perform routine maintenance on their bus. He recommended approval and to have an agreement with the CVHN stating they would reimburse the County for the cost of parts.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to allow the County Shop to perform routine maintenance on the CVHN bus and an agreement with the CVHN to reimburse the county for the cost of parts. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell stated that the McKnight contract expires July 26, 2009 for the multi use path maintenance at GEC and medians along Hwy 98. He recommended terminating the contract effective May 31, 2009 due to budget constraints. The Public Works Department and inmate labor will be used to perform these services.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to approve termination of the McKnight Contract, effective May 31, 2009, as recommended. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell stated that they had received an emergency permit to open the Oyster Lake outfall a few weeks ago when we were under a local state of emergency. Without the property owner's permission, a permit from DEP cannot be obtained in order to open the outfall. He expressed his appreciation to Ms. Lisa Boushy, property owner, for her assistance during the high elevation level of the lake. Ms. Boushy signed an agreement with the County to have her property restored to its original state before the outfall was opened. In order to go forward with this process, a permit from DEP has to be applied for.

Attorney Burke reminded the Board that this is the issue in which the Board authorized the County Attorney to petition the Florida Supreme Court regarding the adverse ruling from the First Court of Appeal. Until the conclusion of the Florida

Supreme Court to overturn the decision, Ms. Boushy would have to give permission for the outfall to be opened.

Brief discussion ensued regarding the Oyster Lake outfall issues.

Ms. Jacquee Markel, Mr. Ed Underwood, and Ms. Susan Wittenberg expressed concerns regarding the restoration, preservation, and armoring of the Coastal Dune Lakes.

Ms. Boushy expressed concerns with the damages and issues on her property due to the opening of the outfall.

Chairman Comander asked Attorney Burke if any decision made would affect the lawsuit, and if it would be prudent to have a public hearing for the Oyster Lake homeowners to express their concerns.

Attorney Burke explained that Ms. Boushy allowed them to come upon her property to open the outfall in order to alleviate flooding. He recommended approval to return her property back to the state it was in before the outfall was opened.

Brief discussion ensued regarding the need for permits and outfall issues.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to approve moving forward to get a permit from DEP to restore Ms. Boushy's property as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Chairman Comander suggested holding a workshop for the Oyster Lake homeowners to express their concerns.

Mr. Bell requested acceptance of the Darlington Community Center Association Deed.

Motion by Commissioner Pridgen, second by Commissioner L. Jones, to approve the Darlington Community Center Association Deed as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested approval to send a second ballot for the Beachview Heights MSBU and approval of Government Service Group (GSG) to administer the MSBU program. The results of the first ballot are as follows: Option 1 for roads and drainage without burying all utility lines- 26 yes votes, 6 no votes; Option 2 for roads and drainage with burying all utility lines- 22 yes votes, 8 no votes. The second ballot would allow GSG the opportunity to provide the cost per lot. Upon MSBU adoption they are considering County responsibility for construction and acceptance of easements as county maintained roads. The subdivision would provide the County with the funding to move forward.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve a second ballot for Beachview Heights MSBU and allow GSG to administer the MSBU program.

Mr. David Kramer suggested considering an alternative such as a limestone based road rather than the expense of an asphalt road to save the homeowners and county some money. He urged the Board to consider the financial situations of some of the residents.

Mr. Bell answered that this will include a lime rock based asphalt road, stormwater, and ditching. He recommended moving forward with the second ballot, contract the MSBU, and bring the second ballot responses back to the Board.

Brief discussion continued regarding the ballot process and notification system.

Mr. Philip Fleet, Gulfview Heights HOA Vice-President, stated that at their March 11, 2009 meeting there was clear consensus on the plan of action to pursue.

Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell presented a request by the Liberty Fire District for legal assistance by the County Attorney in the grant application and closing paperwork for their Liberty South Station, located on Hwy 90 west, across from the County Maintenance Facilities.

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

Mr. Bell requested approval of an Interlocal Addendum for Governmental Services for the Harbeson Gas Barn. The Chairman and Mayor have worked on the addendum to include the lease of the old Gas Barn into the lease with the Harbeson Recreational Complex. The addendum will add ten years to the term of the original agreement. He recommended approval.

Motion by Commissioner C. Jones, second by Commissioner Brannon, to approve an Interlocal Addendum for Governmental Services for Harbeson Gas Barn as requested. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell requested to surplus BCC 1686, a 1993 Ford pick-up truck, from Facility Maintenance and place it in the upcoming auction.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve auctioning BCC 1686, a 1993 Ford pick-up truck, at the upcoming auction. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Bell presented a request from Mr. Bobby Beasley, Supervisor of Elections, for approval of a Certificate Regarding Matching Funds for Federal Election Activities Grant Money, totaling \$1,460.91. He recommended approval.

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

Chairman Comander called the public hearing to order to consider an Ordinance **(2009-08)** amending Chapter 14, Parks and Recreation Ordinance, by revising Section 14-5 (Recreational Activities in Park Areas).

Chairman Comander asked for public comment.

There was no public comment.

Motion by Commissioner Brannon, second by Commissioner L. Jones, to adopt Ordinance **(2009-08)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Chairman Comander called the public hearing to order to adopt a Fee Resolution **(2009-50)** for reserving community centers and sporting fields.

Chairman Comander asked for public comment.

There was no public comment.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to adopt Fee Resolution **(2009-50)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Ms. Liz McLeod, Leadership Walton, requested approval for Leadership Walton Group to initiate and assist with “Adopt A County Road” program. She expressed

appreciation to the Legal Department and Mr. Fred Betts for help with their sign. The program will ask groups to adopt a two mile quadrant to be cleaned at least four times a year. Items provided by the County include blue bags and safety vests.

Chairman Comander clarified that the roads to be adopted are county roads. Ms. McLeod confirmed.

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

Mr. Sonny Mares, TDC Executive Director, requested to delay the Ed Walline Regional Access life guard storage facility until a later date.

Mr. Mares requested adoption of Resolution **(2009-54)** requesting a ½ cent increase to the Tourist Development Tax. Mr. Maurice Gilbert, TDC Chairman, read aloud the resolution for approval. He stated that the TDC is a marketing and tourism development organization that has been affected enormously. We must seek more markets to give the Bed Tax Collectors an opportunity to raise their occupancy level. TDC recommended an effective date of October 1, 2009, a sunset of the resolution after five consecutive years, and guarantee the collected funds will be placed in a separate account to be used only for marketing and connection with opening new low cost airlines. Their discussion with the Tax Payers Association resulted in collaborate effort and productive input.

Chairman Comander asked Mr. Mares if the results of the resolution could be reviewed every twelve months. Mr. Mares stated that it would be difficult to show more than a moderate increase within the first year due to advertising and other costs. He

briefly explained information regarding the calculations and estimations for Walton County in the future. Chairman Comander suggested coming back within the first year with a marketing plan to show what has been done and how the money is spent. Mr. Mares agreed.

Chairman Comander asked for public comment.

Mr. Larry Gibson, Ms. Suzanne Harris, Ms. Mary Nielson, and Ms. Charlotte Flint spoke in opposition of the resolution as presented.

Mr. Mike Chouri, Mr. Leno Maldonado, Ms. Bonnie McQuiston, and Ms. Dawn Moliterno spoke in favor of the resolution as presented.

Discussion continued regarding the possible effects of the ½ cent increase in Tourist Development Tax.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to adopt Resolution **(2009-54)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

The meeting recessed at 5:46 p.m. and reconvened at 5:56 p.m.

Ms. Anna Hamer requested the Board reject the proposed TDC design for the Inlet Beach restroom facility. She expressed appreciation to TDC for the changes that have been made to the design, but the design is still unacceptable to the community. She briefly discussed the affect the design will have on tourism. She questioned why the TDC is pushing for something that will have such a negative impact on the community.

Mr. Mares commented that this project has been brought before the Board on several occasions. Some changes have been made to their original designs and plans for the restroom facility, and it is consistent with the other seven regional accesses. A letter

from the Bureau of Land Management was provided stating their approval and no expectations of adverse effects. They have tried to come to an agreement with the residents and they feel this is the best solution.

Chairman Comander questioned if the other beach accesses have had vandalism issues as mentioned by Ms. Hamer. Mr. Mares stated that they have not.

Mr. Chris Brockmeyer, WilsonMiller, briefly explained the impact on scrub oaks and other infrastructure concerns with the Inlet Beach restroom facility.

Ms. Lynn Stafford questioned square footage of the facility, the cost, and the comparison to the facilities in Water Color and Rosemary Beach. Mr. Mares stated that the restroom is 375 square feet per building, with a roof going over both buildings and built to ADA code. They feel that the facility will be under built if the design is changed.

Commissioner Brannon clarified that the project still has not been competitively bid at this time. Mr. Mares confirmed that it has not.

Brief discussion continued regarding the structure of the facility, meetings with residents regarding the facility, and bid information.

Chairman Comander recommended that Mr. Mares meet with Ms. Hamer for clarification on some of her concerns.

Chairman Comander called the public hearing to order to consider an Ordinance repealing Ordinances 1996-15 and 1997-30 relating to the control and abatement of excessive noise in Grayton Beach, Chaparral Estates, Hidden Harbors, and Holiday Shores.

Chairman Comander asked for public comment.

Attorney Burke commented that this ordinance will expand the Grayton Beach Noise Ordinance countywide. A public hearing will need to be held in DeFuniak Springs as well.

Lengthy discussion continued and several audience members expressed concerns and suggestions to the ordinance as presented.

Sheriff Adkinson explained some legal/authority issues that were questioned in discussion.

Commissioner L. Jones and Chairman Comander suggested the use of off duty policemen to help address the parking, noise, and disorderly issues.

Chairman Comander stated that a second public hearing for the Noise Ordinance will be held on June 23, 2009.

Chairman Comander called to order the second public hearing regarding a 2008 Community Development Block Grant (CDBG) Economic Development Application.

Mr. Fred Fox stated that Florida Transformer, Inc. has requested that the county apply for a CDBG, in the amount of \$174,900. The following information explains how the funds will be used: \$137,494 will extend the force main and install a lift station to the Florida Transformer facility, \$23,416 will design the lift station and force main, and \$13,990 will administer the grant. The new scrap metal recovery facility at Florida Transformer will cost approximately \$700,000. The site is located north on State Highway 83. The City of DeFuniak Springs has agreed to accept the sewer line and force main, and they have asked that the County retain the lift station. Florida Transformer, Inc. has agreed to enter into an agreement with Walton County to maintain the lift station.

Chairman Comander asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to adopt the CDBG application from Florida Transformer, Inc. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to adopt Resolution **(2009-53)** to submit the CDBG application. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve Resolution **(2009-52)** for the Community Development Plan long term and short term goals. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to approve an Interlocal Agreement in which the City of DeFuniak Springs will own the sewer line, and Walton County will own the lift station. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to direct the County Attorney to draft an agreement with Florida Transformer, Inc. in which Florida Transformer will be responsible for maintaining the lift station, with no obligation to the County. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Mr. Harry Chiles, Attorney for Nabors Giblin & Nickerson, briefly discussed the history of the case and requested approval of the settlement agreement regarding Richard

C. and Joan Langford vs. Walton County (Case No.: 03-CA-122). He recommended approval.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the settlement agreement for Richard C. and Joan Langford vs. Walton County as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Attorney Henry stated that the State Attorney has asked the County if they wish to seek restitution on a criminal matter, in the amount up to \$80,000, which is now pending in the courts. He recommended seeking restitution.

Motion by Commissioner Brannon, second by Commissioner L. Jones, to approve the recommendation by the Legal Department to seek restitution on the pending case as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Commissioners C. Jones, L. Jones, and Brannon had no items to present.

Commissioner Pridgen stated that they have been trying to obtain a grant from the Florida Community of Trust for the Natural Bridge property, but now the legislature is not going to fund this year's program. He suggested using the funds available in the Preservation Fund to purchase the property. They can continue to apply for the grant and after those funds are awarded they will be returned to the Preservation Fund.

Commissioner C. Jones questioned the amount that would be used. Commissioner Pridgen answered that it would be approximately \$600,000.

Attorney Henry stated that under the Land Development Code, the use of the Preservation Funds would be authorized, but Resolution 2002-05 was adopted and does

not include that language. Resolution 2002-05 limits those funds to be used only for the restoration of native vegetation on public lands as a public need shall justify. The Land Development Code states that the fees should be placed in a fund for the acquisition of recreational development of greenway corridors, or other open spaces which would remain in a substantially natural condition. He stated that Resolution 2002-05 needs to be amended to include the language from the Land Development Code.

Motion by Commissioner Pridgen, second by Commissioner L. Jones, to adopt a Resolution **(2009-55)** to amend Resolution 2002-05 adding the Land Development Code language regarding the Preservation Fund. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve using the funds available in the Preservation Fund to purchase the Natural Bridge property.

Commissioner L. Jones questioned if problems could occur when seeking those funds for the repayment of the Preservation Fund. Mr. Bill Imfeld, Finance Director, answered that this grant is one of the few that allows seeking reimbursement after the funds have been used.

Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Chairman Comander suggested addressing Code Enforcement about the private property issue with weddings.

Chairman Comander asked for additional public comment.

Ms. Martha Ingle, Clerk of Court, clarified that the Clerk of Court does have an employee that collects the TDC taxes. Confidential audits are performed on the collections, and they are pursuing those entities that do not collect Bed Taxes.

Mr. Jason Bryan, Planner, stated that the Walton County Apartments PUD had been removed from the agenda until further notice.

Mr. Bryan presented for adoption, the second reading of the Whispering Shores Scrivener's Error Corrective Ordinance **(2009-09)**.

Chairman Comander asked for public comment.

There was no public comment.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to adopt Ordinance **(2009-09)** as presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to adjourn the meeting at 8:00 p.m. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, Pridgen Aye, C. Jones Aye.

APPROVED _____
Sara Comander, Chairman

ATTEST _____
Martha Ingle, Clerk of Courts