

REGULAR MEETING – JULY 28, 2009

The Board of County Commissioners, Walton County, Florida, called to order the regular meeting on July 28, 2009 at 3:05 p.m., at the Walton County Courthouse in DeFuniak Springs in order to recess into Executive Session.

The following Board members were present: Commissioner Sara Comander, Chair; Vice-Chair; Commissioner Larry Jones; Commissioner Cecilia Jones; and Commissioner Kenneth Pridgen. Mr. Ronnie Bell, County Administrator; and Attorney Mike Burke, County Attorney, were also present.

Attorney Mike Burke, County Attorney, stated that litigation strategy for D & H Sand, Inc. v. Walton County (2009-AP-000001) would be discussed during the Executive Session. Also attending the executive session would be Ms. Lynn Hoshihara, Staff Attorney, and a certified court reporter.

The meeting recessed at 3:06 p.m. and entered into Executive Session. This meeting was not open to the public pursuant to Florida Statute 286.011(8).

The Executive Session adjourned at 3:45 p.m. and the regular meeting reconvened at 4:00 p.m.

Commissioner Scott Brannon and Ms. Martha Ingle, Clerk of Court, were present during the regular meeting.

Commissioner Pridgen led the invocation followed by the Pledge of Allegiance to the American Flag.

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

1. Mr. Bell asked to add to Agenda Item 4b an approval request to incur pre-agreement cost for the Florida Transformer project.
2. Mr. Bell requested an opportunity to announce which departments would be reviewed by the Clerk of Court Internal Auditor.
3. Commissioner Pridgen asked to announce a historical marker dedication to his agenda item.
4. Commissioner C. Jones asked to add a request for special meeting to be held on August 18, 2009 to her agenda item.
5. Commissioner Brannon asked to address the County Administrator position following the Consent Agenda.

Chairman Comander recognized the county and city officials attending the meeting. She also welcomed newly elected Freeport City Council Member, Ms. Elizabeth Brannon.

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 711,729.43
County Transportation	\$ 542,588.80
SHIP	\$ 15,265.00
Fine & Forfeiture	\$ 938,587.00
Section 8 Housing	\$ 132,158.23
Tourist Dev. Council	\$ 178,010.88
N.W. Mosquito Control	\$ 24,617.26
W. Co. Library	\$ 4,994.54
Recreation Plat Fee	\$ 11,248.14
Public Safety- 911	\$ 98,946.00
Solid Waste Enterprise	\$ 20,155.77
Sidewalk Fund	\$ 36,747.48
Bldg Dept/Enterp. Fund	\$ 781.50
Inmate Canteen Fund	\$ 12,074.16
Capital Projects Fund	\$ 294,451.12
Totals	\$ 3,022,355.31

2. Approve minutes of July 9, 2009 Budget Hearing and July 14, 2009 Regular Meeting.

Commissioner Brannon read and submitted a prepared statement addressing the impending vacancy of the County Administrator position. He recommended that Human Resources be directed to immediately conduct a review of the organizational structures of the Administration office and various other local government offices. He also recommended appointing an Interim County Administrator to aid in the transition.

Motion by Commissioner Brannon, second by Commissioner Pridgen to appoint current Public Works Director, Mr. Lyle Seigler, as Interim County Administrator.

Commissioner L. Jones stated that he was in support of the appointment upon the condition that an Interim Public Works Director also be appointed. Attorney Mike Burke, County Attorney, stated that Mr. Ronnie Bell, County Administrator, will be in his current position until September 29, and that the appointment would not take affect until that date. Mr. Bell stated that he would be taking time off due to an accumulation of leave and recommended allowing Mr. Seigler to begin immediately. This would allow him to work with Mr. Seigler and staff in preparation for his retirement.

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

Motion by Commissioner Brannon, second by Commissioner Pridgen, to direct Human Resources to conduct an organizational study of County Administration and other local governments, and report back to the Commission.

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

Attorney Burke asked who would have full authority, the County Administrator or the Interim. Mr. Bell recommended that Mr. Seigler be given equal authority. Attorney

Burke stated that enacting an immediate start date for Mr. Seigler would classify Mr. Bell as a Deputy or Assistant County Administrator.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to make the Interim County Administrator position effective July 29, 2009. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Chairman Comander stated that an Interim Public Works Director would be presented at the August 11, 2009 BCC meeting. Mr. Bell stated that Mr. Seigler would make that decision upon his transition.

Ms. Janine Rogers-Harris, Community Relations Manager, Florida Department of Elder Affairs, presented to the Board and other community leaders the 2009 Communities for a Lifetime Award-New Community for excellence in addressing the needs of the senior residents. She stated that Walton County has set a standard by being the first county in the State to work with all of its municipalities (DeFuniak Springs, Freeport, and Paxton) in evaluating the needs of older residents, and by being the first county to produce a publication dedicated to addressing the special opportunities available to senior residents.

Commissioner Brannon presented to the Walton County Master Gardeners a Certificate of Appreciation for the time and effort put into maintaining the entrance to Morrison Springs County Park.

Mr. Bell requested that a letter of support for grant application be given to PanCare of Florida, Inc. PanCare has an opportunity to apply for a stimulus grant that would allow for the acquisition and expansion of a medical office building in Freeport to

provide a primary care and dental clinic; and a garage to house a mobile medical unit. The county will not be responsible for operational costs.

Motion by Commissioner Brannon, second by Commissioner L. Jones, to approve the execution of a letter of support for grant application on behalf of PanCare of Florida, Inc. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell presented a request by PanCare of Florida, Inc. to install water and wastewater lines, at their expense, in their offices currently being leased from Walton County in the Health Department Coastal Facility. He also requested that the Board approve for PanCare to work with the Construction Manager.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the installation of water and wastewater lines in the PanCare offices and to allow the Construction Manager to work with PanCare on the installation of said lines. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell presented the Affordable Housing Advisory Committee recommendations as follows:

1. To deny the subordination request for a first time homebuyer client, and direct the County Attorney to inform the recipient that the mortgage is in default and to make payment arrangements.
2. To deny, in favor of assisting only U.S. citizens, the policy guidance for participation in SHIP by lawful permanent residents or legal aliens (green card holders), and
3. Approval of the incorporation of the Florida Homebuyer Opportunity Program strategy into the Local Housing Assistance Plan, adopt the resolution **(2009-67)** amending the Local Housing Assistance Plan to implement the program.

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

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to adopt a resolution **(2009-67)** amending the Local Housing Assistance Plan. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Chairman Comander expressed her gratitude for the people who are serving on the SHIP Committee.

Mr. Bell reported that no bids were received for Animal Shelter Cages (ITB 09-030). However, one company, Shoreline, did contact the OMB offices after the bid closed. Attorney W. C. Henry, County Attorney, recommended that the Board motion to cancel the bid process, declare a sole source, and direct staff to negotiate with Shoreline for purchase of the cages needed for the animal shelter. The cages will be needed prior to the shelter opening on October 1, 2009.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to cancel the bid, declare a sole source, and direct OMB to work directly with Shoreline to provide the needed Animal Shelter cages. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell presented a request by the Emergency Response Division to approve a Certificate of Public Convenience and Necessity (COPCN) for Air Methods, Inc. (f/k/a Airheart).

Mr. Randy Layman, Air Methods, Inc. Florida Business Manager, stated that the COPCN is needed to apply and renew their state license. Mr. Bell voiced concern regarding the amount of payment for services. Mr. Layman stated that the company is a private operator that does not receive county subsidies. He briefly explained the billing structure and that an average bill could total up to \$18,000, depending on the level of care

needed. Discussion ensued on the inability of patients to pay the total bill and whether negotiations could be made.

Motion by Commissioner C. Jones, second by Commissioner L. Jones, to approve the COPCN for Air Methods, Inc. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Chairman Comander directed Mr. Layman to work with staff to find a solution for the payment dilemma.

Mr. Bell presented a request by Fire Rescue to purchase a new copier to replace the one taken to the Sheriff's Office during the transition of Emergency Management. This was a capital outlay project and the funds, in the amount of \$7,795, are available.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the purchase of a new copier for Fire Rescue in the amount of \$7,795. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Ryan Douglass, Public Works Staff Engineer, requested approval of Pompano Street Improvements Change Order No. 2 in the amount of \$18,881.00. Three dune walkovers had to be removed to construct this project. This project is completely funded by FEMA.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve Pompano Street Improvements Change Order No. 2. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell requested approval of a Developer's Agreement with Crystal View Owners Association, Inc. to landscape a part of the county right-of-way along the frontage of Crystal View Condominiums.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the developer's agreement with Crystal View Owners Association, Inc. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell requested approval of the 2009 County Incentive Grant Program (CIGP) road projects to be submitted to the Department of Transportation (DOT) for consideration. The road projects included are CR 3280 in the amount of \$2,072,400, CR 280 in the amount of \$2,603,040, and CR 183 in the amount of \$2,270,400. He asked the Board to rank and approve these three roadways.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the 2009 CIGP road projects to be submitted to DOT; and to rank the projects in the order presented. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell requested a letter be sent to the U.S. Army Engineer District requesting a public hearing be held in Walton County to discuss the proposed Water Supply Reservoir. The proposed reservoir will be located in Dale and Houston Counties, Alabama and will dam up the Little Choctawhatchee River.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to send a letter requesting a public hearing to discuss the proposed water reservoir. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Ms. Crystalyn Carey, NG&N, presented for adoption the Initial Assessment Resolution for Beachview Heights Subdivision Roadway and Drainage Improvements and Buried Utility Improvements Special Assessment (**2009-69**). The buried utilities assessment would be held only against the properties using the buried utilities. She stated

that the public hearing required by this resolution to adopt or deny the MSBU will be held on September 1, 2009 at 4:00 pm at the South Walton Annex. Mr. Bell stated that the September 1 meeting is to give time for prepayment and to certify the roll.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to adopt the Initial Assessment Resolution **(2009-69)** for Beachview Heights Subdivision and set the public hearing for September 1, 2009, 4:00 pm at the South Walton Annex. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell reported that Florida Transformer is seeking to amend the Economic Development CDBG Grant application to request \$209,900, rather than the original \$174,900. They have pledged to increase the number of jobs to be created from five to six. He recommended approval.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to amend the Economic Development CDBG Grant application on behalf of Florida Transformer. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell requested approval and Chair signature on a letter to DCA requesting to incur pre-agreement costs for the Walton County CDBG Economic Development Application with Florida Transformer, Inc.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the Chair signature and letter to DCA requesting to incur pre-agreement costs. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell presented the appraisal report for the 40 acres adjacent to Morrison Springs Park. The appraisal in the amount of \$800,000 was submitted by Humphrey and Associates, Inc. Commissioner Brannon stated that he and Mr. Bell had met with the

Water Management District (WMD) to discuss funding that would tie into the long term land management plan. He recommended accepting the appraisal with the understanding that WMD would be sought for potential funding.

Motion by Commissioner Brannon, second by Commissioner C. Jones, to accept the appraisal with the understanding that WMD would be sought for potential funding. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell gave an update on the proposed purchase of the Natural Bridge property. He stated that since the first appraisal, the owners have additional property they wish to sell to the county. He recommended that the Board not move forward with a second appraisal without confirmed legislative funds through the FCT Grant Program next year. The purchase of the 6.25 acres would be waterfront and would limit the sale value of the remaining property. He recommended applying for a Florida Forever Funding grant; and to request the county lobbyist to support the reinstatement of the Florida Forever Funding. He stated that the purchase of the entire property (91 acres) would be approximately \$2 million.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to delay the second appraisal, request lobbyist to support the reinstatement of the Florida Forever Funding, and work with the property owners to apply for an FCT grant to purchase the entire parcels if the funding is reinstated. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell presented the grant agreement for the Acquisition of Natural Bridge Rise (NFWMD Agreement 09-060) in the amount of \$118,000 contingent upon property purchase. A letter will be sent to the WMD stating that the agreement had been approved

and ask that the funding be kept current until approval of the FCT grant next year. He recommended approval.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the grant agreement as presented.

Chairman Comander asked if a time period was attached to the agreement. Mr. Bell stated that there was no time period, but 30 days notice is required prior to invoice for the monies.

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

Mr. Bell requested that the Board appoint two Commissioners and one alternate, and one citizen and one alternate to the Value Adjustment Board.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to appoint Commissioner C. Jones, Commissioner Pridgen, and Chairman Comander to the Value Adjustment Board. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Chairman Comander stated that a citizen and alternate needed to be appointed. Attorney Burke stated that the citizens must be homestead property owners in Walton County. Chairman Comander directed that anyone wishing to volunteer to serve should contact County Administration or Mr. Ken Little, Citizens Services Director.

Mr. Bell requested the Board's direction as to whether the Board wished to advertise for a Special Magistrate to hear all of the petitions submitted for the 2009 tax year.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to advertise for Special Magistrates to preside over the VAB petition hearings. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to appoint Chairman Comander as alternate to the Value Adjustment Board. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell presented the Local Mitigation Strategy (LMS) revised project list to be submitted to the Department of Community Affairs (DCA). The list is an update to the existing LMS plan. He recommended approval and submission of the list.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the LMS revised project list and its submission to DCA. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bob Hudson, Walton County Taxpayers Association President, gave a brief account of the insurance coverage provided to the county employees and Commissioners. He requested that the Board limit the authority of the County Human Resources Director to approve changes in the benefits paid by Walton County. He requested that any proposed changes be presented during a public forum prior to approval.

Mr. Bell presented the Preliminary Rate Resolution (**2009-68**) relating to the provision of Fire Rescue Services, facilities and programs in the Walton County Fire Rescue MSBU. This MSBU was established approximately 10 years ago. The rates will remain the same as last year's. He recommended approval.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to adopt the Preliminary Rate Resolution **(2009-68)**. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Bell announced that the Internal Auditor employed by the Clerk of Court would be reviewing different county departments. The departments to be reviewed are Planning Division, Public Works, Animal Shelter, and Parks and Recreation. This is only a review of the internal operations.

Mr. Bell asked that the west entrance of the DeFuniak Springs Courthouse be opened during scheduled Board meetings to assist the elderly and handicapped. He stated that bailiffs would be present to monitor both the east and west entrances.

Due to the absence of Mr. Sonny Mares, Tourist Development Council Executive Director, the TDC item was pulled from the agenda.

Attorney Mike Burke, County Attorney, had no items to present.

There were no public hearings to be presented.

Commissioner C. Jones requested a special meeting be held on August 18, 2009 at the South Walton County Annex at 4:00 p.m. to discuss and consider a development agreement with Kingdom Properties, an affordable housing project.

Motion by Commissioner C. Jones, second by Commissioner Brannon, to advertise a special meeting to be held on August 18, 2009, at the South Walton Annex at 4:00 p.m. to consider a development agreement with Kingdom Properties. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Commissioner L. Jones had no items to present.

Commissioner Pridgen announced the unveiling of a historical marker to be held on July 30, 2009 at 10:00 a.m. to commemorate the Alford Mill Site located in the Oak Grove Community. Commissioner Brannon stated that this is the third historical plaque in Walton County.

Commissioner Brannon had no items to present.

Chairman Comander recognized Chief Rick Talbert, South Walton Fire District, who was recently awarded the honor of Florida's Fire Chief of the Year. She also recognized Mr. Lyle Seigler, Interim County Administrator.

There was no public comment.

There being no further items to discuss, the meeting recessed at 5:27 pm and reconvened at 5:45 pm.

Ms. Pat Blackshear, Planning Division Director, presented for a second public hearing the Height Limitation Ordinance amending the Walton County Land Development Code (LDC) to establish a height limitation for all of Walton County.

Chairman Comander felt that the ordinance should be kept simple and recommended removing the examples from Section D. These exemptions are listed in State statute and are not needed within the ordinance. Discussion ensued regarding the need for the examples, and vesting determination as it relates to State statute.

Chairman Comander suggested separating North Walton from South Walton in the ordinance. Attorney Burke stated that the only change for the South Walton height restriction was to delete the language "or four stories, whichever is less."

Discussion returned to Section D and the inclusion of height exemption examples.

Commissioner Brannon questioned if it would be easier to have two separate height ordinances. Ms. Blackshear stated that this document would be the first source checked by developers and staff for height controls throughout the county. She said that A(2) was added to clarify that the 50 foot height limitation was for all buildings and structures in south Walton.

Commissioner Brannon questioned why items D1 - D4 were added. Ms. Blackshear stated that exceptions required a case by case vote by the Board, and exemptions were covered under State law. The items in Section D are the exemptions covered by law. Chairman Comander asked if there were other agencies that regulated the height of communication towers and utility towers. Ms. Blackshear stated that the Federal Communications Commissions (FCC) regulated communication towers and the Public Service Commission regulated utilities.

Mr. Alan Ficarra and Mr. Richard Fowlkes spoke in favor of the ordinance. Mr. Wayland Davis and Mr. Ed Bradley spoke against it.

Mr. David Stow, Sandestin Owners Association Development Relations Committee Chairman, voiced concern that the ordinance did not clarify vestment determination for DRI's. Attorney Burke stated that currently approved developments could not be redeveloped at a higher density and intensity. He also said that DRI vested rights are determined either by State statute or development agreement.

Commissioner L. Jones suggested placing the examples listed in Section D in an appendix and change item five to read vested development, and end Section D at the term govern. Attorney Burke stated that adding those items to an appendix would be suitable. Commissioner L. Jones suggested the wording of the appendix be "examples to which

Section D may apply.” Ms. Blackshear stated that a glossary was being compiled for the EAR Amendments and that the items could be placed there.

Mr. Ficarra stated that Florida Building Code is different and the issue of chimney height needed to be addressed. Attorney Burke said that Florida Building Code is adopted by State statute. Chairman Comander suggested leaving Item 4 in Section D.

Attorney Dana Matthews stated that the ordinance does not address the compatibility of the different areas in north Walton County. Commissioner Brannon stated that the municipalities have adopted height restrictions which must be considered. Attorney Matthews stated that the term residential was incongruent in Sections A and B and should be better defined. Ms. Blackshear agreed to address the matter. Attorney Matthews felt that there was an inconsistency in the set back requirements and that multi-family should be included in the north Walton County 75 feet maximum height with approved set backs. Ms. Blackshear stated that the Board directed that the 75 feet apply to residential only. Commissioner Brannon stated that densities in the northern portion of the county would not allow for buildings higher than the 75 feet maximum. Attorney Matthews felt that the adoption of this ordinance would restrict the development of DRI's in north Walton County. Attorney Burke stated that through the DRI approval process, the Comprehensive Plan and ordinances could be amended to allow for a north Walton DRI. Discussion ensued on the density and compatibility of larger buildings in north Walton County.

Ms. Mary Neilson spoke in favor of the ordinance.

Mr. Jim Bagby spoke in favor of the ordinance and requested that the language “50 feet or four stories, which ever is less” be returned to the document.

Mr. Bruce Ward voiced his concern on the compatibility of scale and character with the surrounding buildings and community in north Walton County. He also stated that according to State law, any structure on a farm, other than a residence, is exempt from county code.

Commissioner C. Jones exited the meeting.

Ms. Blackshear stated that the standards for compatibility are the bulk height and set backs in relationship to the size of the parcel. Commissioner Brannon stated that the Board would determine a project's compatibility during a public hearing.

Chairman Comander asked if DRI's could be addressed through a different venue. Ms. Blackshear stated that all DRI's must go through a Comprehensive Plan amendment which would be approved or denied by the Board. Commissioner Brannon stated that any DRI in the most northern portion of the county would require a substantial density increase in the land use.

Commissioner C. Jones returned to the meeting.

Chairman Comander and Commissioner L. Jones recommended the following changes to the ordinance:

1. Take out the exemptions examples in Section D and place them in an appendix, and
2. Change Section D (5) to "vested developments."
3. Leave Section D (4) in place.
4. Allow multi-family developments in north Walton a maximum height of 75 feet if required setbacks are met (Section B (2)).

Ms. Blackshear suggested adding the language "or multi-family" and removing the word "only" in Section B (2). She said that the language "single-family or multi-family" would be added to Section A (1) to better define residential.

Ms. Blackshear stated that Height Exceptions will be brought to the Board on a case by case basis. She asked if the Board wished to review a clean copy of the ordinance with the suggested changes. Chairman Comander suggested that public comment be closed and that a clean copy of the ordinance be brought to the August 11, 2009 BCC meeting for adoption.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to close public comment, continue the adoption of the ordinance to August 11, 2009, at the South Walton Annex at 5:00 p.m. or soon thereafter, and direct staff to present a clean copy of the ordinance with the changes as recommended. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Mac Carpenter, Development Services, presented a request from Code Enforcement, and the Tax Collector to obtain clarification for the eligibility requirements for the permits for driving on the beach. They requested to amend the ordinance to provide clarification.

Motion by Commissioner L. Jones, second by Commissioner Brannon, to approve the request to review an ordinance amendment to clarify proof of eligibility to obtain permits to drive on the beach. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Carpenter presented a request from Code Enforcement, and the Tax Collector to obtain clarification for the eligibility requirements to obtain permits for dogs on the beach. They requested to amend the ordinance to provide clarification.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to approve the request to review an ordinance amendment to clarify proof of eligibility to obtain

permits for dogs on the beach. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

Mr. Carpenter presented for continued discussion Blue Mountain Beachfront-1 Neighborhood Planning Group (NPG.BMB-1), Blue Mountain Beach-2 Neighborhood Planning Group (NPG.BMB-2), and the Blue Mountain Beach Neighborhood Plan Ordinance (NP.BMB) amending section 2.03.02 of the Walton County Land Development Code (LDC); and to discuss whether a community re-vote would be required. Chairman Comander stated that after comparing the three neighborhood plans, she found that the hybrid plan (NP.BMB) met all the legal requirements of both groups. Attorney Burke stated that certified mail would not be needed for a community re-vote if the Board chose to do so. Commissioner Pridgen felt, after review, that the issue should continue to a second public hearing.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to set August 11, 2009 for second public hearing of the Blue Mountain Beach Neighborhood Plan Ordinance. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye.

The Quasi Judicial hearing was called to order and Attorney Burke administered the oath to those intending on speaking.

Mr. Ryan Christenson, Connelly-Wicker, Inc., presented Beach Florida Investments Office, a major development consisting of a 2,000 square foot office on 0.27 acres with a future land use of NPA/Infill. The site is on the east side of County Road 395, approximately ½ mile north of C. R. 30A. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set

forth in the staff report. He stated that a temporary office was allowed until a permanent building could be built. The temporary structure would be removed by February 28, 2012. Attorney Burke said that a condition giving a set date for the removal of the temporary structure would be added to the Development Order.

Chairman Comander asked if there were any residential structures nearby. Mr. Christenson stated that there was a residential area with buffering across the road. Commissioner Brannon questioned why concerns were raised about the temporary structure. Mr. Christenson stated that some of the residents were concerned that it would not meet the aesthetic appearances of the neighborhood.

Mr. Ron Romano, applicant, stated that the fire district did not want to sell the property at this time, but is willing to lease with an option to buy. The temporary structure would be removed once the property is purchased. He said that landscaping would be added to give aesthetic value. Chairman Comander voiced concerns regarding the compatibility of the look of the building in regards to the fire department, and that a deposit be made to cover clean up should the project be abandoned. Attorney Burke stated that was the responsibility of the land owner. Mr. Christenson stated that improvements would be required prior to the temporary structure being put in place.

Chief Rick Talbot, South Walton Fire Chief, voiced support of the project and is working on a compatible neighborhood agreement.

Mr. David Smith, Hammocks Homeowner Association President, spoke against the project. He expressed concern with the compatibility of the temporary structure with the surrounding neighborhood.

Commissioner Brannon asked if there was any law or ordinance that would prohibit the use of a mobile home on this particular property. Attorney Burke stated that there were none. Chairman Comander stated that the building would be held to aesthetic restrictions and standards.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to approve the Beach Florida Investments Office. Ayes 5, Nays 0. Comander Aye, Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye. **(Exhibits: Staff Report)**

There being no further items to discuss, the meeting was adjourned at 7:51 pm on motion by Commissioner Brannon.

APPROVED \_\_\_\_\_  
Sara Comander, Chair

ATTEST \_\_\_\_\_  
Martha Ingle, Clerk of Courts