

JANUARY 12, 2010 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on January 12, 2010 at 4:00 p.m., at the Walton County Courthouse Annex in Santa Rosa Beach.

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

Commissioner Pridgen led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Brannon called the meeting to order.

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

1. Deletion: Village at Grayton Beach Phase I Bank Trust Letter of Credit
2. Deletion: Walton County Animal Shelter Adoptions Fees
3. Deletion: Energy Efficiency and Conservation Block Grant as requested by Mr. Aaron Warren
4. Addition: Local Mitigation Strategy Committee's grant application package
5. Addition: Scheduling of a public workshop for Solid Waste Strategic Plan update for February 9, 2010 at 3:00 p.m.
6. Addition: Scheduling of a meeting to discuss the Driftwood Special Magistrate's report

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

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 1,300,176.09
County Transportation	\$ 814,728.10
SHIP	\$ 21,789.92
Fine & Forfeiture	\$ 1,523,224.00
Mosq. Control State	\$ 1,050.00
Section 8 Housing	\$ 145,678.09
Tourist Dev. Council	\$ 733,681.40
N.W. Mosquito Control	\$ 4,009.30
W. Co. Library	\$ 9,851.97
Recreation Plat Fee	\$ 1,489.95
Solid Waste Enterprise	\$ 543,096.17
Bldg Dept/Enterp. Fund	\$ 3,401.94
Inmate Canteen Fund	\$ 19,495.24
Daughette Subdivision	\$ 1,250.00
Crime Prevention Trust	\$ 50,000.00
Capital Projects Fund	\$ 61,733.77
Totals	\$ 5,234,655.94

2. Approve Minutes of December 22, 2009 Regular Meeting, December 28, 2009 Special Meeting and January 5, 2010 Special Meeting
3. Approve a Resolution **(2010-01)** to amend the budget for unanticipated grant revenue from the Florida Division of Emergency Management for the Hazardous Materials Planning and Prevention Grant program in the amount of \$4,901
4. Approve to terminate the agreement for actuarial consulting services with Milliman
5. Approve to dispose of two computers as requested from the Building Department (BCC #4699 and 5337)
6. Approve the 2010 EMS County Grant Application and Resolution **(2010-02)**
7. Approve a Resolution **(2010-03)** urging the President of the United States and Congress to support the need for a second department of Veterans Affairs Regional office the State of Florida to decrease the backlog of pending claims and expedite the benefits of deserving veterans
8. Approve the lease agreement with James McHenry to house the State Attorney's Office
9. Approve a Resolution **(2010-04)** correcting Resolutions 2009-90 approve the Walton County Comprehensive Emergency Management Plan

Mr. Lyle Seigler, Interim County Administrator, requested to advertise for bids for the construction of the Red Bay Fire Department.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the request to advertise for bids for the Red Bay Fire Department construction. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Mr. Seigler requested that the requirement for the performance and payment bonds on the Sheriff's impound lot fence project be waived. Commissioner Comander asked what the cost of the project would be. Mr. Seigler replied \$75,000.

Motion by Commissioner Comander, second by Commissioner Pridgen, to waive the requirement for the performance and payment bonds on the Sheriff's impound lot fence project. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Mr. Seigler presented Leisure Lake Dam Design (MSBU). Mr. Allen Brown, Public Works, stated that the Leisure Lake Homeowners' Association needs a letter from the county authorizing the HOA to solicit a permit from the Department of Environmental Protection to restore the dam. Commissioner L. Jones asked if a design had been submitted. Mr. Brown stated that one plan had been submitted but was unsure if it was the final design. Commissioner L. Jones asked if the county would maintain the roadway crossing the dam. Mr. Brown replied yes. Commissioner L. Jones felt that a design showing whether the dam would or would not support a roadway should be submitted prior to final permit approval.

Motion by Commissioner L. Jones, second by Commissioner C. Jones, to grant authorization of a permit letter with the condition that a final design be submitted to the Board prior to final permitting. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Mr. Thomas Sheehey spoke against a proposed project in LaGrange Bayou Estates. The project includes a pipe that drains untreated storm water into the bay. He submitted documents and photos supporting his position.

Commissioner Comander asked if a single family dwelling was purposed to be built on the lot in question. Mr. Sheehey stated that it was. He said that he has been in litigation with DEP for approximately six months and has received no results. He also said that there are many residents who use that portion of the bay for recreational purposes. Chairman Brannon questioned if there was a current county building permit. Mr. Sheehey did not know. Attorney Mike Burke, County Attorney, asked the Board's permission to contact DEP and then meet with Mr. Sheehey. The Board concurred to allow Attorney Burke to contact DEP and instructed that Mr. Billy McKee, Environmental Manager, be included in the information process.

Mr. Starskey Harrell, Interim Public Works Director, requested a workshop be scheduled for February 9, 2010 at 3:00 pm at the South Walton Courthouse Annex to discuss the Solid Waste Strategic Plan update.

Motion by Commissioner Comander, second by Commissioner Pridgen, to schedule a workshop for February 9, 2010 at 3:00 pm at the South Walton Annex to discuss the Solid Waste Strategic Plan update. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Mr. Bill Arnett, Economic Development Alliance, requested adoption of a resolution **(2010-05)** supporting "Project Jordan's" Qualified Targeted Industry Tax Credit Application. Project Jordan proposes to create 20 new jobs at 115% of Walton

County average wages. The resolution is required for the company to request incentives from the State.

Motion by Commissioner Comander, second by Commissioner Pridgen, to adopt the “Project Jordan’s” Qualified Targeted Industry Tax Credit Application resolution **(2010-05)**. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Ms. Renee Bradley, Walton County Planning Department, and representing the Local Mitigation Strategy Committee, requested to apply for grant monies to be used for two tower sites for the Sheriff’s office, and Shipwreck Road improvements. Capt. Mike Barker, Sheriff’s Office, described the needs at the two tower sights. He stated that research is being done to provide proof of ownership as required in the grant application process.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the grant application request for the two Sheriff’s tower sites. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Ms. Bradley requested approval to apply for a second grant for Shipwreck Road improvements. She said that this would be the same grant as the previous request, but would require a separate application. Mr. Brown stated that estimates for the cost of the improvements would be approximately \$650,600.

Motion by Commissioner Pridgen, second by Commissioner C. Jones, to approve the grant application request for Shipwreck Road improvements. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Mr. David Sell, Tourist Development Council, requested to defer the purchase of a new tractor until fiscal year 2010-2011 and re-allocate existing funds to replace beach maintenance truck #8 in the amount of \$31,628.

Motion by Commissioner Comander, second by Commissioner C. Jones, to approve the delay of the tractor purchase until FY 2010-2011 and re-allocate funds to replace beach maintenance truck #8. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Chairman Brannon called to order the continued public hearing to consider amending Ordinance 2005-11 (Beach Driving Permits).

Attorney Burke briefly discussed the proposed amendment to section 22-57 of the Walton County Code of Ordinances. He stated that over time, attrition would reduce the number of permits issued.

Commissioner Comander voiced concern for the availability of permits for immediate family members who reside with the property owners and asked if the language should be changed to reflect proof of residence. Attorney Burke stated that Item (d) of the amendment would state permit holder rather than real property owner.

Commissioner C. Jones asked if this amendment would allow for one permit per resident and one per non-resident. Attorney Burke stated it did.

Commissioner L. Jones addressed the provision to allow the fishing operations continued access. He voiced concern that the permits could be used for private use as well as business and suggested language to specify business use only.

Chairman Brannon opened the discussion to public comment.

Mr. Lloyd Blue spoke in favor of the ordinance and expressed support of the one permit per residence. He suggested that the language should be changed to specify boat trailers. He felt that problems would arise if trailer permits were issued with each vehicle permit. Mr. Blue recommended leaving the number of fishing operation permits at 20. He also suggested setting a time limit for renewal, and review of the renewal process by the Board.

Commissioner Comander asked how many permits would be reduced by this ordinance. Attorney Burke stated approximately 200.

Mr. Grant Blackwell spoke in favor of multiple permits per residence and felt that the ordinance jeopardizes beach residents' way of life. He suggested allowing two permits for residents and one permit for non-residents.

Ms. Betty Letcher asked if residents could reapply if they had held a permit in previous years but did not have a current year permit. Attorney Burke stated that the ordinance will allow renewals only on current permits. Ms. Letcher asked that the Board consider allowing permits to permanent residents who currently do not have one. Commissioner C. Jones stated that after three months, the process will be reviewed by the Board to determine what changes need to be made.

Mr. Alan Ficarra questioned the ability to purchase permits prior to the ordinance taking effect. He also addressed the enforcement of vehicular traffic on the beach. Commissioner C. Jones has spoken with the Sheriff's Office regarding increased enforcement.

Mr. David Kramer requested that a grace period be allowed to purchase permits prior to the ordinance taking effect.

Ms. Kitty Taylor requested clarification of the grandfathering of the permits. Commissioner C. Jones stated that using the grandfathering provision gives a starting place to monitor the permit program. Ms. Taylor questioned how permits would be regulated for people who owned multiple homes. Attorney Burke said that the permit would be for the house that is currently being lived in by the property owner. Commissioner Comander stated that the number of people driving on the beach must be limited.

Mr. Larry Pentel, Charter Boat operator, questioned the purchasing of permits in relation to businesses owned charter fishing equipment. Attorney Burke explained that Commissioner L. Jones had suggested that the vehicle be registered to the charter operator and used for the charter operation. Mr. Pentel also stated that he would like to see everyone have an opportunity to obtain permits through use of a lottery system.

Ms. Dotty Nist asked if a permit could be transferred to an immediate family member for renewal. Attorney Burke said that it must be renewed by the permit holder.

Chairman Brannon closed the public comment discussion.

Attorney Burke discussed changing the language to reflect one boat trailer permit allowed per resident. Commissioner L. Jones questioned whether the language should be added to require that boat trailers remain hitched to the towing vehicle. Commissioner Comander suggested changing the language by inserting the word "boat" to clarify the type of trailer to be permitted. She also asked that the Tax Collector assist in the process by differentiating the number of recreational boat trailer permits sold from the charter boat trailer permits. Attorney Burke suggested that a renewal period be set for June 1 through August 1. He also suggested adding language giving a grace period to March 1,

2010 to purchase a current permit. Attorney Burke said that the language would reflect that the vehicle is to be registered in the name of the permit holder. He also stated that a new Section 2 Subset d would allow the Tax Collector to obtain a \$5.00 processing fee. This section will also require the Tax Collector to submit a written report by October 1 of the number of permits issued during the current year.

Commissioner Pridgen voiced opposition to a grace period which would drastically increase the number of permits and thereby defeating the purpose of limiting the number of drivers on the beach.

Mr. Blue suggested adding language that a permit must have been acquired as of this meeting.

Discussion continued on the dramatic increase of permits purchased during a grace period. Attorney Burke said that the language would state that permits must be purchased by the effective date of the ordinance.

Mr. Bob Hudson felt that there were other ways to control the number of drivers on the beach. He suggested limiting the number of parking areas.

Mr. A. F. Bullard felt that opening more accesses would alleviate the overcrowding problem.

Attorney Burke stated that the following changes would be made to the proposed amendment: 1. (i-a) the person applying for the permit must have had a permit as of the effective date of the ordinance; 2. (i-a) each parcel of property shall be entitled to only one vehicle permit and one boat trailer permit; 3. (i-d) the vehicle registered must be titled in the name of the permit holder; 4. (ii-a, ii-d) same changes as 1, 2, and 3 listed above; 5. (iii-a) the vehicle and trailer owned by the charter operator and used for the

charter operation; 6. insert language stating each trailer must be attached to the permitted vehicle at all times while on the beach; 7. insert language stating a renewal period from June 1 through August 1; 8. (2-d) language inserted stating on or about October 1 of each year, the Walton County Tax Collector shall submit a written report to the Board of County Commissioner of the number of permits issued during the current year.

Commissioner C. Jones asked if it was determined that there were permits available after current ones were renewed, could residents purchase a second permit on a first come first serve basis. Attorney Burke said that this may be a consideration after the Board reviewed the permit renewal numbers. He suggested that all language in section 2(c) be stricken with the exception of the last sentence.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to adopt the **Ordinance 2010-01** (Beach Driving Permit) with suggested changes. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Chairman Brannon called to order the public hearing to consider a resolution imposing a special assessment (MSBU) in the Beachview Heights Subdivision.

Ms. Heather Encinosa, Nabors, Giblin, and Nickerson (NGN), and Ms. Marguerite McCauley, Government Services Group (GSG) presented the Beachview Heights MSBU Resolution. Ms. Encinosa gave a brief history of the MSBU and reviewed the details of the resolution. She stated that adoption of the resolution would create the MSBU, confirm the initial assessment resolution, approve the assessment rules and provide for collection.

Mr. Brown stated that there are projects currently scheduled. Should Public Works become involved, it would be 2011 or 2012 before work could begin in

Beachview Heights. Commissioner C. Jones asked if the currently scheduled projects were on a time frame. Mr. Brown stated that they were.

Chairman Brannon opened the discussion for public comment.

Mr. Kramer spoke against the assessment as reported. He felt that the assessment was not conservative as stated and discussed the inconsistencies.

Mr. Ellis Woods, Mr. Norman Froeschner, Ms. Kay Rickman, Ms. Karen Early, Mr. Tom Rickman, Ms. Harriett Driscoll, and Mr. Klaus Driscoll all spoke against the MSBU citing that the increase in taxes would cause financial hardships.

Mr. Jim Cole, Mr. Daniel Cole, Mr. Bill Wyrrough, Mr. Ben Powell, Mr. Philip Fleet, Ms. Kathy Berry, and Mr. Sydney Heath all spoke in favor of the MSBU citing safety issues as a main concern. Ms. Berry voiced concern regarding the heavy school traffic leaving Butler Elementary School through the Beachview Heights neighborhood.

Chairman Brannon closed public comment.

Commissioner Comander questioned Mr. Brown how much right of way was available. Mr. Brown stated that the roads were approximately 50 to 60 feet wide.

Commissioner C. Jones felt that this project would be feasible if times were better.

Motion by Commissioner C. Jones to revisit this project in January, 2011. She felt that this would give time to determine the economic situation of the constituents and the county.

Commissioner C. Jones withdrew her motion.

Commissioner L. Jones stated that after review of a document indicating the votes per lot, that the neighborhood would be best suited to separate the MSBU into two

projects. The projects would be divided by the alleyway between the lots on Grande and Sunset Avenues. He suggested that a new “divided” ballot be submitted to vote on the two different projects. Whichever project has the most yes votes will be moved forward.

Commissioner Comander voiced concern over the costs to complete the project. She stated that the current estimated cost for materials and labor may be less than the actual cost when the project is begun in three years. She suggested that the county pave Sunset Avenue and Breeze Drive. She asked Mr. Brown who maintained the other roads. Mr. Brown stated no one. Commissioner Comander suggested that the county grade the roads until the MSBU could be revisited.

Chairman Brannon questioned whether Commissioner L. Jones’ suggestion would require the process to be restarted. Ms. Encinosa said the cost would need to be re-proportioned and notices resent.

Commissioner L. Jones suggested to designate the alleyway between Grande Avenue and Sunset Avenue as a dividing line; re-ballot the entire neighborhood; designate lots on Grande Avenue and Sandstone Street as area one, and lots on Tanglewood Drive and Sunset Avenue as area two; each area will decide independently whether to move forward with the paving and utility projects. With a sufficient number of votes from each area, the Board could vote to move forward.

Commissioner Comander asked if the county could maintain the roads on an emergency basis. Commissioner L. Jones felt that it should not be done due to similar problems in other areas of the county.

Motion by Commissioner L. Jones, second by Commissioner C. Jones to designate the alleyway between Grande Avenue and Sunset Avenue as a dividing line; re-

ballot the entire neighborhood; designate lots on Grande Avenue and Sandstone Street as area one, and lots on Tanglewood Drive and Sunset Avenue as area two; each area will decide independently whether to move forward with the paving and utility projects. There must be a sufficient majority of votes in either area to move forward with either project. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Commissioner Pridgen asked that Mr. Allen Brown and Mr. Ryan Douglass, Public Works, meet with Ms. Berry regarding the school traffic concerns. Commissioner Comander asked that the two men also review the problem on Tanglewood Drive.

Ms. McCauley asked if the current costs in the assessed rate were still valid. Commissioner Comander felt that the costs were invalid. Mr. Brown stated that Public Works could provide updated information when necessary.

Motion by Commissioner C. Jones, second by Commissioner Pridgen, to adopt **Resolution 2010-07** declaring September 2010 as Santa Rosa Beach Centennial Celebration Month. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Motion by Commissioner C. Jones, second by Commissioner Comander, to hold a Special Meeting on February 18, 2010 at the South Walton Annex to discuss and review the Special Magistrate Carlos Alvarez's recommendations. Ayes 3, Nays 0. Brannon, L. Jones, C. Jones Aye, Pridgen Aye, Comander Aye. **(Chairman Brannon and Commissioner L. Jones abstained from the discussion and vote. Commissioner Pridgen assumed the Chair position during this discussion.)**

Attorney Burke stated that Mr. Alvarez will be consulted as to the time to meet.

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

Commissioner Comander addressed the Edgewater Beach/Harris case. There have been requests for the release of the Executive Session transcripts to the public.

Motion by Commissioner Comander, second by Commissioner C. Jones, to waive Chapter 286 (Confidentiality), and make the transcripts available to the public upon completion.

Attorney Burke clarified that all confidential information given during testimony would be revealed. He also stated that due to the length of the sessions, it may be sometime before the transcripts are finished. Commissioner L. Jones stated that the transcripts will be public record at some point which will automatically waive the confidentiality. Attorney Burke stated that there are statutes that could allow some of the confidential information to remain privileged for a specified amount of time. However, this time period will have expired prior to the completion of the transcripts.

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

Mr. Scott Work, Matthew and Hawkins, D & H Sand representative, addressed the settlement agreement between the county and D & H Sand. He stated that all requirements have been met with the exception of Northwest Florida Water Management District (NFWMD) environmental permits, Dam Safety Permit, and an access agreement with Red Bay Sand. Mr. Work stated that the applications and requests had been submitted weeks in advance and are waiting on the agencies to respond. He asked for an additional extension to await the permits and access agreement. Attorney Burke stated

that on December 8, 2009, D & H Sand was given 30 days to comply with the terms of the settlement agreement; that time expired January 8, 2010. Chairman Brannon stated that D & H Sand has had ample amount of time to comply with the terms of the agreement. The Board took no action.

There being no further items to discuss, the meeting recessed at 7:10 p.m. and reconvened at 7:25 p.m.

Mr. Gerry Demers, Development Services Division, presented for first reading the Coastal Zone, Conservation Element EAR Based Amendment to the Comprehensive Plan. He stated that the last page has a section added that is required by legislation to address energy conservation. There have been several public comments which were addressed, some of which were incorporated into the document. He asked direction on making the changes for the final reading. Mr. Demers stated that each EAR element will be brought to the Board for review. All of the elements will be submitted as one package for a second reading. The approved package will be submitted to DCA.

Commissioner Comander voiced concern regarding the language pertaining to surface and ground waters. Mr. Demers stated that the language had been changed as requested.

Ms. Susan Palladini stated that some of the language in Policy C-1.4 had been removed during the Planning Commission but is present in the document being presented. She also voiced concern that not all of the Coastal Dune Lakes were listed. She requested that Tresca Lake and Little Deer Lake be added to the Coastal Dune Lake list. Ms. Jennifer Christenson, Planning Department, stated that approval of the maps was not being asked for at this time. She said that the lakes listed were voted on by the

Coastal Dune Lake Advisory Board. Mr. Demers stated that a proposed map will accompany the entire FLUM.

Mr. Bill Bard voiced concern for the lack of county policy that addresses the cause and effect of fill. He also addressed educating the public on proper disposal of household materials. Commissioner Comander felt that Walton County and Okaloosa County must coordinate Amnesty days. Mr. Demers addressed Mr. Bard's remarks on the cause and effect of fill. He stated that as of January 1, 2010 the county now has a full time flood plain manager. The flood plain manager is revising the flood plain ordinance which must be updated by June.

Ms. Palladini disagreed that the Coastal Dune Lake Advisory board had voted on the number of lakes. Mr. Billy McKee, Environmental Manager, stated that Ms. Erica Keates had written a letter which stated that there were 15 lakes, and developed a map showing the lakes. He said that there was other documentation that referred to 15 coastal dune lakes. He reported that there was no evidence supporting Little Deer Lake as a coastal dune lake. Mr. McKee said that Tresca Lake at one time may have been considered a dune lake, but is no longer classified as such.

Ms. Anita Page asked why the native vegetation preservation requirement was reduced for north of the Choctawhatchee Bay from 50% to 25%. Mr. Demers stated that the 50% preservation requirement was imposed to preserve lands south of the bay but was also applied to the north side. Ms. Page asked what was the development vision for north of the bay. She said that the Comprehensive Plan should reflect that vision. Chairman Brannon replied that the Board needed to consider that vision, submit input, and work with staff to address the issue prior to the final draft.

Chairman Brannon closed public comment.

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

Ms. Vivian Shamel, Project Manager Planning Department, presented the Gulf Pines Neighborhood Plan, an ordinance amending section 2.03.02 of the Walton County Land Development Code (LDC) to adopt the Gulf Pines Neighborhood Plan as an overlay district; establishing a defined boundary; establishing that the intent of the plan is to preserve the residential character of the Gulf Pines neighborhood and to ensure the continued stability of the subdivision; establishing development standards; establishing provision for permitted uses, minimum and maximum lot sizes, setbacks, build-to-line, lot coverage, building height, allowable densities and accessory structures, prohibited uses, parking restrictions, common areas, recreation areas, and parking facilities; establishing restrictions on further subdivision of lots, restrictions on animals; establishing provisions for legal non-conformities; providing for the incorporation of the Gulf Pine Neighborhood Plan as Appendix NP-4 to the LDC. Ms. Shamel stated that with the combining of the two Blue Mountain Beach neighborhood plans, the Gulf Pines Neighborhood Plan, if adopted will be neighborhood plan three (NP3) rather than four as advertised. Staff found that the ordinance could be consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report.

Mr. Bobby Bowick, Gulf Pines Association President, thanked the Planning Staff for their work to present the neighborhood plan and urged the Board to support the ordinance.

Mr. Richard Langford asked if his warranty deed, which gives beach access, would be affected by this ordinance. Attorney Burke stated that it would not. Mr. Langford said that he had not received any information or documentation from the Gulf Pines Association regarding the neighborhood plan. Mr. Bowick stated that the commercial area of Gulf Pines was removed to address the setbacks and building restrictions imposed by the county. He said that Mr. Langford's deed will allow beach access.

Chairman Brannon closed public comment.

Motion by Commissioner Pridgen, second by Commissioner C. Jones to adopt the Gulf Pines Neighborhood Plan Ordinance.

Mr. Demers stated that this was the first reading of the ordinance and that a motion was not needed.

Motion and second were withdrawn.

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

Ms. Melissa Ward, Project Manager Planning Department, presented Paradise Retreat Abandonment resolution **(2010-06)** abandoning the roads within Paradise Retreat Subdivision and simultaneously conveying the interest of the county in the roads, appurtenant drainage facilities, and rights-of-way to the paradise Retreat Homeowner's Association. She stated that a minor correction was made to page two, subsection two that changed Marigot Bay Drive to Marigold Bay Circle. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and recommended adoption.

There was no public comment.

Motion by Commissioner Comander, second by Commissioner C. Jones, to adopt a resolution **(2010-06)** abandoning the roads within the Paradise Retreat Subdivision. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

Mr. Lane Wright, representative for AT&T and Robert and Diane Goldsby, presented Goldsby Road Cell Tower, a conditional use application requesting approval of a temporary use for a 105-foot cellular tower on wheels, on 9.998 acres, with a future land use of light industrial. The site is located at 161 Goldsby Road. Staff recommended allowing, for a period of time not to exceed six months, the conditional use of the temporary wheeled cell communication tower at the subject parcel.

There was no public comment.

Motion by Commissioner L. Jones, second by Commissioner Pridgen, to approve the Goldsby Road Cell Tower project with conditions. Ayes 5, Nays 0. Brannon Aye, L. Jones Aye, C. Jones Aye, Pridgen Aye, Comander Aye.

There being no further items to discuss, the meeting was adjourned at 8:05 p.m.

APPROVED _____
Scott Brannon, Chair

ATTEST _____
Martha Ingle, Clerk of Courts