

JULY 8, 2008 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, July 8, 2008, at 4:18 p.m., at the South Walton Annex.

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

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

Chairman Jones commented that progress is being made and roads are being constructed regarding consent agenda item 9 for the payment to CPAC.

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

1. Approve Expenditure Approval List (EAL)

| | | |
|--------------------------|----|---------------------|
| General Fund | \$ | 657,727.74 |
| County Transportation | \$ | 218,984.81 |
| SHIP | \$ | 57,865.00 |
| Section 8 Housing | \$ | 787.34 |
| Tourist Dev. Council | \$ | 870,698.53 |
| N.W. Mosquito Control | \$ | 3,600.07 |
| W. Co. Library | \$ | 10,410.24 |
| Recreation Plat Fee | \$ | 685.99 |
| Public Safety- 911 | \$ | 16,321.28 |
| Solid Waste Enterprise | \$ | 351,940.30 |
| Criminal Justice Ed Fund | \$ | 273.59 |
| Bldg Dept/Enterp. Fund | \$ | 2,594.87 |
| Driftwood Debt Service | \$ | 625.00 |
| Capital Projects Fund | \$ | 168,712.77 |
| Totals | \$ | 2,361,227.53 |

July 8, 2008 - Regular Meeting
Prepared by: Tina Willis

2. Approve Minutes: June 10, 2008 Regular Meeting, and June 20, 2008 Special Meeting
3. Approve Resolution to amend the budget for the awarding of a 2007 Staffing for Adequate Fire and Emergency Response Grant from the U.S. Department of Homeland Security
4. Approve Resolution to amend the budget for unanticipated funds from the Daughette Subdivision MSBU Fund
5. Approve request from District 1 to use Recreation Plat Fee Funds up to \$2,200 for dedication plaque and opening banner for the Freeport Regional Sports Complex
6. Approve request from Administration to surplus BCC #4678 – Lanier Copier and donate it to the Life Enrichment Senior Center
7. Certificate of Participation for the 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) Program
8. Approval to seek a FRDAP Grant for Padgett Park
9. Request approval to pay CPAC \$198,500 on a contract previously approved as the County's share of the SR 285 Intersection Improvement Project (this item will be charged from the Economic Development line item in the budget)
10. Announcement of Settlement Agreement reached in Roessler Properties, Inc. v. Walton County

Chairman Jones called to order the public hearing for a Budget Amendment Resolution (**2008-61**) for the Sheriff's Department.

Mr. Matthew Burns, Attorney for Sheriff Ralph Johnson, stated the sheriff's request was to amend the current fiscal year budget to reinstate funds that the sheriff returned to the county earlier in the year from the previous fiscal year budget. The funds were ear marked for payment for a new Motorola 911 system for the sheriff's department. Due to delays and completion of the contract by Motorola they were not able to make payment as of the end of October 2007, so the auditor directed the sheriff to return those funds to the county.

Sheriff Ralph Johnson requested the Board amend the current fiscal year budget to restore \$311,431.00 to pay for the new Motorola 911 system. The funds were returned to the county in February 2008 from the previous fiscal year budget because the

July 8, 2008 - Regular Meeting
Prepared by: Tina Willis

installation of the system was not complete. He stated that the equipment has now been installed and in use to protect the citizens those funds are needed to pay Motorola for the agreed contract price. He stated the response time is a critical public safety issue and the citizens need immediate response. The auditor conducting the audit in 2007 directed him to return the funds to the county treasury and told him that was the correct two step bookkeeping method and the funds would be returned upon complete system installment.

Attorney Burns briefly discussed the exhibits presented to the Board regarding the obsolete 911 system and the new Motorola 911 system.

Chairman Jones asked for public comment regarding the \$311,431.00 requested by the Sheriff.

Mr. Tom Terrell stated that the citizens of Walton County need the 911 system, but questioned if the excess funds of \$30,180 were returned and where those funds are if they were not returned.

Chairman Jones questioned if any funds were not returned that were supposed to be.

Mr. Robert Patrick, CPA, stated he had the supporting documentation for the payments made in November 2007 and December 2007 to the vendors for the amount of \$30,180.

Mr. Terrell stated the sheriff was required to turn in form 941 to the internal revenue service for the first six months of the year. The sheriff had over \$170,000 from the first six months and added to the \$30,000 that was not returned last year equals approximately \$200,000 that should be applied to the 911 system payment. Mr. Patrick stated that he did an analysis of the expenditure on the personnel cost from October 1,

2007 through June 30, 2008 and found there had been approximately \$7,401,000 spent on all the personnel cost. He stated that form 941 would not show those personnel cost. Although it would reflect those wages accurately it would not be suitable for a full evaluation on where the sheriff is on his budget at this time.

Chairman Jones questioned what the budgeted amount was for that period of time. Mr. Patrick answered that figure was \$7,384,000 and there is a variance of approximately \$17,000. Commissioner Comander questioned Mr. Patrick how long he worked with the sheriff. Mr. Patrick answered approximately three weeks.

Ms. Bonnie McQuiston stated that the Board needs to pay for the new Motorola 911 system. She stated the funds were in the approved budget, the sheriff returned those funds as directed by the auditor, and he needs the money to pay for equipment that works to provide a quick response.

Ms. Suzanne Harris stated it was hard to get assistance before this system was put in and the tourists and residents of Walton County should be protected.

Mr. Emmett Hildreth spoke in favor of the request.

Attorney Burns clarified the two vendors paid with the \$30,180 were Fingerprint Laboratories in the amount of \$14,281 for installation of a fingerprint laboratory at the new sheriff's office, and KMS Business Products in the amount of \$15,900 for an additional dispatch desk.

Chairman Jones closed public comment.

Commissioner Brannon questioned if leasing the equipment was an option.

Sheriff Johnson stated he signed a contract to pay for the equipment upon delivery. Attorney Burke stated there was an option to pay \$70,000 over a five year term in order to lease the equipment, but the sheriff chose to buy the equipment instead

Commissioner Meadows stated leasing the equipment would be more expensive. She questioned how much money was spent on this entire process and stated that money should be reimbursed.

Commissioner Meadows made a motion to adopt Resolution **(2008-61)** and at the next meeting have an accounting of the cost of this entire process. The motion died for lack of second.

Commissioner Brannon stated anything over \$200,000 is a capital project. The bill has to be paid and questioned if the correct way to pay for the equipment is over time or by transferring the funds. He questioned if leasing the equipment would be better because technology is always changing.

Commissioner Comander stated that the citizens have a right to the equipment, but the tax payers have all stated they do not want more money spent than is necessary. She stated that the constitutional officers were asked to bring information regarding excess funds and what could be returned at the budget hearing, but that information was not provided by the sheriff and therefore all the facts were not provided.

Sheriff Johnson stated that Mr. Patrick can answer any questions the Board may have regarding the budget, but they do not have that money.

Brief discussion continued regarding the compliance of the PSAP systems.

Sheriff Johnson stated that the system is very important to the citizens of Walton County.

Commissioner Brannon questioned Sheriff Johnson if he could possibly look into leasing the equipment. Sheriff Johnson stated that his agreement was to pay Motorola and the bill needs to be paid.

Motion by Commissioner Meadows, second by Commissioner Brannon, to adopt Resolution **(2008-61)** to amend the budget in the amount of \$311,431.00 for the funds for the emergency equipment. Ayes 3, Nays 2. Jones Nay, Comander Nay, Brannon Aye, Meadows Aye, Pridgen Aye.

The meeting recessed at 5:19 p.m. and reconvened at 5:30 p.m.

Chairman Jones called to order the public hearing for the Daughette Canal MSBU.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve continuing the public hearing to July 22, 2008 at 4:00 p.m. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones called to order the first public hearing for the Musical or Entertainment Festivals Ordinance Amendment.

Ms. Blackshear stated that staff found the ordinance needed substantial cutback from the standpoint of requirements. She stated they tried to outline a series of questions that need guidance before the second hearing and incorporate the comments received in the review process.

Chairman Jones stated he would like to see the process slowed down so they can get something that could be enforced and administered. Chairman Jones stated those that

are commercial in nature, designed to generate revenue, and selling tickets are those that need to be addressed. Commissioner Comander suggested looking at an attendance number as well. Ms. Blackshear stated encouraged keeping the calendar of events for developments that have events every month. She stated they would prefer to have a process where they can get approval, perhaps through the PUD process and set it up in the DO.

Chairman Jones questioned if the Board wanted to continue working on the ordinance as presented or review it further. Commissioner Pridgen stated they should decide what needs to be addressed, what issues there are, and what to do to fix those issues. Commissioner Brannon stated they should address the larger events and be cautious not to interfere with the smaller events. Commissioner Meadows stated that the Chairman should not have to review every permit.

Chairman Jones asked for public comments.

Mr. Rick Helfand, Seaside School Board Member, stated this is a great step for the ordinance, but the ordinance stated any event would have to have a permit which would cost him money in his non profit organization. He stated he did not have an issue with the larger events and paying those fees or getting the approval, but does have difficulty with the smaller events. Chairman Jones stated the Board is trying to protect the ability to do that without it being troublesome to secure the audience. Mr. Halfen stated the parking requirements are high especially when the number of participants staying within the area can be proven.

There were no other public comments.

The Board briefly discussed recommendations for the Musical or Entertainment Festivals Ordinance Amendment.

Motion by Commissioner Brannon, second by Commissioner Meadows, to continue the first public hearing on the Musical or Entertainment Festivals Ordinance Amendment to the August 12, 2008 meeting. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones called to order the public hearing for the Animal Control Ordinance **(2008-24)** Amendment.

Mr. Ed Baltzley stated they would like the ordinance to take effect August 1, 2008 to give them time to prepare and get notices out to the public.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Meadows, second by Commissioner Brannon, to adopt the Animal Control Ordinance **(2008-24)** Amendment to include the effective date change to August 1, 2008. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones called to order the public hearing for the Beach Activities (Leave No Trace) Ordinance **(2008-25)** Amendment.

Mr. Emmett Hildreth, Blue Mountain Beach resident, stated that the amendment from the first public hearing held on June 10, 2008 in no way resembled the material in the amendment presented and questioned which amendment would be discussed. Chairman Jones stated they are considering the amendment from the first public hearing with changes that have been added as a result of that hearing for consideration.

Commissioner Meadows stated the amended ordinance is more thorough and covers the things that need to be covered to make it a reasonable ordinance. Attorney Burke stated that it is different and the reason for having a public hearing is to consider the final draft of the ordinance.

Chairman Jones read aloud the changes to be addressed.

Chairman Jones asked for public comment.

Mr. Emmett Hildreth, Ms. Mary Nielson, Mr. Murray Balkcom, Mr. Bill Burden, and Mr. Matt Lindley spoke in opposition of the ordinance.

Several members of the audience spoke in favor of the ordinance.

Brief discussion continued regarding the Habitat Conservation Plan (HCP) coverage.

Chairman Jones closed public comment.

The Board briefly discussed recommended changes to the Beach Activities (Leave No Trace) Ordinance.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve Ordinance **(2008-25)** with the following changes: delete section B and items i, ii, iii, iv; under Take Provisions, section D add “The individual obtaining the county permit shall be liable”; and in section G1 add “tent frames”. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

The meeting recessed at 7:09 p.m. and reconvened at 7:35 p.m.

Ms. Sharon Burnett, West Florida Regional Planning Council, presented the FDOT 5 Year Work Program and requested staff input for the rural portion of the county.

She stated that the input from the Board and staff is needed by August 29, 2008 for the next five year program.

Mr. Sonny Mares, TDC Executive Director, requested approval for office renovation and storage building at the TDC headquarters location. The TDC recommended re-obligating funds from the TDC maintenance facility and a waiver of the bond requirement. He stated that they would bring back the bid results once the bid is met but some things need to be completed in order to put that bid out. He requested waiving the bond requirement for that bid because the job is small and the bond would raise the price to an unreasonable amount. He also requested to de-obligate and re-obligate funds from the maintenance facility capital project, that project was underbid so there is money in that fund to cover this expense and possibly leave additional funds in reserve for next year. The total estimated cost is about \$145,000 for the two items and the maintenance facility bid came in at approximately \$280,000 under the budget.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the request as presented: office renovation and a storage building at the TDC headquarters location; waiver of bond; and re-obligate funds from the facility capital project. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested independent third party review of the Inlet Beach Porous Groin Project. The TDC requested hiring of a consultant to perform the engineering review of the innovative shoreline protection system that was installed in a select portion of Inlet Beach at the cost of \$48,600.00. Mr. Brad Pickel stated a third party investigation has to be completed to look at the final surveying and monitoring results to determine the

effectiveness of the structure in order to finalize the permit obligations the county has. He stated that Mr. Scott Douglass with Wilson Miller was chosen to do this work and requested permission to sign a scope of work with Wilson Miller for this investigation. Mr. Pickel stated the funds to cover this project are in the Beach Nourishment Fund.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the scope of work with Wilson Miller in the amount of \$48,600.00 for the Inlet Beach Porous Groin Project. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Shirl Williams, Assistant County Administrator, presented a request from Citizen Services to continue a public hearing to consider a Policy for Naming Public Facilities Resolution. Commissioner Comander stated that some criteria are needed to go by in adopting these. Commissioner Brannon suggested the dedication of a plaque would be appropriate instead of a procedure to determine naming an entire facility after someone.

Chairman Jones asked for public comment.

Mr. Alan Osborne stated that there is a federal regulation that is good for naming procedures and threshold achievement and it starts out naming roads after someone and a complex is the highest honor. Chairman Jones asked Mr. Osborne to provide that information to Ms. Williams for review.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve continuing the public hearing to consider a Policy for Naming Public Facilities Resolution to the August 12, 2008 meeting. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams requested permission to advertise for a Public Hearing to be held on July 22, 2008 to consider a budget amendment for HUD/Section 8 Housing.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve advertisement for a public hearing on July 22, 2008 to consider a budget amendment for HUD/Section 8 Housing. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented from the Department of Corrections, a request to award Pharmacy Services RFP 08-024 to Diamond Pharmacy Services.

Motion by Commissioner Pridgen, second by Commissioner Comander, to award Diamond Pharmacy Services for Pharmacy Services RFP 08-024. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented from the Public Works Department, a request to award Walton Road Improvements Bid 08-028 to the low bidder, Gum Creek Farms, in the amount of \$499,246.00.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to award Gum Creek Farms in the amount of \$499,246 for Walton Road Improvements Bid 08-028. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented a request to award Villa Tasso Drainage Improvements Bid # 08-027 to the low bidder, Utility Solutions, for the amount of \$1,134,061.00.

Motion by Commissioner Comander, second by Commissioner Pridgen, to award Villa Tasso Drainage Improvements Bid # 08-027 to Utility Solution in the amount of

\$1,134,061.00. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented a request to award Bid # 08-034 to the only bidder, Conecuh Bridge and Engineering, in the amount of \$126,900.00 for the Limestone/Oak Grove Road bridge materials.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to award Bid # 08-034 to Conecuh Bridge and Engineering in the amount of \$126,900 for Limestone/Oak Grove Road bridge materials. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented from the Administrative Department, a request to consider Resolution **(2008-66)** on Fuel Prices as requested by the Small Counties Coalition to intervene in a way that will reduce fuel prices for individual businesses and government and all consumers in Florida. Some other counties have passed this resolution.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve Resolution **(2008-66)** as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented a request for Resolution **(2008-64)** observing July 26, 2008 as Americans with Disabilities Act Awareness Day as requested by the Center for Independent Living of Northwest Florida, Inc.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Resolution **(2008-64)** as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented a request from Mr. Bobby Beasley, Supervisor of Elections, to move Voting Precinct 18 (Santa Rosa Beach Community Church) to Good News United Methodist Church.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve moving Voting Precinct 18 to Good News United Methodist Church. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented a request to approve an Inter-local Agreement between the City of Freeport and Walton County on Proportional Fair Share Collections. The City of Freeport approved the Inter-local Agreement on June 26, 2008 and requested the Board's approval.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve an Inter-local Agreement between the City of Freeport and Walton County on Proportional Fair Share Collections. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Williams presented a request to approve advertisement for an RFQ for Landscape Architect Services for the US Highway 98 Beautification Grant Program.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve advertisement for an RFQ for Landscape Architect Services for the US Highway 98 Beautification Grant Program. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows presented a request to consider revising the Huettel Center Facilities Use Agreement. She stated that the language needs to be changed for leasing the building. Section 5.0 in the Facilities Use Agreement needed to be changed to

read “non-refundable clean-up fee of \$50 per day per building” and add language to state “In the event of cancellation within 14 days of an event they will be able to keep 50% of the deposit”.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the recommended changes to the Huettel Center Facilities Use Agreement. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows announced that the recycling bags have been reordered and the new shipment will be in soon.

Commissioner Meadows stated the Seaside 5K Race needs to begin advertising and requested approval contingent upon meeting the requirements of the proposed ordinance. Chairman Jones suggested making a motion that they supply the pre-ordinance conditions so they can move forward in their process. Chairman Jones stated they could just do what they have done in the past and if the ordinance is passed they would not be required to change anything.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the Seaside 5K Race for April 2009 contingent upon meeting the requirements of the new events ordinance and/or Planning Department requirements in the event the ordinance is not adopted. Ayes 4, Nays 1. Jones Aye, Comander Aye, Brannon Nay, Meadows Aye, Pridgen Aye.

Commissioner Comander had no items to present.

Commissioner Pridgen had no items to present.

Commissioner Brannon had no items to present.

Chairman Jones had no items to present.

Chairman Jones asked for additional public comments.

Ms. Anita Page questioned the status of the best management practices for surface mines. She stated that she understood that was to be adjusted further and to come back before the board and finalized. She questioned if they are still going to do that in a two step process until the ordinance was adopted. Ms. Blackshear stated that they were going to incorporate the best management practices in the final ordinance. Commissioner Brannon questioned if they could get those comments in by the next meeting and if they would be in a position to look at the best management practices. Attorney Burke stated that information could be brought back at the next meeting and that it is a two step process where they would adopt certain best management practices, and at the same time they would be setting the public hearing so the ordinance would be adopted shortly after.

Ms. Pat Blackshear, Planning and Development Director, presented a request to accept drainage easements and right-of-way dedications in the Driftwood Subdivision by North Tip Development, Inc. Mr. Greg Graham, Engineering Manager, stated that the recommendation was to get public easement across the major outfalls for the Driftwood area. He stated they researched the outfalls and discovered that the current developer owned property where there are three outfalls. He stated they worked with the developer's representative to get legal or public easements over some of the historical drainage outfalls. Commissioner Meadows questioned if he had seen the engineering plans for the park outfall and if that would conflict with those plans. He stated he had seen the plans and they would not conflict. Commissioner Meadows clarified that there is not an easement going through the park itself. Mr. Graham confirmed.

Motion by Commissioner Comander, second by Commissioner Pridgen, to accept drainage easements and right-of-way dedications in the Driftwood Subdivision by North Tip Development, Inc. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Alan Osborne commented how great it was for the county to maintain that easement.

Ms. Blackshear stated that Mr. Barnhill requested use of five acres of the county's small scale acreage in exchange for an affordable housing project. She understood that the entire project would be affordable housing, but there would only be five affordable housing units on the total five acres. She suggested 20-25% for affordable housing units.

Motion by Commissioner Meadows, second by Commissioner Comander, to require a minimum of 25% of the five small scale acreage that Mr. Barnhill requested to use as affordable housing. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented an ordinance amending section 5.08.00 of the Walton County Land Development Code to limit the height of new construction in the central area of Point Washington. Staff found the ordinance consistent with the Land Development Code and Comprehensive Plan. Ms. Blackshear stated the community agreed to support the 32 foot height restriction and the neighborhood has wanted this ordinance for some time now.

Chairman Jones asked for public comments.

Mr. Ty Nunn, Port Washington resident, spoke in favor of the ordinance.

Commissioner Meadows questioned if the map would have a legal description of the boundaries and parcels. Ms. Blackshear stated that it should run across the boundaries.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve the second hearing to be August 12, 2008 for the Point Washington Height Limitation Ordinance. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

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

Ms. Blackshear presented a request from Walton County to determine vesting rights for McDaniel's Fishcamp, a 50+ year old mobile home/recreational vehicle park site. She stated that the Fishcamp originally had 80 sites and requested recognition of the 80 unit site.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve vesting rights for McDaniel's Fishcamp. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1)**

Ms. Blackshear presented a request from Southland, LLC to locate a pre-mix concrete plant on an existing industrial site located on Coochee Road. Staff found the project consistent with the Comprehensive Plan and Land Development Code once the FDEP storm water permits or an exemption letter were complete.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the request by Southland Concrete to locate a pre-mix concrete plant on an

existing industrial site. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1)**

Ms. Blackshear presented a request from Anderson Engineering for a major development order consisting of 38 single-family homes on 10.18 acres and 41,643 square feet of commercial use within a future land use area designated MU/TC-1. The project is located approximately 2500 feet west of Hwy 331, on the south side of Chat Holly Road, adjacent to Osprey Lane and Rhodes Cove. Mr. Terry Anderson, Lehigh Pines Subdivision representative, stated they have met with the design review board and have worked closely with staff to make sure that they incorporated all of the elements of the town center ordinance in the development.

Ms. Connie Bailey, adjacent property owner, spoke in favor of the project but requested the boundary line agreement with Mr. Anderson be completed before platting the project.

Ms. Blackshear expressed her appreciation to both parties for working with staff.

Mr. George Newman, Plans Review Engineer, stated that there are two outstanding issues with the project before they can begin on the development order. They are waiting on appraisal approval by DOT for the dedication of right-of-way on Chat Holly Road and the Developers Agreement.

Motion by Commissioner Comander, second by Commissioner Pridgen, to approve the three conditions: after a boundary line agreement is made the project will be platted, approved appraisal by the DOT for dedication of right-of-way on Chat Holly Road, and the Developers Agreement. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1-2)**

Ms. Blackshear presented a request from Emerald Coast Associates for a commercial development consisting of 21 offices with ancillary inventory storage space and 5 mini-warehouse buildings consisting of 72 total units for the Bayport Business Complex. Ms. Blackshear clarified the request is for the Bayport Business Complex development order. Commissioner Brannon stated that there is an issue that the county needs 25 feet of right of way along County Road 3280 and that right-of-way is needed before approval.

Mr. Dean Burgess, Emerald Coast Associates, stated that they would dedicate the 25 feet of right-of-way and provide appropriate set back for the building to accommodate the space required by the Engineering Department for public safety. Mr. Newman recommended that condition be included in the development order. Mr. Burgess briefly explained the plans to reduce the number of accesses on County Road 3280 by including the upcoming Tom Thumb in their access.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve conditions set in the staff report for the Bayport Business Complex development order. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1)**

Ms. Blackshear presented a request to approve the amended final order approved on April 20, 2008, for the Publix Shopping Center with additional language concerning the proposed traffic signals.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the amended final order for the Publix Shopping Center. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1)**

There being no further business, the meeting was adjourned at 8:30 p.m.

APPROVED _____
Larry Jones, Chair

ATTEST _____
Martha Ingle, Clerk of Court