

FEBRUARY 28, 2006 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting at 4:00 p.m. on Tuesday February 28, 2006, at the South Walton Courthouse Annex.

The following Board members were present: Scott Brannon, Chairman, Kenneth Pridgen, Vice-Chairman, Commissioner Larry Jones, Commissioner Cindy Meadows, and Commissioner Rosier Cuchens. Mr. Ronnie Bell, County Administrator, Ms. Shirl Williams, Assistant County Administrator, and Attorney David Hallman, Legal Services Director, were also present.

Commissioner Jones led with prayer followed by the Pledge of Allegiance to the American Flag. Chairman Brannon called the meeting to order.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the consent agenda consisting of the items below. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

1. EAL Approval

General Fund	\$	227,390.36
County Transportation	\$	58,459.40
SHIP		
Fine & Forfeiture		
Debt Service Hospital		
Mosq. Control State		
Mott Sign Grant		
Section 8 Housing	\$	55.55
Tourist Dev. Council	\$	2,274.73
N.W. Mosquito Control	\$	106.74
W. Co. Library	\$	1,910.14
Tax Deed Surplus Trust		
Recreation Plat Fee		
Public Safety- 911	\$	928.84
Solid Waste Enterprise	\$	861,395.69
Mossy Head VFD		
Glendale VFD	\$	663.55
Darlington VFD		

Red Bay VFD	
Sidewalk Fund	
Local Option Gas Tax	
Special Law Enf. Trust	
Driftwood Debt Service	
Criminal Justice Ed Fund	
Bldg Dept/Enterp. Fund	\$ 3,139.84
Capital Projects Fund	
Imperial Lakes MSBU	
Totals	\$1,156,324.84

2. Approve Minutes of February 7, 2006 – Joint Meeting  
February 14, 2006 – Special Meeting
3. Investment Report for Quarter Ended December 2005
4. Approve Resolution to Amend the Budget for a Private Donation made to the Library Fund **(2006-12)**
5. Approve Resolution to Amend the Budget for MSBU Monies for the United Fire District **(2006-13)**
6. Approve Resolution to Amend the Budget for MSBU Monies for the Paxton Fire Department **(2006-14)**
7. Approve Resolution to Amend the Budget for the State Aid to Libraries Grant **(2006-15)**
8. Approve Amendment #4 of the Florida Forever Agreement for Oyster Lake Restoration
9. Approve Wireless E-911 Rural County Grant Program for Maintenance Fees
10. Approve Wireless E-911 Rural County Grant Program for Training Costs
11. Approve Emergency management Preparedness and Assistance Grant

Attorney Hallman discussed the request by Attorney Gary Shipman, representative for the property owner, for a family lot split on Western Lake. He stated that he had not had an opportunity to review the material; therefore, he recommended a continuance to the March 14, 2006 Regular BCC Meeting.

Motion by Commissioner Pridgen, second by Commissioner Jones, to continue the item as requested by Attorney Hallman. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Rick Helfand, Chairman of the Board for Seaside Elementary, discussed the upcoming Seaside Half Marathon & 5K Run. He then presented the Commissioners with t-shirts and concert tickets as a token of appreciation for their support of the race and the school.

Mr. John Johnson, Public Works Director, presented quotes for professional consulting services. He explained that these services are not eligible for reimbursement; therefore, he recommended that they be paid from Public Work's Professional Services Account. He recommended approval of Prebble Rish's bid \$65,300.00 for the Northwest Florida Water Management District Grant Project (NFWMDGP).

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the \$65,300.00 bid from Prebble Rish for the NFWMDGP as submitted by Mr. Johnson. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Johnson also recommended approval of Prebble Rish's bid of \$59,300.00 for the Villa Tasso Drainage Project. He estimated that the time frame for the study would be four months.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the \$59,300.00 bid from Prebble Rish for the Villa Tasso project as presented by Mr. Johnson. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Johnson stated that Tetra Tech had submitted a proposal of \$73,850.00 for the Hogtown Bayou Bridge Project. Staff felt that the proposal was too high; therefore, a continuance was recommended.

Mr. Ryan Douglass, Staff Engineer, requested approval of a change order deduction in the amount of \$67,099.85 for the connector road project on C.W. Roberts Road.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the change order deduction as presented by Mr. Douglass. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Douglass stated that Public Works will contact Mr. Phillip Edenfield to assist with his request to extend the county's maintenance of a clay road in the Mossy Head area by 1200'. The parcel is located on the south side of State Highway 90 and the access is necessary for future development of the property.

Attorney Brian Norback, Legal Services of North Florida, Inc., gave a brief overview of the services provided by Legal Services. He submitted a quick reference and a community report for 2003-2004.

Ms. Debbie Holmes requested the county's assistance in obtaining an Incidental Take Permit. She reported information that she obtained through conversations with the Florida Fish & Wildlife Services regarding the permits. She urged the Board to draft a conservation plan and apply for a county-wide permit. Ms. Holmes also requested that the Board not reschedule the meeting on March 21<sup>st</sup> to discuss Incidental Take Permits.

Attorney Hallman stated that the meeting date had been changed to March 13<sup>th</sup> 2006, due to the March 21<sup>st</sup> deadline for the Habitat Preservation Plan grant application.

Mr. Kevin Hargett, Code Enforcement Officer, requested that the Board allow the Code Enforcement Department to continue issuing civil citations for LDC and ordinance violations. He discussed the list of violations which are impacted greatly through such citations. Mr. Hargett reported that 80 citations have been issued by Code Enforcement in the year since the Board granted the authority to do so.

Motion by Commissioner Jones, second by Commissioner Cuchens, to allow staff to draft a policy and procedure manual to specify a consistent manner in which the citations should be issued and enforced. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Hargett informed the Board that he will now serve as the on-call person for code enforcement emergencies. He stated that a separate phone will be designated for reports. Commissioner Jones felt that a policy should be drafted to specify which situations require emergency response. Commissioner Pridgen questioned transportation for staff responding to after-hours calls. Commissioner Brannon stated that transportation should also be addressed through the policy and procedures to be drafted by Code Enforcement.

Mr. Ed Baltzley, Emergency Response Director, reported that Emergency Management and OMB will review the existing Emergency Medical Services Interlocal Agreement with South Walton Fire District. He stated that they will report back to the Board in September 2006.

Mr. Billy McKee, Environmental Planning Manager, presented a request for \$17,000.00 to permit, capture, and relocate a population of gopher tortoises from the Walton County Justice Facility. The monies are to be divided as follows: \$12,000.00 for the consulting services of Ashton, Ashton, and Associates and \$5,000.00 for Mr. MC Davis for use of the Nokuse Plantation. He submitted a letter from Attorney David E. Pleat pledging \$1,000.00 for the project.

Commissioner Cuchens questioned the feasibility of doing the project “in-house”. Mr. McKee replied that the process is beyond the scope of staff’s expertise and that the alternative of destroying the species would be more costly.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve the request for \$17,000.00 as presented by Mr. McKee. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Mike Judkins and Ms. Shari Judkins were not present to present their request for the removal of fences on county property on Old Highway 98 in Miramar Beach.

Mr. Gary Mattison, Human Resource Director, requested that the discussion regarding revisions to the BCC Personnel Policy 6, Standards for Conducts and Ethics, be tabled until the March 14, 2006 Regular BCC Meeting. He presented the following policies for first readings:

1. Revision of Personnel Policy 13, Insurance Program
2. Revision of Personnel Policy 15, Pension Program

Motion by Commissioner Jones, second by Commissioner Pridgen, to continue discussion regarding retaining walls in the Seagrove Beach area until the March 14, 2006, Regular BCC Meeting as requested by Mr. Terry Anderson. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, and Brannon Aye. (Commissioner Cuchens abstained from the vote and submitted the appropriate documentation)

Ms. Shirl Williams reported that the bid process for the animal shelter should begin in approximately 45 days. She then requested approval to schedule a governmental meeting to address The Pines of Blue Mountain Beach Homeowner's Association's request to implement a MSBU for the paving of Blue Mountain Beach Road.

Motion by Commissioner Meadows, second by Commissioner Jones, to allow staff to schedule the appropriate meeting as requested by Ms. Williams. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Williams reported that citizens have expressed opposition to the Board's previous decision to remove the flashing signals at the intersections of US Highway 98 and CR 283/CR 395 and replace them as standard warning signs. Commissioner Meadows stated that she has received calls and emails from constituents who expressed the same concerns. The cost to relocate the flashing signals is \$35,000.00.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to relocate the flashing signals per FDOT standards and to take the \$35,000.00 from contingency funds. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Jim Jones, Walton County Health Department, stated that the current health department facility is not adequate to support the anticipated expansion. He submitted an overview of the information regarding the costs and funding for the new building which is to be located on US Highway 83. The estimate of cost is \$6,435,000.00, which is \$2,145,000.00 over the existing budget. He requested that the county draft a resolution in support of requesting \$2.145 million in state allocations; as well as, assistance in locating alternative funding sources.

Motion by Commissioner Jones, second by Commissioner Pridgen, to allow staff to draft a resolution to request state appropriations for the new Health Department facility. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell recommended that the county approve a request by Ms. Carlene Anderson, Superintendent of Schools, to allow the Walton County School District to sponsor the upcoming Miss Walton County Pageant.

Motion by Commissioner Jones, second by Commissioner Pridgen, to allow the WCSD to sponsor the Miss Walton County Pageant. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Mr. Bell stated that appointees are needed for the 331 Citizens Advocacy Committee. He then discussed information from Ms. Lynn Bannister, Director of Outreach for US Senator Bill Nelson, regarding the Martinez-Nelson Permanent Protection Bill, which permanently prohibits drilling to the east coast, Florida straits, and at least 150 and up to 260 miles off the west coast of Florida. The information was submitted to the Board.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to draft a resolution of support for the Martinez-Nelson Permanent Protection Bill. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Meadows asked that the Planning Department review the language regarding single lots of record and family lot splits. Ms. Blackshear agreed that this has been an ongoing issue due to the current language and agreed that revisions are necessary. She added that the current language was designed for rural areas. Commissioner Brannon directed the Planning Department to look into the matter.

Commissioner Meadows reported that Community Land Trust, a non-profit organization, had expressed interest in purchasing surplus tracts of state land in order to construct workforce/affordable housing. She stated that the state may not allow the organization to purchase the land unless the county acts as a mediator. She requested that a resolution be drafted to express interest in pursuing parcels for the purpose of workforce housing. She added that the St. Joe Company and Publix had expressed interest in helping the organization.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to draft a resolution to express interest in pursuing parcels for the purpose of workforce housing. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Commissioner Cuchens requested that a resolution be drafted to require contractors who repeatedly violate instructions to contain/clean debris on building sites to use an on-site dumpster. Mr. Gerry Demers, Deputy Building Official, stated that the Code of Ordinance mandates that the debris be contained, but does not specify the use of a dumpster. He felt that Code Enforcement could address the issue through citations. Commissioner Jones felt that the Board should allow Code Enforcement to interpret Commissioner Cuchens's request from the current language.

Motion by Commissioner Cuchens, second by Commissioner Jones, to allow Code Enforcement to construe that the existing policy allows for the requirement of enclosed dumpsters when contractors do not heed the policy regarding cleaning/containment of building sites. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Motion by Commissioner Jones, second by Commissioner Pridgen, to have staff draft a resolution of congratulations for Miss. Shannon Bell, who was crowned Miss Warrior 2006 (2006-24). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.\*\*

Chairman Brannon stated that he had received an easement request by Shadows, LLC. Attorney Dana Matthews, representative the applicant, stated that the property is land locked and that the owner had been unsuccessful in attempts to negotiate an easement from an adjoining property owner. He requested that the county request a 60' easement from the Division of State Lands for public use, for which the developer will construct the roads, provide utility lines and landscaping with expressed permission to transfer that easement to the future home owner's association. He stated that the developer will make a \$50,000.00 contribution to the recreation fund for Helen McCall Park. He referred to the area on an aerial map and submitted copies of the

map to the Board. He requested that the Board allow Mr. Bell to respond to a letter from Mr. David Stevenson, Bureau of Public Land Administration, and to request the easement. Attorney Matthews stated that the developer would agree to share costs with the developers of adjacent landlocked properties through cost sharing agreements.

Motion by Commissioner Jones, second by Commissioner Cuchens, to allow Mr. Bell to draft a letter to the Division of State Lands requesting an easement as requested by Shadows, LLC. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Attorney Hallman introduced the agenda item for Mr. Dan Arner regarding the installation of a ProtecTube which will encroach upon 22' of the 33' of the county's easement on Winston Lane. Attorney Hallman stated that the county had an intangible interest in the easement and was comfortable allowing the encroachment as long as the owner agrees to properly install and maintain the tube. He added that a condition of any agreement should include that any action brought against the county due to placement of the tube could result in the county's insistence of its removal. Attorney Greg Watson felt that a hold harmless would be a more appropriate safeguard, as Attorney Hallman's suggestion could result in an impetuous removal based on unfounded claims. Attorney Hallman felt that a hold harmless would not offer the county adequate protection.

Motion by Commissioner Pridgen, second by Commissioner Jones, to allow Legal Services to draft an agreement with the property owners. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

There were no additional public comments. The Board recessed briefly at 6:05 p.m.

The Board reconvened into a Public Hearing to discuss final plats and major developments. Attorney Hallman administered the oath to all who intended to present testimony regarding the quasi-judicial items.

Ms. Blackshear requested a continuance for ten of the projects on the agenda. The projects and continuance dates are as follows (**staff reports labeled Exhibit #1 were submitted for projects # 9, 10, 14, 17, 18, & 20**):

1. Project # 2: Final Plat Approval for Draper Lake Block 8 Replat (March 14<sup>th</sup>)
2. Project # 3: Final Plat Approval of Whispering Lake Subdivision (March 14<sup>th</sup>)
3. Project # 4: Thomas Petition for Abandonment (March 27<sup>th</sup>)
4. Project # 5: Noventa Ocho Petition for Abandonment (March 27<sup>th</sup>)
5. Project # 9: Major Development Bay Breeze Cottages (March 14<sup>th</sup>)
6. Project # 10: Major Development Seacroft Preserve PUD (March 27<sup>th</sup>)
7. Project # 14: Major Development Ridgewalk PUD (March 14<sup>th</sup>)
8. Project # 17: Major Development Cypress Cottages PUD (March 27<sup>th</sup>)
9. Project # 18: Major Development Sunset Woods Subdivision PUD (March 27<sup>th</sup>)
10. Project # 20: Major Development Lighthouse Pointe (March 27<sup>th</sup>)

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the continuance of the projects as presented by Ms. Blackshear. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented Cox Replat for final plat approval. The project consists of a replat of Lot 1 of Camp Creek Lake Subdivision located on the south side on CR 30A, in Camp Creek Lake Subdivision. Staff found the project consistent with the LDC and Comp Plan contingent upon Legal Services review of the revised mylar.

Mr. Tom Dudley, Realtor representing the transaction, questioned the time frame for legal services review. There were no further public comments.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the final plat of the Cox Replat for recordation contingent upon Legal Services review of the revised

mylar. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented a request by Modern Images Unlimited, Inc., for the abandonment of a portion of the 33' access and utility easement located on the north side of Deer Lake Beach Drive and on the south side of Lot 1 Seclusion Dunes. Ms. Blackshear stated that staff concurred with the Planning Commission's recommendation for denial given that the easement serves public purpose as an access to state land. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to deny the abandonment request by Modern Images Unlimited, Inc. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented FDOT DeFuniak Springs Operating Center, a major development proposal which consists of a 21,648 sq. ft. administration office building and storage facility on 29.55 acres. The proposed site has a future land use designation of Estate Residential and is located on the east side of US Highway 331, north of Wagon Wheel Road and south of Edgewood Circle. She stated that the Rock Hill Road turn lane JPA and the proposed improvements to the right-of-way fronting the proposed site would serve as mitigation for the traffic concurrency issue discussed at a previous meeting. Staff found the project consistent with the LDC and Comp Plan. A staff report was submitted into the record (**Exhibit #1**). There were no public comments.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the FDOT DeFuniak Springs Operating Center as presented by staff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented L&V Development, LLC., a major development proposal which consists of a 7,800 sq. ft. commercial building on 1.01 acres. The proposed site has a land use designation of Coastal Mixed Use Center and is located on the north side of US Highway 98, west of South Shore Drive. Staff found the project consistent with the LDC and Comp Plan. A staff report was submitted into the record (**Exhibit #1**).

Mr. Scott Jenkins, Jenkins, Sanford, & Associates, was present to represent the applicant, L&V Development, LLC. There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve L&V Development, LLC., as presented by staff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented Seaview Trace Subdivision, a major development proposal which consists of an 8-lot single-family subdivision on 1.11 acres. The proposed site has a future land use designation of NPA/Infill and is located along the south side of Holly Leaf Lane, approximately 150' east of North Walton Lakeshore Drive and Holly Leaf Lane intersection. She stated that the project meets the technical requirements; however, has an outstanding issue with South Walton Mosquito Control regarding access to provide mosquito control services. Staff found the project consistent with the LDC and Comp Plan contingent upon a resolution satisfactory to SWMC. A staff report was submitted into the record (**Exhibit #1**).

Mr. Sanford, representative for the applicant, Spicy Noodle Holding Company, LLC., asked if there were any current issues with mosquito control. He was informed that the issue is the location of the swells on private property and the subsequent lack of access for treatment. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve Seaview Trace contingent upon resolution of the issue with SWMC. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented Pointe Parc, a major development consisting of 29 single-family residential lots of five acres of land. The proposed site has a future land use designation of NPA/Infill and is located on the north and south sides of East Point Washington Road, north of CR 395 and south of Dick Saltzman Road. Staff found the project consistent with the LDC and Comp Plan contingent upon improvements to Dick Saltzman Road and construction of a sidewalk or boardwalk. A staff report was submitted into the record (**Exhibit #1**).

Commissioner Cuchens questioned the length of Dick Saltzman Road and if the entire road could be paved by the developers with projects on that road as a condition of approval. Currently, a gap of un-paved road would remain once all of the developers paved their designated portion.

Ms. Kim Bottomy, Wilson Miller, Inc., was present to represent the applicant Mr. Ed Edwards. She stated that several projects are planned for Dick Saltzman Road and felt that between all of the projects the road would be paved to completion.

The Board entered into discussion regarding the paving of Dick Saltzman Road and subsequently directed staff to schedule an organizational meeting for the purpose of determining the length and location of the gap and to coordinate the paving schedule with the developers, design engineers, and Public Works. One suggestion was for the developers to pave the gap and be reimbursed by the county if the paving schedule of Public Works could not be coordinated with the developers'. Another suggestion was to have the developer's paving contractor submit a price for paving the gap in the road. The county would then use that information to determine if

it would be more feasible to pave “in-house” or through the contractor. There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve Pointe Parc with the conditions of paving a portion of Dick Saltzman Road and the construction of sidewalks or boardwalks. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented Walton Woods, major development proposal which consists of 81 single-family residential lots on 20 acres. The proposed site has a future land use designation of NPA/Small Neighborhood and is located on the east and south sides of East Point Washington Road, north of CR 395 and Dick Saltzman Road. Staff found the project consistent with LDC and Comp Plan contingent upon improvements to Dick Saltzman Road and construction of a sidewalk or boardwalk. A staff report was submitted into the record (**Exhibit #1**).

Mr. Dean Burgis, Emerald Coast Associates, Inc., was present to represent the applicant, Point Washington Partners. He stated that the developer had agreed to pave 2200 linear ft. of road even though the property has only 440’ of road frontage. He requested that the county prepare the base or provide the base materials. Attorney Hallman stated that the county could agree to provide the base materials which the developer could transport to the site; however, he felt that the base material should be inspected before it is installed to avoid future liability regarding road quality. The base material would be either lime rock or clay dependant upon the water table. There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve Walton Woods contingent upon the construction of a sidewalk or boardwalk, paving Dick Saltzman

Road from the entrance of Walton Woods to Audubon Point, and to coordinate with and involve the county in the scheduling of the paving.

Commissioner Meadows clarified her motion to include the following: to approve Walton Woods contingent upon the construction of a sidewalk or boardwalk, paving of a portion of Dick Saltzman Road from the NW property boundary of Walton Woods to the entrance of Audubon Point, and for the developer to coordinate the paving with Mr. Greg Graham. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented Eagle Bay Landing, a major development proposal consisting of 53 single-family residential lots on 36.84 acres. The proposed site has a future land use designation of Conservation Residential 2:1 and is located east of East Hewitt Road, west of Don Bishop Road and south of Hogtown Bayou. Staff found the project consistent with the LDC and Comp Plan contingent upon GIS's approval of the road name and final approval by the Engineering Department. A staff report was submitted into the record (**Exhibit #1**).

Mr. Burgis was present to represent the applicant, Mr. Flynn Morris. He stated that the developer had agreed to pave a substantial portion of the road even though it does not front the property. He requested any assistance that the county could provide. The floor was opened to public comments.

Ms. Christie Colloway, East Hewitt Road, questioned the relocation of any species to the green space, roadway length, preservation of trees, protection of the canopies where eagles nest, and the dedication of the right-of-way. She submitted a map of the area (**Exhibit #2**). Mr. Burgis and Mr. Graham responded to the right-of-way width. Mr. Burgis stated that the developer will work with county staff before paving begins. He stated that the parcel has an AE7 flood zone and that the developer has no plan to clear the trees. Mr. Burgis added that the project is outside of

the 1500' development zone and the 750' development zone of the eagle's nest. There were no further public comments.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve Eagle Bay Landing as presented with the conditions indicated by staff and the paving agreement made by the developer. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented Peninsula Pointe, a major development proposal which consists of 14 single-family residential lots on 3.79 acres. The proposed site has a future land use designation of NPA/Infill and is located on the south side of Lakewood Drive, east of Beachfront Trail. Ms. Blackshear stated that there was a concern that Deer Lake could be connected to the Coastal Dune Lakes. A staff report was submitted into the record (**Exhibit #1**).

Commissioner Brannon recommended a continuance to allow the Coastal Dune Lake Advisory Committee time to review the matter and report back to the Board.

Mr. Burgis was present to represent the applicant Peninsula Pointe, LLC. He stated that he was not opposed to the Board's request for a continuance and requested a date specific. There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to continue Peninsula Pointe until the March 27, 2006, Regular BCC Meeting to be held at the Walton County Court House. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye. (Commissioner Meadows submitted an ex parte communications disclosure form regarding discussions with Mr. Mike D'Autilia concerning this project)

Ms. Blackshear presented Sunset Key Cottages, a major development proposal which consists of eight single-family residential lots on 1.03 acres. The proposed site has a future land

use designation of NPA/Infill and is located on the west side of North Orange Street, north of Walton Palm Road. Staff found the project consistent with the LDC and Comp Plan contingent upon specified revisions to the storm water management plan. A staff report was submitted into the record (**Exhibit #1**).

Mr. Ed Stanford, Jenkins, Sanford, & Associates, was present to represent the applicant Patriot Development, Inc. There were no public comments.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve Sunset Key Cottages as presented with the conditions indicated by staff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

Ms. Blackshear presented the second reading of a proposed ordinance to amend LDC section 5.05.01 (H), Placement of Underground Utilities. The proposed ordinance would provide an exception to subdivisions with a land use designation of Agriculture, General Agriculture, and Estate Residential and that create lots of one acre or more when a study from the local utility provider finds that underground placement of utilities is not feasible. There were no public comments.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the proposed ordinance as presented by staff (**2006-03**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

There was no further discussion.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to adjourn at 7:55 p.m. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Cuchens Aye.

APPROVED: \_\_\_\_\_  
Scott Brannon, Chair

ATTEST: \_\_\_\_\_  
Martha Ingle, Clerk of Court

\*\*These minutes were amended on 4-11-06 to include the motion to pass resolution 2006-24.

\*\*\*Please be advised that the Clerk's Office does not have an audio file for first portion of the Regular Meeting; however, audio is available for the Public Hearing/quasi judicial portion. The error occurred when Mr. Ken Little, Citizen Services, attached a device to the sound system which subsequently interfered with the recording.