

APRIL 11, 2006-REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, April 11, 2006, at 4:00 p.m. at the South Walton Courthouse Annex.

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

Commissioner Pridgen 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, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

1. EAL Approval		
General Fund	\$	882,612.20
County Transportation	\$	670,221.23
SHIP	\$	30,000.00
Fine & Forfeiture	\$	1,141,653.68
Debt Service Hospital	\$	-
Mosq. Control State	\$	-
Mott Sign Grant	\$	-
Section 8 Housing	\$	448.63
Tourist Dev. Council	\$	227,832.17
N.W. Mosquito Control	\$	2,676.29
W. Co. Library	\$	19,340.53
Tax Deed Surplus Trust	\$	-
Recreation Plat Fee	\$	36,576.85
Public Safety- 911	\$	11,639.28
Solid Waste Enterprise	\$	119,543.05
Mossy Head VFD	\$	-
Glendale VFD	\$	4,891.52

Wanda Patterson, Operator, Mr. Jerry Sabe, Ms. Angel Montalvo, Ms. Marian Kusik, Mr. Tom Miller, and Mr. Ted Estey. Mr. Bruce Morrison, member of the FRWA Board of Directors, was also present.

Chairman Brannon advised the items placed on the agenda by Attorney Gary Shipman, Mr. Terry Anderson, and Mr. David Kramer had been pulled.

Mr. John Johnson, Public Works Director, submitted information regarding a request from Mr. James Saunders to participate in an asphalt paving agreement for Linda Lane. The paving policy allows a homeowner to agree to pay for the asphalt and the County agrees to pave the road within the next budget year. Mr. Johnson proposed the agreement be set whereby Mr. Saunders would pay the current rate of asphalt at the time of paving.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to direct Legal Services to prepare an agreement between Mr. Saunders and the County for the paving of Linda Lane. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Aaron Warren, Assistant County Engineer, requested approval of a Roadway Memorial Markers Policy. The policy was developed as a part of the long-term strategic plan for the Walton County Public Works Department to formalize the procedure for permitting roadway memorial markers. The policy also ensures that all roadway memorial markers are handled in a uniform manor.

Commissioner Jones suggested the language in section II (I) of the policy be amended to change the word “shall” to “may” to allow flexibility.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the Roadway Memorial Markers Policy with the suggested language change. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Warren discussed the bid results for the CR 3280 and US Highway 331 intersection improvements contract. He informed the bids that were submitted exceeded the funds available for the project by \$640,000. He entertained changing the scope of the project to eliminate the US 331 southbound left turn lane requested by DOT to reduce the cost of the project.

The Board ensued discussion.

Mr. Bill Imfeld, Finance Director, advised there were monies available in the local gas tax revenues that could be used to fund the remainder of the project. He said a public hearing could be set for the next meeting to amend the budget to transfer the funds.

Mr. Cliff Knauer added that certain value engineering practices could be applied to lower the cost of the project. He said they were unable to negotiate with the contractor until the bid was awarded.

Motion by Commissioner Cuchens, second by Commissioner Jones, to award the bid to C.W. Roberts Contracting, Inc., allowing Mr. Knauer to negotiate with the contractor to apply certain value engineering practices to attempt to reduce the cost of the project. A public hearing will be set to amend the budget to transfer the monies from the local gas tax reserves. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Warren requested approval to apply for the Small Communities Outreach Program Grant to use towards CR 192.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the request to apply for the Small Communities Outreach Program Grant. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Warren requested approval of a deductive change order in the amount of \$61,397 for the Collinsworth Road project.

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

Mr. Warren updated the commissioners on the status of the bike path on CR 393 and the CIP Schedule.

Mr. Brad Pickel, Tourist Development Council, turned the floor over to Mr. Howard Marlowe with Marlowe and Company, the firm working in Washington, DC, to help Walton County secure beach restoration funding. Mr. Marlowe gave a brief update regarding the status of federal funding for beach restoration.

Mr. Pickel presented a request for approval to waive the permit fees for Phase 2 of the Beach Access Rebuild. Phase 2 of the project is for the rebuilding of 18 boardwalks destroyed during the hurricane season.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the request to waive the permit fees for Phase 2 of the Walton County Beach Access Rebuild. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Pickel presented a request from TDC for approval to surplus and donate three Polaris 6 x 6 ATVs to the South Walton Fire District for use in the lifeguard safety and rescue program. The vehicles were purchased in July 2002 for maintaining the beaches, but are no longer used by the TDC.

Motion by Commissioner Meadows second by Commissioner Pridgen, to approve the surplus and donation of three Polaris ATVs to the South Walton Fire District. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Pickel presented a request for approval of an agreement between the South Walton Utility Company and Walton County for establishment of a staging area for trash removal. Historically, the TDC has used a portion of Regional Utility property to stage dumpsters for beach trash. Due to the expansion of the Regional Utilities, TDC was asked to move to a new location. The South Walton Utility Board of Directors has agreed to let the TDC use a portion of their Goldsby Road tank and pumping facility for staging three dumpsters.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the request to enter into an agreement with the South Walton Utility Company. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Pickel presented a request for approval to enter into an agreement with the State of Florida Department of Transportation for litter removal on a two-mile segment of Highway 98 (CR 283/Bay Drive to just west of J.D. Miller Road).

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve the request to enter into an Adopt-A-Highway Litter Removal Agreement with the State of Florida Department of Transportation. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Pickel turned the floor over to Attorney Hallman to discuss a letter received from Great Lake Dredge & Dock Company, LLC, the contractor for the Walton County/Destin Beach Restoration Project. The company expressed concern regarding previous direction from the Board to place sand on the beach despite protests from beachfront property owners. The company alleged that representatives of some of the property owners threatened that they would be sued for trespass if they proceeded to place sand under the contract. The company requested a modification to the current contract to release them from their responsibility to indemnify the

City of Destin and Walton County. Mr. Hallman recommended the Board respectfully reject the proposal to modify the contract.

The letter and photographs of the subject property were entered into the record.

The Board ensued discussion.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to reject the proposal to modify the contract. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

The Board deferred from the agenda briefly to allow Attorney Hallman to announce that the Leadership Walton Class of 2006 was sponsoring a fundraiser to raise money to assist with building a house for a single mother in Mossyhead whose home was recently destroyed by a fire. Ms. Michelle Tommey and Ms. Tracy Louthain, representatives for Leadership Walton, were present and invited the Board to attend the auction and luau that was being held at the Chamber of Commerce from 5:30 to 7:30 p.m.

Ms. Pat Blackshear, Growth Management Director, requested authorization for staff to negotiate a draft for an Interlocal Agreement with the City of Paxton and City of DeFuniak Springs to provide planning and engineering services for project review.

Motion by Commissioner Pridgen, second by Commissioner Jones, to authorize staff to negotiate a draft Interlocal Agreement with the City of Paxton and City of DeFuniak Springs. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request from Habitat for Humanity for the Board to waive the building permit fees for the houses that are going to be built in Walton County.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the request to waive the building permit fees for Habitat for Humanity. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear requested that the discussion regarding Code Enforcement issues be continued for two weeks for further evaluation of an alternative work schedule.

Ms. Blackshear discussed the timeline and application procedures for the 35 acres of small scale amendments reserved for private property owners. She presented for approval a one page summary application to be accepted from May 11th through June 13th. The drawing is scheduled to be held in the a.m. of June 15th. Those drawn will have 60 days to submit a complete application; any applications not complete at the end of the 60 days will be replaced with applications in the order in which they were drawn.

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

Ms. Blackshear addressed a staff report from the Planning Commission requesting direction from the Board regarding the following issues: preservation in rear and side yards of single family homes, tandem parking, exfiltration systems under roads and/or in small subdivision, and septic tanks in close proximity existing sanitary sewer.

After discussion, it was the general consensus of the Board to direct the Planning Department to draft specific language to clarify the policies in the Comprehensive Plan and Land Development Code. Ms. Blackshear stated that staff would provide the proposed language to the Planning Commission for review.

Ms. Blackshear requested authorization to transmit Transportation Regional Incentive Program (TRIP) grant applications for the realignment of Highway 81 and County Road 3280, US 331 and Rock Hill Road passing lanes, and US 331 and Sherwood Road passing lanes. Ms. Blackshear stated that the realignment project was already in the CIP schedule and requested authorization to place the other two projects in the CIP at the next annual update. She further requested the adoption of resolutions to amend the budget to provide 50% matching funds for each of the projects, noting that the funding would not be due until the execution of the agreement.

Mr. Imfeld stated that a public hearing would have to be held to amend the budget to provide the matching funds, which is usually done after a grant is awarded. Ms. Blackshear responded that DOT required the resolutions be included in the packet. Mr. Imfeld replied that General Fund Reserves could be designated for the projects and appropriate funds identified and earmarked for a 50% match.

Motion by Commissioner Cuchens, second by Commissioner Jones, to authorize the transmittal of Transportation Regional Incentive Program (TRIP) grant applications for the aforementioned projects; adopt the proposed resolutions; direct staff to place the three projects within the next annual update of the Capital Improvement Plan; and authorize the designation of General Fund Reserves to provide an “earmarked” 50% match for the projects.

Mr. Imfeld stated that this would have no effect on the budget.

Attorney Hallman noted that the proposed resolutions would have to be amended to omit the language referencing budget amendments.

Commissioner Cuchens amended his motion to include authorization to amend the resolutions (2006-34, 2006-35, & 2006-36). Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

The Board recessed briefly.

Attorney Hallman re-addressed a request he presented at the last BCC meeting for direction as to whether to appeal to the Florida Supreme Court the recent ruling of the 1st District Court of Appeals in the case involving Sunseekers Homeowners Association. As requested by the Board, Mr. Hallman presented a map illustrating the location of the subject easement. He requested authorization to consult with Ms. Susan Kelsey, Esquire, and file an appeal if it is determined there is sufficient record.

Ms. Amy Perry, legal council for Walton County in the Sunseekers litigation, was also present to answer questions.

Discussion was held regarding the cost estimate to obtain Ms. Kelsey's legal opinion.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to authorize Legal Services, along with Ms. Perry, to make further inquiry with Ms. Susan Kelsey and file an appeal if it is determined there is sufficient record. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman requested approval to set a public hearing for the first reading of a proposed ordinance establishing a franchise agreement between Walton County and Bright House Networks, LLC. Bright House Networks currently holds a non-exclusive franchise and wishes to continue to operate a cable television system in Walton County.

Motion by Commissioner Jones, second by Commissioner Cuchens, to set a public hearing for consideration of the proposed ordinance. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman gave a brief update on armoring issues, assuring the Board that staff was continuing to work on the issues.

Ms. Shirl Williams presented a recommendation on behalf of Commissioner Meadows for the Board to adopt the short-term recommendations of the County Road 30-A Traffic Study presented at the last meeting. She stated that the Board could contend with the long-term recommendations at a later date.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to adopt the short-term recommendations of the CR 30-A Traffic Study that were placed in the CIP at the most recent annual update.

Commissioner Cuchens inquired about the total amount of funding that would be generated by proportionate fair share for the short-term improvements. Ms. Blackshear stated that staff could obtain that information and the Board could come back to the issue.

Commissioner Meadows withdrew her motion to allow staff to obtain the information requested by Commissioner Cuchens. Commissioner Cuchens withdrew his second to the motion. .

Ms. Williams presented a request from Sandestin to use the Helen McCall Park on May 13 and 14 for parking for the Boeing PGA Tournament. Sandestin agreed to restore the park to its original or better condition following the tournament. Shuttle services will be provided from the park to Sandestin.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the request to allow Sandestin to utilize the Helen McCall Park on May 13 and 14 for parking for the Boeing PGA Tournament. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Williams presented a request from the Florida Highway Patrol that the county purchase three new radar units to use in the patrol cars to replace the units purchased in 1997. The cost is approximately \$3,100.00 per unit.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the request to purchase three radar units for the Florida Highway Patrol. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear reviewed the information Commissioner Cuchens requested regarding the short-term improvements placed in the CIP for CR 30-A. The total amount of the improvements equaled approximately 9.5 million.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to formally adopt the short-term recommendations of the CR 30-A Traffic Study that were identified in the CIP. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Commissioner Meadows continued the discussion regarding alternative transportation/recreational vehicles until a later date.

Commissioner Meadows reported that she was communicating with DOT with regard to US Highway 98 right-of-way maintenance.

Commissioner Meadows proposed the Board adopt a resolution to request the release of 80 acres from the State for community recreational facilities.

Commissioner Cuchens asked Commissioner Meadows to consider changing her request to ask for 150 acres instead of 80.

Mr. Bo Rutledge and Mr. Dave Lovell with the Parks & Recreation Board spoke about the need for appropriate recreational facilities to support the growth in the county.

Ms. Celeste Cobina and Ms. Bonnie McQuiston spoke in opposition to acquiring preservation lands for recreational purposes.

Mr. Ed Goodman and Ms. Dana Akridge spoke in support of acquiring additional lands for recreational facilities.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to direct Administration to draft a resolution to request the release of 150 acres from the State for recreational facilities to be brought back to the Board. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Commissioner Meadows presented the following recommendations in regards to the Timpooshee Trail:

1. Retain a bikeway consultant to design signage system.
2. Bid out contract for prosecution and placement of signs.
3. Finalize bike path maintenance contract.
4. Grant Code Enforcement the ability to issue citations for parking on bike paths and other infractions creating safety concerns on Timpooshee Trail.
5. Grant Friends of Timpooshee Trail a seat on the Technical Review Board.

The Board held discussion regarding the recommendation to grant Code Enforcement the ability to issue citations. Commissioner Jones expressed concern this could create an overwhelming workload for staff.

Mr. Fred Betts expressed concern about moving vehicles on the bike paths.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to move forward with recommendations 1, 2, 3, and 5. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Commissioner Meadows presented a letter she received from DEP regarding Walton County's proposed request to purchase four Gulf Shore Manor lots to use for affordable housing. She stated the Board needed to decide as to whether they were interested in pursuing the purchase of the lots.

Ms. Tiana Larson expressed concern that the subject property was comprised of wetlands.

It was the general consensus of the Board to continue the discussion until the next meeting to allow further review of the parcels.

Commissioner Cuchens requested the Board's approval to advertise for a public hearing to consider adopting a 50' height limit for the northern portion of Walton County.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to advertise for a public hearing for consideration of extending the existing 50' height limit to the portion of the county lying north of the Choctawhatchee Bay. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

The floor was opened for additional public comments. Ms. Anita Paige asked for clarification regarding the deadline to cease construction on the beach. Ms. Blackshear and Attorney Hallman responded to her questions.

The Board recessed at 7:20 p.m. and reconvened into the land use portion of the meeting.

Chairman Brannon called to order the advertised public hearings to consider the following final plats: Forest Lakes, Satinwood Place, Plantation at Santa Rosa, First Addition, Laurel Grove, Phase V, and Cottages of Miramar.

Ms. Blackshear presented a request for final plat approval of Forest Lakes, an 18-lot subdivision located on the north side of CR 30-A. There were no outstanding issues for this project. Staff finds that the proposed project meets the technical requirements of the Comprehensive Plan and Land Development Code.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to approve the final plat of Forest Lakes for recordation. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for final plat approval of Satinwood Place, a 9-lot single-family subdivision located on the northwest corner of the Satinwood Drive and CR 30-A intersection. Ms. Blackshear stated the only outstanding issue was that the letter of credit and plat must be reviewed by the county attorney. Staff finds that the proposed project meets the technical requirements of the Comprehensive Plan and Land Development Code.

Mr. David Clark, representing the applicant, was present to answer questions.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Jones, to approve the final plat of Satinwood Place for recordation contingent upon legal review by the county attorney. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for final plat approval for Plantation at Santa Rosa, First Addition, being a replat of a platted common area into lots 73 and 74 pursuant to the issued

development order. This site is located south of Hackberry Way in the subdivision of Plantation at Santa Rosa. There were no outstanding issues for this project. Staff finds that the proposed project meets the technical requirements of the Comprehensive Plan and Land Development Code.

No one was present to represent the applicant.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the replat of Plantation at Santa Rosa, First Addition, for recordation. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for final plat approval of Laurel Grove, Phase V, a 23 unit town-home development located at Sandestin Resort, approximately ½ mile in the Sandestin East Gate, located on the left. The only outstanding issue was a minor discrepancy noted in the staff report regarding acreage. Staff finds that the proposed project meets the technical requirements of the Comprehensive Plan and Land Development Code.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the final plat of Laurel Grove, Phase V, for recordation. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for final plat approval of Cottages of Miramar, a 3-lot single-family subdivision located on the west side of Driftwood Road, south of US Highway 98. There were no outstanding issues for this project. Staff finds that the proposed project meets the technical requirements of the Comprehensive Plan and Land Development Code.

There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve the final plat for Cottages of Miramar for recordation. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman administered the oath to the individuals who intended to speak on any of the quasi judicial projects.

Ms. Blackshear presented a request for approval of a major development identified as “Pinewood Preserve”. Stacey Leigh Webb, Managing Member for Pinewood Preserve, LLC, and Mr. Adrian D. Lovell, P.E., agent, requested approval of a project consisting of a 33-lot single-family subdivision on 5.078 acres with a future land use designation of Neighborhood Planning Area-Infill. The site is located at the southwest corner of the N. Orange Street and Pinewood Lane intersection. There was one outstanding issue regarding the design of the on-site preservation area. Staff finds that the proposed project meets the technical requirements of the Comprehensive Plan and Land Development Code.

A staff report was entered into the record (**Exhibit #1**).

Mr. Mark Jordan, Project Manager, addressed the Board and read the following condition recommended by the Planning Commission into the record, “The stormwater management plan for the proposed site improvements as provided on February 23, 2006, shall be revised to include the “closed” basin requirement that the site improvement stormwater systems shall attenuate the post development 100-year frequency stormwater runoff to the pre-development rates for the critical storm event. The “closed” basin analysis shall include a scaleable offsite basin map of the entire “closed” basin and a copy of the soil borings and the percolation rates by a geotechnical professional engineer. The revise stormwater Management Plan shall be submitted and approved prior to issuance of the development order.”

Mr. Dave Lovell addressed the Board as representative for the applicant.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the request for approval of the proposed major development identified as “Pinewood Preserves Subdivision” with the condition recommended by the Planning Commission. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a request for approval of a major development identified as “Ridgeway PUD”. High Noon Development, L.L.C., applicant, and Ms. Jennifer Christensen, agent, requested approval of a project consisting of a 77-lot single-family residential PUD on 19.48 acres of land with a future land use designation of Neighborhood Planning Area/Small Neighborhood. The proposed site is located on the east side of CR 393, north of Cypress Breeze Drive and south of Cypress Pond Road. There were no outstanding issues for this project. Staff finds that the proposed project meets the technical requirements of the Comprehensive Plan and Land Development Code.

A staff report was entered into the record (**Exhibit #1**).

The Planning Commission recommended approval contingent upon the developer working with the County on an agreement for the applicant to contribute to the proposed 8’ county bike path/sidewalk on the west side of CR 393 in lieu of installing a 5’ sidewalk along the east side of CR 393.

Ms. Jennifer Christensen, representative for the applicant, stated that they concurred with the condition recommended by the Planning Commission. She also stated that she had spoke with staff concerning the County establishing an overall project for individual developers to

contribute funds to be used toward a master plan for traffic improvements on CR 393. She stated that the applicant concurred with contributing to the project.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the request for approval of Ridgewalk PUD with the condition recommended by the Planning Commission, also, that the developer contribute funds to be used toward traffic improvements on CR 393. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear stated that an e-mail was received from Attorney Dana Matthews, representing the applicant for "Bay Breeze Cottages", requesting that the item be continued to until a later date. She stated that several individuals were present in the audience who wished to speak in regards to the proposed project.

A staff report for the proposed project and the e-mail sent by Attorney Matthews was entered into the record (**Exhibit #1 & #2, respectively**). A copy of a petition submitted by neighbors was also entered into the record (**Exhibit #3**).

Attorney Hallman noted that Attorney Matthews requested a continuance due to advertising issues.

Mr. Hugh Caffey addressed the Board to express opposing comments to the proposed project. Attorney Hallman stated that he would be happy to meet with Mr. Caffey to discuss his concerns in detail.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to continue "Bay Breeze Cottages" until May 9, 2006, at 5:00 p.m. or as thereafter as may be heard. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented a petition from Noventa Ocho for abandonment of a public access and right-of-way consisting of the 50 foot right-of-way dedicated to the public in the Frangista Beach Second Addition Subdivision plat. She stated that adjacent homeowners that consented to the abandonment were under the understanding that the developer would provide a connection to US 98.

A staff report was entered into the record (**Exhibit #1**).

Mr. Rick Tooke, County Surveyor, advised he received information that 80% of the homeowners consented to the abandonment.

Ms. Blackshear, using an illustration provided by the applicant, explained various issues with potential connections to US 98.

Mr. Dean Burgess, Emerald Coast Associates, was present as representative for the abandonment. He further addressed the issue of interconnectivity, stating that interconnectivity did not seem possible at this time, but the developer would continue to pursue connections. For informational purposes, Mr. Burgess noted that the staff report erroneously included the lots in the new proposed Frangista Beach 3rd Addition.

There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve by resolution the proposed Noventa Ocho petition for abandonment (2006-33). Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

There being no further business, the meeting was adjourned at 8:04 p.m.

APPROVED: _____
Scott Brannon, Chair

ATTEST: _____
Martha Ingle, Clerk of Court