

NOVEMBER 14, 2006 – REGULAR MEETING/LAND USE HEARING

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, at 4:00 PM 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. Mr. Ronnie Bell, County Administrator, and Mr. David Hallman, County Attorney, were also present.

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

Motion by Commissioner Pridgen, second by Commissioner Cuchens, 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	\$1,412,264.96
County Transportation	\$ 258,776.75
SHIP	\$ 8,508.40
Fine & Forfeiture	\$ 959,332.00
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 115,659.72
Tourist Dev. Council	\$ 65,729.56
N.W. Mosquito Control	\$ 5,045.63
W. Co. Library	\$ 9,214.58
Tax Deed Surplus Trust	\$ -
Recreation Plat Fee	\$ 13,751.66
Public Safety- 911	\$ 21,038.94
Solid Waste Enterprise	\$ 497,640.29
Mossy Head VFD	\$ 7,853.48
Glendale VFD	\$ 1,749.16
Darlington VFD	\$ -
Red Bay VFD	\$ -
Preservation	\$ -
Sidewalk Fund	\$ -

Local Option Gas Tax	\$	-
Special Law Enf. Trust	\$	-
Driftwood Debt Service	\$	-
Criminal Justice Ed Fund	\$	-
Bldg Dept/Enterp. Fund	\$	21,143.74
Capital Projects Fund	\$	2,539,459.68
Imperial Lakes MSBU	\$	-
<b>Totals</b>		<b>\$5,937,168.55</b>

2. Approve Minutes of October 24, 2006 – Regular Meeting  
October 25, 26, & 30, 2006 – Value Adjustment Board Meetings
3. Request approval to dispose of a copy machine from the Purchasing Department
4. Request to approve the disposal of a diaphragm pump and to surplus two computers and a Ford Explorer from the Public Works Department
5. Request to approve surplussing a Ford F150 pick-up truck that was damaged in an accident
6. Request to approve a resolution to amend the budget for unexpended Economic Development Funds (2006-104)
7. Request to approve a resolution to amend the budget to roll forward monies for uncompleted projects in the Roads and bridges Fund and the Glendale Volunteer Department Fund (2006-105)
8. Request to approve a resolution to roll forward monies for uncompleted Planning and Development Division Software purchases (2006-106)
9. Approve Records Disposition Request
10. Approve Amendment 6 to Agency for Workforce Innovation Contract

On behalf of the Board, Mr. Bell recognized that this meeting would be Commissioner Cuchens's last meeting, and presented him with a plaque of appreciation for his service as a commissioner for the past four years.

Attorney Hallman informed the Board that the issue on the agenda listed under Mr. Sean McBride – easement access for Driftwood Drive – was directly related to a matter in current litigation between private parties and Walton County. He strongly recommended that the Board avoid discussing this issue.

Ms. Dawn Moliterno and Mr. Rick Severance with the Walton County Chamber of Commerce were present to discuss the Workforce Housing Business Plan. Ms. Moliterno and Mr. Severance previously appeared before the Board requesting a contribution to help support a Walton County Workforce Housing Resource Center. The Board had requested that Ms.

Moliterno and Mr. Severance submit additional information before making a decision. Ms. Moliterno informed the Board that the request was unanimously approved by the DeFuniak Springs City Council, and is scheduled to be presented to the Freeport City Council in December. Mr. Severance stated that contributions will not extend past two years at which time they anticipate the WHRC will be financially self-sufficient from its own activities and private contributions.

The Board ensued discussion. Commissioner Jones handed out a list of “2006 Strategic Objectives” that was previously compiled by the Board, pointing out that one of the six objectives was to “Promote the development of more diverse and higher paying jobs, infrastructure to support them; i.e. attainable workforce housing and military impact coordination”.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the request for a contribution to assist in the support of a Walton County Workforce Housing Resource Center.

Ms. Bonnie McQuiston and Mr. J.B. Hillard, representing the Walton County Tax Payer’s Association, expressed concerns regarding the timing and funding for this request.

Mr. Bob Hudson suggested that instead of making a contribution the commissioners should agree to match the funds that are raised by the Center, up to \$65,000.

Mr. Bell requested that the motion be amended to include authorization to obtain the funds from General Fund Contingencies.

Commissioner Cuchens amended the motion on the floor to include authorizing the funds to be obtained from the General Fund Contingencies. Commissioner Jones seconded the

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

Ms. Amanda Wood and Ms. Val Gelnovatch with The Ferguson Group were present as a response to the Board's request for additional information regarding the proposed letter of agreement that was presented at their previous meeting. The agreement stated that TFG would provide Washington representation and consulting services to Walton County for a proposed fixed monthly rate of \$10,000. In addition, the agreement provides for reimbursement to TFG for expenses including, but not limited to, long distance telephone calls, faxes, document production, overnight delivery, in-town courier services, business meals, out-of-town travel (pre-approved), and in-town travel. The bills are not to exceed \$8,000 annually.

Discussion followed regarding the provision that TFG will report regularly on the status of the agenda and to advise the County on additional steps to be taken in order to achieve the agreed upon goals and objectives.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve the letter of agreement as presented. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Nay.

Mr. Matt Douglas, Emergency Response, requested that the Board approve Dr. Paul Hart as the new EMS Medical Director for Walton County. Dr. Hart was selected to fill the position by the committee that was formed to review the proposals submitted in response to the RFP that was published by the County.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve Dr. Paul Hart as the new EMS Medical Director for Walton County. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman stated that the record should reflect that the action of the Board was to appoint Dr. Paul Hart as medical director, not hire him.

Mr. Allen Brown, Public Works, requested approval to advertise a request for proposals to verify the estimate submitted by Tetra Tech for Part "A" of the preliminary design for the storm water system for Driftwood Estates. The estimate submitted by Tetra Tech was approximately \$600,000. Mr. Brown stated that this figure had to be verified before Public Works could proceed.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to approve the request for authorization to advertise a RFP for Part "A" of the storm water system. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Brown stated that since the last meeting he had corresponded with Regional Utilities and TDC regarding the request that was presented Mr. Shannon Clatchey to secure a viable 17' right-of-way on Seacroft Road. Mr. Brown stated that neither entity had any objection to the request. He stated that he was preparing an agreement to submit to the Office of the County Attorney later in the week.

The Board deviated from the schedule momentarily to allow Mr. Bill Everett, President of Chapter 566 of the Northwest Florida Purple Heart Association, to present a request to erect a Purple Heart monument at the South Walton Courthouse Annex. The monument is to honor the veterans in Walton County who received a Purple Heart.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve the request and allow the Association to work with staff to locate the best place to erect the monument. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Gary Mattison, Human Resources Director, presented the proposed 2007 holiday schedule for adoption.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to adopt the 2007 Holiday Schedule as presented. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Mattison presented proposed revisions to the following BCC Personnel Policies for a first reading:

- Policy 5.6 – Educational Expenses Reimbursement
- Policy 6.4 – Use of Government Property
- Policy 6.5 – Communications Policy
- Policy 16.12 – Family and Medical Leave Act of 1993
- Policy 17.1 – Military Leave

Commissioner Meadows suggested changing the proposed language of Policy 6.51(5) to state that approval to produce secondary logos must be obtained from the appropriate department head, not the BCC.

Mr. Mattison updated the commissioners on the on-going progress to select an applicant to fill the Director of Corrections position, stating that they intended to conclude the process at the meeting on Thursday scheduled for 5:00 PM. It was the Board's decision to schedule a special meeting for 4:00 PM on Thursday to hear the recommendations.

Mr. Dan Beeman, Beeman and Associates, Inc., presented the analysis and recommendations based on the study concerning the workload, staffing, and related issues for the Office of the County Attorney.

The Board engaged in a brief discussion regarding the recommendations.

Motion by Commissioner Jones, second by Commissioner Meadows, to accept the analysis and recommendations presented by Dr. Beeman, and grant authorization to advertise the position for a “land use” attorney. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman returned to the item listed under Mr. Sean McBride – easement access for Driftwood Drive – explaining that this issue was currently in litigation in an appellate court proceeding and addressing the matter could create a “new point of entry”. He advised the Board of the option to authorize him to contact legal counsel for the opposing party and initiate an appellate mediation process to attempt to resolve the issue. He stated that this process would give the parties an opportunity to provide input through the normal judicial process.

Mr. Allen Osborne, representing Greater Driftwood Estates Homeowners Association, responded that the issue at hand did not involve the on-going litigation, but referred to the documents currently recorded. He stated that the majority of the individuals present to speak on this issue were not involved with the on-going litigation. Therefore, he felt that allowing them to speak would not jeopardize the integrity of the case, and would not create a new point of entry.

It was stated that a meeting could be held to allow all interested parties to provide input. Attorney Hallman advised the commissioners that the document referred to by Mr. Osborne was identified as “Exhibit #6” to a brief in the litigation.

Motion by Commissioner Cuchens, second by Commissioner Meadows, to direct the Office of the County Attorney to file a motion with the appellate court in an attempt to mediate this issue. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Chairman Brannon announced for the record that the item on the agenda under Sean McBride – easement access for Driftwood Drive – would not be heard at this meeting.

The Board recessed at 5:25 and reconvened at 5:37 PM.

Mr. Dale Koblenzer and Mr. Jim Eaton, residents of Montgomery Street, were present to speak about their request for the County to provide written authorization to DEP acknowledging that their armoring structures were constructed on county owned property. Mr. Koblenzer gave an overview of the steps taken to install the patented ProTec™ tube system to protect their homes from the danger of structural collapse after Hurricane Dennis. He submitted a compilation of various documents to aid in the illustration and explanation of what is referred to as the “Montgomery Street Residents Stabilization Project”. Mr. Eaton provided a visual aid of the ProTec™ tube to explain the function of the system. He explained that the request was for approval of a license agreement between the Montgomery Street residents and the county that would allow the ProTec™ tube structures to remain permanent. The agreement would provide a provision that the homeowners would maintain the structures, the accompanying sand and the vegetation in perpetuity.

Attorney Hallman stated that the Office of the County Attorney recommended that the Board enter into a license agreement rather than an interest in land. He felt that this would allow the County to maintain more control over the situation.

Commissioner Jones discussed the Board’s previous decision to have DEP review the permit applications before moving forward with the requests. He referenced a letter included in the packet submitted by Mr. Koblenzer in which Mr. Michael Barnett, P.E., Chief, Bureau of Beaches and Coastal Systems, Department of Environmental Protection, suggested that it may be prudent for appropriate Department and County staff to meet and discuss this issue in greater

detail. Commissioner Meadows concurred with the suggestion to hold a meeting with the Department.

Staff submitted e-mail correspondences from Mr. Gary Appelson and Mr. Richard Butela into the record.

Motion by Commissioner Meadows, second by Commissioner Jones, to continue this item until after the County has the opportunity to meet with staff from DEP to discuss the matter in greater detail.

Mr. Eaton and Mr. Koblenzer expressed strong objections to continuing this item.

Commissioner Cuchens solicited legal advice from Attorney Hallman as to whether he needed to abstain from voting on the motion. Attorney Hallman asked Commissioner Cuchens if he had any interest in any of the properties that are the subject of the application, and would he personally financially gain in the approval of the permit. Commissioner Cuchens answered no to both questions. Attorney Hallman informed Commissioner Cuchens that he had a “legal obligation” to vote on this issue.

A vote was called for the motion on the floor. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney George R. Miller, legal counsel for Orchard Group, referred to a request from Mr. Gary Early for a continuance of the item regarding a proposed project for lot 260 on Blue Mountain Road. Mr. Miller, as legal counsel for the opposing side, objected to continuing this item, but stated that he would comply with the Board’s decision.

A copy of the e-mail correspondence from Mr. Early requesting a continuance was entered into the record along with numerous communications between constituents and various members of staff.

Commissioner Meadows supported the item being continued to allow time for the parties to work together to attempt to resolve the issues.

Motion by Commissioner Meadows, second by Commissioner Cuchens, to continue this item to the November 28 meeting to be held at the Courthouse in DeFuniak Springs. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

(Commissioner Pridgen stepped out at 6:34)

Ms. Pat Blackshear, Growth Management, requested approval to transfer BCC #5027 from the Code Enforcement Department Asset Account to the Public Works Asset Account. All costs for operation associated with this equipment will be assigned to the Public Works Division.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the transfer. Ayes 4, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, and Meadows Aye.

(Commissioner Pridgen was out of the room as previously stated)

Mr. Billy McKee turned the floor over to Mr. Phillip Ellis, Coastal Dune Lakes Advisory Board, to update the Board on a joint project with Choctawhatchee Basin Alliance to remove “evasive, exotic vegetation” from the Coastal Dune Lakes. The two groups were requesting the Board’s endorsement to move forward with the project.

(Commissioner Pridgen returned at 6:37)

Ms. Meg Nelson, Vice-Chairman, Coastal Dune Lakes Advisory Board, stated that they unanimously support the project.

Motion by Commissioner Meadows, second by Commissioner Jones, to endorse the efforts of the project. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear requested authorization to waive the planning review fee for the Regional Utilities Affordable Housing Project.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to waive the planning review fee for the project. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman presented information regarding the issue involving Robola Bluffs. He explained that the developer of this project had become ill and the County collected on the \$93,000 letter of credit. He reviewed different options on how to proceed with the construction of the infrastructure. Mr. Hallman felt that the most logical method was to allow the Robola Bluffs Homeowner's Association to proceed with the bid process to select a contractor; and authorize the County Attorney to enter into an agreement with the contractor to schedule a phased release of the funding.

Motion by Commissioner Jones, second by Commissioner Meadows, to authorize the County Attorney to enter into a contract with the Homeowner's Association to pay the contractor to construct the infrastructure that is provided for in the development order. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman presented a request from Ms. Cari Roth, an attorney with Bryant, Miller & Olive (BMO), for approval of a conflict waiver to allow BMO to represent Intrawest concerning an amendment to the Sandestin DRI. A letter from Ms. Roth was included in the material submitted by Mr. Hallman prior to the meeting.

Commissioner Cuchens, second by Commissioner Pridgen, to approve the request for a conflict waiver to allow BMO to continue to represent the County in the on-going Comprehensive Plan amendment matters, but also represent Intrawest concerning an amendment

to the Sandestin DRI. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Attorney Hallman presented the draft question that he had prepared to send to the Attorney General concerning flood plain provisions in the Walton County Comprehensive Plan.

Ms. Anita Page and Attorney Gary Vorbeck were both present to uphold their interpretation of the Plan. Mr. David Kramer was also present and made public comments. Attorney Hallman pointed out that the Attorney General process allows for third party opinions.

Motion by Commissioner Jones, second by Commissioner Meadows, to submit the question as presented by the Office of County Attorney to the Attorney General for a legal opinion; also, to obtain an outside legal opinion from the law office of Attorney Tom Pelham. If the firm declines to provide a legal opinion, the issue will be brought back to the Board. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Nay, Pridgen Aye, and Meadows Aye.

Mr. Bell requested authorization to meet with the owners of lots 37 & 38 on Moll Drive in Santa Rosa Plantation to discuss negotiations for the two 10-acre tracts. Ms. Shirl Williams and Commissioner Meadows will also be involved in the communications with the property owners.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to authorize Mr. Bell, Commissioner Meadows, and Ms. Williams to meet with the property owners to discuss negotiations, and bring that information back to the Board. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell recommended approval of a request from the City of DeFuniak Springs for a renewal of the interlocal agreement for Walton County to provide mosquito control services to the City.

Motion by Commissioner Jones, second by Commissioner Pridgen, to approve the renewal of the agreement. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell reminded the Board of the upcoming 331 Summit at 10:00 a.m. on Thursday, November 16, at the Sandestin Hilton.

Mr. Bell presented a letter from Walton County Tax Collector Rhonda Skipper requesting the Board to adopt a resolution in accordance with F.S. 197.212, Minimum Tax Bill. The letter informed that based on this year's tax roll data, this action would result in the removal of 4,397 parcels, which are primarily taxes on mineral rights, totaling \$10,271.97 in total tax revenue.

Mr. David Kramer and Mr. Rick Tooke made public comments regarding this matter.

Motion by Commissioner Jones, second by Commissioner Meadows, to adopt a resolution (2006-107) in accordance with FS 197.202, Minimum Tax Bill. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell requested approval to advertise two public hearings for the purpose of considering revisions to the Beach Activities Ordinance.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve advertising for two public hearings. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Nay, Pridgen Aye, and Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to cancel the meeting scheduled for Tuesday, December 26, due to it being designated as a Christmas holiday. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Bell requested authorization to advertise for a public hearing to consider the adoption of an ordinance for a franchise agreement between the County and Inlet Beach Water Systems for water and sewer utilities.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to advertise for two public hearings for consideration of a franchise agreement between Walton County and Inlet Beach Water Systems. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Motion by Commissioner Jones, second by Commissioner Pridgen, to hold an organizational meeting at 3:30 PM before the Regular BCC Meeting scheduled for Tuesday, November 28 at the Courthouse in DeFuniak Springs. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to proceed with an appraisal for a ten± acre parcel on the east side of Moll Drive, north of Helen McCall Park, which has been offered to the County to purchase. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Jack Rhodes, representing the property owners, notified the Board that he was conjointly working with Commissioner Meadows to establish a bike path in this area.

Commissioner Meadows informed the Board of an offer she received for the County to purchase 6 residential lots on Scenic Gulf Drive South. Commissioner Meadows stated that she would correspond with Mr. Bell regarding this issue and will bring information to back to the Board.

Commissioner Cuchens requested that the Board authorize Public Works to pave a portion of right-of-way that was dedicated to the County to connect to Earl Godwin Road using a lime rock base to be consistent with the remainder of the road.

Motion by Commissioner Jones, second by Commissioner Cuchens, to authorize Public Works to pave the road using a lime rock base. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Chairman Brannon congratulated Commissioner Pridgen on re-election.

Mr. Bob Hudson, Mr. Ed Goodwin and Mr. David Kramer made comments commending Commissioner Cuchens for his service as county commissioner. Mr. Hudson also expressed appreciation to Attorney Hallman for his service to the county.

There being no further public comments, the Board concluded the Regular Meeting and recessed at 7:35 PM.

The Board reconvened at 7:53 PM into the land use portion of the meeting. Attorney Hallman administered the oath to those individuals intending to present testimony during the quasi-judicial proceedings.

Ex parte communication disclosure forms were into the record by Commissioner Pridgen and Chairman Brannon.

Ms. Blackshear requested a continuance for the proposed "WaterSound North NOPC No. 1" to the January 9, 2007, meeting.

Motion by Commissioner Jones, second by Commissioner Pridgen, to continue the proposed "WaterSound North NOPC No. 1" to the January 9 meeting to be held at the South Walton Courthouse Annex at 5:00 p.m. or as soon thereafter as may be heard 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 Lighthouse Pointe Subdivision, consisting of 18 single-family units on 7.2± acres with a land use designation of Village Mixed Use. This site is located on the south side of Chat Holley Road, just west of US 331, south of the Clyde B. Wells Bridge. Staff finds that the proposed plat meets the minimal technical requirements of the Comprehensive Plan and Land Development Code.

Mr. Ed Stanford with Jenkins, Stanford & Associates was present as representative for the applicant, Bayoak Estates Limited, LLC. There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the final plat for Lighthouse Pointe Subdivision 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 for South Beach Phase II. The proposed request is to change a pool/common area to a single-family lot on .09± acres with a future land use designation of RPA. This site is located south of CR 30-A on South Terrace Road. Staff finds that the proposed plat meets the minimal technical requirements of the Comprehensive Plan and Land Development Code.

Mr. Dean Burgis was present as representative for the applicant, Seacrest Beach, Inc. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the final plat for South Beach Phase II for recordation. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Tim Brown presented a request for approval of a major development identified as “Seaview Landing”. Spicy Noodle Holding Company proposed a project consisting of one building having a 4,195 square foot restaurant and 16,635 square feet of office space on 1.27

acres with a future land use designation of Neighborhood Planning Area/Infill and an Inlet beach designation of IBNP/Neighborhood Commercial. This site is located on the north side of Highway 98, east of North Walton Lakeshore Drive and west of Wilkes Road. Staff finds that the proposed project meets the minimal technical requirements of the Comprehensive Plan and Land Development Code. A staff report was entered into the record (**Exhibit #1**).

Mr. Ed Stanford, representing the applicant, was present to answer any questions. There were no public comments.

Motion by Commissioner Cuchens, second by Commissioner Jones, to approve the proposed major development “Seaview Landing”. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Brown presented a request for approval of a major development identified as “The Winston”. TLF, Inc., proposed a project consisting of 2,688 square feet of commercial, and 4 multi-family units on .50 acres with a future land use designation of Neighborhood Planning Area/Infill and an Inlet Beach designation of IBNP/Neighborhood Commercial. The site is located at the northeast corner of CR 30-A and North Winston Lane. Staff finds that the proposed project meets the minimal technical requirements of the Comprehensive Plan and Land Development Code contingent upon conditions 3 & 4 listed in the staff report (**Exhibit #1 – Staff Report**).

Attorney Dana Matthews, representing the applicant, stated that they concur with the conditions recommended by staff. There were no public comments.

Motion by Commissioner Pridgen, second by Commissioner Cuchens, to approve the proposed major development, “The Winston”, with conditions 3 & 4 as listed in the staff report. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear discussed issues that had been resolved with the proposed major development, "Prominence DRI". She emphasized that what staff recommended was *conceptual* approval of the DRI and PUD, with the final language of the development order being presented to the Board prior to January 9.

Mr. Brian Martinez presented the request for approval of a major development identified as "Prominence DRI". Deer Lake Development Company proposed a project consisting of 650 dwelling units, 120 hotel units, 12 bed and breakfast rooms, and 218,000 gross square feet of non-residential. The 80± acre parcel is located on both the north and south side of CR 30-A, approximately 2 miles west of WaterSound Parkway and has a future land use designation of Neighborhood Planning Area/Traditional Neighborhood Development. Mr. Martinez reviewed the revisions that had been made to the plan. He stated that the main outstanding issues involved engineering, traffic and environmental concerns. A staff report for Prominence DRI and Prominence PUD was entered into the record (**Exhibit #1 – Prominence DRI & Exhibit #2 – Prominence PUD**).

Chairman Brannon recognized that Superintendent Carleen Anderson was present in the audience.

Mr. Tom Blackshear, Walton County School Facilities Planner, stated that by the calculations, this project would generate approximately 36 new students. Ms. Blackshear and Attorney Hallman assured the Board that the language in the final development order would address school concurrency.

Attorney George R. Miller was present as legal counsel for the applicant. Mr. Craig Thurmond, engineering consultant, was also present in the audience.

Mr. Bob Apgar, Greenberg Traurig, P.A., stated that half of the affordable housing units that are required will be located on site, and half will be located off site.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to conceptually approve the Prominence DRI and PUD. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Mr. Mark Martin presented a request for approval of a major development identified as “Bayou View”. Mr. Flynn Morris, owner, proposed a project consisting of 4 single-family units on 1.60± acres with a future land use designation of Neighborhood Planning Area/Infill. This site is located north of US Highway 98, off of east Mack Bayou Drive and west of Shelter Cove Drive. Staff finds that the proposed project meets the minimal technical requirements of the Comprehensive Plan and Land Development Code.

The Planning Commission recommended approval with the conditions listed in the staff report (**Exhibit #1**).

Mr. Scott Jenkins was present as representative for the applicant.

The following citizens expressed opposing comments to the proposed access to Shelter Cove Drive from East Mack Bayou: Mr. Francois Benard, Ms. Jo Ann Benard, Mr. Dale Tropeano, and Mr. Chad Christensen. Mr. Benard entered a drawing of the subject area and a petition signed by 34 neighboring property owners into the record (**Exhibit #'s 3 & 4, respectively**). Attorney Will Dunaway also expressed concerns regarding access issues on behalf of his client, Arboleda.

Motion by Commissioner Cuchens, second by Commissioner Pridgen, to approve the proposed major development “Bayou View” with the conditions recommended by the Planning

Commission as listed in the staff report. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Blackshear presented requests for the applications for J & L Eagle Cove, LLC, Small Scale Amendment and Meredith Warren Small Scale Amendment to be forwarded to the Department of Community Affairs for a determination as to whether a scrivener's error was made to the future land use maps of Walton County.

Motion by Commissioner Jones, second by Commissioner Cuchens, to approve submitting both applications to DCA for review and determination on whether the land categories as depicted on the adopted future land maps series are in error.

Attorney Dana Matthews, representing J & L Eagle Cove, LLC, verified with Ms. Blackshear that the proper documentation will be submitted with the application when forwarded to DCA.

Ms. Christie Coldewey spoke in opposition to the requests.

Attorney Ken Goldberg, hired as special legal counsel for the County, delivered his legal opinion regarding this matter. His recommendation was to allow staff to make the determination. He said that if it was the Board's decision to forward this issue to DCA, he requested authorization to prepare an affidavit for Ms. Shirl Williams' signature to counter the affidavit submitted by Ms. Latilda Henninger. He requested that the affidavit be included in the material to be submitted with the applications.

Mr. Matthews agreed to the affidavit being submitted with the condition that he is allowed to supplement the packet with additional affidavits from third parties.

A vote was called for the motion on the floor. There was uncertainty as to who seconded the motion. The Clerk to the Board incorrectly advised Commissioner Meadows that it was she

who had seconded the motion. (Later review of the recording determined that Commissioner Cuchens seconded the original motion)

Commissioner Meadows withdrew her “second”. Commissioner Jones amended the motion on the floor to include allowing the affidavit from Shirl Williams to be included in the material submitted with the applications, and allowing Attorney Matthews to supplement the packet with additional affidavits. Commissioner Meadows seconded the motion. Ayes 5, Nays 0. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Aye.

Ms. Janice McDonald, Planner, addressed the Board and was sworn in. She presented for a second reading a proposed ordinance to implement the South Walton New Town Master Plan of Development with a Town Center (TC1) Overlay District. Following completion and approval of the TC-1 South Walton New Town Master Plan of Development, the densities and intensities of land use within the TC-1 shall be as stated in the master plan, and shall be subject to all provisions, classifications, and criteria set forth therein in the Overlay District and Land Development Code Amendments. General criteria for a detailed plan for the TC-1 land use shall meet the Special Regulations and Requirement of Policy L-1.1.1.6.d of the Walton County Comprehensive Plan.

Mr. David Kramer pointed out clerical errors and made other suggested changes.

Ms. Blackshear requested that this item be continued in order to address the comments made by Mr. Kramer.

Motion by Commissioner Jones, second by Commissioner Pridgen, to continue this item to the November 28 meeting to be held at the Courthouse in DeFuniak Springs. Ayes 4, Nays 1. Jones Aye, Brannon Aye, Cuchens Aye, Pridgen Aye, and Meadows Nay.

Ms. Blackshear submitted courtesy comments from DCA regarding the large scale amendments.

There being no further business, the meeting adjourned at 9:00 PM.

APPROVED: \_\_\_\_\_  
Scott Brannon, Chairman

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