

FEBRUARY 27, 2007 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, a regular meeting on Tuesday, February 27, 2007, at 4:00 p.m. at the South Walton Courthouse Annex

The following Board members were present: Kenneth Pridgen, Chair, Cindy Meadows, Vice-Chair, Commissioner Larry Jones, Commissioner Scott Brannon, and Commissioner Sara Comander. Mr. Ronnie Bell, County Administrator, Mr. Mike Burke, Interim County Attorney, 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. He then called the meeting to order.

Ms. Ingle presented the Board with a Certificate of Excellence in Financial Reporting.

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

1. EAL Approval

General Fund	\$1,220,273.27
County Transportation	\$ 289,039.86
SHIP	\$ 37,672.00
Fine & Forfeiture	\$ 76,400.11
Debt Service Hospital	\$ -
Mosq. Control State	\$ 8,961.56
Mott Sign Grant	\$ -
Section 8 Housing	\$ 128,257.90
Tourist Dev. Council	\$ 510,188.26
N.W. Mosquito Control	\$ 18,084.15
W. Co. Library	\$ 19,096.87
Tax Deed Surplus Trust	\$ -
Recreation Plat Fee	\$ 38,795.28
Public Safety- 911	\$ 29,306.51
Solid Waste Enterprise	\$ 123,389.51
Mossy Head VFD	\$ -
Glendale VFD	\$ 1,062.91
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	\$	2,629.83
Capital Projects Fund	\$	18,610.63
Imperial Lakes MSBU	\$	-
Totals		\$2,521,768.65

2. Approve Minutes of February 13, 2007 - Regular Meeting
3. Approve Investment Report
4. Amendment Number 5 for the Oyster Lake Restoration Project Contract
5. Request to approve a resolution to amend the budget for unanticipated grant funds from the FDLE for the Local Law Enforcement Block Grant. **(2007-12)**
6. Request approval for surplussing of two computers from the Walton County Clerks office.
7. Request to approve a budget amendment transfer request from Suntrust Against the County's capital projects credit line.

Commissioner Pridgen called to order a public hearing to consider the proposed resolution to increase the annual draw for the Capital Projects Credit Line to \$13.2 million. Mr. Bill Imfeld, Finance Director, presented the proposed resolution for the \$13.2 million draw.

Motion by Commissioner Brannon, second by Commissioner Meadows, to adopt the resolution as presented **(2007-13)**. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Imfeld presented a proposed resolution for a budget amendment to recognize the \$13.2 million in the current fiscal year.

Motion by Commissioner Brannon, second by Commissioner Meadows, to adopt the resolutions presented **(2007-15)**. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Dan Trotman, Telecommunications Coordinator, requested that the RFP for voice data cabling be awarded to the lowest bidder, Blackbox of Tallahassee, Florida, in the amount of \$208,800.

Motion by Commissioner Jones, second by Commissioner Brannon, to award the bid to Blackbox as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Tiffany Mc Caskill, TDC, Marketing Coordinator, requested that the Board accept 2+/- acres which were willed to Walton County by the late Ms. Patricia Kellogg.

Motion by Commissioner Comander, second by Commissioner Meadows, to accept the property as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Kriss Titus, TDC, Executive Director, requested that Mr. Mike Stange be re-appointed to the TDC Board for a four-year term. She explained that he serves as an elected official though the South Walton Fire District.

Motion by Commissioner Meadows, second by Commissioner Brannon, to re-appoint Mr. Stange as recommended. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Titus announced that Mr. Brad Pickel, Director of Beach Management, will be relocating and that his last day with the TDC will be March 31, 2007. She asked that the Board approve a consultant agreement with Mr. Pickel for services related to the Beach Management Program.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the consultant agreement as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Commissioner Pridgen announced that applicant for Nature Walk Beach Club PUD requested a continuance until the March 13, 2007 Regular Meeting at the South Walton Annex.

Action was postponed until the scheduled public hearing.

Mr. James Earl Ray, Gulf Trace resident, requested that McKinnon Bridge Road in Eucheanna Valley be paved. He submitted six photos of the road. Commissioner Brannon agreed that the road needs to be paved and stated that there may be outstanding right-of-way issues. Mr. Ryan Douglas, Staff Engineer, stated that he will look into the issue and report back to Board.

Mr. Douglass stated that the funds to pave Las Roblas Grande can be obtained by transferring funds from the Bay Loop Bridge, for which a grant was obtained, and the paving of CR 2 to the county line, which is complete and has outstanding funds available. The balance of the funds is available in the In-House Road Materials Budget. He requested that the Board approve transferring \$562,000 of those funds to pave Las Roblas Grande and to award the contract to the low bidder, Gum Creek Farms.

Motion by Commissioner Meadows, second by Chairman Brannon, to approve the budget transfer of \$562,000 as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Motion by Commissioner Meadows, second by Commissioner Brannon, to award the contract for the paving of Las Roblas Grande to the low bidder, Gum Creek Farms, in the amount of \$562,000.00. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Douglass requested the \$37,710 in matching funds for the Northwest Florida Water Management District Grant be reallocated from Short Street, Jones's Drive, and State Street and divided evenly between Mohawk Avenue and Aspen Street. He stated that the necessary right-of-way could not be obtained on Boundary Line Road.

Motion by Commissioner Comander, second by Commissioner Meadows, to allocate

\$37,710 to Mohawk Avenue and Aspen Street as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Sheriff Ralph Johnson presented a proposed bill entitled the Walton County Sheriff's Office Career Service Employee's Act. He briefly explained the document will offer protection to law enforcement staff, with the exception of the highest ranking officers. Sheriff Johnson asked that the Board adopt a resolution in support. A revised copy of the proposed bill was submitted.

Commissioner Comander questioned adding language documenting the consistency in employee reimbursement between county, state, and federal standards.

Motion by Commissioner Meadows, second by Commissioner Comander, to have Mr. Burke draft the appropriate resolution for the Board to consider at the March 13, 2007 meeting. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Carolina Cox, Cultural Arts Association, requested the Board's permission to fly ArtsQuest Flags on the 30A Corridor, US Highway 98, and US Highway 331; to display approximately 25-8"x24" signs for parking; and to display larger signs beside US Highway 98 in front of San Destin, Silver Sands, and Sacred Heart Hospital. She stated that the association intends to display the signage as was done in previous years.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the request for the ArtsQuest Flags. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Sean Hughes, South Walton Fire District, requested that the Board adopt a resolution in support of the Act to Amend Florida Law 200-491, relating to the South Walton Fire District. He briefly explained the act is to comply with the new voting precinct established in south

Walton County and submitted a revised draft document.

Motion by Commissioner Meadows, second by Commissioner Brannon, to have Mr. Burke draft the appropriate resolution for the Board to consider at the March 13, 2007 meeting. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Ed Baltzley, Emergency Response Director, requested the Board's permission to use ten acres across from the animal shelter facility location as a fire rescue and public safety training center. He explained that the use will have no impact on the employees or animals who may occupy the proposed animal shelter. Mr. Baltzley added that the funds are in the current budget.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Baltzley requested that he be allowed to apply for two 911 Rural County Grants totaling \$32,900, for equipment maintenance and 911 call-taker training. He explained that \$8,300 will be designated to the City of DeFuniak, which falls under Walton County.

Motion by Commissioner Brannon, second by Commissioner Comander, to allow Mr. Baltzley to apply for the grants as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Gary Mattison, Human Resource Director, presented the second reading of a proposed revision to BCC Personnel Policy and Procedures Policy 6.4, Use of Government Property, especially PDA's.

Commissioner Jones requested that Mr. Mattison identify which jobs are permitted to use PDA's and in what capacity.

Commissioner Meadows questioned how the PDA's are used and which brands are purchased. Mr. Imfeld replied that the items are used to check email when away from the office and that they are ordered to meet needs of the requestor.

Mr. Mattison stated that he will make the revisions requested by Commissioner Jones and bring the information back at the March 13, 2007 Regular Meeting.

Mr. Mark Martin, Planner, announced that Walton County received a Northwest Florida Water Management District Grant to improve Morrison Springs. He requested that he and Cliff Knauer, Prebble Rish, be allowed to work with Mr. Jason Mauro, Tallahassee, Florida Boy Scout Troop 109, to construct diving facilities at Morrison Springs in order for Mr. Mauro to obtain his Eagle Scout Merit Badge. Mr. Mauro and his father, Dr. Kurt Mauro, were present to discuss the plans and submitted information pertaining to the project.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell asked that the Board authorize the Chairman to sign a letter or that a resolution be drafted requesting that the Muscogee Nation of Florida receive federal recognition.

Motion by Commissioner Brannon, second by Commissioner Meadows, to have staff draft the appropriate resolution (**2007-19**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell requested that the Board consider purchase of the Bayou Arts Property owned by Mr. Chick Huettell. He stated that two appraisals were conducted; one valued the property at \$1.6 million and one at \$1.65 million. Mr. Bell explained that the funds would be taken from the \$13.2 million draw from the SunTrust Bank line of credit. The 3.14 acre parcel is located

adjacent to the County's property at Cessna Landing.

Commissioner Comander discussed the historical value of the property.

Commissioner Meadows suggested use of the building on the property as an off-site classroom or in conjunction with the TDC's use of the Kellogg property.

Mr. Bob Hudson expressed concern over the lack of a clearly defined purpose of the property, costs, lack of parking, and the remote location.

Commissioner Meadows stated that the TDC has agreed to maintain the property.

Commissioner Meadows and Commissioner Brannon discussed the lack of recreational facilities in south Walton County.

Ms. Meg Nelson, Vice-Chair, Coastal Dune Lake Advisory Board, spoke in favor of the Board authorizing the purchase of the property.

Motion by Commissioner Meadows, second by Commissioner Brannon, to purchase the Huettel property as presented. Ayes 4, Nays 1. Jones Nay, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Bell announced that the Florida Department of Environmental Protection, Division of Parks and Recreation, will conduct a public workshop for Topsail Hill Preserve State Park on March 15, 2007, at 7:00 p.m. and that the DEP advisory group meeting will be held on March 16, 2007, at 9:00 a.m.; both meetings will be held at the Coastal Branch Library. He submitted a letter from the FDEP regarding the meetings. Mr. Bell reminded the Board that Commissioner Meadows was appointed by the Board to serve on the advisory board. Mr. Bell announced that a FDOT workshop is scheduled for March 6, 2007, at the Freeport Community Center at 5:00 p.m. He stated that the Commissioners will not be in attendance due to a meeting in Washington D.C., but that staff will attend.

Ms. Pat Blackshear, Growth Management Director, presented a request for six-month extensions of the Olde Point Washington and Sand Dollar Villas Final Orders.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the six-month extensions as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Attorneys George Ralph Miller and Gary Vorbeck discussed the continuance requested for Nature Walk Beach Club PUD. They requested that the Board allow Mr. Burke to be present at a negotiation scheduled for March 4, 2007 at 10:00 a.m.

Commissioner Meadows questioned the parties involved in the negotiations. Mr. Miller replied Mr. Rick Peterman, Mr. Gary Vorbeck, Ms. Anita Paige, and Ms. Blackshear are scheduled to be present, but that any other county staff or Commissioners are welcome. Commissioner Meadows discussed parties who may not be represented by either attorney and was not in favor of Mr. Burke being present. She was opposed to the citizens of Walton County funding Mr. Burke to attend a private negotiation.

Commissioner Comander questioned why the parties requested Mr. Burke's attendance. Mr. Vorbeck replied that the parties would like Mr. Burke to receive adequate notice of the issues which will come before the Board.

Mr. Miller and Mr. Vorbeck requested that they be allowed to brief Mr. Burke after their meeting.

Ms. Blackshear agreed with Commissioner Meadows that other issues may arise among property owners not represented by the aforementioned attorneys, but she was in favor of further negotiation.

Ms. Blackshear felt that the County needs legal representation present.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue Nature Walk Beach Club PUD until the March 13, 2007 Regular Meeting to be heard at or after 5:00 p.m. at the South Walton Annex. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

(Commissioner Brannon stepped out at 4:50 p.m. and returned at 4:59 p.m.)

Mr. Billy McKee, Environmental Planner, requested approval of the Habitat Conservation Plan Expenditure Contract. He explained that the funds, \$416,000, will come from the Federal Government through the Fish and Game Commission. Mr. McKee stated that there is no intent to use County funds due to a pledge to match in-kind services in the amount of \$208,008. Ms. Lois La-Seur, Planning Manager, added that the bulk of duties are already being done through the TDC's beach nourishment efforts. She felt that the department would not be overburdened.

Commissioner Meadows requested an estimate of staff hours and how the county will fund activities described in the HCP. Mr. McKee replied that the in-kind services pledged for this grant are not for implementation of the activities, but for development of the HCP. He added that any recommendations will be brought before the Board for their consideration. Mr. McKee added that the contract expires in January 2009, but extensions can be requested.

Commissioner Meadows questioned the costs to other counties. Mr. McKee replied that the costs to Volusia County for consultant work alone were approximately \$250,000 and that they did not utilize a grant.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. McKee requested that the Board allow staff to contract with Ecological Associates' for consultant services regarding development of the HCP.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the request as presented. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Burke informed the Board that the Federal Court ruled in favor of Walton County in a lawsuit filed by Dave's Glass and Mirror and Footprints Gifts. The suit is in regards to action taken by the County over signage in the Scenic Corridor. He explained that the claims were dismissed with prejudice and cannot be re-filed, but can be appealed.

Mr. Burke gave an update on *Cortez Thompson V. Herring and Walton County*, regarding McCullough Road. He gave a brief history of the issue and asked for direction from the Board. He recommended meeting in executive session to brief the Commissioners on the case. Mr. Burke felt that the Board has no claim to that portion of the McCullough Road.

Commissioner Comander and Commissioner Meadows recommended that every Commissioner view the road prior to entering into an executive session.

Mr. Burke stated that the current status of litigation is that a motion to dismiss was filed by the previous counsel to Walton County and has not been set for a hearing due to the Board's direction for mediation between the parties.

Commissioner Jones explained that he became involved when he asked the Public Works Department to review the road, determine the County's interest, if any, and whether to close the road or to address the damage being caused to the adjacent property. He stated that he was advised that the County has no right or claim to that portion of the road.

Mr. Allen Brown, Deputy Public Works Administrator, stated that he was directed to

investigate the road by Mr. Russ Berry, a previous Public Works Administrator. He reported that he could not find a deed or easement granted to the County and that there was nothing on record regarding maintenance of the road. Commissioner Jones added that because the county has not been maintaining the road, they have nothing to abandon.

Motion by Commissioner Jones, second by Commissioner Brannon, to have staff schedule a public hearing to abandon the portion of McCullough Road in question if the County has said rights using language similar to that of a quit claim deed.

Mr. Bell questioned whether the petition for abandonment will need to be reheard by the Planning Commission. Mr. Burke advised that it did not since the process was only abated to allow for the mediation process.

Attorney Bill Jennings was present to represent Mr. Cortez Thompson. He stated that no public hearing was held and that the Planning Commission was in support of maintaining the road. Commissioner Pridgen advised Mr. Jennings that the time for public comment would be at the public hearing to consider the abandonment and that Board would not take action prior to that time.

Mr. Bell announced that the public hearing would be held at the Regular Meeting on March 26, 2007, at the Walton County Courthouse.

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

(Commissioner Pridgen stepped out at 5:19 p.m. and returned at 5:21 p.m.)

Commissioner Meadows announced that the Corridor Advocacy Group went before legislation and was given unanimous approval for Walton County's eligibility application in the designation of the CR 30A as a Florida Scenic Highway. She stated that the next public meeting

will be on Monday, March 19, 2007, at 6:00 p.m. at the TDC Offices. Ms. Blackshear felt that the official designation would come by July or October 2007.

Commissioner Comander stated that she and Mr. Bell met with officials from Eglin Air Force Base regarding acquisition of the Basin Bayou State Park. She reported on the state of the possible sites and of warnings that detonation devices may still be on the premises. She submitted photos and notes. Commissioner Comander suggested that the Board investigate a possible management agreement for an area called "Bay Flats".

Motion by Commissioner Jones, second by Commissioner Meadows, to direct Mr. Bell to draft a letter to Mr. Arnold regarding the management agreement suggested by Commissioner Comander and to designate Commissioner Comander as the liaison. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Commissioner Brannon expanded on the information given previously by Mr. Martin regarding the grant for Morrison Springs. He stated that the Land Management Plan was approved and that approximately \$800,000 in grant funds has been awarded.

Commissioner Comander requested that policies be devised regarding the use of community centers. Mr. Bell stated that he will work with Commissioner Comander.

The floor was opened to public comments.

Mr. Bob Hudson, resident, Santa Rosa Ridge Subdivision, commended the Board's efforts regarding the extension of the bike path from CR 393 to Santa Rosa Ridge Subdivision. He announced that he will no longer speak to the Board on behalf of the Walton County Taxpayers Association.

Ms. Blackshear asked that the Board acknowledge the work of Geologist Tom Pratt, geologist, on the Morrison Springs project. Commissioner Meadows suggested placing a plaque

of recognition at Morrison Springs.

The Board recessed briefly at 6:35 p.m. and reconvened at 6:46 p.m. into a public hearing to discuss final plats and major developments.

Ms. Melissa Ward, Planner, requested that Sugar Sands Estates be removed from the agenda. She presented a request for final plat approvals of the following projects:

Bayview Garden Estates, which consists of a 10-lot single-family subdivision on approximately 11 acres with a land use designation of rural village. This site is located south of Highway 20 west of Cedar Beach Cove.

Baywalk Commerce Park, a three-lot commercial subdivision on approximately 2.4 acres with a land use designation of Coastal Center. This site is located north of U.S. Highway 98, on the east side of Geronimo Street behind Resort Interiors.

Alligator Point, a 12-lot single family subdivision on approximately 8.22 acres with a land use designation of Neighborhood Planning Area/Infill. This site is located north of U.S. 98 on the east side of C.R. 393.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve for recordation the final plats of Bayview Garden Estates, Baywalk Commerce Park, and Alligator Point as presented by staff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Motion by Commissioner Meadows, second by Commissioner Comander, to remove Sugar Sands Estates as requested. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Attorney Burke administered the oath to all who intended to present testimony regarding the quasi-judicial items.

Mr. Brian Martinez, Planner, presented the first reading of the proposed Lighting Ordinance. The proposed ordinance consists of amending Chapter 5 of the Walton County Land Development Code by adding section 5.09.00 Outdoor Lighting, amending the glossary of the land development code; establishing standards and recommendations for exterior lighting; providing for intent and purpose; applicability; definitions; standards; enforcement and penalties; interpretation, authority; severability; and effective date. He stated that the Planning Commission recommended approval. A staff report was submitted (**Lighting Ordinance Exhibit #1**).

The floor was opened to public comments.

Mr. Matthew Avery, Chair, Lighting Ordinance Committee, briefly reviewed the proposed ordinance and the committee's efforts to create an ordinance which is fair to the entire county. He explained section 5.08.02 regarding foot-candles.

Commissioner Meadows questioned section 5.08.04, Lighting in Parking Lots and Outdoor Areas, and the exception to the 41 ft. height restriction of lighting mounts for outdoor sporting and performance events. Ms. Blackshear explained that these events should require temporary-use permits, which are currently not addressed through the Land Development Code. Commissioner Meadows stated that her question is in regards to developments which have outdoor amphitheatres in their design.

Mr. David Kramer stated that concert lighting is usually erected on temporary structures and directed at the stage.

Ms. Blackshear stated that she will look into the issue and bring more information back to the Board at the second reading.

Ms. Nelson felt that the 5-1/2 year time-frame to allow non-conforming uses to become compliant is too long.

Commissioner Meadows questioned if single-family residences are exempt. Mr. Avery replied that they are only exempt from submitting an initial photo-metric study. Ms. Blackshear added that the ordinance is “complaint driven”.

Mr. Russ Mylambush, Mossy Head, felt that the ordinance should have an exemption for rural residential and large or small-scale agricultural properties.

Commissioner Brannon questioned if consideration was given to less-dense areas. Mr. Avery replied that it was and added that there is no issue if lighting is not trespassing onto neighboring properties. He explained that the committee attempted to use language to protect agricultural areas. Mr. Avery felt that giving exemptions to rural residential and agricultural areas would defeat the purpose of having one ordinance for the entire county.

Mr. Alan Facerra asked if the proposed ordinance would allow for someone to submit an application for a variance. Mr. Avery stated that the provision was excluded because the Board of Adjustments already handles such applications for hardships.

Ms. Blackshear stated that an exemption for such areas can be added, but did not feel that they would pose a problem.

Ms. Sue Grill, Lighting Ordinance Committee, discussed the efforts of the committee. She explained that complaints are investigated by Code Enforcement, who will be trained by Gulf Power, and that the proposed ordinance gives specific criteria. Ms. Grill felt that the ordinance would be ineffective if such exemptions were included.

Mr. Fred Tooke, Jr., Mossy Head, spoke in opposition to the proposed ordinance. He added that he has three security lights in his driveway and that those lights infuse onto the county road for which he donated right-of-way for paving improvements. Mr. Tooke felt that consideration should be given to those who need security lighting.

Ms. Blackshear stated that the second public hearing is scheduled for March 13, 2007, at the South Walton Courthouse Annex.

Ms. Blackshear stated that the first reading of the proposed Traffic Concurrency Ordinance was continued.

Mr. Martin presented a request by applicant Aquarian Development VII, LLC., for the abandonment of a portion of McKenny Road that runs east to west between McKenny Road and Apostle's Way. He explained that all outstanding concerns were addressed by the applicant, including the applicant obtaining a public easement or equivalent public access along Apostles Way, and that staff found that portion requested to be abandoned has no value to Walton County. The Planning Commission recommended approval. Staff found the project consistent with the Land Development Code and Comprehensive Plan. Mr. Martin explained that Public Works will need to conduct a final verification of Apostles Way, which Regional Utilities verified was designed and built to the County's standards and turned over to Christian International. A staff report, copy of the Planning Commission's final recommendations, and a letter from Christian International Ministries Network were submitted (**Aquarian Development Exhibits #1, #2, & #3**).

There were no public comments.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve the Aquarian petition for abandonment of a portion of McKenny Road as presented with the appropriate resolution (**2007-14**). Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Motion by Commissioner Brannon, second by Commissioner Comander, to continue the proposed Traffic Concurrency Ordinance to the April 24, 2007 Regular Meeting.

Commissioner Brannon amended his motion and Commissioner Comander amended her second to continue the proposed Traffic Concurrency Ordinance to the April 24, 2007 Regular Meeting to be held at the Walton County Courthouse.

Commissioner Jones suggested removing the item and to re-advertising the proposed ordinance.

Commissioner Brannon rescinded his motion and Commissioner Comander rescinded her second.

Motion by Commissioner Meadows, second by Commissioner Jones, to remove the proposed Traffic Concurrency Ordinance from the agenda and to re-advertise at a later date. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Martin explained that major development proposal Rose Haven Town Homes, which was on the Board's agenda, was previously approved by the Board on June 13, 2006 contingent upon the approval of the Aquarian Development petition for abandonment. No action was required.

Mr. Martin presented major development proposal West Shore Phase II, which consists of a seven-lot single-family subdivision on a 4.38 acre parcel, with a future land use of Neighborhood Planning Area/Infill. The site is located 743 ft. north of West Shore Drive on the north side of US Highway 98. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the final recommendations of the Planning Commission. A staff report and copy of the Planning Commission's final recommendations were submitted (**West Shore Phase II Exhibit #1 & #2**).

Mr. Darrel Barnhill of Barnhill, Barnhill, & Barnhill was present to represent the applicant, West Shore Partners II, LLC.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Comander, to approve West Shore Phase II as presented by staff. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Martinez presented a request for a continuance of major development proposal WaterSound North DRI NOPC Number 1 until April 10, 2007. He explained that the applicant, St Joe Towns & Resorts, is working with the Walton County School District regarding school concurrency. A staff report was submitted (**WaterSound North DRI Exhibit #1**).

Commissioner Brannon questioned the modification to the date of the affordable housing units. Ms. Blackshear stated that the formal ORC report is expected within 60 days.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the continuance of WaterSound North DRI NOPC Number 1 until the April 10, 2007 Regular Meeting to be held at the South Walton Courthouse Annex. Ayes 4, Nays 0. Jones Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

(Commissioner Meadows exited at 7:20 p.m. and returned at 7:26 p.m.)

Mr. Tim Brown, Planner, presented major development proposal Alaqua Landing, also known as Piney Point Estates, which consists of 76 single family lots on 38.45 ± acres with a future land use of Rural Village. The site is located on the north side of Piney Point Road, west of CR 83A. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the final recommendations of the Planning Commission. A staff report and copy of the Planning Commission's final recommendations were submitted (**Alaqua Landing Exhibit #1 & #2**).

Commissioner Comander questioned plans to construct ten or more boat slips on Joy's

Creek. Mr. Dean Burgis, Emerald Coast Associates, was present to represent the applicant, Palmeria Villas at Seagrove Beach, LLC. He stated that the approvals will be subject to the Army Corp of Engineers and FDEP's review. He added that the applicant planned to construct the boat docks as a way to relieve the burden from potential property owners, who could apply independently. Mr. Burgis stated that a community boat dock is also planned and should absorb the bulk of the usage.

Commissioner Brannon asked if dredging or filling would be required to construct the boat docks. Mr. Burgis replied "no", other than the dock posts.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve Alaqua Landing as presented with the conditions set forth by staff and the Planning Commission. Ayes 4, Nays 1. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Nay.

Mr. Martinez presented major development Chat Holly Townhomes, which consists of 34 town homes on 4.5+/- acres with a future land use of Neighborhood Planning Area/Infill. The site is located on the southwest corner of the intersection of Chat Holly and J.D. Miller Roads. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the final recommendations of the Planning Commission. A staff report and copy of the Final Recommendations of the Planning Commission were submitted (**Chat Holley Townhomes Exhibit #1 & #2**).

Mr. Jack Rhodes was present to represent the applicant SFB Investment Company, LLLP. He discussed a public use area on the corner of J.B. Miller Road and Chat Holley Road included in the design by the applicant. He explained that the facility is a bike trail head which will include public restrooms, parking, a water fountain, and possibly other items which will

benefit the public. A drawing of the facility was submitted (**Chat Holly Townhomes Exhibit #3.**) Mr. Rhodes asked that he be allowed to work with Mr. Bell and Commissioner Meadows if the project is approved regarding the specifics of the facility.

The floor was opened to public comments.

Mr. Kramer spoke in support of the public use facility and asked if it was part of plan or a condition of development. Commissioner Meadows replied that the Board does not require such facilities of the applicants.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Chat Holly Townhomes as presented with the conditions set forth by staff and the Planning Commission. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Commissioner Brannon asked if the facility will have lights. Mr. Rhodes stated that all of the details have not been discussed.

Motion by Commissioner Jones, second by Commissioner Brannon, to allow Mr. Rhodes to work with Commissioner Meadows and Mr. Bell regarding the public use facility and to bring suggestions back to the Board. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Mr. Jason Bryan, Planner, presented major development proposal CR 30-A Townhomes, which consists of four townhouse units on .58 +/- acres with a future land use of Neighborhood Planning Area/Infill. The site is located on the north side of CR 30A approximately ¾ mile west of CR 393 and adjacent to Tom Thumb/Citgo. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the final recommendations of the Planning Commission. A staff report and copy of the final recommendations of the Planning

Commission were submitted into the record (**CR 30A Townhomes Exhibit #1 & #2**).

Commissioner Meadows questioned the absence of a construction parking plan. Mr. Brian replied that a public access easement will be used and subsequently improved. Commissioner Meadows stated that a parking plan is required on CR 30-A due to possible obstruction of the bike path. Mr. Greg Graham suggested that the parking plan be a condition of the DO.

Mr. David Smith, Moore Bass Consulting, was present to represent the applicants, Mr. and Ms. Barry and Kathy Gold, and was sworn in before he addressed the Board. He agreed to the condition of the construction parking plan.

There were no public comments.

Motion by Commissioner Meadows, second by Commissioner Jones, to approve CR 30-A Townhomes contingent upon the conditions set forth by staff and the Planning Commission and the submission of a construction parking plan prior to the issuance of the DO. Ayes 5, Nays 0. Jones Aye, Meadows Aye, Pridgen Aye, Brannon Aye, and Comander Aye.

Ms. Blackshear announced that the Planning Department will implement a new system of providing the Commissioners with disks containing project information. She added that paper copies will be available to the public.

Commissioner Comander turned in an ex parte communication form regarding Alaqua Landing and Commissioner Pridgen turned in ex parte communication forms regarding Nature Walk Beach Club PUD.

There being no further information to come before the Board, the meeting adjourned at 6:45 p.m.

APPROVED _____
Kenneth Pridgen, Chair

ATTEST: _____
Martha Ingle, Clerk of Court