

MAY 22, 2007 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting at 4:00 p.m. on Tuesday, May 22, 2007, in Courtroom A of the Walton County Courthouse in DeFuniak Springs.

The following Board members were present: Cindy Meadows, Vice-Chair, Commissioner Larry Jones, Commissioner Scott Brannon, and Commissioner Sara Comander. Ms. Shirl Williams, Assistant County Administrator, Mr. Mike Burke, Interim County Attorney, and Ms. Martha Ingle, Clerk of Courts, were also present. Commissioner Pridgen and Mr. Ronnie Bell, County Administrator, were in Washington D.C. for an Economic Development Council meeting.

Commissioner Jones led with prayer followed by the Pledge of Allegiance to the American Flag. Vice-Chair Meadows called the meeting to order.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the consent agenda consisting of the items below. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

1.Approve Expenditure Approval List (EAL)

| | |
|------------------------|-----------------|
| General Fund | \$ 2,174,108.54 |
| County Transportation | \$ 835,056.08 |
| SHIP | \$ 24,350.25 |
| Fine & Forfeiture | \$ 1,043,890.79 |
| Debt Service Hospital | \$ - |
| Mosq. Control State | \$ - |
| Mott Sign Grant | \$ - |
| Section 8 Housing | \$ 137,737.18 |
| Tourist Dev. Council | \$ 996,467.59 |
| N.W. Mosquito Control | \$ 1,451.16 |
| W. Co. Library | \$ 33,205.97 |
| Tax Deed Surplus Trust | \$ - |
| Recreation Plat Fee | \$ 25,145.77 |
| Public Safety- 911 | \$ 24,451.30 |
| Solid Waste Enterprise | \$ 325,252.44 |
| Mossy Head VFD | \$ - |
| Glendale VFD | \$ 668.03 |

| | | |
|--------------------------|----|--------------|
| 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 | \$ | 5,432.96 |
| Capital Projects Fund | \$ | 860,066.61 |
| Imperial Lakes MSBU | \$ | - |
| Totals | \$ | 6,487,284.67 |

2. Approve Minutes: May 8, 2007 – Regular Meeting

3. Approve a Resolution to amend the budget for the awarding of the Highway Beautification Grant from Florida DOT **(2007-43)**

4. Approve the County’s participation in the 2007 Edward Byrne Memorial Justice Assistance Grant and to designate Angie Biddle as the Coordinator

5. Approve a Resolution to amend the budget for the awarding of the 2007 EMS County Grant from the Florida Department of Health, Division of EMS **(2007-44)**

Mr. A.J. Fulcher gave a brief report on his recent trip to Washington, D. C. as a People to People Ambassador.

Commissioner Meadows called to order a public hearing to discuss the proposed Local Option Gas Tax Ordinance. On behalf of Walton County, Mr. W. C. Henry presented the proposed ordinance to extend the five-cent per gallon and the sixth and ninth-cent fuel taxes and to provide a coterminous expiration in 10 years.

The floor was opened to public comments.

Mr. Sonny Heath spoke in opposition to the proposed ordinance due to current fuel costs.

Ms. Wanda Smith, Budget Analyst, explained that the majority of the funds from the fuel taxes are used to repay a \$14 million loan for road paving projects and other paving projects which are not funded by the loan. She added that there are no other funds pledged for the repayment of the loan.

Mr. Wayne White questioned the length and origination of the loan. Commissioner Meadows stated that the loan was for ten years and will be paid in full in 2014.

Mr. Henry explained that the five-cent fuel tax was levied by the Board in 1987 or 1988 and that the sixth and ninth cent taxes were added in 1998. He added that the five-cent sales tax expires in 2007 and that the sixth and ninth cent taxes expire in 2008; therefore, all of the taxes were included in the proposed ordinance so that one termination date could be provided. Mr. Henry stated that a provision is included in the ordinance to direct staff to enter into an Interlocal Agreement with all major municipalities within Walton County for the distribution of the revenues. He further explained that a county commission can levy up to an 11-cent fuel tax and that Walton County levies seven-cents.

Ms. Smith stated that surrounding counties have comparable fuel taxes, with Hardee County having 11 cents.

Mr. Alan Ficarra questioned which roads are to be paved. Various Board members explained that the goal is to pave all county roads.

Motion by Commissioner Brannon, second by Commissioner Comander, to adopt the ordinance as presented by Mr. Henry **(2007-04)**. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Commissioner Meadows called to order a public hearing to discuss the proposed Fire Rescue Impact Fee Ordinance. Ms. Marguerite McCauley, Senior Project Manager, Government Services Group, Inc., was present to present the revised Fire Rescue Impact Fee Study. She discussed the methods used to calculate rates. Ms. McCauley explained that the corrections were made to the classifications of calls due to various calls being erroneously classified as commercial. She also discussed the impact fees collected by other counties in Florida. Ms. Crystie Carey, Nabors, Giblin, & Nickerson, was present to discuss the proposed ordinance. She stated that the ordinance will apply to all unincorporated areas within the county and the City of

Paxton and will exclude all other municipalities and independent fire districts. Ms. Carey explained that an agreement will be drafted with Paxton so that fees collected will be deposited into a trust fund for the county's use. She also discussed exemptions and impact fee credits. The ordinance also includes a provision for a 90-day notice of any increase in rates. Ms. Carey further explained that the fees will affect new construction and will be paid upon issuance of a building permit. She added that the ordinance can be amended to have the fees paid upon certificate of occupancy. Information regarding the study and fees was submitted.

Commissioner Brannon questioned why residential fees have a flat rate while business fees are based on square footage and why Walton County's rates are higher than surrounding counties. Ms. McCauley explained that all residential units are based on an average calculation of 2000-2500 square feet and that commercial units have a wider range of square footages. She added that the fees were calculated in direct relationship to the level of service provided in response to emergency calls.

Commissioner Meadows questioned use of the funds. Ms. McCauley replied that the funds can be used for capital improvements only, not recurring costs such as those for operations or personnel. She added that ad valorem taxes and special assessments currently fund capital improvements.

Commissioner Comander questioned what happens if construction is not complete. Ms. McCauley replied that the fees are to be paid at the issuance of building permits and that funds are to be refunded if construction is not complete upon the expiration date of the permit.

Commissioner Brannon questioned who determines qualification for affordable housing exemptions. Ms. McCauley replied that an application program will be used and that the SHIP guidelines will be used.

There were no public comments.

Commissioner Jones stated that he was not prepared to take action and requested that staff comprise a plan for use of the anticipated revenues and spending and an offset of costs for ad valorem taxes. He also requested clarification regarding affordable housing.

Commissioner Brannon stated that he would like staff to provide a list of capital improvement projects for Fire Rescue.

Commissioner Comander expressed concern over the impact of impact fees on development.

Motion by Commissioner Jones, second by Commissioner Comander, to continue the issue until the July 24, 2007 Board Meeting to allow staff time to compile the information requested by the Board. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Ryan Douglass, Public Works, discussed RFQ 07-021 for Professional Engineering Services and requested that the following contracts be awarded to the following firms:

Civil Services: Jenkins & Associates, PBS&J, and Tetra Tech

Environmental Services: Biological Research Associates, PBS&J, Prebble-Rish, and Tetra Tech

Surveying Services: Prebble-Rish, Emerald Cost Associates, PBS&J, Hatch Mott McDonald, and Tetra Tech

Traffic Services: PBS&J and Genesis

Motion by Commissioner Jones, second by Commissioner Comander, to award the contracts as presented. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Douglass requested that the RFP 07-023, Punch Bowl Road Bridge Replacement, be awarded to the lowest bidder, Murphree Bridge, at a cost of \$262,711.

Motion by Commissioner Brannon, second by Commissioner Comander, to award the contract to Murphree Bridge as requested. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Douglass requested approval of a Road Improvement Agreement with WRM to pave Old Blue Mountain Road. He also requested that the Board approve an amendment to the agreement to state that WRM is to pay \$23,000 in asphalt costs and that the county will begin paving once the funds are received.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the request as presented. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Allen Brown, Deputy Public Works Director, presented a request for Public Works to conduct one-time emergency maintenance to Majestic Boulevard due to safety concerns. He added the public road was previously maintained by the county and will eventually need to be added to the list of county maintained roads. He submitted information regarding the request.

Commissioner Meadows questioned the cost. Mr. Brown replied that the cost will be funded through the District 4 General Maintenance Budget and estimated cost at a maximum of \$2000.

Mr. Kevin Chilcutt spoke in support of Mr. Brown's request.

Motion by Commissioner Comander, second by Commissioner Jones, to allow Public Works to conduct emergency maintenance on a one-time basis and to look into adding the road to the list of county maintained roads. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Brown requested that RFP 07-019, Driftwood Drainage Improvements Phase A, be awarded to the sole bidder, Harris and Associates, at a cost of \$756,847.50. He added that the county will have to provide approximately \$150,000 in pipe, structures, and other equipment making the project total approximately \$906,847.50. Mr. Brown stated that the funds are available in the drainage budget; however, the first phase will deplete the budget. He estimated an approximate cost of \$3 million to repair all three phases of Driftwood Estates.

Commissioner Comander questioned other subdivisions in Walton County with drainage problems. Mr. Brown replied that there are many. She questioned the possibility of obtaining grant funds. Commissioner Meadows replied that staff was told that the projects were not likely to receive grant funds.

Commissioner Brannon questioned the benefit of completing "Phase A" in the event that the other phases are not completed due to the lack of funds. Mr. Brown stated that the plan is to have one integrated drainage system and that completing only one phase would not have a positive impact on the issue.

Commissioner Meadows recommended that staff attempt to budget the project during the budget process.

Commissioner Jones requested that staff look into all of the drainage issues and determine the best allocation of the available resources.

Mr. Brown explained that there is no way to replenish the drainage budget once depleted.

Commissioner Comander questioned the previous negotiations with the Edmonds regarding the opening of a historic outfall located on their property which could help alleviate some of the drainage issues.

Commissioner Meadows questioned less expensive ways to remedy the issues. Mr. Brown discussed the possibility and aversions of an open swell system.

The floor was opened to public comments.

Mr. Allen Osborne discussed previous Board action and felt that the Board should hold the developers responsible for the drainage issues.

Mr. Shawn McBride felt that there are only two phases in lieu of three as discussed by Mr. Brown. He added that county commissioned research by Tetra Tech found that a swell system would not be an option.

Commissioner Comander questioned the use of swells in the event of a flash flood.

Commissioner Brannon questioned the maintenance of an underground system. Mr. Brown explained that the system designed by Tetra Tech will require maintenance and/or reconstruction in five to ten years.

Commissioner Meadows stated that the issue will be reviewed during the budget process.

(Commissioner Comander exited briefly at 5:10 p.m. and returned at 5:15 p.m.)

Mr. John King requested that the Board connect 100 feet from the extension of Goldsby Road to Los Roblas Grande.

Mr. Douglass stated that staff has looked into the connection and will make a recommendation based on the feasibility of funding.

Commissioner Meadows felt that the connection will require a FDEP permit due to a wetland crossing.

Mr. King stated that he is willing to pay for the paving and requested the necessary public hearing.

Mr. Aaron Warren, Assistant County Engineer, requested that Public Works be allowed to work with Mr. King and to report back to the Board.

Mr. Dave Thomas, Casa Grande, was in support of Mr. King's request. He also reported that a citizen had placed and subsequently removed a barricade on Casa Grande Road due to an overlap of a property boundary line.

Mr. Ed Baltzley, Emergency Response Director, requested that the Board approve the proposed Open Burn Ban Ordinance, which will restrict burning without a Department of Forestry permit. A revised draft was submitted.

Mr. Eddie Rivers, Emergency Management Coordinator, added that the ordinance will mirror the action taken by the state, offer more enforceability, and show the Board's support.

Motion by Commissioner Comander, second by Commissioner Jones, to adopt the revised ordinance as presented (**2007-05**). Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Sonny Mares, Tourist Development, requested that ITB 07-029, Van Ness Butler Phase 2, be awarded to Omnicon, LLC, in the amount of \$398,806. He stated that the project will include a restroom facility and 101 parking spaces and will qualify as a regional beach access to be manned with lifeguards. The location is between Seaside and Watercolor.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the request as presented. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Mares requested that the Board approve a \$71,658.36 change order for the Hurricane Dennis Emergency Rebuilds contract, bringing the revised total to \$243,922.36. The changes

include adjustments to the footage of the Greenwood, Open Gulf, Sand Trap, and Geronimo Beach Accesses.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the change order as presented. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Mares requested that RFQ 07-028, Federal Lobbying Services Federal Shore Protection Program, be awarded to Marlowe & Company at a maximum first year cost of \$54,000.00 with three one-year contract extensions not to exceed \$55,800 for the first extension, \$57,600 for the second, and \$60,000 for the third. He stated that this is the only firm which handles governmental affairs and exclusively specializes in coastal projects.

Commissioner Brannon added that this is the firm handling the beach re-nourishment project.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the request as presented. Ayes 3, Nays 1. Jones Aye, Meadows Aye, Brannon Aye, and Comander Nay.

Ms. Shirl Williams, Assistant County Administrator, requested the Board's direction regarding 10 acres off Triple G Road offered to the county for purchase by Mr. Bob Newbould. She stated that the appraised value was \$65,000 and that he had agreed to accept \$75,000.

The Board directed staff to investigate possible future uses for the property and to provide a map depicting county owned properties in the area.

Mr. Rick Millard, Construction Manager, requested that his staff be allowed to relocate fencing from behind the temporary inmate housing tents to the new jail facility. He stated that there will be no associated cost and that inmate labor will be used. He also requested that he be

allowed to trade several portable lockdown detention cells for three air conditioning units to be used at the Harbeson Recreation Complex.

The Board authorized Mr. Millard's request to move the fencing as requested.

Motion by Commissioner Comander, second by Commissioner Brannon, to trade the portable detention units for the air conditioning units as recommended by Mr. Millard. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Henry presented the proposed Interlocal Agreement with the City of DeFuniak Springs for water and sewer connection and capacity fees. He stated that the agreement will settle a dispute regarding the amount owed and that the city approved the agreement and will discuss reducing the 25% surcharge charged to customers outside the city limits.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve the Interlocal Agreement as presented. Ayes 3, Nays 1. Jones Aye, Meadows Aye, Brannon Aye, and Comander Nay.

Mr. Henry requested that the Board approve a 25-year lease agreement with the Walton County 4-H Club Foundation, Inc., to lease approximately 6 acres of borrow pits to be used as an equestrian facility.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the lease as presented. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

On behalf of Mr. Bell, Mr. Burke discussed a protest to ITB 07-024, Water Management District Road Improvement. He stated that the protest came as the result of a bid being accepted from a respondent who was late to a mandatory pre-bid conference. Mr. Bell's recommendation was to reject all bids and to re-advertise with language clarifying that absence from or late

arrivals to mandatory pre-bid conferences will result in the non-acceptance of bid submissions.
Mr. Burke submitted a memo from Mr. Bell.

Motion by Commissioner Jones, second by Commissioner Comander, to follow Mr. Bell's recommendations. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Commissioner Meadows requested that the Board allow staff to draft a letter to FDOT requesting signalization at the intersection of US Highway 98 and Sugar Drive.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve the request as presented. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Commissioner Meadows stated that she had received a request for the Board to consider adopting an emergency ordinance prior to June 1, 2007, to address driving on Grayton Beach and increasing permit fees; however, she had since learned that a public hearing must be scheduled.

Commissioner Comander felt that beach vehicle permits should be issued by vehicle, not by condominium unit.

Mr. Van Ness Butler requested that the Board take action to address the unsafe conditions, to limit the vendors, to increase vehicle permit fees, and to address boat launching in the Grayton Beach area. He read portions of a prepared statement into the record.

(Commissioner Brannon exited briefly at 6:00 p.m. and returned at 6:06 p.m.)

Commissioner Meadows suggested establishing an improvement fund for Grayton Beach. She requested that a public hearing be scheduled for July 1, 2007 at the South Walton Annex. Commissioner Meadows also submitted copies of various emails regarding the issue.

(Commissioner Comander exited briefly at 6:04 p.m. and returned at 6:09 p.m.)

Commissioner Meadows addressed a proposal by Mr. David Kramer for the county to lease a vacant parcel for parking at the intersection of CR 393 and CR 30A at a cost of \$16,000. She recommended that the Board consider negotiating a lease from June 2007 through September 2007 for \$10,000 and from March of 2008 through September 2008 for \$16,000, with the lease cost to be divided equally between the TDC and BCC. Commissioner Meadows stated that the parcel will create 100 parking spaces.

(Commissioner Jones exited briefly at 6:10 p.m.)

Mr. Allen Ficarra felt that the Board should offer a DO extension to the owner of the property in lieu of paying for a lease.

Commissioner Brannon requested that Commissioner Meadows bring a draft proposal to the June 11, 2007 Board Meeting.

Commissioner Meadows requested approval of a temporary use agreement for the Huettel Property until a permanent document is drafted and to designate the County Administrator or his designee to sign the agreement.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the temporary use agreement for the Huettel Property and to designate the County Administrator or his designee as the appropriate signing authority. Ayes 3, Nays 0. Meadows Aye, Brannon Aye, and Comander Aye.

Commissioner Meadows announced that free recycling bags will be available for a limited time at various county offices.

(Commissioner Jones returned at 6:18 p.m.)

Commissioner Comander discussed a recent clean up day in the Choctaw area.

Mr. Seigler announced that an employee appreciation banquet would be held on May 23, 2007 at Harbeson Field for Public Works Awareness Week.

The Board recessed at 6:22 p.m. and reconvened at 6:30 p.m.

Ms. Blackshear discussed the Transportation Regional Incentive Program (TRIP) Agreements to install passing lanes on US Highway 331 and Rock Hill Road and US Highway 331 and Sherwood Road. She stated that the county is also eligible for a third grant to realign the intersections of US Highway 20 and SR 81 and US Highway 20 and CR 3280 and will apply for that grant at the request of Commissioner Brannon. Per the submitted agreement drafts, the county and FDOT will each be responsible for a 50% match, with estimated the county's estimated contribution for the first two projects being \$2,728,816. An agreement has not been drafted for the third project. Ms. Blackshear explained that the contracts must be signed prior to the beginning of the FDOT's fiscal year.

Commissioner Comander questioned the conceptual plan. Mr. Greg Graham, Staff Engineer, explained that the one-mile passing lanes will be installed just south of Forest Oak Road and just south of Site C-6 Road and will provide relief until US Highway 331 is four-laned. He estimated a completion date of January 1, 2010.

Motion by Commissioner Brannon, second by Commissioner Jones, to authorize the Chair or Vice-Chair to execute the two contracts for the passing lanes on US Highway 331 and to execute the contract for the CR 3280 and CR 8120 realignment once staff is able to secure the TRIP grant funds. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

(Commissioner Jones exited briefly at 6:39 p.m. and returned at 6:42 p.m.)

Commissioner Meadows called to order the public hearing to discuss legislative and quasi judicial items.

Ms. Renee Bradley, Planning Technician, presented a request for final plat approval of Villa Lago Phase II, also known as Boardwalk at Baytowne Replat, which consists of four single-family lots on 14.92 +/- acres with a future land use of Coastal Center. The site is located south of N. Baytowne Avenue within the Sandestin Golf and Beach Resort. Staff found the project consistent with the Land Development Code and Comprehensive Plan subject to the payment of applicable recording fees.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Comander, to approve final plat of Villa Lago Phase II for recordation as presented. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Ms. Blackshear presented the second reading of the proposed Wetland Density Amendment Ordinance to amend the Chapter 4 of the Walton County Land Development Code by amending section 4.01.03, restrictions on development; providing for intent and purpose; enforcement and penalties; interpretation, authority; severability; and effective date. She stated that a provision for a 5000 sq. ft. minimum lot size with the approval of density transfer to uplands was added. Ms. Blackshear added that the proposed ordinance brings the Land Development Code in compliance with the Comprehensive Plan.

Mr. Ficarra applauded the addition of the minimum lot size.

Mr. Lloyd Blue spoke in opposition to the addition of the minimum lot size due to smaller lot sizes being allowed through the PUD process. He felt that the proposed ordinance includes conflicting language in sections "1A" and "1C" regarding the transfer of density in relationship to PUD's.

After additional discussion, Ms. Blackshear stated that staff will address the issues and bring the changes before the Board.

Motion by Commissioner Jones, second by Commissioner Comander, to continue the item until the June 11, 2007 Regular Meeting to be held at the South Walton Annex. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

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

Mr. Brian Martinez, Planner, presented Town Center at Black Creek PUD, major development proposal which consists of 457 residential units, 387,000 square feet of commercial, and some civic and public uses on approximately 300 acres with a future land use of North Bay Neighborhood Planning Area Rural Town Center. The site is located on the north side of CR 3280, approximately 7.5 miles east of US Highway 331. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and any recommendations of the Planning Commission. Mr. Martinez stated that, at this time, the approximate proportionate fair share contribution is \$11,190,458.03. A revised staff report was submitted (**Town Center at Black Creek PUD Exhibit #1**).

Mr. Blue was present to represent the applicant, Meridith Properties, LLC. He discussed the project and added that the applicant estimates the actual proportionate fair share contribution to be \$16 million.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Comander, to approve Town Center at Black Creek PUD as presented contingent upon all conditions of staff and the Planning

Commission as contained in the staff report. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Mr. Blue commended the efforts of the emergency personnel during the recent wildfires.

Mr. Jason Bryan, Planner, presented The Reserve, a major development proposal which consists of 38 multi-family units on 19.56 +/- acres with a future land use of Conservation Residential. The site is located on the east side of North Church Street, north of the intersection of North Church Street and Nursery Road. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and any recommendations of the Planning Commission. A revised staff report was submitted (**The Reserve Exhibit # 1**).

Mr. Ed Stanford, JSA, Inc., was present to represent the applicant, Destin Reserve Partners, LLP. He commented that the project is not a traditional condominium and is only classified as such due to the platting.

There were no public comments.

Motion by Commissioner Brannon, second by Commissioner Jones, to approve The Reserve as presented contingent upon all conditions of staff and the Planning Commission as contained in the staff report. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

Motion by Commissioner Brannon, second by Commissioner Comander, to adjourn at 7:11 p.m. Ayes 4, Nays 0. Jones Aye, Meadows Aye, Brannon Aye, and Comander Aye.

APPROVED: _____
Kenneth Pridgen, Chair

ATTEST: _____
Martha Ingle, Clerk of Court

