

September 25, 2007 – Regular Meeting

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on Tuesday, September 25, 2007 at 4:00 p.m., at the Walton County Courthouse in DeFuniak Springs, Florida.

The following Board members were present: Commissioner Kenneth Pridgen, Chairman; Commissioner 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 Jones led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Pridgen called the meeting to order.

Mr. Mike Burke, Interim County Attorney, announced that Ms. Lynn Hoshihara was officially sworn in as Staff Attorney with the County Attorney’s office.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the consent agenda as follows. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Approve Consent Agenda	
1. Approve Expenditure Approval List (EAL)	
General Fund	\$ 1,266,910.02
County Transportation	\$ 503,820.98
SHIP	\$ 1,850.00
Fine & Forfeiture	\$ 95,774.50
Debt Service Hospital	\$ -
Mosq. Control State	\$ -
Mott Sign Grant	\$ -
Section 8 Housing	\$ 138,184.03
Tourist Dev. Council	\$ 730,879.42
N.W. Mosquito Control	\$ 32,384.93
W. Co. Library	\$ 13,246.65
Tax Deed Surplus Trust	\$ -
Recreation Plat Fee	\$ 795.10
Public Safety- 911	\$ 19,711.36

Solid Waste Enterprise	\$	882,583.40
Mossy Head VFD	\$	-
Glendale VFD	\$	7,999.85
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	\$	825.49
Capital Projects Fund	\$	130,294.23
Imperial Lakes MSBU	\$	2,765.91
Inmate Canteen Fund	\$	-
Totals	\$	3,828,025.87

2. Approve Minutes: September 11, 2007 – Regular Meeting and Special Meeting, and September 10, 2007 – Budget Hearing
3. Approve request to surplus miscellaneous equipment from the Property Appraiser’s Office
4. Approve request to surplus four radar units from the FL Highway Patrol and to donate them to the Sheriff’s Office
5. Approve a budget request to de-obligate funds from the BCC Land Account to re-obligate funds to pay for rehab of the old jail admin and Courthouse MIS facilities
6. Approve to roll forward funds for capital projects and grants in the 2006-2007 budget not completed by September 30, 2007
7. Approve a realignment of budgeted funds for a Grant Match to upgrade and replace various firefighter radios
8. Approve a Letter of Agreement with the Agency for Health Care Administration
9. Approve the Local Update of Census Addresses Grant Agreement
10. Approve a Resolution to amend the budget for grant funds received from DCA
11. Approve resolution to amend the budget for grant funds from FDLE for the Edward Byrne Memorial JAGC Grant
12. Division of Forestry Fire control Program Annual Report
13. Approve Unifirst Uniform Contract Amendment
14. Approve Geocortex Managed Hosting and Development Services Agreement from Latitude Geographics

Commissioner Comander stated that she had been contacted by several people regarding the Dog Fly Control issue. She requested that the issue be brought back to the Board to give the public an opportunity to speak.

Commissioner Comander asked Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, to give an overview of the spray program. Mr. Page commented that the dog fly (biting arthropods) had migrated to this area from Alabama and Georgia and that the program was started because the Mosquito Control Districts did not have the resources to deal with the issue. He stated that aerial spray is the most effective way to control the dog fly population. The main chemical used to exterminate dog flies is Diabrom also known as Naled. He stated that the pesticide spray is one part of the control process to aid in the health and welfare of the citizens. During dog fly season, less people visit the beaches thereby impacting the economic welfare of the county. Mr. Page read a section from Chapter 388 of the Florida Statutes dealing with arthropods.

Commissioner Comander asked if the chemical drifted when sprayed from low level flying. She stated that people are concerned with the affects that the spray has on the bees, butterflies, and dragon flies. Mr. Page stated that the airplane could not fly higher than 1,000 feet because the spray would not eliminate the pest problem. He stated the aerial spray creates a cloud that drifts to a small area and will treat the pest problem. He stated without the spray, the dog flies will keep the people from visiting the beach and will affect the surrounding businesses.

Commissioner Meadows asked about the maintenance of the airplane and also why chemical labs state that Diabrom should not be sprayed over bodies of water. Mr. Page stated that the plane is regularly maintained and has passed every inspection. He stated that the plane seems to fly over the water, but the wind speed and drift direction determine the spray area.

Commissioner Meadows asked for data supporting the said economic impact the dog fly is having on beach businesses. She read an e-mail from Mr. Dave Guthrie which stated that he was suffering from the affects of Agent Orange which was said to be safe.

Discussion continued on the affects of Agent Orange and Diabrom/Naled Spray.

Commissioner Meadows asked if a count had been done to determine if the spray is needed. Mr. Page stated that the State and Mosquito Control Districts do not spray erratically; the pesticide sprays are a last resort to solve a problem. Integrated Pest Management requires that an agent take actual landing rates of the dog flies. To constitute a spray, the rate should be five flies per minute.

Commissioner Meadows asked if there were any non-toxic chemicals, such as garlic, that could be used. Mr. Page stated that there is no evidence that the use of garlic is advantageous as a pesticide, however, the department has looked into using safer methods.

Commissioner Comander asked if Alabama and Georgia could help control the pests. Mr. Page stated that it is more costly to control at the stables and barns.

Commissioners Jones and Brannon both feel that the decision should be made by the South Walton Mosquito Control District.

Mr. M. C. Davis spoke in opposition of the dog fly spray.

Mr. James Earl Ray, spoke in favor of the dog fly spray.

Motion by Commissioner Meadows, second by Commissioner Jones, to sustain the previous vote. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Bill Imfeld, Finance Director, requested that the RFP to consolidate cell phone and radio service be awarded to Southern Linc. Presently two different companies provide service for the county. He stated that Southern Linc had the highest efficiency and service rating and will save the county approximately \$800 a month.

Motion by Commissioner Jones, second by Commissioner Comander, to award Southern Linc the RFP to consolidate cell phone and radio service. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Imfeld presented a request from Waste management to adjust prior year billings. Office of Management and Budget (OMB) needs direction whether or not approval of payment is granted. Payment would be charged against the current year's budget. Waste Management failed to incorporate the Consumer Price Index (CPI) since June, 2003 and submitted monthly bills totaling \$373,767.84. He stated that after reviewing the bills and the CPI, as stated by the Bureau of Labor and Statistics, it was found the total should have been \$298,271.00.

Motion by Commissioner Jones, second by Commissioner Brannon, to approve bill payment in the amount of \$298,271.00. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Discussion followed regarding trash pick up in south Walton County.

Mr. Imfeld presented a request to approve Animal Control Funds Realignment stating the cost of veterinary services is higher than expected. Emergency Services Division is requesting to realign \$40,000 from Paramedic/Firefighter Professional Services into Animal Control Contractual Services.

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

Commissioner Comander asked about the progression of the bid process for the animal shelter. Mr. Imfeld stated that the documents are being finalized to be advertised for bids.

Mr. Ryan Douglass, Public Works Department, requested the approval of a bid award to Conecuh Bridge as lowest bidder in the amount of \$69,468.17 for the Hogtown Bridge Material. He stated in-house labor will be used.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve Conecuh Bridge as lowest bidder in the amount of \$69,468.17. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Douglass requested approval to surplus a North Walton Mosquito Control District (NWMCD) truck (BCC 2785) to Gulf County Mosquito Control in the amount of \$5,600.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the surplus of a NWMCD truck (BCC 2785) in the amount of \$5,600. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Allen Brown, Public Works, presented the Redfish Village Developer Agreement. The agreement allows the developer to landscape a portion of C.R. 30A and C.R. 83 and to construct a multi-use path from C.R. 30A to Old Blue Mountain Road. Valley Crest Landscape Development has agreed to the set terms. Mr. Brown recommended the Board approve the developer's agreement.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the Redfish Village Developer Agreement as presented. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Ken Little, Citizen Services Director, recommended the following Board members and Committee Assignments: Ms. Liz Sinclair, Library Advisory Board; Mr. Joel Paul, Jr., Affordable Housing Committee (reappointment); Mr. Mike D’Autilla, Zoning Board of Adjustments (reappointment); Mr. Thomas Terrell, Planning Commission (reappointment); and Ms. Sally Merrifield, Planning Commission (reappointment).

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

Mr. Little presented the Health Department Core Contract for Fiscal Year 2008 for approval and Chairman’s signature.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the contract and Chairman’s signature as presented. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Little presented for adoption Resolution 2007-89 to establish fees for services provided by the Walton County Health Department.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve Resolution 2007-89 as presented. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Ms. Linda Sumlin, Assistant Director, Jobs and Education Partnership, requested approval of a two year workforce plan for submission to Workforce Florida, Inc.

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

Ms. Sumlin requested that Ms. Dawn Moliterno, CEO of the Walton Chamber of Commerce, be appointed to the Workforce Development Board.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve nomination of Ms. Dawn Moliterno to the Workforce Development Board. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Ed Baltzley, Emergency Response Director, requested the Board adopt Resolution 2007-90 dissolving Glendale Volunteer Fire Department and accept the MSBU monies into the General Fund.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt Resolution 2007-90 and accept MSBU monies into the General Fund. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Baltzley requested approval to submit an E911 Grant Application to purchase and replace the county's Public Safety Answering Point (PSAP) and a secondary system for the City of DeFuniak Springs Police Department. The Board is responsible for 911 systems within the county; therefore the City of DeFuniak Springs must apply through the county. The grant total requested is \$491,267.50 for the county and \$252,108.43 for the city.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve submittal of the grant application as presented. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Baltzley requested the Board adopt a Proclamation declaring October 7-13, 2007 as Fire Prevention Week.

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

Mr. Mitt Fulmer, Floridian Construction, presented a contract change order request for additional payment of \$49,104.30 for Phase 3 Hurricane Dennis Emergency Beach Access repairs. He stated that the contracts have always been paid on unit price. Mr. Burke stated the issue is that the drafted contract stated that the work not exceed \$254,405.20. He requested time to investigate the matter and return his findings to the Board.

Motion by Commissioner Brannon, second by Commissioner Meadows, to allow Mr. Burke to look into the matter and return his findings to the Board. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. David Sell, Beach Maintenance Manager, Tourist Development Council (TDC), requested the Board award ITB 07-042 for the Blue Mountain Restroom Facility and Parking Lot to Swalley Construction in the amount of \$183,807.00.

Motion by Commissioner Meadows, second by Commissioner Brannon, to award ITB 07-042 to Swalley Construction in the amount of \$183,807.00. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Burke requested approval to accept the devise of real property from the Estate of Ms. Patricia Kellogg with the restrictions as stated in the Last Will and Testament. This property is to be used solely as a wildlife nature preserve without commercial activities. Improvements can be made for bird-watching and hiking trails for residents and visitors. The Choctawhatchee Audubon Society, Inc. will have perpetual access to and the use thereof without charge for the purpose of bird-watching activities and to advise the BCC and TDC regarding the activities to be undertaken within the preserve. He recommended that the Chairman sign a letter noting the Board's acceptance of the conditions set forth.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the Chairman's signature accepting the Kellogg property with conditions. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Commissioner Meadows presented an opportunity to join the Choctawhatchee Basin Alliance in a grant application to National Fish and Wildlife Foundation to build oyster reefs in the Choctawhatchee Bay and provide related educational opportunities and materials for schools. The only requirement is that Walton County join as a signatory and dedicate staff (40 hours at \$10.00 an hour) to assist in construction of the oyster reefs.

Motion by Commissioner Meadows, second by Commissioner Jones, to sign on to the grant application and allocate \$400 for staff time. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Commissioner Jones did not present any items for discussion.

Commissioner Brannon gave a brief update on the Morrison Springs project and he asked that the Old 331 Clyde Wells Bridge be considered as material for the oyster reefs.

Ms. Shari Judkins stated that the minutes for the September 11, 2007 meeting were unclear regarding the LSA adoptions and asked that they be amended. Chairman Pridgen stated that the minutes had been reviewed and approved.

The meeting recessed at 5:25 p.m. and reconvened at 5:48 p.m. Commissioner Jones exited the meeting at 5:25 p.m.

Mr. Ken Hatchett representing Mr. Timothy Tindel, LSA 06-01.5, requested a 30 day extension. He stated that a community meeting would be held to answer and respond to the concerns of the citizens.

Motion by Commissioner Brannon, second by Commissioner Comander, to continue LSA 06-01.5 until October 23, 2007. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Mr. Scott Jenkins, Jenkins, Stanford and Associates requested that Stonegate be continued until October 9, 2007.

Motion by Commissioner Meadows, second by Commissioner Brannon, to continue Stonegate until October 9, 2007. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Gary Vorbeck requested that Toscana f/k/a Sienna Place be continued until October 23, 2007 to give the applicant time to review and address the staff report.

Motion by Commissioner Brannon, second by Commissioner Meadows, to continue Toscana f/k/a Sienna Place until October 23, 2007. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Ms. Lois Le-Seur, Planning Manager, commented that LSA 06-01.14 Village Mixed Use (VMU) is an outstanding item not given tentative approval during the September 11, 2007 meeting. Language was added to the ordinance to state that the project is to be primarily residential. She stated that two versions of the ordinance were drafted; one to show 51% housing requirement, one to show 75% housing requirement. The ordinance was revised to limit the VMU to non-development on Highways 98 or 30A and limit the VMU to neighborhood serving commercial.

Commissioner Meadows asked Ms. La Seur to explain the Memorandum of Understanding agreed upon by Walton County and the Workforce Housing. Ms. La Seur stated the agreement was made between Walton County and the Wolf Creek Affordable Housing Project and specified certain personnel (police officers, teachers, etc.) within the county that is eligible for affordable housing.

Commissioner Meadows voiced concern that the VMU would consist of fewer housing and more commercial. Ms. La Seur stated that the Land Development Code (LDC) would need to be revised to take into consideration the changes to VMU and to specify detail criteria.

Commissioner Comander asked why it is necessary to set a percentage and stated the size of the development should dictate the number of affordable housing. Ms. La Seur stated that the Board indicated the desire to have a set percentage.

Commissioner Meadows stated that affordable housing is desperately needed and that 75% should be considered residential development. She feels that the issue needs more work.

Ms. La Seur stated the percentage is the amount of residential that must be affordable, not the percentage of the project.

Discussion continued regarding the percentage of affordable housing requirements.

Commissioner Comander asked Ms. La Seur to define Neighborhood Supporting. Ms. La Seur stated that convenience stores and small restaurants are examples and the code clearly states what is acceptable.

Commissioner Meadows asked if medium density had been considered in the VMU. Ms. La Seur stated that it would require adopting another land use category. She said that one way to achieve the desired density would be to adopt it as a future land use with a zoning district overlay.

Mr. Alan Ficarra disagreed with the interpretation of the ordinance language.

Mr. Michael Hanniger spoke in opposition to the ordinance language.

Mr. Don Rutland, developer, suggested revising the ordinance language to allow for different sizes of developments.

Commissioner Meadows asked if the VMU was being used to get affordable housing 12:1. Ms. LaSeur stated that for affordable housing to work it must be designated 12:1 or above. She stated the goal was to create a mixed use category where apartments, townhouses, single family and commercial are in an over all master plan.

Commissioner Meadows voiced concern that VMU may not be the right direction using the ordinance language as written. Ms. La Seur suggested returning to the basic wording changes and eliminating the 40 acre cap.

Mr. Bill Bard feels that the land use category is being changed to suit residential. The LDC states that VMU is designed to be a commercial land use. He voiced opposition to the ordinance.

Ms. Shari Judkins spoke in opposition to the discussed language change.

Ms. La Seur suggested the Board agree to remove the 40 acre cap and keep the amendment in the package to be sent to DCA. She also suggested that the Kuykendall amendment and the affordable housing purchase of the VMU be continued for 30 days to work on re-drafting of language.

Ms. Anita Page and Mr. Matt Olsen spoke in opposition of the ordinance language.

Mr. Burke stated that opposition from DCA is possible.

Commissioners Jones and Meadows suggested submitting a separate land use amendment titled Village Mixed Use Center/Affordable Housing (VMUC/AF). Ms. Le Seur stated that to take this action would mean starting with a new amendment; however, with the title VMUC/AF, DCA may accept it.

Motion by Commissioner Comander, second by Commissioner Meadows, to keep the strikethroughs, eliminate the underlined additions with the exceptions of “unless adjoining or abutting an existing VMU development”, leave sections G, H and I and to continue the issue until October 23, 2007. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Mr. Gerry Demers, Deputy Building Official, requested permission to advertise a public hearing for two ordinances to amend the 1) adopted Wind-Borne Debris Regions and Basic Wind Speed Map and 2) changing the Unsafe Building Code.

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

Mr. Demers requested permission to advertise a public hearing for an ordinance adding “Hurricane Storm Shutters” to the list of specialty contractors.

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

Mr. Demers requested to advertise a public hearing for an ordinance to amend the Land Development code to update the coastal building zone.

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

Mr. Demers presented Construction Permit Fee Ordinance 2007-38 amending a portion of Ordinance 2005-29, known as the Walton County Miscellaneous Construction Permit Fee Authorization Ordinance.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt Ordinance 2007-38. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Motion by Commissioner Comander, second by Commissioner Meadows to approve for final adoption the following Ordinances and submission to the Department of Community Affairs: LSA 06.01.19 (Ordinance 2007-26), LSA 06.01-1 (Ordinance 2007-28), LSA 06-01.6 (Ordinance 2007-29), LSA 06-01.8 (Ordinance 2007-30), LSA 06-01.11 (Ordinance 2007-31), LSA 06-01.15 (Ordinance 2007-33), LSA 06-01.16 (Ordinance 2007-34), LSA 06-01.17 (Ordinance 2007-35), LSA 06-01.18 (Ordinance 2007-36), LSA 06-01.20 (Ordinance 2007-37). Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Ms. La Seur requested approval of the County Staff's response to the Department of Community Affairs' objections, recommendations, and comments report.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Staff's response as presented. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Mr. Burke administered the oath to those intending on speaking.

Ms. Melissa Ward, Planning Department, presented South Walton Utilities Tower, a major development order application submitted by South Walton Utility Company, Inc., requesting to remove a 285 foot tower and reconstruct it on a separate parcel. The site is located on Goldsby Road north of U.S. Highway 98 near the Sacred Heart Hospital. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission. Ms. Ward stated that the Division of Forestry requested the item be continued until October 9, 2007 to allow the legal department to review whether the Forestry Department has any liability should there be a catastrophic failure.

Mr. Wes Power, with Gilley Development Baskerville-Donovan, Inc., requested to address the Forestry Departments concerns. He stated that in the unlikely event of catastrophic failure, the tower is designed to collapse within 50% of its height and would not affect the Forestry's property. Several companies will utilize the new tower.

Commissioner Comander asked why the Forestry Department would be held liable should the tower collapse. Ms. Ward stated that the Department is concerned for the safety of those who may be in the park area.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the relocating of the South Walton Utilities Tower. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Ms. Heather Bracewell, Jenkins Stanford and Associates, presented Wildwood Village PUD, a major development order application consisting of 67 single family homes on 8.97 acres with a future land use of NPA/infill. The site is located at the NE intersection of Wildwood Trail and Freedom Way. The Applicant requested a variance on the set backs to provide more compact lot variation, provide rear alley ways for parking, and provide a more pedestrian friendly community. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Wildwood Village PUD and variance request. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

Ms. Maureen Johnson, JP Engineering, presented The Stables at Sandy Pines, a major development order application consisting of 25 single family units on 282.72 +/-

acres with a future land use of general agriculture and large-scale agriculture. The site is located on the east and west sides of Champion's Way, north of S. R. 81 and south of Buddy McGill Trail. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission. The Applicant is requesting to waive the sidewalk requirement as allowed in Section 5.04.03 for lots that are in excess of one acre. In lieu of the sidewalks, the applicant is providing riding trails adjacent to each road way. **(The Stables at Sandy Pines Exhibits: 1 – 4)**

Mr. M. C. Davis spoke in opposition of the project stating the project was begun before proper permits were issued.

Mr. Tim Brown, Planning Department, stated a Stop Work Order was issued due to road and lot creation without a Developmental Order. The applicant has submitted an application for a Development Order which is pending on the decision of the Board. The only outstanding issue is the traffic analysis.

Commissioner Pridgen questioned whether the adjacent property owners were notified. Mr. Brown stated that the applicant had submitted the certified mail receipts and a picture of the notification sign.

Commissioner Brannon feels that the issue should be tabled until appropriate measures are taken to settle the non-compliant work done prior to an approved development order.

Discussion continued on unauthorized, non-compliant development.

Attorney Robert McGill, representing Mariner Land LLC, stated that the development proceeded under the LDC Section 11.00.01ba. He stated that the applicant met with the Planning Staff in January and agreed to stop work until compliance was met.

Commissioner Brannon asked if a permit was obtained from the Department of Environmental Protection (DEP) to pave the roads. Mr. McGill stated a permit was issued prior to December, 2006.

Ms. Le Seur stated that Walton Plantation was not in compliance with the Stop Work Order; however, Mr. McGill has complied with the Stop Work Order. She stated that he substantially improved roads that were once logging trails.

Discussion continued regarding the unauthorized work done prior to the Stop Work Order.

Ms. Holly Hillyard spoke in favor of the project.

Ms. Johnson stated that changes were made to the tracts to make the lots more affordable and marketable. She also submitted certified mail receipts as proof that surrounding property owners were notified.

Mr. Rod Goodamote spoke in favor of project.

Mr. McGill stated that no substantial evidence has been presented to justify disapproval of the project.

More discussion ensued over the infraction committed before the Stop Work Order.

Commissioner Jones entered the meeting at 7:25 p.m.

Commissioner Brannon stated that rules needed to be in place that will govern what actions are to be taken when developers proceed with unauthorized developments.

Mr. Burke suggested tabling the issue until he has had a chance to determine what options are available.

Motion by Commissioner Brannon, second by Commissioner Meadows, to table The Stables at Sandy Pines issue until October 9, 2007 to give legal time to review options. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Brannon Aye, Comander Aye.

(Commissioner Jones abstained from voting due to his absence during testimony.)

Mr. Mark Siner, Choctaw Engineering, presented Serenity Estates, a major development order consisting of 4 single family units of .873 +/- acres with a future land use of neighborhood planning area/infill. The site is located on the north side of Lee Place, east of Robert Ellis Street. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission.

Mr. Brown stated the sidewalk buy-out along Lee Place is still pending.

Commissioner Comander feels that too many projects are being conceptually approved. She asked who was responsible for inspecting these projects to make sure that all conditions have been met. Mr. Brown stated that a Development Order could not be issued until a Planning Department Project Manager had signed off on the project. Ms. Le Seur stated that DEP and Engineering Department also sign and approve the request before the Development Order is issued.

Commissioner Jones concurred with Commissioner Comander.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Serenity Estates. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Ms. Bracewell, presented Sunrise Village, a major development order application consisting of 60 single family units on 31.02 +/- acres with a future land use of rural village. The site is located at the intersection of Highway 331 and Sunrise 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 by the Planning Commission.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve Sunrise Village. Ayes 4, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Comander Aye. (Commissioner Brannon exited the meeting at 7:51 p.m.)

Mr. Dale Cronwell, Senior Project Manager with PBS&J, presented Rosemary Beach CRC Maintenance Building, a major development order application requesting approval of a 5,714 square foot operations and maintenance building on +/- 0.86 acres with a future land use of village mixed use. The site is located on the right side of Winston Lane, approximately 11.27 miles from the intersection U.S. 98 & U.S. 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 by the Planning Commission.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve Rosemary Beach CRC Maintenance Building. Ayes 4, Nays 0, Pridgen Aye,

Meadows Aye, Jones Aye, Comander Aye. (Commissioner Brannon returned to the meeting after the vote at 7:55 p.m.)

Mr. Dean Burgis, Emerald Coast Associates, presented Heron's Landing, a major development order application consisting of 13 buildings with 127 multi-family units having a total of 19,077 square feet on 28.63 acres with a future land use of NPA/infill. The site is located on C.R. 393, 950 feet south of U.S. 98. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission.

Commissioner Meadows asked Mr. Burgis how the number of residential units and commercial units were determined. Mr. Burgis stated that the S.R. 393 frontage was maintained as commercial and the residential is situated further east.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve Heron's Landing. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Attorney Jessie Rigby, representing Emerald Coast Associates, presented Angelos, a major development order application consisting of 13 multi-family units on 3.57 acres with a future land use of NPA/infill. The site is located on the west side of Beachside Drive south of San Roy Road. He asked that the Board grant permission to allow the project to continue without the pool should a permit for pool construction not be issued. He distributed a resume of Ms. Valerie Hubbard, AICP, as an expert witness.

Ms. Hubbard stated that the project is compatible with the requirements of the ordinance.

Mr. Jason Bryan stated that a typographical error was made stating that the Impervious Surface Ratio (ISR) is 16%. He stated that there were seven conditions to be met.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve Angelos with the stated conditions as presented. Ayes 4, Nays 1, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Nay.

Mr. Mark Martin, Planning Department, presented Walton County Nature Center, a major development order application, consisting of a 1,200 square foot education center and a parking lot on 9.54 acres with a future land use of infill. The site is located on the north side of Nursery Road in south Walton County. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission. He suggested Ms. Patricia Kellogg's name be included in the naming of the Nature Center.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve Walton County Nature Center. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

Mr. Martin, presented Walton County Industrial Park PUD, a major development order application, requesting conceptual approval for a master plan consisting of office space with less than 300,000 square feet of gross floor area, retail/service space with less than 400,000 square feet of gross floor area or less than 2,500 parking spaces and manufacturing space on 320 acres with a future land use of industrial. The site is located west of Mossy Head on S.R. 285 between I-10 and U.S. 90. Staff found the project

consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report and by the Planning Commission.

Motion by Commissioner Jones, second by Commissioner Meadows, to approve the Walton County Industrial Park PUD. Ayes 5, Nays 0, Pridgen Aye, Meadows Aye, Jones Aye, Brannon Aye, Comander Aye.

There being no further business the meeting was adjourned at 8:07 p.m.

APPROVED _____
Kenneth Pridgen, Chair

ATTEST _____
Martha Ingle, Clerk of Court