

APRIL 8, 2008 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on April 8, 2008 at 4:00 p.m., at the South Walton Courthouse Annex.

The following Board members were present: Commissioner Larry Jones, Chairman; Commissioner Sara Comander, Vice-Chair; Commissioner Scott Brannon; Commissioner Kenneth Pridgen; and Commissioner Cindy Meadows. Mr. Ronnie Bell, County Administrator; Mr. Mike Burke, Interim County Attorney; and Ms. Martha Ingle, Clerk of Courts, were also present.

Commissioner Meadows led the invocation followed by the Pledge of Allegiance to the American Flag. Chairman Jones called the meeting to order.

Commissioners Comander, Meadows, Brannon and Pridgen presented to Chairman Jones a plaque commending his recent graduation and receipt of an MBA in Business Administration. Chairman Jones graduated with a 4.0 grade point average.

4:00 PM	Call to Order Regular Meeting
	Approve Consent Agenda
	1. Approve Expenditure Approval List (EAL)
	General Fund \$ 1,080,184.28
	County Transportation \$ 827,190.37
	SHIP \$ 43,615.00
	Fine & Forfeiture \$ 106,118.60
	Section 8 Housing \$ 110.13
	Tourist Dev. Council \$ 634,105.51
	N.W. Mosquito Control \$ 2,803.85
	W. Co. Library \$ 7,502.46
	Recreation Plat Fee \$ 1,515.80
	Public Safety- 911 \$ 15,913.45
	Solid Waste Enterprise \$ 332,617.73
	Sidewalk Fund \$ 18,695.00
	Driftwood Debt Service \$ 230,000.00
	Bldg Dept/Enterp. Fund \$ 5,954.52
	Capital Projects Fund \$ 899,932.20
	Totals \$ 4,206,258.90

2. Approve Minutes: March 11, 2008 – correction to Regular Meeting; March 11, 2008 Workshop; March 11, 2008 Workshop; March 20, 2008 Special Meeting and March 25, 2008 Regular Meeting
3. Approve request from Tourist Development Council to surplus one printer BCC #4853 and one server BCC #3991 from the Walton County TDC
4. Approve Resolution **(2008-46)** amending the budget to recognize additional funding from the Federal Government for Walton County's Housing and Urban Development Fund in the amount of \$50,000
5. Approve Resolution **(2008-43)** to amend the budget to recognize unanticipated funds from the City of DeFuniak Springs for the Senior Center Operations in the amount of \$25,000
6. Approve an agreement at the request of the State of Florida Department of Revenue, the interlocal agreement with the City of Freeport for sharing local gas tax revenues
7. Approve Joint Participation Agreement and Resolution **(2008-44)** for Tri-County Community Council
8. Approve Resolution **(2008-45)** for Continued Coordination of Medicaid non-Emergency Transportation through Florida's Coordinated Transportation System
9. Environmental Remediation

Commissioner Pridgen requested that the minutes for the March 25, 2008 Regular Meeting be amended to show that the foul ball netting was for the Paxton Little League Fields and the Pavilion for Lakewood Park.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the Consent Agenda with changes to the March 25, 2008 Regular Meeting minutes. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones called to order the Public Hearing to discuss a resolution to bring forward reserves for Driftwood Debt Service.

Mr. Bill Imfeld, County Finance Director, requested approval of a resolution **(2008-47)** to enable payment from reserves of the Driftwood Estates MSBU Fund of an additional \$50,000 against the outstanding principal balance of the MSBU bonds. He

stated that additional collections of MSBU fees resulted in the ability to pay down more of the loan balance in accordance with the bond documents.

Mr. Allen Osborne, Driftwood Resident, questioned whether the MSBU monies had been collected from all the lots. Mr. Imfeld stated that the money is not county money, but instead is the accumulation of the MSBU fees and the interest earned. He stated that there have been prepayments on the lots. The loan will be paid off five to six years early. According to the Government Services Group, who set up the initial MSBU, all the lots were allocated and charged. Commissioner Meadows asked if there was an accounting of what lot owners have paid. Mr. Imfeld stated that the fee is included with property taxes.

Commissioner Meadows asked what lots were affected. Ms. Shirl Williams, Assistant County Administrator, stated that all of the interior lots were affected. Commissioner Meadows suggested that staff look into whether all the lots have been assessed properly.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve a resolution (**2008-47**) to enable payment from reserves of the Driftwood Estates MSBU Fund in the amount of \$50,000. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Brad Pickel, Seahaven Consulting; and Mr. Sonny Mares, Tourist Development Council (TDC) Interim Executive Director, requested approval for the Scope of Work for Taylor Engineering to conduct yearly monitoring and tilling services of the Western Walton County Beach Restoration Project in the amount of \$93,510.71. The Florida Department of Environmental Protection (FDEP) requires that Walton

County and the City of Destin perform yearly tilling and monitoring services for the previously built beach restoration project. The work is done jointly with the City of Destin leading to cost savings to both entities. Commissioner Meadows asked when the tilling would be done. Mr. Pickel stated that it would be done prior to May 1.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the Scope of Work by Taylor Engineering in the amount of \$93,510.71. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested approval to renew the contract with South Walton Turtle Watch (SWTWG) for turtle monitoring, in the amount of \$80,000.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve contract renewal in the amount of \$80,000. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that the issue regarding the removal of the TDC Signage on Scenic 30A has been pulled from the agenda.

Attorney George R. Miller presented the William Wilson Beach Parcel Conservation Easement Contract to purchase the Eastern Lake property, also known as Angelos, for public use. Mr. Wilson's CPA suggested that private investors who acquired the property could convey it to the county through a conservation easement thereby benefiting the investors through tax breaks.

Mr. Bell stated that an appraisal valued the property at \$10 million. He stated that grant funding research showed the following options: \$6 million would be available through the Florida Communities Trust Grant but \$1.8 million would be designated to Padgett Park, and a U.S. Fish and Wildlife grant would be available for up to \$1 million.

Mr. Bell stated that Mr. Wilson had spoken with Representative Sansom and asked him to investigate DEP funds.

Attorney Miller requested the Board approve the concept of the conservation easement being presented. He also asked that Ms. Angie Biddle, Grants Coordinator, work with Ms. Cunningham, representative for Mr. Wilson, to achieve state funding. Mr. Bell stated that the U.S. Fish and Wildlife grant would have to be requested by the State.

Attorney Miller stated that included in the contract is a requirement for the participants to achieve the maximum tax break which would mean that the County would have allowed the maximum density in a private development order. He felt that this inclusion would give incentive to the participants. He stated that there is no desire to see this area developed.

Attorney Burke stated that clarification should be made to whether the county would put up money or wait for grant funding. He also stated that there must be a development potential, including the number of permitted units, for the property to meet the requirements for a conservation easement. An actual development order is not needed.

Chairman Jones asked Attorney Miller if he would return with the information on the amount of private funds available and the amount needed from the county either through grants or other funding. Attorney Miller stated that he may return prior to obtaining commitments from private investors and ask the county to make a conditional agreement to sign the conservation easement agreement when the investors agree to commit. He asked for permission to move forward.

Mr. Bell stated that there is a May deadline to apply for the Florida Communities Trust Grant.

Motion by Commissioner Comander, second by Commissioner Pridgen, to apply for the Florida Communities Trust Grant. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Ronnie E. Bell, County Administrator, requested guidance on securing an attorney for the Competency Board. The late Allan Ramey served as counsel and a replacement is needed. He recommended appointment of Attorney Lynn Hoshihara, Office of County Attorney.

Motion by Commissioner Meadows, second by Commissioner Brannon, to appoint Attorney Hoshihara as attorney to the Competency Board. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Burke stated that Attorney Ramey had served on several boards. The intent is for Attorney Hoshihara to fill in on those other boards as well.

Mr. Bell stated that Commissioner Meadows has requested to be removed from the West Florida Regional Planning Council (WFRPC) and requested that another Commissioner be appointed as a representative. The Board concurred to appoint Commissioner Pridgen to the WFRPC.

Motion by Commissioner Meadows, second by Commissioner Comander, to appoint Commissioner Pridgen to the WFRPC. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that the request for approval of a Developers Agreement with Rosemary Beach Cottage Rental Company, North Winston Lane has been pulled from the agenda.

Mr. Bell requested approval of a Developers Agreement with Spinnaker Developer regarding Walton Rose Lane. The developer will continue to maintain the brick pavers. Public Works recommends approval.

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

Mr. Bell stated that the request for award for a Hydraulic Vibratory Drive/Extractor (RFP 008-015) has been pulled from the agenda.

Mr. Bell stated that the request for an Airless Truck Mounted Striping Machine (RFP 008-017) has been pulled from the agenda.

Mr. Bell requested that all bids relating to RFP 008-016, 6X6 65 Ton White Cab and Chassis Truck, be rejected and the re-bid project. There was only one bidder and specifications were not met.

Motion by Commissioner Comander, second by Commissioner Brannon, to reject all bids for RFP 008-016 and begin the re-bidding process. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested that the Bay Loop Road Bike Path Base bid, and Alternates 2 and 3 be awarded to Tindle Enterprises, as lowest bidder, in the amount of \$1,285,812.05. The bridge would be re-bid separately. Commissioner Comander asked Mr. Ryan

Douglass, Staff Engineer, how soon the project would be started. Mr. Douglass responded sometime within the next month

Motion by Commissioner Pridgen, second by Commissioner Comander, to award Bay Loop Road Bike Path Base bid, and Alternates 2 and 3 to Tindle Enterprises, as lowest bidder, in the amount of \$1,285,812.05. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Lyle Seigler, Public Works Director, requested approval for the de-obligation of funds from remaining projects with intent to fund those projects during the next fiscal year as discussed during the Road Maintenance Workshop held on April 8, 2008 at 3:30 p.m.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the de-obligation of funds as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that the Neighborhood Revitalization CDBG Grant Application for the installation of water lines in the unincorporated areas of the City of Paxton has been pulled from the agenda.

Mr. Bell presented the Professional Services Agreement with Burke, Blue, Hutchison, Walters & Smith, P.A. to provide legal services in the capacity as Walton County Attorneys.

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

Mr. Bell presented a request from Ms. Shari Judkins for the county to purchase Lot 6, North Holiday Road. He stated that an appraisal would be needed if the Board is interested in purchasing the property.

Mr. Billy McKee, Environmental Engineer, stated that the property did have a small field area but was mostly wetland. He stated that a drainage analysis would be necessary. Commissioner Meadows asked if the Judkins voiced whether they felt the county caused the area to become wetland due to drainage. Mr. McKee stated that there was no direct claim but implied that the developments over the years may have worsened the condition. The Board directed Mr. McKee to bring to the next meeting more information to determine if there is a viable reason to purchase the property for use as conservation or stormwater.

Mr. Bell presented for approval a contract with PBS&J for Design & Construction, Evaluation & Inspection Service for the US 331 passing lanes project. Mr. Bell stated that there is concern if a contract is not in place for this particular project, then State funds could be denied.

Commissioner Meadows questioned a portion of the language referencing the right to negotiate fees for optional services. Mr. Greg Graham, Engineering Manager, stated that the proposal received from PBS&J included costs for optional services due to the design being conceptual making the exact scope of CEI services hard to determine.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the contract with PBS&J. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Mike Burke, Office of the County Attorney, presented an update on Driftwood Estates Phase II C Plat. He stated that staff is still investigating the infrastructure in that area. The update includes the following dates and actions: April 25, 2003-Development Order was issued; February 14, 2006-Final Plat was approved without a Letter of Credit but was contingent upon the review of MYLAR by the County Attorney, the Board was advised that the infrastructure was not complete and was advised by the Planning Department that the plat would not be recorded until the inspector had completed the final inspection; March 2, 2006-Plat was recorded as owned by Olsen and Associates; April 5, 2007-the Development Order Inspector met with the developers representative and discussed items that needed to be done for final inspection. Attorney Burke stated that all the requirements on the Letter of Credit for the infrastructure was met prior to its release. There are no building permits being issued for the Phase II plats until the investigation is complete. Attorney Burke stated that the Board could only vacate the plat by request of the property owners in that area. Commissioner Meadows questioned if it could be vacated due to incomplete information. Attorney Burke stated that the only item lacking at that time was a certification by an engineer, but the plat had met all the requirements of filing. The engineering certification was not a requirement at that time. He stated that all the lots have been conveyed to owners other than the original dedicating party.

Mr. Osborne asked who released the Letter of Credit (LOC) and whether the final inspection is complete. Chairman Jones stated that all the information was not available to ably answer those questions. Mr. Osborne asked if the developer had produced the as-built surveys as directed by the Board. Mr. Graham stated that he had received some of

the as-built surveys. He said that staff is trying to bring in the developer and the engineer of record to work on the corrections. He stated that the LOC expired prior to the development order inspection request. He stated that a more comprehensive update is forth coming.

Commissioner Meadows asked if all information had been submitted by the developer. Mr. Graham stated that some information has been provided, however more information is needed. Commissioner Meadows directed Mr. Graham to give the developers a deadline to submit all information.

Commissioner Comander questioned whether a response had been received regarding the Edmonds Outfall. Attorney Burke stated that he had not received a counter offer which means the DEP will pursue further action.

Chairman Jones exited the meeting at 5:05 p.m.

Commissioner Comander assumed the Chair position.

Attorney Burke requested approval of a Developers Agreement for the maintenance of Pelayo Avenue.

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

Commissioner Meadows requested authorization to apply for permits from DOT to erect a directional sign to the Bark Park at the intersection of J.B. Miller Road and US 98.

Motion by Commissioner Meadows, second by Commissioner Brannon, to direct staff to write letter to DOT requesting a permit to erect a sign for the Bark Park. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested the county advertise a Request for Proposal for Improvements to the Huettel Center. She said that County Construction has a full schedule and felt that it would be suitable to advertise for a RFP to correct these minor repairs. The funds will come from the 2007-2008 amount budgeted for the Center.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to advertise a Request for Proposal for Huettel Center Improvements. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows said that the clearing is being done on the visibility triangles on Highway 30A where driveways and bike paths intersect. She requested that the completion of the clearing be added to the McKnight Contract as a one-time work with county survey crews. The goal is to clear these areas prior to Memorial Day. Mr. Bell stated that he, Public Works and Mr. Imfeld would negotiate with McKnight and bring the information to the Board.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to allow Administration to work with Public Works and McKnight to get these areas cleared and bring back information to the Board. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested that Mr. Allan Osborne, Driftwood resident, be allowed to address the Board.

Mr. Osborne revisited the platting issue. He felt that the Board had not met his requirements nor answered his questions.

Ms. Marie Baretta, Driftwood Resident, stated that there is a drainage problem and urged the Board to find a solution.

Commissioners Comander, Brannon and Jones had no items to present.

Commissioner Pridgen requested that the abandoned bridge (**Resolution 1997-53**) on Padgett Road be demolished. Mr. Aaron Warren, Assistant County Engineer, stated that there are safety hazards and recommended demolition.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the demolition of the abandoned bridge on Padgett Road. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell stated that Commissioner Gene Valentino would make his presentation after the break.

The meeting recessed at 5:20 p.m. and reconvened at 5:40 p.m.

Commissioner Comander assumed the Chair position. She continued the regular meeting and opened the floor to public comment.

Chairman Jones returned to the meeting at 5:42 p.m. and resumed the position as Chair.

Mr. Bob Hudson, resident, stated that in the past there have been major problems with the noise level surrounding the Sea Breeze Jazz Festival. He feels that the festival will be violating the noise ordinance and causing public safety hazards in regards to parking. He questioned who should be called since Code Enforcement is off duty on the weekend. Commissioner Comander asked Ms. Pat Blackshear, Growth Management

Director, if the problem could be settled before the festival begins. Ms. Blackshear stated that events such as this would break the noise ordinance and that exceptions would have been made if the promoters had asked for approval.

Discussion continued regarding the noise, parking, and Code Enforcement.

Commissioners Comander and Meadows suggested that the promoters be contacted and given a time limit to solve the problems. Mr. Hudson felt that a policy should be drafted with regulations for outdoor events. Ms. Blackshear stated that the planning process requires submission of plans for temporary events. She recommended that staff contact the promoter and address these issues. Commissioner Meadows stated that the promoter should provide the hours of music, a parking plan, a safety plan and apply for a variance for the noise ordinance. Mr. Bell stated that a number will be published for citizens to call in complaints.

Mr. Hudson presented a concern regarding the white sand and the rocks on the shoulders of Highway 30A. He stated that vehicles are getting stuck in the sand and that the rocks are causing windshields to be broken. Mr. Bell stated that the problem is being addressed.

Commissioner Gene Valentino, Escambia County, proposed establishing an interlocal agreement between the counties within the Northwest Florida Regional Transportation Area to create the Regional Transportation Financing Authority (RTFA). The agreement will allow input from participating counties for future financings for state road projects. Commissioner Valentino presented an overview of the RTFA and a proposal to obtain funding. He encouraged the Board to join the RTFA.

Chairman Jones stated that the Board would review the information and the interlocal agreement. Commissioner Meadows asked what the length of time would be to get the RTFA started. Commissioner Valentino stated that with the addition of other counties, the time would be approximately six months. Commissioner Comander stated that different means of funding will need to be explored to get roads paved.

The meeting recessed briefly at 6:28 p.m. and reconvened at 6:31.

Ms. Blackshear requested approval of a 120 foot right of way as the basis for conceptual design for the proposed Chat Holly roadway improvement. Staff recommended approval.

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

Ms. Blackshear presented for adoption the Neighborhood Plan Ordinance amending section 2.03.02 of the Land Development Code; eliminating the requirement that neighborhood plans be adopted as Comprehensive Plan Amendments; adding a requirement for neighborhood plans to be incorporated into the Land Development Code as overlay districts. She stated that the only change made to the ordinance was in the List of Criteria (page 5). The reference to mixed use percentage was left in the content. She requested to have that portion taken out because mixed use percentages would be covered in the Comprehensive Plan. She said that the ordinance presented includes all the changes recommended by the Board.

Attorney Burke distributed an email from Attorney Patrick Krechowski who represents Ms. Sherry Rayborn. The email listed requested changes to the ordinance with

greatest emphasis placed on the language regarding vesting. He stated that if the suggested changes are incorporated into the ordinance, then Ms. Rayborn's challenge would be dropped. Commissioner Meadows asked if all the changes would have to be made. Attorney Burke stated that it was preferred that all the changes be made, but the largest concern is on the vested rights language. He stated that by definition, vested rights would allow a home owner to rebuild their home to its preexisting state after a catastrophic event even if it was nonconforming to the neighborhood plan. However, if voluntary changes are made, the changes must conform to the neighborhood plan.

Discussion ensued regarding the vested language.

Commissioner Brannon asked if the intent of the vesting language was to identify what could be rebuilt in the case of a catastrophe. Ms. Blackshear stated that an as-built survey would be required before vesting could apply to the property. Attorney Burke stated that rebuilding must meet building codes even if the structure does not conform to the neighborhood plan. He requested time to review the letter from Attorney Krechowski. Commissioner Meadows suggested revising the language to say "you shall make provisions in your plan for the vesting of existing properties."

Chairman Jones questioned whether the Board wanted to bring the ordinance back with the changes suggested or to adopt with the subsequent language.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to adopt the Neighborhood Plan Ordinance (**2008-10**) with the additional language. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented for adoption an ordinance (**2008-11**) amending Section 13.02.00 of the Walton County Land Development Code, The Route 30A Scenic

Corridor to add portions of CR 393, CR 83, CR 283 and CR 395 to the CR 30A Scenic Corridor; deleting the town, residential and rural designations; establishing setbacks consistent with the Walton County Comprehensive Plan; setting standards for parking and right of way improvements; defining the terms “fence” and “wall” and establishing setbacks for fences and walls. She submitted a map that clarifies, in yellow, the areas that the view corridor would apply.

Ms. Mary Nielson suggested changes in the language of the ordinance. Commissioner Meadows asked Ms. Nielson to serve on the Friends of 30A. Ms. Nielson agreed to serve.

Mrs. Emmett Hildreth asked for clarification for sections being affected. Ms. Blackshear stated that existing single family structures will not be affected only new residential projects. Ms. Blackshear stated that the “wall” language does not apply to retaining walls.

Commissioner Meadows recommended the language be changed to state “the view corridor shall be subject to 65% see through ratio to lot width” to better clarify the language.

Commissioner Meadows felt that the last sentence of Section B on page 2 was not correct. Mr. Tim Brown, Assistant Planning Manager, stated that it does include the Florida Scenic Highway designated roadways and road beyond that designation.

Ms. Blackshear stated that the 65% scenic view corridor was included in the Land Development Code but did not have delineation.

Motion by Commissioner Meadows, second by Commissioner Brannon, to adopt the ordinance (**2008-11**) amending Section 13.02.00 The Route 30A Scenic Corridor with

changes as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear presented for adoption the DRI Review Fees resolution (**2008-42**) establishing planning fees for initial Development of Regional Impact submittals and for Notices of Proposed Change, both substantial and non-substantial deviations in the amount of \$2,500.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the DRI Review Fees Resolution (**2008-42**). Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Attorney Burke administered the oath to those intending to speak during the Quasi-Judicial segment.

Ms. Blackshear presented Red Hill Valley Estates a conditional use application submitted by Exponential Investments, LLC, consisting of 6 lots on 63 +/- acres with a future land use of general agriculture. The site is located just south of 1525 Red Hill Road, approximately 4.1 miles east of US 331 North. Staff found the project consistent with the Land Development Code and Comprehensive Plan.

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

Attorney Burke stated that Ms. Lynn Hoshihara, Office of County Attorney, had informed him that the Edmonds had rejected the Board's offer and countered offered demanding \$45,000. The County has filed suit and the case would now be in litigation.

There being no further business, the meeting was adjourned at 7:04 p.m.

APPROVED _____
Larry Jones, Chair

ATTEST _____
Martha Ingle, Clerk of Court