

MAY 13, 2008 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on May 13, 2008 at 4:00 p.m., at the South Walton Courthouse Annex.

The following Board members were present: Commissioner Larry Jones, Chair; Commissioner Sara Comander, Vice-Chair; and Commissioner Cindy Meadows. Ms. Shirl Williams, Assistant County Administrator; Attorney Mike Burke, 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.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the Consent Agenda as follows. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

1. Approve Expenditure Approval List (EAL)

General Fund	\$ 1,568,029.75
County Transportation	\$ 1,218,656.46
SHIP	\$ 63,566.00
Fine & Forfeiture	\$ 107,273.07
Section 8 Housing	\$ 765.49
Tourist Dev. Council	\$ 307,291.24
N.W. Mosquito Control	\$ 8,139.71
W. Co. Library	\$ 18,215.39
Recreation Plat Fee	\$ 9,280.64
Public Safety- 911	\$ 254,577.46
Solid Waste Enterprise	\$ 231,511.00
Sidewalk Fund	\$ 9,725.00
Driftwood Debt Service	\$ 3,401.90
Bldg Dept/Enterp. Fund	\$ 4,541.19
Capital Projects Fund	\$ 24,868.33
Totals	\$ 3,829,842.63

2. Approve Minutes: April 22, 2008 – Regular Meeting
3. Approve to surplus three computers from the Citizens Services Department, items from the Clerk of Court, and Facility Maintenance Departments.
4. Approve the Interlocal Agreement with the State Attorney's Office.

5. Approve a Resolution (**2008-57**) to amend the budget for unexpended Court Technology Funds.
6. Approve a Resolution (**2008-56**) to amend the budget for unexpended judicial Furnishing Funds.
7. Approve a Resolution (**2008-55**) to amend the budget to recognize revenues and expenditures from the sale of surplus equipment in the State Mosquito Control Fund.
8. Approve the Child Support Enforcement Grant Agreement.
9. Approve the application to Florida Fish & Wildlife Conservation Commission for the 2008 Florida Boating Improvement Program.
10. Approve the SCOP Grant Candidate Projects.
11. Approve the Investment Report for Quarter ended March 31, 2008.
12. Designate \$2,500 Recreation Plat Fee funds from District 5 for Glatting-Jackson services for Wayfinding Signage Installment.

Mr. Larry Stroud and Ms. Nancy Stroud stated that their property is landlocked with the only access through county right-of-way on John Curry Road. The access is blocked with items owned by the adjacent property owner, and they are requesting that the Board take action to have the obstacles removed. Ms. Stroud briefly outlined the issues and possible solutions; and presented evidence in support of their request. Commissioner Meadows asked why the property owner would not remove the objects. Ms. Stroud stated that the adjacent property owner had been approached but was uncooperative. Mr. Allen Brown, Public Works, stated that the adjacent property owner disputes the length of John Curry Road. He reported that all information obtained through surveys and legal documents shows that the road runs through the property. Chairman Jones asked if the information gathered allows the county to assert ownership. Mr. Brown stated that it did. Chairman Jones asked if it would be appropriate to direct Code Enforcement to take appropriate action to remove the obstacles. Attorney Mike Burke, County Attorney, confirmed that legal action could be taken. Chairman Jones clarified that it was the Board's opinion that the County has right-of-way access through easement and that Code Enforcement can assert the necessary actions to have the

obstacles removed. Commissioner Meadows recommended that Code Enforcement follow normal procedures and place a notice on the obstacles to be removed within a certain amount of time. Mr. Stroud stated that Mr. Buddy Wright, Code Enforcement Officer, had said that there was a technical reason that disallowed him to act on the complaint. Attorney Burke stated that it would be looked into.

Motion by Commissioner Meadows, second by Commissioner Comander, to direct Code Enforcement to take any necessary and appropriate action to remove the obstacles from the right-of-way. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Mr. Sonny Mares, Tourist Development Council Interim Executive Director, requested approval for Scope of Work for Taylor Engineering to conduct Bidding and Construction Administration Services for the Miramar Beach Access in the amount of \$273,456.00. Mr. Brad Pickel, Seahaven Consulting, gave an update on the restoration project. He stated that DEP permits have been received and that reconstruction would begin after Labor Day. Reconstruction will take approximately 6 months to complete. He reassured the Board that the beach area will be monitored during sea turtle nesting and hatching seasons.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve Taylor Engineering in the amount of \$273,456.00. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Leigh Morrison, Life Enrichment Senior Center Manager, presented the quarterly report for the Life Enrichment Senior Center. She stated that there are 42

registered members and \$1,424.11 in membership dues have been collected since the Senior Center's opening in April.

Mr. Ken Little, Citizens Services Director, requested approval of the appointment of Ms. Linda Gail Allen as Health Department Administrator. He thanked Ms. Crystal Steele for her service as Interim Administrator.

Motion by Commissioner Comander, second by Commissioner Meadows, to appoint Ms Linda Gail Allen as Health Department Administrator. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Shirl Williams requested a public hearing to adopt a resolution and listing of county-owned properties available for affordable housing. Chapter 152.379 FS requires each county to identify county-owned property appropriate for use as affordable housing and adopt a resolution including the list. The deadline to meet this requirement is July 1, 2008.

Motion by Commissioner Comander, second by Commissioner Meadows, to set a public hearing date to adopt the Affordable Housing Resolution for June 10, 2008. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Williams presented for review the following people to be appointed to the Animal Control Advisory Committee: Ms. Lois LaSeur, Mr. Bill Bard, Ms. Vicki Gatliff, Ms. Jennifer Cox, Ms. Laurie Hood, Ms. Ann McQueen, Ms. Vicki Bernard, Ms. Lori Eckert and Ms. Ella Caro. She recommended that the list be brought back at next meeting for approval.

Commissioner Comander recommended that each Commissioner appoint two people. Commissioner Meadows stated that all the people on the list are located

throughout the county and recommended using that list. Commissioner Comander stated that two of the appointees do not live in Walton County. Commissioner Meadows stated that one is a Walton County business owner and the other is an employee of the county. She asked if there is a rule against having members from other counties. Mr. Little said he did not know of any rules against out of county appointments but stated that Board appointed committees chartered under the Land Development Code are required to be Walton County residents.

Chairman Jones felt that a smaller committee would be better suited. Commissioner Meadows disagreed and felt that the list presented would be appropriate. Commissioner Comander stated that Ms. Kasey Cuchens expressed desire to serve on the committee and that her name was inadvertently left off the list.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the list presented including Ms. Kasey Cuchens.

Chairman Jones stated that guidelines are necessary for committee direction. Commissioner Meadows suggested forming the group and allowing them to elect a chairperson and return to the Board with a mission statement and recommendations on the six issues as discussed at the last meeting (feral cat program, spay neuter program, standards of care and sheltering of animals, cruelty cases, puppy mills and dangerous animals).

Motion amended by Commissioner Meadows, second by Commissioner Comander to appoint the Animal Control Advisory Committee as presented including Ms. Kasey Cuchens, to focus on the six issues, have the chairperson return to the Board

with a mission outline and course of direction. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Mr. Gary Mattison, Human Resources Director, recommended appointment of Mr. Sonny Mares as Tourist Development Council Executive Director and allow Human Resources to negotiate with Mr. Mares.

Motion by Commissioner Comander, second by Commissioner Meadows, to appoint Mr. Mares as TDC Executive Director and allow negotiations with Human Resources. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Mr. Mares expressed his gratitude for the support that he has received from the Board of County Commissioners and the TDC Board.

Mr. Mattison presented for second reading the revision of the BCC Personnel Policies and Procedures for Policy 10 Employment Procedures.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the revisions to Policy 10 of the Personnel Policies and Procedures. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Mr. Mattison presented for second reading the revision of the BCC Personnel Policies and Procedures for Policy 26 (26.2-Local Emergency Management Structure).

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the revisions of Policy 26 (26.2-Local Emergency Management Structure) of the Personnel Policies and Procedures. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Mr. Aaron Warren, Public Works, requested that the performance and payment bond for the guardrail installation contract be waived. This is a continuing contract; it will be subdivided into subsections that will be issued through individual work orders.

Motion by Commissioner Meadows, second by Commissioner Comander, to waive the performance and payment bond. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Williams stated that the request for acceptance of Masters Court for county maintenance had been pulled.

Ms. Williams requested acceptance of Edgewood Terrace for county maintenance.

Motion by Commissioner Meadows, second by Commissioner Comander, to accept Edgewood Terrace for county maintenance. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Williams presented an update on Oakwood Hills Subdivision Unit 6 MSBU surveys. A total of 170 ballots of the 364 sent have been returned. There were 99 yes votes, 63 no votes and 8 ballots were returned with no forwarding address. The subdivision will have to obtain funding to have the consultant continue gathering estimates. Chairman Jones suggested meeting with the residents to explain the costs.

Ms. Williams presented a bid for the use of the property on the corner of 5th Street and Toledo Avenue. The Everlasting Word Church has bid to lease the property at \$50.00 monthly while repairs are being made to the building and \$150.00 per month upon the completion of the repairs and opening to the public. Commissioner Meadows asked if the amounts included the sales tax on the lease. Chairman Jones stated that the church

was exempt from sales tax. Commissioner Comander asked if the Church would provide the insurance. Ms. Williams stated they would. Commissioner Jones suggested that Rev. Hughes and County Legal negotiate a reasonable term of lease.

Motion by Commissioner Meadows, second by Commissioner Comander, to award the bid to Everlasting Word Church in the amounts as presented and direct the County Attorney to negotiate a term of lease with Rev. Hughes. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Williams stated that there were upcoming changes in the laws regarding Value Adjustment Boards (VAB) and requested that the appointment of three Commissioners to serve on the VAB be pulled from the agenda. Attorney Burke explained the adopted changes would require that two County Commissioners, one School Board member and two citizens, meeting State requirements, be appointed to the VAB. Chairman Jones asked Commissioners Meadows and Comander if they wished to proceed with the appointment. All commissioners consented to proceed.

Motion by Commissioner Meadows, second by Commissioner Comander, to appoint Commissioners Pridgen and Brannon to serve on the Value Adjustment Board. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Motion by Commissioner Meadows, second by Commissioner Comander, to direct the Clerk staff to advertise for a citizen member to the VAB. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Williams recommended approval to extend the transfer station hauling/disposal service agreement with Waste Management for five years.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve the extension of the Waste Management hauling/disposal agreement. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Mr. Rory Cassedy, Waste Management Government Affairs Officer, stated that there was an increase in the Consumer Price Index (CPI) to 4.4%. The contract stated that Waste Management would receive the CPI up to 4% based on the US average for all cities. He asked to use the CPI based on the US average rather than the Southern Mid-Sized City Average which is less than 3%. This change is still less than \$11.00 per home and would go into effect on June 1, 2008. Commissioner Comander clarified that this issue is unrelated to the 5 year contract extension previously adopted. Mr. Cassedy agreed. He stated that he also wanted to discuss the yard waste contract that ends in July, 2008. Commissioner Comander stated that these issues were not placed on the agenda and that more information is needed before a decision could be voted on. Chairman Jones told Mr. Cassedy to meet with Mr. Bill Imfeld, Finance Director and Mr. Ronnie Bell, County Administrator, and bring the information back to the Board.

Attorney Burke stated that the transfer station agreement was originally drawn in 1993 and that Mr. Bell has asked that the contract be updated into today's form.

Ms. Williams presented the Ecological Associates Inc. (EAI) amended Scope of Work and Cost Proposal to prepare a Business Plan for the Habitat Conservation Plan (HCP) in the approximate amount of \$45,000.

Motion by Commissioner Comander to approve the EAI amended Scope of Work and Cost Proposal to prepare a HCP Business Plan in the amount of \$45,000.

Commissioner Meadows stated that after close inspection of the Scope of Work prepared by Southwick Associates (subcontracted by EAI) she recommended using Option B. She voiced concerns that under Option A, the cost of any type of HCP monitoring system would be borne by the coastal property owners. She felt that Option B was more economically suitable. Mr. Billy Bearden, Chief Building Official, stated that an application for a Federal Grant was submitted to assist in obtaining the HCP which is a supporting document to the Incidental Take Permit. The HCP will identify mitigation measures. The business plan is provided for within the grant therefore the money will not come from the county. There was \$231,750 left over in the grant, EAI added \$46,518.00 for the HCP Business plan leaving approximately \$185,000 in grant funding. He stated that some of this money has been spent on Shore/Burg Surveys and could also be used for additional expenses such as engineering analysis. Commissioner Meadows questioned if the Business Plan was required. Mr. Bearden stated that it was committed in the grant.

Chairman Jones asked if Option B would meet the criteria needed. Mr. Bearden stated that it would, but it would be less accurate. He stated that a Sea Turtle/Wildlife Lighting Ordinance would aid in meeting the mitigation.

Discussion continued on the costs and savings of the proposal.

Commissioner Comander withdrew her motion.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve Option B (Benefits Transfer) of the EAI amended Scope of Work and Cost Proposal to prepare a HCP Business Plan in the amount of \$18,000. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Williams requested approval for Ms. Angie Biddle, Grants Coordinator, to apply for the Florida Forever Project to acquire the Natural Bridge property.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve request as presented. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Attorney Burke stated that recently received information regarding the Animal Control Ordinance needed to be processed and removed the request for a public hearing from the agenda.

Attorney Burke presented the Shari and Mike Judkins v. Walton County and DCA Settlement Agreement. Mr. and Mrs. Judkins filed a challenge to Ordinance **2007-21** with Department of Community Affairs (DCA). DCA found the ordinance to be in compliance. The Judkins then filed a challenge with the Division of Administrative Hearings. The recommended Stipulated Settlement Agreement recognizes that the ordinance (**2007-21**) only applies to special exceptions for borrow pits in two land use categories: North Walton County General Agriculture; and North and South Walton County Large Scale Agriculture. The challenge will be dropped if the settlement is agreed upon.

Motion by Commissioner Meadows, second by Commissioner Comander, to execute and enter into the proposed settlement agreement. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

The meeting recessed at 5:06 p.m. and reconvened at 5:16 p.m.

Commissioner Meadows requested that Ordinance **1973-03** be amended to add the language "Special Events". She felt that information needed to be submitted for both special events and music events.

Motion by Commissioner Meadows, second by Commissioner Comander to add Special Events to the language of Article II of Ordinance **1973-03**.

Commissioner Comander asked that legal and staff review the entire ordinance. It was first drafted in the 1970's and the language needs revising and updating. Attorney Burke stated that a public hearing is required to amend the ordinance. He asked for staff to review the ordinance and bring back an amended draft to the Board. Chairman Jones asked if a public hearing could be held in two weeks (June 10, 2008).

Discussion continued on the revision of the ordinance language.

Commissioner Meadows withdrew her motion.

Motion by Commissioner Meadows, second by Commissioner Comander, to set a public hearing for June 10, 2008, adding to the ordinance special events and other language as determined by County Legal and Planning Staff. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Commissioner Meadows stated that requests were made during some of the EAR Amendment community meetings for a height ordinance to be adopted for a portion of Point Washington. The ordinance would be similar to the one adopted for Grayton Beach. She asked that a public hearing be set to consider the ordinance.

Motion by Commissioner Meadows, second by Commissioner Comander, to direct staff to draft a Point Washington Height Ordinance for future consideration. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Commissioner Meadows requested reconsideration of the \$145,000 transfer of funds for the William Wilson parcel. She asked that a copy of the Final Sale and Purchase agreement be given to the Commissioners for review and discussion before a

final decision is made. Attorney Burke stated that the document presented at the last meeting did not reflect all the items included in the final deal. He stated that he is still communicating with Mr. Wilson's attorney. Chairman Jones asked that Attorney Burke make available the final agreement for review.

Attorney George Ralph Miller, Representative for Mr. William Wilson, stated that the Board had approved the contract at the last meeting and felt that the contract was in order. Attorney Burke clarified that it was not a matter of re-approving the contract only that the Board had not reviewed the final contract with all the approved changes. He stated that the contract provides for termination.

Ms. Bonnie McQuiston, WCTPA, voiced opposition to the purchase. She stated that although she is grateful for land preservation efforts, she felt that this is not an economically feasible purchase. She submitted a list of concerns posed by private citizens and realtors. Attorney Burke addressed the concerns submitted by Ms. McQuiston. He stated that the property would be available for public use similar to that of Miramar Beach. He stated that the contract is contingent up the receipt of grant funding.

Commissioner Comander presented for adoption a resolution **(2008-54)** designating May 19-23, 2008 as Emergency Medical Services Week.

Motion by Commissioner Comander, second by Commissioner Meadows, to adopt a resolution **(2008-54)** declaring May 19-23, 2008 as Emergency Medical Services Week. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Chairman Jones had no items to present.

Mr. Howard Patterson, resident, stated that his townhouse (Summer Haven-Unit 2) was damaged during Hurricane Dennis. He said that three years ago, he and a neighbor

(Unit 1) made application to DEP for funding to repair and construct a parking area and walkways to their homes. A consultant informed him that Units 3-5 objected to the permit. The other owners felt that since they owned 3/5 of the property that they could control the Homeowners Association. The other owners made application, signing as president and witness of the Homeowners Association, for a Developer Agreement with the county. Mr. Patterson stated that there is no organized Homeowners Association for this development. He stated that he and his neighbor have been giving money to these individuals under false pretenses. He requested that the Developer Agreement be vacated due to the fraudulent nature and signatures. Chairman Jones felt that if someone fraudulently represented themselves it would nullify the Developer Agreement. Attorney Burke stated that the county could possibly hold the two individuals on the agreement liable. He requested time to review the document.

Commissioner Meadows requested that \$80,000 received from the Greater Driftwood Homeowners Association, and Driftwood Estates Phase II as their portion of the contribution to build the Driftwood Estates Community Park be placed in escrow until all plans have been finalized and the building begun.

Motion by Commissioner Meadows, second by Commissioner Comander, to place the \$80,000 received from the Driftwood Homeowners Association and Driftwood Estates Phase II into escrow for the term as presented. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Martha Ingle, Clerk of Court, acknowledged the dedicated service given to the county by the late Mr. Tim Crishon.

Commissioner Comander acknowledged the service and dedication given to the county by the late Mr. Lawton Matthews.

Ms. Pat Blackshear, Planning and Development Director, presented a request for vested rights determination for five single family homes in the Villas at Inlet Beach. Three of the homes are yet to be completed. She stated that the development order and the submitted plans differed in the approved height of structure. The planner submitted the file to processing without additional comments on the D.O. According the LDC, the Board has the final determination on vested rights. Commissioner Meadows clarified that the neighborhood input approved two stories to be built over the parking area, but four were actually built. Ms. Blackshear stated she was made aware of the problem when the issue of the deviations in the elevation came up. Commissioner Meadows asked when the D.O. was first issued. Ms. Blackshear answered January 8, 2004.

Mr. John Henderson, Project Civil Engineer, stated that the ground floor is not habitable and is for parking only. Chairman Jones asked if he felt that the projects were in compliance with the D.O. Mr. Henderson stated yes.

Mr. Gerry Demers, Deputy Building Official, stated that one building is a three story structure with parking below. The parking area has enclosed spaces that were not according to the plan. The Certificate of Occupancy (C.O.) has not been issued for that building due to the plan deviations. The other building has four habitable floors above the parking area and does not have a C.O.

Dr. John Naftel, resident, spoke against the development. He feels that codes have been violated and that the PUD recommendations have been distorted.

Commissioner Meadows asked if there was a Master Plan recorded for the PUD. Mr. Hal Laird, Planning Tech, stated that plans were provided. When it was realized that the development order was not being followed, the contractors were contacted and work was stopped.

Commissioner Meadows questioned if the developers were asking for vested rights to continue building as they are. Ms. Blackshear stated that she had asked Attorney Burke to research the issue. Attorney Burke stated that he had a conflict of interest and had asked Attorney Lynn Hoshihara, Staff Attorney, to do the research.

Mr. Henderson briefly discussed the property line and the building setbacks. He also discussed the problems with lots one and two.

Ms. Blackshear stated that the research showed that the buildings were to be four stories. Mr. Henderson stated that the lots on the interior were approved to be four stories above the garage, and the other lots three stories above the garage.

Commissioner Meadows recommended that staff obtain information on what is allowed to be built, the minutes of the meetings, the requirements of the Development Order, a map with existing conditions, PUD approval, and photos with descriptions of the existing structures. Ms. Blackshear stated that she would bring the requested information to the next Board meeting.

Ms. Blackshear requested permission for Seaside to hold a Jazz Festival. She stated that the Merchants of Seaside would need to submit the following: a sanitation facilities and Sewage Disposal Agreement, garbage/debris clean up plan and post clean up, traffic control and parking plan, fire department approval, medical emergency plan, a

copy of the Insurance Liability Certificate and provide financial backing disclosures. She stated that the Certificate of Insurance was the only item that had not been submitted.

Ms. Kristin Baker, Merchants of Seaside, stated that she would provide the Certificate of Insurance.

Commissioner Meadows requested that barriers be placed to prevent parking in the bike paths and that shuttles do not load and unload on CR 30A. Ms. Baker stated that those conditions would be met.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve The Seaside Jazz Festival contingent upon the County Attorney's approval of the Certificate of Insurance and changes as requested. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

Ms. Blackshear requested permission to advertise for a public hearing to discuss an amendment to Ordinance **2005-29**, known as the Walton County Construction Permit Fee Authorization Ordinance. This amendment will modify Section 2.0 Fee Schedules and tables and would set the minimum fee for any permit at \$35.00.

Motion by Commissioner Comander, second by Commissioner Meadows, to set a public hearing date for June 10, 2008 to discuss the Construction Permit Fee Authorization Ordinance Amendment. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

The Quasi Judicial hearing was called to order and Attorney Burke administered the oath to those intending on speaking.

Mr. Morgan Hurst, Southland Concrete, a major development order application submitted by Buchanan and Harper Engineering, consisting of 3 buildings totaling 5,951

square feet on 4.17 acres with a future land use of industrial. The sited is located at the end of Old Ferry Road in the Point Washington area. Staff found the project consistent with the Land Development Code and Comprehensive Plan contingent upon the conditions set forth in the staff report.

Commissioner Meadows asked if the Federal MPDS had been submitted. Mr. Hurst stated that the MPDS is applied for 48 hours before construction begins. A stormwater pollution plan has been submitted to the county. Ms. Blackshear stated that a D.O. cannot be issued until the MPDS permit has been received. Mr. Hurst stated that the permit would be acquired.

Commissioner Comander asked if this project had been advertised in the neighborhood. Ms. Blackshear stated that all the meetings have been advertised.

Mr. Len Pullen, resident, spoke in opposition of the project. He stated that no notices were received by the surrounding property owners. However he does not live within 300 feet of the project.

Commissioner Comander asked if there was proof of mailing. Mr. Jason Bryan, Planner, stated that notice and listing of adjacent property owners was submitted by the developers. He stated that all rules and regulations have been followed.

Ms. Page voiced confusion over the location of the project. Mr. Hurst stated that the area to be used is a four acre parcel within the property and lies east of the area that had been designated for the asphalt plant. Ms. Page stated that she had seen the permit for the asphalt plant, but it has not been built. Ms. Blackshear stated that that particular project was still being processed and was not approved.

Mr. Hurst stated that the property is not subdivided but different industries would lease portions of the property.

Commissioner Comander asked that the issue be continued until June 10, 2008 to give time to receive and review more information.

Motion by Commissioner Comander, second by Commissioner Meadows, to continue Southland Concrete until June 10, 2008. Ayes 3, Nays 0. Jones Aye, Comander Aye, Meadows Aye.

There being no further business, the meeting adjourned at 6:30 p.m.

APPROVED _____
Larry Jones, Chairman

ATTEST _____
Martha Ingle, Clerk of Courts