

September 9, 2008 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida, held a regular meeting on Tuesday, September 9, 2008, at 4:05 p.m., at the South Walton 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, County Attorney; and Ms. Martha Ingle, Clerk of Courts, were also present.

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

Chairman Jones recognized Representative Don Brown and Senator Doen Gaetez for their presence at the meeting.

Senator Gaetez presented to the Board, on behalf of the State of Florida Legislature, a grant for \$135,610.84 for the completion of Helen McCall Park. These funds will be used for basketball courts, boardwalks, picnic pavilions, and restrooms to complete the park. The grant was given to District 5 Commissioner Meadows, who stated that the grant is greatly appreciated.

Ms. Heather Wildermuth on behalf of the FAC, presented the William John Myers Life Time County Advocate Award to Representative Brown.

Representative Brown stated that he had received tremendous benefit from the community and the example and inspiration of the individuals of the community.

Chairman Jones expressed appreciation on behalf of the Board to Representative Brown and Senator Gaetz for the good job they do in Tallahassee and the hard work they have done for Walton County.

Commissioner Brannon presented Ms. Meg Nelson, Coastal Dune Lakes Advisory Board, with an award of Recognition of Appreciation of leadership of the Coastal Dune Lakes Advisory Board in Walton County. Ms. Nelson expressed her appreciation and enjoyment for working with the county.

Chairman Jones recognized Ms. Cecilia Jones which has been elected as the District 5 Commissioner.

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

1. Expenditure Approval List (EAL)

General Fund	\$	496,705.16
County Transportation	\$	295,955.44
SHIP	\$	34,933.10
Mosq. Control State	\$	266.61
Section 8 Housing	\$	1,646.09
Tourist Dev. Council	\$	575,127.28
N.W. Mosquito Control	\$	5,510.02
W. Co. Library	\$	14,891.18
Recreation Plat Fee	\$	549,738.05
Public Safety- 911	\$	454,222.56
Solid Waste Enterprise	\$	405,726.73
Sidewalk Fund	\$	251.45
Bldg Dept/Enterp. Fund	\$	808.87
Driftwood Debt Service	\$	3,000.00
Capital Projects Fund	\$	9,555.80
Totals	\$	2,848,338.34

- Minutes: August 19, 2008 Value Adjustment Board Organizational Meeting; August 26, 2008 Regular Meeting
- Approve a Resolution (**2008-85**) to amend the budget for unanticipated grant funds from the Department of Environmental Protection's

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 Prepared by: Tina Willis

Florida Recreation Development Assistance Program for Helen McCall Park, Phase III

4. Approve a Resolution (**2008-86**) to amend the budget for unanticipated grant funds from the Department of Transportation's County Incentive Grant Program for the CR 2A CIGP Project
5. Approval that after deducting September premiums, allow OMB to reconsolidate unspent Board funded Health and Life Insurance amounts back to the General Fund
6. Approve a Resolution (**2008-87**) to amend the budget for the MSBU fees for the Imperial Lakes Fund
7. Approve a Resolution (**2008-88**) to amend the budget for MSBU fees for the Daughette Subdivision Fund
8. Approve Annual Report of Activities related to the Division of Forestry Fire Control Program in Walton County for the fiscal year July 1, 2007 through June 30, 2008
9. Approve DEP Grant Agreement No. G0254 (Oakwood Hills)

Chairman Jones announced that the firms for the Engineering Services for Mission Play Park at Helen McCall Park, for RFQ 08-036. The firms briefly presented in order their qualifications to the Board: Preble-Rish, Inc., Connelly & Wicker, Inc., Hatch Mott MacDonald, Wilson Miller, Inc., and CPH Engineers, Inc.

Chairman Jones stated the Commissioners would complete and turn in their scoring sheets and the awarded bidder would be announced later in the meeting.

Chairman Jones called to order the Public Hearing for a Fire Assessment Program Annual Rate Resolution (**2008-90**). Mr. Bell stated this resolution is approved each year by the Board for unincorporated areas north of Choctawhatchee Bay and there is no increase in the rates from last year.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve Fire Assessment Program Annual Rate Resolution **(2008-90)** as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones called to order the Public Hearing for an Imperial Lakes MSBU Assessment Annual Rate Resolution **(2008-89)**. Mr. Bell stated that the rate from last year, which was approximately \$212.46 per lot owner, had not increased.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the Imperial Lakes MSBU Assessment Annual Rate Resolution **(2008-89)** as presented. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones called to order the Public Hearing to consider an Ordinance **(2008-28)** repealing Section 4 of Ordinance 2003-15 for Multi-Use Paths. Commissioner Comander stated that she had received many comments regarding the 8 mph speed limit on the bike path. She stated that it would be very difficult to monitor the speed and is unenforceable. The commissioners agreed.

Chairman Jones asked for public comment.

Mr. Murray Balkcom, Mr. John Hazleton, Ms. Caroline Harris, and Mr. Christian Wagley spoke in opposition of the ordinance as presented and made some suggested changes.

Ms. Susan Horn presented a copy of her e-mail to the board for the record regarding her suggestions for the Ordinance.

Chairman Jones closed public comment.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve removal of sections C1 and C5, and add language to state that users are expected to conduct themselves in a reasonable and safe manner. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Brannon suggested working with TDC to get the rules for the multi use paths distributed to the visitors. Commissioner Comander suggested allowing residents to adopt portions of the bike path to help maintain it.

Mr. Bell announced the ranking, in order, of the engineering firms for the Helen McCall park engineering services: Preble-Rish, Inc., Wilson Miller, Inc., Connelly & Wicker, Inc., Hatch Mott MacDonald, and CPH Engineers, Inc. Mr. Bell requested a motion to negotiate with the number one ranking firm and if that is unsuccessful Mr. Bell could come back to the Board.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to award Preble-Rish, Inc. for the Engineering Services for Helen McCall Park RFQ 08-036 and if negotiation is unsuccessful, Mr. Bell will come back to the Board. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Leigh Morrison, Life Enrichment Senior Center, presented the second quarter operations report from April through June 2008. Ms. Morrison briefly reported they have 93 members enrolled. In April there were 277 people that signed in at the center, in May there were 248, and in June there were 170. They have collected a total of \$3044.75 for the quarter. She stated that the renovations are complete and coming together nicely.

Chairman Jones stepped out of the meeting at 5:10 p.m. Commissioner Comander assumed the Chair position.

Mr. Allen Osborne requested the county file suit to hold the developer responsible for the Driftwood DRI Compliance or join the homeowners in their existing suit. Mr. Osborne stated that there is some progress being made. He briefly explained the history of the Driftwood compliance issues.

Discussion continued regarding the allotted 45 days time period and the work completed during that time frame.

Commissioner Meadows stated a significant amount of work has not been done even though it appears they are trying to do what they stated would be done.

Mr. Osborne spoke briefly about the issues with Driftwood drainage and easements.

Mr. Bell clarified the request was to direct the County Attorney to send a bill to the appropriate entity per the agreement, and authorize the county attorney to join suit with the property owners with the compliance of the DRI against the developer. Mr. Osborne agreed and stated that the county's money should be used for other things in the county.

Commissioner Comander questioned the Edmond's Outfall case. Attorney Burke stated that they have made an offer, and it has not been accepted. It is a long case and he briefly explained the response issues with the case.

Discussion continued regarding an executive session for the Edmond's Outfall case.

Mr. Lovell spoke about the easements in Driftwood Estates. Commissioner Comander questioned if those easements have been recorded. Mr. Lovell stated that he had not checked to see if they had been.

Discussion continued regarding the easement issues.

Commissioner Comander questioned Mr. Lovell when the entire project will be complete. Mr. Lovell stated that there is a two week work schedule and another 30 days to get the funding to complete the improvements on the list from the development order.

Commissioner Meadows stated that the Driftwood compliance issue has lasted over four years and a decision needs to be made.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the County Attorney to send the legal bill to the developer for the payment of the bills as they come due. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Motion by Commissioner Meadows to allow Walton County to join in the lawsuit regarding the DRI issues.

Attorney Burke recommended reviewing the lawsuit before a decision is made and bring comments back to the board at the next meeting.

Commissioner Meadows amended her motion.

Motion by Commissioner Meadows, second by Commissioner Brannon, to allow Attorney Burke to review the lawsuit and allow the Board to receive input regarding the lawsuit at the September 23, 2008 meeting. Ayes 4, Nays 0. Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones returned at 5:40 p.m.

Ms. Rosemary Woods, PBS&J representative, announced the start of the PD&E Project, Realigning the Intersection of SR 20/SR81/CR3280. Ms. Woods stated that they are currently scheduling community kickoff meetings and the project will be completed in little over a year.

The meeting recessed briefly at 5:47 p.m. and reconvened at 5:55 p.m.

Mr. Gary Shipman, Pt. Washington representative recognized Mr. Van Ness Butler, Pt. Washington Association Board member, and discussed the recent developments regarding Planning and Zoning in Pt. Washington. Mr. Shipman expressed concerns about the land use changes for the Montessori School. He stated that the rules of the Planning Department were not followed. He requested the board appoint a committee to discuss protocol and procedures to put in place to ensure that this never happens again.

Chairman Jones stated that the Board is aware that there are issues in the Planning Department and those issues are being dealt with through other members of county staff.

Mr. Shipman stated that he is asking for a committee consisting of citizens and Ms. Blackshear to look over this incident and others to come up with a proposed set of rules or procedures to ensure that this does not happen again. He stated the committee could come to the Board later to request adoption of these rules and procedures.

Commissioner Meadows stated the Planning Department could come up with interpretations and a policy they could use to clear up the questions being asked. She suggested allowing the public to make comments on the interpretations made by the Planning Department.

Discussion continued regarding the committee, committee members, and the current rules.

Commissioner Comander stated they should meet with Ms. Blackshear and then Ms. Blackshear could meet with staff and bring that information back to the Board. Commissioner Brannon stated that an effort to maintain the heritage of Point Washington is very important and they need to continue to emphasize the heritage.

Discussion continued regarding the members of the committee.

The Board agreed for the committee to meet with Ms. Blackshear to discuss the things they can legally address and change to determine the future of Point Washington, and bring it back to the Board. Commissioner Meadows asked Ms. Blackshear to put in writing, the county procedure for the “change in use” process.

Mr. Sonny Mares, TDC Executive Director, requested approval of the Grand Boulevard Agreement. The agreement is between Walton County and the owner of the Grand Boulevard shopping center, to allow the TDC to provide visitor information services from the Grand Boulevard information kiosk, for a monthly fee of \$2,860.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve the Grand Boulevard Agreement. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested authorization to purchase and install office equipment from DOCS of Tallahassee, under Herman Miller state contract, in the amount of \$28,525.13. The equipment is needed for the Group Sales and New Product Development personnel, who will be moving into the expanded TDC office space.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve purchase and installation of office equipment from DOCS, in the amount of \$28,525.13. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested to schedule a public hearing to amend the previous Ordinance to update the Tourist Development Plan. The Tourist Development Tax was implemented to provide for financial assistance for the implementation of the Tourist Development Plan to be used in the promotion of tourism, beach maintenance, nourishment, new product development, Autumn Tides promotions, visitor center and administrative expenditures.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve scheduling a public hearing for an ordinance amendment to update the Tourist Development Plan. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested awarding Walton County Nature Center Phase I Contract to Chandler Construction, in the amount of \$220,975. This project consists of the parking lot, stormwater, and nature trail.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve Chandler Construction, in the amount of \$220,975, for the Walton County Nature Center Phase I Contract. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Mares requested approval of the Kellogg-Huettel Visioning Report. TDC also requested naming the properties as Walton County Cultural Center or Bayou Arts Center, for the Huettel property and Kellogg Nature Center, for the Kellogg property.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve the Kellogg-Huettel Visioning Report. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve naming the Huettel property as the Bayou Arts Center of Walton County. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve naming the Kellogg property as the Kellogg Nature Center. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Ronnie Bell, County Administrator, presented from the Citizen Services Department, a request to approve the SHIP 2008 Annual Report. Our SHIP program requires an annual report to the Florida Housing Finance Corporation on program activities over the current and two prior years funding.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the SHIP 2008 Annual Report and the chair's signature. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented from the Public Works Department, a request for permission to purchase Landfill Erosion Control Equipment. Mr. Aaron Warren stated that the existing equipment is over 10 years old and is in need of replacement.

Motion by Commissioner Comander, second by Commissioner Brannon, to approve the purchase of Landfill Erosion Control Equipment. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell presented from the Administration Department, a request by Michael Hill, Executive Director of the Northwest Florida Health Council, to appoint Dr. Mary Konovsky, Executive Director of Children's Volunteer Health Network, to replace Jim

Jones, Director of the Walton County Health Department, to represent Walton County on the Northwest Florida Health Council.

Motion by Commissioner Comander, second by Commissioner Meadows, to appoint Dr. Mary Konovsky to represent Walton County on the Northwest Florida Health Council. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Bell requested approval of a proposed Development Agreement between Walton County and the Boys and Girls Club. Mr. Bell stated that two years ago the possibility of shared parking access from Trail Road into the Boys and Girls Club was brought to the Board. Mr. Scott Jenkins stated they are asking for shared access and use of county land. He briefly explained the layout of the property and what the county owns. Attorney Dana Matthews briefly discussed the easements.

Brief discussion continued regarding the permitting process.

Mr. Bell stated that land use is the issue, so it has to go through two public hearings. He clarified that they are asking approval to move forward and go to the planning commission. Attorney Burke stated that this agreement would permit this project to vest their rights under the land development code for a period of 20 years.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve moving the Development Agreement to the Planning Commission. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Motion by Commissioner Meadows, second by Commissioner Brannon, to approve the expenditure of \$3,000 from District 5 Recreational Plat Fees for Helen

McCall Park and Padgett Park identification signage. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested determination of who will construct Moll Drive, Mack Bayou, and Gulfview Heights sidewalks. She stated that the plans have been designed and should be complete by now. Mr. Ryan Douglass stated that the bids for these projects will be in within the next day or so and they can come back to the next meeting with a recommendation. Chairman Jones stated that Mr. Douglass should notify Commissioner Meadows of what those bids are when they come in.

Commissioner Meadows requested approval for Public Works and Engineering to proceed with a survey for the installation of a 6'-8' sidewalk on CR 283, South of 30A, using sidewalk funds. Mr. Douglass stated that Mr. Imfeld provided information regarding the sidewalk funds. There is currently \$321,000 in the budget, and \$273,000 in reserves. Mr. Douglass stated that the current project estimate for the Moll Drive, Mack Bayou, and Gulfview Heights sidewalks is \$516,000. There is only about \$7,000 left and he suggested bringing a recommendation with information from the bids to know how much money will be left over in the budget for this sidewalk budget to the next meeting.

Commissioner Meadows requested a design/construction RFP on intersection improvements for turn lanes and signalization at CR 395 and 30A using proportionate fair share funds. Ms. Blackshear recommended a turn lane or a roundabout. She stated they both have advantages and disadvantages, and recommended that public workshops be held for the public to make comments. Mr. Newman stated that a completed survey is needed to look at the alternatives.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve a workshop on October 14, 2008 at 3:00 p.m. to discuss the improvements at CR 395 and 30A. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Motion by Commissioner Meadows, second by Commissioner Brannon, to adopt Resolution (2008-92) that would add Padgett Park to the Parks Capital Improvement Plan. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Meadows requested looking into a Developer Agreement for Sea Croft Road and Satin Wood Drive to pay proportional fair share of the work and the county would install the base and pave it. Mr. Lyle Seigler stated that he met with Mr. Barnhill and recommended bringing that information to the next meeting.

Commissioner Meadows requested grant approval for on site reprocessing of reclaimed class 1 landfill plastics. Mr. Eric Sallis stated that he came across a grant proposal from the Department of Environmental Protection for innovative programs and county programs for recycling landfill waste. Since the deadline was shortly after he discovered the grant, he questioned the ability to apply for it next year. He briefly explained the system and process of preparing the plastic for plastic lumber. Commissioner Meadows clarified that the grant would be to purchase the equipment that would process the plastics to make the plastic lumber. Commissioner Meadows stated that there are still some unanswered questions and suggested that Mr. Warren get those answers to the Board at the next meeting.

Motion by Commissioner Meadows, second by Commissioner Pridgen, to approve endorsing the grant application, allow Mr. Warren to bring information to the next meeting, and have the option to pull the application if needed. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Comander had no items to present.

Commissioner Pridgen had no items to present.

Motion by Commissioner Brannon, second by Commissioner Pridgen, to approve designating District 1 Recreational Plat Fee funds, not to exceed \$10,000, for Morrison Springs Park. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Commissioner Brannon stated that he spoke with Mr. Seigler about the flooding issues on 30A and stated they are looking into those issues.

Commissioner Comander stated that she would donate \$2,000 of District 4 Recreational Plat Fee funds for the Morrison Springs Park.

Chairman Jones requested approval of \$21,229.37 for further improvements to the New Harmony Community Center Building for painting, floor coverings, and any minor repairs that are needed.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the New Harmony Community Center building improvements, for the amount of \$21,229.37. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Chairman Jones announced that the funeral services for Mr. Jordan Alford, former employee, would be at Limestone Cemetery on Thursday, September 11, 2008, at 2:00 p.m.

Chairman Jones asked for public comment.

There was no public comment.

The meeting recessed at 6:56 p.m. and reconvened at 7:18 p.m.

Ms. Pat Blackshear requested direction from the Board to advertise an ordinance adding additional roads to the 30A Scenic Corridor Guidelines. Chairman Jones clarified that it could be passed to the Planning Commission for review. Commissioner Pridgen stated the Planning Commission should review it before making a decision. Commissioner Meadows stated that the guidelines in the code are the same, but they want to extend it to include: Churchill Bayou Road, Chat Holly Road, and South Church Street. Chairman Jones stated that the Planning Commission will review the Ordinance.

Ms. Blackshear presented for second public hearing, the Festival/Special Events Amended Ordinance. Commissioner Jones previously asked Attorney Lynn Hoshihara to assist him in putting different and more precise thoughts together for an alternative to the ordinance. He requested continuing the public hearing to consider this ordinance as an alternative to the current ordinance.

Brief discussion ensued regarding the language of the ordinance.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Brannon, second by Commissioner Meadows, to approve continuing the public hearing to the September 23, 2008 meeting at 4:00 p.m. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

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

Ms. Blackshear requested approval of the Corrected Vested Rights Determination for McDaniel's Fishcamp. The applicant was not aware of some of the additional units that should have been considered in the vested rights determination. The prospective owner does not wish to have any mobile homes on the property and the applicant is only seeking recognition of 130 recreational vehicles for the vesting number.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Brannon, second by Commissioner Comander, to approve correcting the vesting rights determination for McDaniel's Fishcamp from 80 spaces to 130. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1)**

Ms. Blackshear presented a request to approve Tiger Joint Ventures Petition for Abandonment. Ms. Jennifer Christenson stated that the proposed abandonment area is located south of County Road 30A, just east of Rosemary Beach. The requested abandonment area is an east/west portion of Winston Lane, consisting of 40.5-foot long by 13-foot wide strip of land.

Chairman Jones asked for public comment.

Mr. Larry Davis, Pompano Street resident, spoke in opposition and recommended denial of any abandonment's in Walton County. He stated there would be no public benefit from the abandonment.

Discussion ensued regarding access to the homes and the history of the easements.

Commissioner Comander recommended obtaining more information and have that presented to the Board.

Discussion continued regarding parking on the easement.

Motion by Commissioner Pridgen, second by Commissioner Meadows, to approve Mr. Tooke to survey the property right-of-way and report back to the Board. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Motion by Commissioner Comander, second by Commissioner Meadows, to approve continuing the first public hearing for Tiger Joint Ventures Petition for Abandonment to the October 14, 2008 meeting. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1-2, Respondent 3, Petitioner 4)**

Ms. Blackshear requested approval of the Mossy Head Dollar General. This site is located on the north side of U.S. Highway 90, west of Lancelot Road and east of Wilderness Road. Ms. Jennifer Bell stated that the building for the store will be 9,014 square foot.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the Mossy Head Dollar General Store. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Mr. Newman commented that there was an issue to donate 27 feet of right of way for future expansion of Hwy 90. Attorney Burke stated that they are giving that right of way so that no one else gets credit for that right of way.

Motion by Commissioner Pridgen, second by Commissioner Comander, to approve the 27 foot right-of-way for future expansion of Highway 90 subject to termination that it is mobile. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear stated that the Planning Commission recommended that the applicant, Teramore Development, LLC, install sidewalks along Hwy 90 to give relief on Lancelot Road. The applicant requested to buyout the sidewalks along Hwy 90 and Lancelot Road.

Motion by Commissioner Comander, second by Commissioner Pridgen, to allow the applicant, Teramore Development, LLC, to buy out the sidewalks along Highway 90 and Lancelot Road. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye.

Ms. Blackshear requested approval of the Waterview at Inlet Beach Plat, consisting of 48 lots on 6.90 acres. She stated the applicant, Waterview Partners, LLC., has met all the requirements except the payment of the recreational fees, in the amount of \$130,084.30, and recommended approval.

Chairman Jones asked for public comment.

There was no public comment.

Motion by Commissioner Pridgen, second by Commissioner Brannon, to approve the Waterview at Inlet Beach Plat pending payment of the recreational fee. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1-2)**

Chairman Jones clarified that the Jolly Bay PUD request is for approval of the Master Plan and Phase I. There is also another request for the conceptual plan for the other phases of construction for the park. The Jolly Bay PUD, consisting of 55 RV units, a 1,500 square foot camp store, a 1,230 square foot laundry and shower facility, and a swimming pool with splash pad area. This site is located on the south side of Jolly Bay Road, east of Norris Cut-off Road and west of Fluffy Landing Road.

After a presentation and discussion with audience members and applicant representatives, the Board decided to have a separate workshop to discuss the Jolly Bay PUD.

Motion by Commissioner Meadows, second by Commissioner Comander, to approve continuing the hearing to a separate two hour hearing on September 15, 2008 at 5:01 p.m. or soon after. Ayes 5, Nays 0. Jones Aye, Comander Aye, Brannon Aye, Meadows Aye, Pridgen Aye. **(Exhibits: Staff 1-2; Ex Parte: Comander, Brannon, Pridgen)**

Attorney Burke reminded the Board and staff that this was still a public hearing and to follow the Ex Parte communication rules.

There being no further business, the meeting was adjourned at 9:30 p.m.

APPROVED _____
Larry Jones, Chair

ATTEST _____
Martha Ingle, Clerk of Court