

REGULAR MEETING – JULY 11, 2017

The Board of County Commissioners, Walton County, Florida, held a Regular Meeting on July 11, 2017 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

The following Board members were present: Commissioner Cecilia Jones, Chairwoman; Commissioner W. N. (Bill) Chapman, Vice-Chairman; Commissioner Tony Anderson; and Commissioner Sara Comander. Mr. Larry Jones, County Administrator; and Attorney Sidney Noyes, Interim County Attorney; were also present. Commissioner Melanie Nipper was not present.

Chairwoman Jones called the meeting to order.

Motion by Commissioner Anderson, second by Commissioner Comander, to approve the agenda with the following revisions. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

1. Addition: Administration (17-1018)-Michelle Burns, CareerSource Okaloosa Walton request to approve the 2017-2018 Initial Budget, approve the application for Subsequent Local Workforce Development Area Designation and appoint a private sector member to the CareerSource Okaloosa Walton Board of Directors
2. Addition: County Attorney-Request to hold an Executive Session on July 25, 2017 following the Regular Meeting to discuss the litigation of Harry A. Laird, IV v. Walton County (3:15-cv-00394-MCR-CJK)
3. Deletion: Consent Agenda Item 9 (17-0923)-Request to approve and authorize the Chairwoman to sign Amendment No. 1 to Contract No. 017-018 with Harper Landscaping, LLC for Highway 98 Median & Right-of-Way Landscaping
4. Deletion: Administration Item 24 (17-1000)-Update and request for direction regarding an offer from Dixie Dan Powell for the county to purchase approximately 5 acres from Powell Family Investments, LTD (Parcel Nos.: 27-6N-21-40000-001-0080 and 27-6N-21-40000-001-0010)
5. Change: Public Works Item 28 (17-0998)-Change the special Meeting date from July 27, 2017 to July 31, 2017 at the South Walton Courthouse Annex at 1:00 p.m., to hear C.R. 30A Traffic Study update and Driftwood Road/Ellis Road Presentations with Atkins Engineering

6. Addition: Commissioner Sara Comander-Consideration of a temporary traffic signal and turn lane at the intersection of C.R. 395 and C.R. 30A

Mr. Alan Osborne spoke in opposition to Planning and Development Services Item 44 (17-1002) the request for authorization to amend major/minor development applications thresholds in Chapter 11 of the Land Development Code. He voiced the need to hear public comment regarding development issues.

Chairwoman Jones clarified that Item 44 is to determine if the board wished to move forward in researching the amendment issue. More information will be presented at the time the item is scheduled.

Mr. Bill Fletcher requested that Item 44 be moved up on the agenda due to the number of people present to address the issue.

Chairwoman Jones stated the board would move forward with the preliminary items to give time for Mr. Mac Carpenter, Planning and Development Services Director, to join the meeting.

There were no items removed from the Consent Agenda for discussion.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the Consent Agenda as follows. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

1. Approve Expenditure Approval List (EAL) excluding Waste Management expenditures

Fund	Total	Waste Mgmt.
General Fund	\$ 1,121,886.38	
County Transportation	\$ 457,606.62	
SHIP	\$ 103,875.00	
Fine & Forfeiture	\$ 1,249,866.24	
Section 8 Housing	\$ 140,200.79	
Tourist Dev. Council	\$ 1,479,594.15	(\$ 78,065.11)
N.W. Mosquito Control	\$ 2,891.36	

Recreation Plat Fee	\$	4,609.07	
Solid Waste Enterprise	\$	37,833.23	
Bldg. Dept./Enterp. Fund	\$	2,099.33	
Leisure Lake MSBU	\$	1,812.00	
Debt Service Fund	\$	1,110.00	
Capital Projects Fund	\$	598,506.75	
Infrastructure Improvements	\$	200,623.21	
Increment Tax Funding	\$	80,623.62	
Totals:	\$	5,483,137.75	(\$ 78,065.11)
Grand Total (less Waste Mgmt. Exp.):			\$ 5,405,072.64

2. Approve Minutes of the June 20, 2017 Regular Meeting
3. Request to approve the disposition of records which have met retention in accordance with the State of Florida General Records Schedule GS1-SL as requested by the Clerk's Office
4. Request to approve a **Resolution 2017-56** recognizing and naming the additional two-lane bridge crossing the Choctawhatchee Bay on U.S. Highway 331 as the Clyde B. Wells Bridge as was the original two-lane bridge supported by Walton County by Resolution 1990-06 and made into legislation and named by the Florida Department of Transportation
5. Request to approve renewal of the FloridaBlue group health insurance plan with no change in benefits and no increase in premiums for the 2018 fiscal year.
6. Request to approve the purchase of an ice machine for the District 4 Road Maintenance office in an amount not to exceed \$3,215.94
7. Request to approve and authorize the Chairwoman to sign the Actuarial Services Agreement and Amendment with Stanley, Hunt, DuPree & Rhine as requested by the Clerk's Office
8. Request to approve and authorize the Chairwoman to sign an easement with Gulf Power for access to the new sports park facility
9. ~~Request to approve and authorize the Chairwoman to sign Amendment No. 1 to Contract No. 017-018 with Harper Landscaping, LLC for U.S. Highway 98 Median & Right-of-Way Landscaping~~
10. Request approval to cancel the assignment of an Interlocal agreement with the South Walton Fire District
11. Request to approve and authorize the Chairwoman to sign the exercise of second option to renew Contract No. 015-014 with Siemens Industry, Inc. for Security Monitoring Services
12. Request to approve and authorize the Chairwoman to sign Change Order No. 1 to Contract No.: 016-033 Walton Bridge Roadway Improvements with Roberts and Roberts, Inc.; increasing the contract price \$147,994.00 and increasing the contract time 2 calendar days
13. Request to approve and authorize the Chairwoman to sign Amendment No. 1 to the 2016-2017 Agreement with Gulf Coast Kids House, Inc. to extend the term through June 30, 2018 to be consistent with Renewal No. 1 of 3 of the State of Florida Department of Revenue Standard Contract Number CST66
14. Request to approve and authorize the Chairwoman to sign Public Works Task Order No. 17-01 for Professional Engineering Services for Hotz Avenue outfall with Genesis in an amount not to exceed \$69,579.56

15. Request to approve and authorize the Chairwoman to sign Public Works Task Order No. 17-02 for Professional Engineering Services for Walton Way Drain Replacement with Genesis in an amount not to exceed \$75,985.75
16. Request to approve and authorize the Chairwoman to sign Public Works Task Order No. 17-03 for Professional Engineering Services for Don Bishop Road Cross Drain Replacement with Genesis in an amount not to exceed \$86,523.59
17. Request to approve and authorize the Chairwoman to sign Public Works Task Order No. 17-04 for Professional Engineering Services for Highway 2 Cross Drain Replacement with Atkins in an amount not to exceed \$92,769.59
18. Request to approve and authorize the Chairwoman to sign Public Works Task Order No. 17-06 for Professional Engineering Services for Alligator Lake Bridge Design with Atkins in an amount not to exceed \$114,572.00
19. Request to approve and authorize the Chairwoman to sign Public Works Task Order No. 17-07 for Professional Engineering Services for Little Redfish Lake Bridge Design with Atkins in an amount not to exceed \$113,896.00

(Underline-Addition; Strikethrough-Deletion)

Commissioner Chapman announced his conflict of interest regarding the Waste Management expenditures and submitted Form 8B: Memorandum of Voting Conflict to the Clerk.

Motion by Commissioner Anderson, second by Commissioner Comander, to approve the Waste Management expenditures in the amount of \$78,065.11. Ayes 3, Nays 0. Jones Aye, Chapman Abstain, Anderson Aye, Comander Aye, Nipper Absent. **(Form 8B: Chapman)**

Attorney Sidney Noyes, Interim County Attorney, stated Item 44 would be presented at this time and said this is the beginning of the process to consider a change. There would be ample opportunity for public comment should the board decide to go forward with the process. Public comment would be heard before the Planning Commission and two County Commission meetings. Mr. Jones clarified that the action to be taken to night would be to direct staff to move the process forward to the first step which is the presentation to the Planning Commission.

Mr. Mac Carpenter discussed the proposed change to amend major/minor development application thresholds in Chapter 11 of the Land Development Code (LDC) to streamline the development review process and make it more consistent with other local governments in the area,

thereby reducing the time required to obtain most development orders. The proposed changes would make the process more efficient and would give ample opportunity for public comment. Chairwoman Jones asked at what point in the process the public would be able to submit comment. Mr. Carpenter stated all projects are presented to the Technical Review Committee (TRC) and public hearings are held for minor projects. He discussed the TRC process which includes public comment.

Commissioner Comander questioned if the changes should be considered after the Matrix Group presents their recommendations. Mr. Carpenter replied staff has discussed changing the process for years, but would wait if the board directed. He said there is a possibility that the Matrix would submit their recommendations before the amendment approval process was complete. Mr. Carpenter discussed the amendment approval process.

Commissioner Comander stated that separate regulations should be created for north and south Walton County due to the uniqueness of each area. Mr. Carpenter stated that Chapters 10 and 11 were out of the scope of services for the Matrix. Staff is wanting to make the process more efficient like the neighboring counties; however, Walton County's LDC is different than the other counties and it would only be the process that would be changed. Commissioner Comander said she understood the need for a better process and discussed the difficulties some builders face. She asked if this change was to benefit the developers. Mr. Carpenter said it was about the development review process and the lengthy development application process. Commissioner Comander reiterated her recommendation to wait for the Matrix to complete their review.

Ms. Jackie Markel voiced concern that allowing public comment at morning TRC meetings would be impractical and inconvenient for the working public. She also voiced concern with the increase in the square footage determining a major/minor development.

Chairwoman Jones clarified that the issue being presented tonight was to research the possibilities to refine the process.

Several members of the audience came forward to express their oppositions to the misleading language of the agenda item, the possible exclusion of public comments regarding developments, the increase in the amount of square footage for minor developments, the increasing number of projects, the inconvenient meeting times of the TRC, and developmentally mirroring Bay and Okaloosa counties. Many who spoke encouraged the board to implement the new planning software and wait until the Matrix submits their recommendations before considering any changes. Some encouraged the board to hire more planning staff to expedite the projects in a more timely fashion.

Mr. Carpenter discussed the new Citizenserve planning software which would give more information to the public, make the process more transparent, and would be operational before any LDC changes would take effect. He emphasized that planning staff encourages public comment. Ms. Lisa Boushy asked if the software would allow the public to sign up for emails to receive information regarding projects. Mr. Carpenter said that it would.

Mr. Randy Gardner, developer, spoke in support of the proposed amendment to the LDC and said the change would not affect public comment.

Motion by Commissioner Comander, second by Commissioner Chapman, to close public comment. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Brief discussion was held on whether to leave the issue as is, move forward with the amendment process, or wait until Matrix has completed their review.

Commissioner Anderson stated that more public hearings were needed to gather information to determine the correct amount of square footage needed to differentiate between a major and minor development. He recommended moving forward with the amendment process without setting definitive numbers for square footage and get more public input.

Mr. Jones clarified that the recommendation would be for staff to begin the process by presenting to the Planning Commission the request to amend and to ask for recommendations from the Planning Commission regarding the numbers differentiating major and minor developments.

Motion by Commissioner Anderson, second by Commissioner Chapman, to direct staff to move forward with a request to the Planning Commission to consider the amendment and to make recommendations for the numbers determining the major and minor developments.

Commissioner Comander stated the agenda item should have been worded better. She said there needed to be time to consider the appropriate changes and would like to see the new planning software installed and functioning. She also said the board needed to wait for Matrix to submit their recommendations.

Ayes 3, Nays 1. Jones Aye, Chapman Aye, Anderson Aye, Comander Nay, Nipper Absent.

The meeting briefly recessed.

Motion by Commissioner Chapman, second by Commissioner Anderson, to close both lanes of C.R. 30A from Spires Lane at Gulf Place to Buttercup in WaterColor from 6:30 a.m. to 10:00 a.m. on October 15, 2017 for the 2nd Annual 30A Half Marathon and 5K event as presented by Mr. Jones on behalf of Ms. Sarah Hockett. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. The request has been approved by Public Works, the Outdoor Events Committee, South Walton Fire District, and the Walton County Sheriff's Office.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the 2017-2018 initial budget, the application for Subsequent Local Workforce Development Area Designation, and to appoint Ms. Brenda DiStasi, Area People Manager for Waffle House, to the CareerSource Okaloosa Walton Board of Directors as presented by Mr. Jones on behalf of Ms. Michelle Burns, CareerSource Okaloosa Walton. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Anderson, second by Commissioner Comander, to adopt the **Preliminary Rate Resolution (2017-57)** for the Annual Fire Rescue Services Assessment Project for Fiscal Year 2017-2018 and to advertise for a Public Hearing to be held August 22, 2017 to consider the Final Annual Assessment Resolution as presented by Mr. Jones. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. This assessment is for North Walton Fire with no changes being presented.

Mr. Jones requested approval of the Preliminary Rate Resolution for the Collection of Special Assessments in the Daughette Canal Municipal Service Benefit Unit (MSBU) for Fiscal Year 2017-2018 and permission to advertise for a Public Hearing to be held August 22, 2017 to consider the Final Annual Assessment Resolution. He stated an increase is being proposed. Ballots were sent to the Daughette Canal community. Of those ballots, returned 67% were in favor of a rate change. An additional ballot will be sent to insure the community understands the rate increase. Commissioner Chapman asked if the rate increased from \$25.00 to \$325.00. Mr. Jones said it increased from approximately \$60.00 to \$325.00. There were 37 yes votes and 18 no votes. Ms. Dede Hinote, Deputy County Administrator, stated there were approximately 115 property owners and reported the money would be used to dredge the canal.

Motion by Commissioner Chapman, second by Commissioner Anderson, to adopt the **Preliminary Rate Resolution (2017-58)** for the Collection of Special Assessments in the Daughette Canal Municipal Service Benefit Unit (MSBU) for Fiscal Year 2017-2018 and to advertise for a Public Hearing to be held August 22, 2017 to consider the Final Annual Assessment Resolution. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Mr. Jones requested direction regarding an offer from Mr. Paul A. Schmitz to purchase Units 2 and 3 of the Freeport Business Park. He noted the next agenda item is related to this issue. He said at the time the Freeport Business Park was purchased five units were owned by someone other than the seller; Mr. Schmitz owns Unit 1. Mr. Jones reported there is no dividing wall between Units 1 and 2. He does not recommend selling Unit 3. He said the next agenda item relates to Unit 28 which is for sale. Mr. Jones recommended negotiating with Mr. Schmitz for the sale of Unit 2 only and to begin the process to purchase Unit 28. The two units are the same size and the same price. These transaction will be beneficial to the configuration of the building.

Motion by Commissioner Anderson, second by Commissioner Chapman, to move the process forward in negotiating with Mr. Schmitz for the sale of Unit 2; begin the process to purchase Unit 28; and use the funds from the sale of Unit 2 to purchase Unit 28.

Ms. Suzanne Harris questioned if there were fire walls between the units. Mr. Jones said there is no wall separating Units 1 and 2; however, there are firewalls between the other units.

Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Mr. Jones requested direction regarding the five parcels located on S. Bay Grove Road and U.S. Highway 331 South (Parcels Nos.: 04-2S-19-24000-027-0010; 04-2S-19-24000-030-0010; 04-2S-19-24000-027-0011; 04-2S-19-24000-028-0010; and 04-2S-19-24000-030-0000).

Motion by Commissioner Chapman, second by Commissioner Anderson, to make a counter offer in the amount of \$3.2 million. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Chapman, second by Commissioner Anderson, to schedule a Special Meeting on July 31, 2017 at the South Walton Courthouse Annex at 1:00 p.m. to hear C.R. 30A Traffic Study update and Driftwood Road/Ellis Road presentations with Atkins Engineering as requested by Mr. Jones. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Mr. Jones requested direction regarding the Florida Department of Transportation's (FDOT) recommendation on the south bound turn lane at C.R. 283 (Bay Drive) and U.S. Highway 98. The recommendation is to install a 185 foot south bound right turn lane onto C.R. 283 with a cost of approximately \$130,000.00. There are sufficient funds in the Proportionate Fair Share fund. Commissioner Anderson noted without the right turn onto Bay Drive a directional turn signal cannot be installed.

Motion by Commissioner Anderson, second by Commissioner Comander, to move forward with the installation of the turn lane.

Commissioner Chapman asked Mr. Chance Powell, Public Works Engineer, if there would be a protected left turn for north and south bound traffic. Mr. Powell said he had discussed this with FDOT and said it would be impossible to do a protected left turn lane without the south bound turn lane. Commissioner Chapman questioned if FDOT would provide a protected left turn if the county installs a south bound turn lane. Mr. Powell said yes. Discussion continued on the accidents which have occurred at similar intersections and the benefits of a protected turn area.

Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Anderson, second by Commissioner Comander, to appoint Commissioner Chapman to serve on the Choctawhatchee Bay Estuary Coalition as presented by Mr. Jones. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Chapman, second by Commissioner Anderson, to appoint Commissioner Comander to serve as an alternate on the Choctawhatchee Bay Estuary Coalition. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Chapman, second by Commissioner Anderson, to award, approve, and authorize the Chairwoman to sign Contract No. 017-020 C.R. 183 N Kidd Road SCRAP Project with Midsouth Paving, as low bidder, in an amount not to exceed \$3,346,750.72 as presented by Mr. Jones. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Chapman, second by Commissioner Anderson, to advertise and hold a Public Hearing on July 25, 2017 for the purpose of considering an ordinance renewing the 9th Cent and Local Option Fuel Taxes as presented by Mr. Jones. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Comander, second by Commissioner Anderson, to obtain bids on a modular building to house Walton County Department of Health's Environmental Health Office utilizing FY 2017 budgeted funding for the Health Department. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. Commissioner Comander asked if they had outgrown their building. Ms. Dede Hinote, Deputy County Administrator, stated they had.

Mr. Brian Kellenberger, Director of Beach Operations, requested to construct a pedestrian crossing at the new Palms of Dune Allen West Neighborhood Beach Access (NBA) at a cost not to exceed \$4,000.00. This NBA project was funded in the NRDA Phase III and as a FDEP Administrative Project; however, the crosswalk connectors were not included. Commissioner Chapman discussed the two bids and questioned why the lowest bid was not accepted. Mr. Kellenberger said he would research the reasons while the meeting progressed and would bring back his findings.

Mr. Tusa presented an update on the negotiated price for property located at 907 Scenic Gulf Drive (Parcel No.: 33-2S-21-42170-018-0010) which is adjacent to the park purchased in May. The purchase of this property would not only enlarge the beach access, but would also allow the utilization of the existing building's foundation and utilities to build a bath house. The negotiated price \$1,537,500.00 is below the asking price and the average appraised value. A contract has been prepared should the board approve to move forward with the purchase. Chairwoman Jones asked if this was a firm price. Mr. Tusa said that it was. Commissioner Comander asked what the average appraised value was. Mr. Tusa replied \$1,587,500.00.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve and authorize the Chairwoman to sign a contract with JEFFI, LLC for the purchase of property located at 907 Scenic Gulf Drive (Parcel No.: 33-2S-21-42170-018-0010) in the amount of \$1,537,500.00. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Mr. Tusa reported that the May Bed Tax collections were up over 7% (\$2,217,959.67) and year-to-date collections were up 11.25% (\$9,623,405.82).

Mr. Tusa said that the VisitFlorida membership was up for renewal last month. He reported recent legislation has put new requirements on TDC's which would require certain information to

be placed on the agencies websites which he feels is proprietary information. He said he withheld the membership renewal until it can be presented to the TDC Advisory Board and will bring back the decision of the advisory council. Mr. Tusa voiced concern with making all financial information available which would benefit tourism competitors.

Commissioner Comander commended Mr. Tusa and Mr. Kellenberger on the work they do for Walton County tourism. She reported she had been receiving emails regarding items left on the beach. She said these issues need to be addressed. Mr. Tusa said he will be meeting with Mr. Richard Jaffe to discuss the issues. He said the Code Enforcement Officers (CEO) will be conducting a survey/audit of the beach to see what is there. Commissioner Comander voiced the need to give the CEO's more power to address beach violations. Mr. Tusa agreed the lack of power is challenging. He announced there were 1,382 contacts made on the beach last month. Commissioner Comander asked how much power CEO's of other counties have. Attorney Noyes stated Florida Statutes require that warnings are given first. Commissioner Chapman asked if statute prohibited the county from setting a minimum fine for each violation as it occurs. Attorney Noyes replied no. Commissioner Chapman recommended that information be a part of the October discussions. Commissioner Comander asked what the length of time is allowed from the moment a warning is issued that a citation can be issued. Attorney Noyes stated statute requires a reasonable amount of notice unless there is a health or safety issue. Mr. Kellenberger stated there is a maximum \$500 amount set by statute per occurrence. County code allows fines to be set by resolution which can be changed easily. In regards to vendors there is a provision in the code which allows a process for revocation of permits. Chairwoman Jones suggested utilizing the Customary Use Committee to get ideas to improve the beach experience.

Mr. Kellenberger presented to the board the information regarding the pedestrian crossing at Palms of Dune Allen West NBA. He stated Flamingo Hardscapes (\$2,400.00) is the selected company to install the brick pavers; the request not to exceed \$4,000 includes signage on each side of the crosswalk, bike racks, landscaping timbers and gravel to be installed by Public Works.

Motion by Commissioner Chapman, second by Commissioner Anderson, to construct a pedestrian crossing at the new Palms of Dune Allen West Neighborhood Beach Access (NBA) at a cost not to exceed \$4,000.00. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Mr. Tusa said the Beach Management Committee has requested that any proposed procedural changes be presented to them at their September meeting. He asked that within the next few weeks a process be considered to create a timeline to present items to the Beach Management Committee and subsequently to the TDC Advisory Board meeting in October.

Ms. Suzanne Harris voiced concern with recent safety issues regarding the changing of double red flags to single and the complete removal of flags at Miramar Beach. She stated she had asked the fire fighters the reasons for changing the flags. The response was the change was based on the number of complaints by tourist to the TDC. She discussed a drowning which occurred on her beach in which the victim was revived by vacationing doctors and paramedics. She said after the incident Sheriff's deputies wrote tickets to anyone getting in the water. There was no one from the South Walton Fire Department (SWFD) present to address Ms. Harris' comments. Mr. Tusa stated that SWFD is responsible for administering the flag program and he did not know why the flags were not flying at Miramar Beach. He said he would investigate the issue and present his findings at this meeting. Commissioner Chapman asked if someone from TDC advised the SWFD to change the flags. Ms. Harris said two different firemen had stated that TDC had instructed the

flags be changed. Mr. Tusa clarified that he nor any of his directors called the SWFD to direct that the flags be changed; SWFD informs the TDC of changes. Ms. Harris voiced concern that the flags need to be flying.

Motion by Commissioner Comander, second by Commissioner Chapman, to approve and authorize the Chairwoman to sign **Resolution 2017-59** declaring the purchase of property (Parcel No.: 04-2S-19-24000-027-0000) an appropriate expenditure of surplus bridge tax funds as requested by Attorney Noyes. Attorney. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve and authorize the Chairwoman to sign closing documents for the purchase of bay front property adjacent to the U.S. Highway 331 Bridge in Freeport (Parcel No.: 04-2S-19-24000-027-0000) as presented by Attorney Noyes. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Chapman, second by Commissioner Comander, to hold an Executive Session on July 25, 2017 after the Regular Meeting to discuss litigation in Harry A. Laird, IV v. Walton County (Case No.: 3:15-cv-00394-MCR-CJK) as requested by Attorney Noyes. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Attorney Noyes requested approval and authorization for the Chairwoman to sign the retainer agreement with Warner Law Firm to represent the Director of Walton County Planning and Development in Dyess v. Board of Adjustments of Walton County (Case No.: 2016-CA-000119). She stated the case was an appeal to a land use determination and all the pleadings have been filed in the case. The attorney who was representing Planning and Development Services has asked to remove his name as he can no longer represent the department. Attorney Noyes stated she

is unable to represent the department due to her representation of the Zoning Board of Adjustments at the time the appeal was entered.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve and authorize the Chairwoman to sign the retainer agreement with the Warner Law Firm to represent the Director of Walton County Planning and Development Services in Dyess v. Board of Adjustments of Walton County (Case No.: 2016-CA-000119) as requested by Attorney Noyes.

Ms. Suzanne Harris questioned if members of voluntary boards were covered under county insurance or do they need to purchase insurance against lawsuits. Attorney Noyes stated ethics violations and complaints are covered under the county's insurance. This issue is a different matter. Ms. Harris stated she had purchased her own insurance during her service on the Planning Commission and recalled a request by Attorney Mark Davis, former county attorney, to sue the Planning Commission over the Melanie Nipper case. She expressed a need to better inform the members of a voluntary board regarding litigation insurance. Attorney Noyes clarified that the case being discussed is not a lawsuit, but rather an appeal of a Quasi-Judicial item. The previous request by Attorney Davis was regarding an appeal of a Code Enforcement Board opinion; voluntary board members are not held liable regarding appeals. Discussion continued on whether or not voluntary board members needed individual representation in suits against the board.

Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve and authorize the Chairwoman to sign the retainer agreement with the Warner Law Firm to represent the county in the Bert J. Harris claim filed by Dr. Fred DeFrancesch as presented by Attorney Noyes. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

There is insurance on this case.

Commissioner Anderson had no items to present.

Commissioner Comander discussed the intersection of C.R. 395 and C.R. 30A and reported approximately 15,000 cars go through that intersection daily. She recommended a temporary traffic light and turn lane be installed and directed Public Works staff to gather cost and timeline information to present to the board. Mr. Powell stated a temporary light and a temporary left-hand turn lane for west bound traffic could be installed; however, a three phase approach is being taken on the intersection construction due to the substantial utility work that needs to be done. He briefly discussed what utility changes would be made. He estimated the intersection improvement project would be completed within three years. Mr. Powell stated he would present the temporary light and turn lane recommendation to Atkins. Discussion continued on the overall intersection project.

Commissioner Comander reported she had received emails from people complaining that they are no longer allowed to fish from the causeway. FDOT has placed no parking and keep of the grass signs at the request of FDEP. She has spoken with Mr. Jason Peters, FDOT, to find a solution to the issue.

Chairwoman Jones announced the closing on the bridge property would be held July 14th and asked that the area be cleared as soon as possible.

Commissioner Chapman reported the Legislature gave the City of DeFuniak Springs \$1.5 million for a connector road from U.S. 331 to C.R. 280; the city turned down the money. He said Rep. Brad Drake had approached him to see if the county would be interested in using the money with the possibility of additional funds with each legislative cycle. He said, even though the area is not in his district, he would meet with Rep. Drake and Senator George Gainer to discuss the funding and work with the land owners to facilitate the land acquisition needed to connect the two roads upon the direction of the board. Commissioner Chapman said FDOT is trying to determine

what the \$1.5 million can be used for. According to Senator Gainer's office it can be used for what was in the original application which was construction, permitting and design. The board concurred to allow Commissioner Chapman to move forward in collecting information regarding the project.

Mr. John Pierotti discussed safety issues with speeding on C.R. 30A in Blue Mountain Beach and asked that deputies be stationed in the area to ticket speeders. Commissioner Chapman said the board can ask the Sheriff to place deputies there, but cannot mandate that deputies be placed. Commissioner Anderson stated he had spoken with the Sheriff's Office and was assured that deputies would be there periodically.

Mr. Anthony Woolf requested consideration of off season beach driving permits for Walton County residents. He said 285 applicants who did not receive a lottery permit responded to a poll regarding the issuance of off-season permits; 283 responded favorably. Mr. Jones said when the lottery was instituted there was pressure from FDEP to reduce the number of vehicles on the beach and he cautioned the Board to consider FDEP's recommendations. He asked to allow staff to contact FDEP to determine their current position on the issue. The board concurred to allow Mr. Jones to follow up with FDEP and to bring back more information. Mr. Jones stated there are approximately 1,000 permits issued each year for year round use (150 lottery permits plus 800/900 grandfathered permits). He said the total number of lottery applicants exceeds 700 applicants. Chairwoman Jones suggested a one day pass be considered.

Ms. Kelly Layman voiced concern regarding an application for a wastewater deep injection well at the Springhill Landfill in Jackson County. Jackson County has adopted a resolution opposing the well. Senator Gainer is also opposed to the well. Mr. Jones said he would meet with Ms. Layman and gather more information. Discussion ensued on the environmental effects.

Commissioner Chapman reported the applicant is Waste Management and stated the well is to extend to 4,000 feet and would pass through the aquifer. He suggested to Waste Management that the \$4 million be used to install a sewer system and waste water treatment plant. Chairwoman Jones suggested contacting Mr. Ernie Padgett, County Administrator of Jackson County.

Mr. Jim Rester voiced concern with traffic safety issues in Seaside and suggested synced red lights at the intersection. Commissioner Chapman said the problem is not the synchronization of the lights, but rather tourists do not always heed the traffic light or crossing. Commissioner Anderson said he would direct Public Works to look into the issue.

Ms. Laurie Reichenbach addressed Mr. Woolf's request and spoke in opposition to additional beach permits.

Mr. Danny Glidewell asked what action was taken on the C.R. 30A and C.R. 393 intersection. Commissioner Comander stated Public Works will be bringing back recommendations. Mr. Glidewell thanked the board for their working to increase the safety in the area.

The meeting recessed at 6:46 p.m. and reconvened at 7:06 p.m.

Mr. Tusa addressed the beach flag situation at Miramar Beach noted by Ms. Harris and stated the poles had been vandalized and the flags stolen. Those poles will be repaired in the morning.

Mr. Mac Carpenter, Planning and Development Director, reported there were three requests to continue.

Motion by Commissioner Chapman, second by Commissioner Anderson, to continue The Crossings Phase 3 LSA to August 8, 2017. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Motion by Commissioner Anderson, second by Commissioner Comander, to continue Chandler LSA to August 8, 2017. Ayes 5, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Aye.

Motion by Commissioner Comander, second by Commissioner Anderson, to continue Gailey Estates to August 8, 2017.

Commissioner Comander noted there were planning issues which could take more than an hour and asked the board's direction on whether to continue those items or to allow the meeting to go past 9:00 p.m. The board concurred to allow the items to be presented as scheduled.

Mr. Richard Bryan requested to speak on the Crossings Phase 3A. Attorney Noyes said the item was continued and the applicant is not present to respond to any comments. She asked Mr. Bryan to present his comments on August 8th or submit his comments in writing to the Planning Department.

Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

The Quasi-Judicial Hearing was called to order and Attorney Noyes administered the oath to those intending to speak. There were no objections to the advertisements. Attorney Noyes instructed the Board to submit any Ex Parte forms to the clerk.

Mr. Mac Carpenter, Planning and Development Services Director, presented St. Clair Right-of-Way (ROW) Abandonment a request to approve, by resolution, a petition for abandonment application submitted by Emerald Coast Associates on behalf of Beverly and John St. Clair, requesting the abandonment of 7 feet of easement adjacent to Lot 1, Block 6, of the amended plat of Doughter's First Addition to Choctawhatchee Beach with a future land use of Residential Preservation. The project is located at the intersection of Little Canal Drive and Ricker Avenue from U.S. Highway 98 and C.R. 283 north (Parcel No.: 28-2S-19-24050-006-0020). He

said at previous meetings a license agreement had been discussed in lieu of an abandonment to protect the public right-of-way and provide relief for the encroachment. He requested the abandonment be denied. Attorney Noyes said the abandonment must first be denied before entering into a license agreement. **(Exhibit 1: Staff Report)**

Mr. Dean Burgis, Emerald Coast Associates, stated there was no objection from the applicant.

Motion by Commissioner Anderson, second by Commissioner Comander, to deny the St. Clair Right-of Way Abandonment. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. **(Exhibits: Staff Report-1)**

Mr. Carpenter presented for consideration the License Agreement with Beverly St. Clair in lieu of the abandonment.

Attorney Noyes said she had reviewed the agreement which had been drafted by the applicant's attorney and there were no issues. She suggested having Chairwoman Jones wait to sign the agreement after the applicant has obtained the appropriate liability insurance. Mr. Burgis stated the applicant did not object to the condition.

There were no public comments.

Commissioner Chapman questioned if the license agreement would be voided if the structure was destroyed. Attorney Noyes stated it would. Commissioner Chapman asked if rebuilding were to take place would it be allowed within the right-of-way. Attorney Noyes confirmed that it would not be allowed.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve the license agreement with Beverly St. Clair (encroachment in Right-of-Way) in lieu of the

abandonment of public property with the conditions that liability insurance must be obtained. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Mr. Tim Brown, Planning and Development Services-Senior Planner, presented Preserve at Paradise Cove a Major Development Order application submitted by Innerlight Engineering Corporation requesting to approve, by Final Order, development of 99 residential lots with pool amenity on +/- 75.02 acres with a future land use of Conservation Residential 2:1. The project is located north of U.S. Highway 98 East and west of Blakely Drew Blvd. (Parcel Nos.: 35-2S-19-24000-022-0000; 35-2S-19-24000-019-0000; and 36-2S-19-24000-008-0010). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report)**

Commissioner Comander questioned the type of storm water system. Mr. Brown stated it was a 25 year storm event system.

Mr. David Smith, Innerlight Engineering, Inc., gave a brief overview of the project and reported a large amount of the property is in preservation.

Commissioner Comander asked if the 25 year storm water system would be sufficient. Mr. Carpenter stated that it would.

Commissioner Chapman questioned if the pop-off from the retention ponds would drain into the mosquito control ditch. Mr. Smith said that it would. Commissioner Comander asked if permission was needed from the South Walton Mosquito Control District (SWMCD) to have the pop-off drain into the ditch. Mr. Smith said SWMCD had reviewed the project and said permission would be given during the TRC phase.

There was no public comment.

Motion by Commissioner Chapman, second by Commissioner Anderson, to approve by Final Order Preserve at Paradise Cove contingent upon conditions being met. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. **(Exhibits: Staff Report-1)**

Mr. Carpenter presented Magnolia Cottages by the Sea Phase 2 Re-plat, a request, by Final Mylar, to approve a plat application submitted by Emerald Coast Associates, Inc. on behalf of Creek Park, LLC requesting to re-plat Lot 1 Block D to create a new preservation area on 19.76 acres with a future land use of Traditional Neighborhood Development. The project is located on the north side of C.R. 30A at Seacrest (Parcel No.: 28-3S-18-16191-00D-0010). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report)**

Mr. Darryl Burgis, Emerald Coast Associates, said there is plenty of area to relocate the preservation. Commissioner Chapman asked how the issue with the preservation happened. Mr. Burgis said it was a construction lay-out error and a variance was obtained for an adjustment on the front set back.

There was no public comment.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve by Final Mylar Magnolia Cottages by the Sea Phase 2 Re-plat contingent upon conditions being met. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. **(Exhibits: Staff Report-1)**

Mr. Jason Catalano, Planning and Development Services Planner 1, presented Carson Oaks 1st Addition Re-plat, a request, by Final Mylar, to approve a plat application submitted by Emerald Coast Associates, Inc. on behalf of Huff Homes of Florida, LLC and William and Sheila Clemens,

requesting approval to shift the south property line of Lot 14 that is common with Lot 15 approximately 15 feet south on +/- .354 acres with a future land use of Neighborhood Infill. The project is located from U.S. Highway 98 west, go north on Mack Bayou Road approximately 1.3 miles, located on the west side of the road at 55 Carson Court (Parcel Nos.: 24-2S-21-42721-000-0140 and 24-2S-21-42721-000-0150). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report)**

Mr. Daryl Burgis, Emerald Coast Associates, said the two lot owners wish to create better landscaping and access which will adhere to setbacks, frontages, etc.

There was no public comment.

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve by Final Mylar Carson Oaks 1st Addition Re-plat contingent upon conditions being met. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. **(Exhibits: Staff Report-1)**

Mr. Carpenter presented Lot 3 WaterColor Crossing, a request to approve by Final Order a Development Order application submitted by The St. Joe Company requesting approval to construct a 7,200 square foot commercial building along with associated parking and infrastructure improvements on +/- 1.00 acre with a future land use of Court Ordered Overlay. The project is located on Pine Grove Circle from South C.R. 395 (Parcel No.: 14-3S-19-25401-000-0030). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report)**

Mr. John Nash, O'Connell and Associates, briefly discussed the project and stated the stormwater was assigned and handled at the time of the Publix project. Commissioner Chapman asked for an explanation of the stormwater system. Mr. Nash stated the basin was designed for 19 acres and this area is a part of the 19 acres. Commissioner Comander asked what year event the stormwater was. Mr. Nash said it was not determined by year events, but rather the pond releases the water downstream after 21 days. Commissioner Comander asked where the pop-off would go. Mr. Nash said it would discharge into Western Lake and then into the gulf.

Commissioner Anderson asked planning staff if they were concerned about the stormwater run-off. Mr. Carpenter said staff does not expect any problems.

There was no public comment.

Motion by Commissioner Anderson, second by Commissioner Chapman, to approve Lot 3 WaterColor Crossing contingent upon conditions being met as stated in the Staff Report. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent. **(Exhibits: Staff Report-1)**

Mr. Carpenter presented Fox Lake Residential (Subdivision) a request to approve by Final Order a Development Order application submitted by Emerald Coast Associates, Inc. on behalf of Trustmark National Bank, consisting of 79 single-family home sites on +/- 29.58 acres with a future land use of Low Density Residential. The project is located north and east of the Santa Rosa Golf and Beach Club golf course in Dune Allen Beach (Parcel Nos.: 03-3S-20-341501-000-0080; 03-3S-20-34150-000-0090; 03-3S-20-34000-001-0040; and 03-3S-20-34223-000-0031). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Exhibit 1: Staff Report and Public Comment Letters 1A & 1B)**

Attorney Will Dunaway, Applicant representative, introduced those attending on behalf of the applicant and asked to reserve time for rebuttal.

Mr. Rick Borst, Project Manager, gave an overview and a history of the project. He discussed the reduction of density, easements, stormwater system, preservation areas, features and amenities. Mr. Borst addressed the access agreement with the Santa Rosa Golf and Beach Club that would apply to the current and future residents of Fox Lake for the use of the Bunker Place access. He discussed the additional safety precautions which will be included with the Bunker Place access.

Commissioner Comander voiced concern with the restrictions to the Bunker Place access. Mr. Borst stated there are restrictions as this is the secondary access; there is a primary access to the north of the project. He said there were concerns with construction traffic traversing the secondary access. There is no limitation of use for residents. Commissioner Comander clarified that construction traffic will enter from the northern access. Mr. Borst confirmed it would. Commissioner Comander asked if it was legal to place restrictions on the secondary access. Attorney Noyes responded that Bunker Place is a private road and restrictions can be applied.

Mr. Borst discussed the multiple traffic studies associated with the project and read the summary of the traffic analysis. According to the analysis neither a traffic light nor left or right turn lanes would be needed along C.R. 393 onto Ridge Road. He stated one study recommended the county lengthening the 35 mph zone from Ridge Road to Cypress Pond Road. Commissioner Comander asked if any of the traffic studies were done during peak season. Mr. Borst replied one study added a high volume to create the condition of higher rate season.

Mr. Borst stated that an environmental study was done and concluded there were no endangered or threatened species on the property. He discussed the evaluation of the project by the Planning Commission and requested approval of the project.

Attorney Dunaway submitted the following exhibits on behalf of the applicant: Staff Report Exhibit A (**Exhibit 2**), The Declaration of Covenants, Easements, and Restrictions (**Exhibit 3**), and Dantin Consulting, LLC Letter (**Exhibit 4**).

Mr. Dean Burgis, Emerald Coast Associates-Project Engineer, briefly discussed the stormwater system which exceeds the requirements of a 100 year storm event. He addressed the preservation of uplands and wetlands.

Commissioner Chapman asked Mr. Burgis to discuss the improvements to be done at the intersection of C.R. 393. Mr. Burgis said the intersection functions as it exists and discussed the pathway through Santa Rosa Ridge Subdivision. Commissioner Chapman voiced concern with the heavy equipment vehicles which will be using the primary entrance and asked if a multi-use path had been considered to provide access to the residents in Santa Rosa Ridge. Mr. Burgis said there is a 60 foot right-of-way through the subdivision and has been discussed with planning staff and the planning commission. It was suggested to the planning board to utilize the right-of-way as a sidewalk system for the Santa Rosa Ridge Subdivision. Discussion ensued on the possible location of the sidewalk/multi-use path and the use of Proportionate Fair Share funds to construct the path.

Commissioner Chapman asked if a caution light had been considered for Ridge Road at C.R. 393. Mr. Burgis discussed the criteria to utilize a caution light and said the intersection does not meet the criteria. Discussion continued on the additional safety a caution light would provide.

Commissioner Chapman questioned the amount it would take to complete the construction. Mr. Burgis stated approximately 8 months for the infrastructure installation. Commissioner

Chapman recommended that Proportionate Fair Share funds be used on the bike path should the project be approved.

Commissioner Comander reported the Staff Report includes a recommendation from the Planning Commission that a flashing light and turn lanes be installed on C.R. 393. Discussion ensued on the need for a multi-use path/sidewalk and its extension to the cul-de-sac. Attorney Dunaway addressed the recommendations of the Planning Board and stated the recommendations noted by Commissioner Comander were for the project before the decrease in density. Commissioner Comander voiced concern with traffic safety and there only being one entrance into the subdivision. Attorney Dunaway said the applicant has worked diligently with the Santa Rosa Golf and Beach Club to get a secondary access. Discussion continued on other possible areas for an access easement.

The meeting briefly recessed

Ms. Mary Nielson submitted documentation in opposition to the project and discussed her concerns with traffic safety, density and access. **(Exhibit 5)**

Mr. Tom Schnapp voiced concern regarding the secondary access, drainage, and traffic congestion.

Ms. Amanda Shuette voiced concerns with project and discussed density, access, and stormwater. She stated the development needs two usable accesses. Attorney Dunaway questioned Ms. Shuette on her credentials to determine density and stormwater.

Ms. Nancy Meehan spoke in opposition to the project siting incompatibility and stated the integrity of the neighborhood is at risk.

Mr. Royce Mitchell spoke in favor of the project and felt the project is the highest and best use for the property.

Mr. Bob Hudson stated his home is adjacent to the development's access and is the only access to his home. He requested the following conditions be placed on the Development Order: asphalt installed before home construction equipment is used, the installation of a caution light at the intersection of Ridge Road and C.R. 393, use Leyland cypress trees as a buffer instead of a fence, and the installation of a sidewalk.

Mr. Bob Peebles spoke in opposition to the project and stated the drainage basin for Santa Rosa Ridge was located on the project property. He voiced concern that other easements were not considered for access to the property. Attorney Noyes stated there was an easement which was abandoned in 1986 that would connect the project property to Allen Loop. Once an easement is abandoned there is no more public interest. Mr. Peebles voiced concern with the gating of one access.

Attorney Dunaway questioned Mr. Carpenter if the project was consistent with the LDC and Comprehensive Plan. Mr. Carpenter replied it was. Attorney Dunaway asked if the project had met all the requirements for density, compatibility, stormwater, and traffic. Mr. Carpenter confirmed it did with the conditions as stated in the Staff Report. Attorney Dunaway stated the applicant is committed to the recommendations as stated in the Staff Report. He said the project does have two accesses and is the highest and best use for the property.

Commissioner Anderson asked if there was an agreement to pave the access first. Mr. Burgis replied an agreement had been discussed and can be accomplished by laying the first lift of asphalt on Mr. Hudson's driveway and the property's access. The final lift of asphalt will be done after the project's infrastructure is complete. Commissioner Anderson asked how the stormwater would be improved. Mr. Burgis stated the project would use a 48" drainage pipe as recommended by TetraTech and discussed the drainage ditch associated with the property. Commissioner

Comander asked if the water would drain into Oyster Lake. Mr. Burgis said it is currently flowing into Oyster Lake and there is no expected increase in discharge. Commissioner Anderson asked if the stormwater system would help surrounding subdivisions. Mr. Burgis said it would. Currently Santa Rosa Ridge Subdivision has no stormwater control.

Chairwoman Jones asked how soon the sidewalks could be installed. Mr. Powell stated some utilities would have to be relocated and a design and survey performed. He estimated it would take approximately 2 months to survey and design and would cost approximately \$65,000. The installation time would depend on the level of design and the moving of utilities. He estimated approximately 9 months.

Attorney Noyes suggested that language be added in the Development Order stating the patent easements on Government Lots 8 and 9 are not being abandoned and the gate located on Government Lot 9 will be removed by Public Works when necessary. Attorney Dunaway stated the applicant had no objections to the conditions.

Commissioner Chapman recommended a sidewalk be installed on Ridge Road to C.R. 393 and have left and right hand turn lanes installed. Mr. Powell stated there is a 60 foot easement and would like an opportunity to look at the intersection.

Commissioner Anderson asked the cost of a caution light. Mr. Powell replied approximately \$20,000 or less. Commissioner Anderson directed Mr. Powell to look at the costs of installing a caution light.

Commissioner Comander asked if the board wished to delay their decision until the information has been received. Commissioner Chapman said that it could be addressed at a later date.

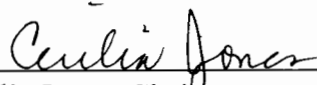
Motion by Commissioner Anderson, second by Commissioner Chapman, to approve by Final Order Fox Lake Residential (Subdivision) contingent upon conditions being met as stated in the Staff Report, stating the patent easements on Government Lots 8 and 9 are not being abandoned, and the gate located on Government Lot 9 will be removed by Public Works when necessary.


Mr. Jones asked to allow staff to review the caution light, turn lanes and the whole concept to determine what improvements can be made to the intersection of C.R. 393 and Ridge Road.

Ayes 3, Nays 1. Jones Aye, Chapman Aye, Anderson Aye, Comander Nay, Nipper Absent. **(Exhibits: Staff Report-1; Staff Schnapp Letter -1A; Staff Schoonover Letter-1B; Petitioner Staff Report Exhibit A-2; Petitioner Declaration of Covenants, Easements, and Restrictions-3; Petitioner Dantin Letter-4; Respondent Presentation-5)(Ex Parte: Jones, Chapman, Anderson, Comander)**

Commissioner Comander stated she was not against the project, but is concerned with the access to the project

Motion by Commissioner Comander, second by Commissioner Chapman, to adjourn the meeting. Ayes 4, Nays 0. Jones Aye, Chapman Aye, Anderson Aye, Comander Aye, Nipper Absent.

Approved: 
Cecilia Jones, Chairwoman

Attest: 
Alex Alford, Clerk of Courts and County Comptroller