

DECEMBER 12, 2017 – REGULAR MEETING

The Board of County Commissioners, Walton County, Florida held a Regular Meeting on December 12, 2017 at 4:00 p.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

The following board members were present: Commissioner W. N. (Bill) Chapman, Chairman; Commissioner Tony Anderson, Vice-Chairman; Commissioner Sara Comander, Commissioner Cecilia Jones, and Commissioner Melanie Nipper. Mr. Larry Jones, County Administrator; and Attorney Sidney Noyes, County Attorney; were also present.

Chairman Chapman called the meeting to order.

Motion by Commissioner Jones, second by Commissioner Anderson, to approve the agenda with the revisions as follows. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

1. Deletion: Agenda Item 18 (17-1859) Superintendent A. Russell Hughes-Information on risk to local authority

Chairman Chapman called for public comment on agenda items.

Ms. Celeste Cobena requested Cypress Lake PUD, a Quasi-Judicial item, be continued. Attorney Noyes stated that due to procedural requirements, public comment regarding Quasi-Judicial items should be presented during the scheduled hearing and asked Ms. Cobena to submit her request at that time.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the Consent Agenda as follows. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

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

	Total	WM
General Fund	\$ 1,531,530.20	
County Transportation	\$ 1,037,758.13	
SHIP	\$ 30,750.00	
Fine & Forfeiture	\$ 232,000.62	
Section 8 Housing	\$ 152,537.82	
Tourist Dev. Council	\$ 188,524.55	\$ 0
N.W. Mosquito Control	\$ 1,179.42	
Recreation Plat Fee	\$ 962.83	
Solid Waste Enterprise	\$ 6,473.99	\$ 0
Preservation	\$ 5,516.00	
Bldg. Dept./Enterp.		
Fund	\$ 1,295.57	
Debt Service Fund	\$ 4,168.75	
Increment Tax Funding	\$ 4,225.00	
Totals	\$ 3,196,922.88	\$ 0
Totals less WM	\$ 3,196,922.88	

2. Approve the minutes of the November 28, 2017 Regular Meeting
3. Request to approve and authorize the Chairman to sign a resolution **(2017-103)** declaring December 14, 2017 as Military Spouses Day
4. Request travel authorization for the Board of County Commissioners and staff to attend the attached conferences in accordance with the County Travel Policy
5. Request travel authorization for Lisa Johnson to attend the 2017 FACT Annual Member Meeting in accordance with the County Travel Policy
6. Request to approve and authorize the Chairman to sign the Records Management Compliance Statement for Fiscal Year 2016-2017
7. Request to approve and authorize the Chairman to sign the Exercise of First Option to Renew Contract No.: 016-038 for Health Insurance Consultant Services with Combined Insurance Services of North Florida, Inc.
8. Request to approve and authorize the Chairman to sign the Fiscal Year 2017-2018 Discretionary Funding Agreement with Coastal Seniors of South Walton, Inc.
9. Request to approve and authorize the Chairman to sign Change Order No. 3 to Contract No.: 016-033 Walton Bridge Road SCOP Improvements with Roberts and Roberts, Inc.; increasing the contract time 14 calendar days.
10. Request to approve and authorize the Chairman to sign a **Resolution (2017-104)** approving the County to enter into and authorizing the Chairman to execute the Small County Outreach Program (SCOP) Grant Agreement with the State of Florida Department of Transportation for the East Indian Creek Ranch Road paving project
11. Request to approve and authorize the Chairman to sign the State of Florida Department of Transportation Small County Outreach Program (SCOP) Grant Agreement for the East Indian Creek Ranch Road paving project in the amount of \$1,438,724.00
12. Request to approve and authorize the Chairman to sign TDC Task Order 17-009 for GGI, LLC d/b/a Genesis, a consulting firm, to provide architectural/engineering services for the

conceptual design of a restroom facility at the Grayton Beach Regional Beach Access with associated parking, utility and stormwater management facilities south of Garfield Street, in the amount of \$20,100.00

13. Request to approve and authorize the Chairman to sign TDC Task Order 17-012 for Atkins to provide permitting/design/construction/and administration services to the Seagrove Beach Regional Beach Access in the amount of \$136,213.36
14. Request to approve the purchase of a replacement ice machine for Central Purchasing in an amount not to exceed \$2,600.00
15. Request to approve and authorize the Chairman to sign the 2017-2018 EMS County Grant Application from the Florida Department of Health
16. Request to approve and authorize the Chairman to sign a **Resolution (2017-105)** to accompany the 2017-2018 EMS County Grant Application as required by the Florida Department of Health

Chairman Chapman announced his voting conflict regarding Waste Management expenditures and submitted Form 8B: Memorandum of Voting Conflict to the clerk.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve the Waste Management expenditures. Ayes 4, Nays 0. Chapman Abstain, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. **(Form 8B: Chapman)** (There were no Waste Management Expenditures to report.)

Motion by Commissioner Comander, second by Commissioner Jones, to approve to draft and advertise a Request for Proposals (RFP) for Category 2 Funding for Walton County Libraries as requested by Mr. Larry Jones, County Administrator. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Mr. Chance Powell, Public Works Engineer, presented an update on a Multi-use Master Plan and discussed the segments for construction or improvement. He reviewed the scoring criteria used to create a list of priority areas for grant opportunities. Mr. Powell requested to place the information on the county's website for the public to review. Mr. Jones said the goal is to get an approved list from the board and as funding becomes available it would be applied accordingly. The board concurred to allow the information on the website.

Mr. Greg Graham, Public Works, presented an update on Driftwood drainage improvements. He reported that Phase II was moving forward and discussed the details of the project. Commissioner Jones asked if there was marked improvement with ditches on both sides of the roads compared to ditches on only one side. Mr. Graham stated the changes have improved the quality of life in that area. Ms. Melinda Gates, Coastal Resource Liaison, talked about the Northwest Florida Water Management District's (NFWMD) Choctawhatchee Bay Management Plan, discussed the projects involved with the plan, and how it will environmentally affect the bay. Commissioner Jones asked if there was a RESTORE project for sewer systems north of the bay. Ms. Gates replied that particular project was in the Pot 3 RESTORE funding.

Commissioner Nipper asked Attorney Noyes to discuss the incident with Dr. Harvey Harper's report. She also asked if the unspent funds had been returned to the General Fund. Attorney Noyes stated she would check with Ms. Melissa Thomason, County Finance Manager, regarding the return of the funds. She briefly discussed the events which led to the county's employment of Dr. Harper to perform a study of the Driftwood drainage system and stated although Phase 1 of the study was complete, the contract expired before the remaining phases were completed. This study was a part of the 2009 Special Magistrate's recommendations. Attorney Noyes reported her office is attempting to reach Dr. Harper to determine if he would be willing to complete the study. Commissioner Nipper discussed the need to complete the study.

Discussion continued on the inability to contact Dr. Harper and the need to consider moving forward with a new RFQ, a new contract, and a new scope of work. Attorney Noyes stated a motion would be needed if the board wished to move forward with a new RFQ.

Mr. Alan Osborne discussed what was to be included in Dr. Harper's study and read the conclusion of the completed Phase I report.

Attorney Noyes asked that a motion not be made and to give her the opportunity to communicate with Dr. Harper. The board concurred to direct Attorney Noyes to proceed in contacting Dr. Harper.

Ms. Suzanne Harris asked if the water being removed from Driftwood was being pumped into the bay. Mr. Graham responded that the original plan was to convey the drainage to the outfalls. Ms. Harris questioned if the stormwater was being channeled to the mosquito control ditches. Mr. Graham responded there were no mosquito control ditches in Driftwood.

Ms. Coy Bowman discussed how over development and road paving has caused the drainage issues.

Mr. Doug Lyles questioned if the new standards for construction are being followed by Public Works projects. Mr. Graham discussed the standards followed by the county.

Attorney Noyes stated she would bring back the RFQ information.

Mr. Jay Tusa, TDC Executive Director, requested direction on scheduling and advertising a Special Meeting to review Structured Parking Solutions' mobility proposal. He recommended not holding the discussion during a Regular Meeting. Chairman Chapman asked if the public had been made aware of these findings. Mr. Tusa responded yes. Discussion was held to determine an appropriate date and time to hold the meeting.

Motion by Commissioner Jones, second by Commissioner Comander, to hold the Beach Activities Ordinance Special Meeting on January 8, 2018 from 9:00 a.m. to 12:00 p.m. and hold the Special Meeting to consider the mobility proposal on January 8, 2018 from 1:00 p.m. to 3 p.m. Both meetings will be held at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

Ms. Melissa Ward, Dunlap and Shipman, suggested collecting input from the other entities who are involved with transportation issues. She questioned if there was a committee reviewing the master plan proposals.

Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Motion by Commissioner Jones, second by Commissioner Anderson, to award ITB 017-034: Multi-use Path Renovation C.R. 83 to C.R. 283 to the low bidder North Florida Construction, Inc. in the amount of \$1,849,984.07 as requested by Mr. Tusa. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Mr. Tusa announced there had been a 2.4% decrease in tourist numbers during the month of October and stated the numbers were affected by Hurricane Nate. He presented an update on the different TDC committees and said that applications for membership on the committees have been placed on the website.

Ms. Suzanne Harris asked what method was used to insure the vendors were paying the fines for violations. Attorney Noyes stated the violations are civil citations and the fines are paid to the Clerk's Office. Ms. Harris thanked the Sheriff's office for their efforts in protecting the citizens and visitors.

Motion by Commissioner Jones, second by Commissioner Comander, to approve and authorize the Chairman to sign the mediated Settlement Agreement between Jerry Draayer, John & Nancy Warner Walton County and CBHIV, LLC (Azzurro Condominium) Case Nos.: 2017-CA-000474; 2017-CA-000482) as requested by Attorney Sidney Noyes, County Attorney. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Commissioner Comander had no items to present.

Commissioner Nipper requested the Walton County Personnel Policies Chapter 12-Grievance Procedure be amended to include the presence of the complainant's non-participating representative during independent investigative interviews requested by the board, County Attorney, TDC Director, or the County Administrator. Chairman Chapman discussed the policies and procedures followed at the Sheriff's office regarding employee grievances. Discussion continued on the current grievance policy, presentation of the draft language at the December 19, 2017 Regular Meeting, procedures used by other counties, and updating the personnel policies as a whole.

Mr. Osborne asked that this issue not wait for a comprehensive look at the policies.

Mr. Bob Brooke questioned if the same rights would apply to internal investigations. Attorney Noyes that would be a decision of the board.

Ms. Harris voiced her appreciation for the effort the board has made to allow the employees to have someone present during investigative interviews.

Ms. Donna Johns stated this needed to be addressed as soon as possible.

The board concurred to consider the draft language at the December 19, 2017 Regular Meeting.

Commissioner Jones stated that West Florida Regional Planning Council (WFRPC) has asked that the town hall meetings be continued.

Motion by Commissioner Anderson, second by Commissioner Jones, to allocate \$300,000.00 from the District 5 Recreational Plat Fee account for lighting at the new Sports Complex as requested by Commissioner Anderson.

Ms. Bowman voiced concern with effects the lighting would have on the environment and wildlife.

Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Chairman Chapman had no items to present.

The meeting briefly recessed at 5:20 p.m. and reconvened at 5:33 p.m.

Chairman Chapman discussed the process for public comment regarding the Confederate Flag issue. Representatives from both sides of the issue will have 5 minutes each to present their positions. Individuals will be given 3 minutes each until the 20 minute time frame has been met.

Ms. Margie Jordan requested the Confederate Flag be removed from the courthouse property in DeFuniak Springs citing the flag causes division rather than unification of the citizens of Walton County. She reported that private land owners have offered land in which to place the flag.

Mr. Stephen McBroom requested the Confederate Flag and monument remain at the courthouse. He requested the issue go to referendum for the citizens of the county to decide the fate of the flag. Commissioner Anderson clarified the removal of the monument is not being considered. Discussion ensued regarding the date when the flag was first raised over the monument.

Ms. Betty Letcher and Ms. Jenna Bernstein spoke in support of the flag. Heritage and concern regarding the removal of the monument were reasons given to keep the flag.

Dr. Carolyn Zonia and Rev. Tyrone Broadus spoke in favor of removing the flag citing the flag divides the people and is a symbol of racism.

Commissioner Anderson stated that this was an emotional issue and that a referendum would be the best and most fair option.

Motion by Commissioner Anderson, second by Commissioner Jones, to place the Confederate Flag issue on the 2018 General Election ballot.

Dr. Zonia, Mr. Raymond Jackson, and Attorney Daniel Uhlfelder encouraged the board to make a decision and not place it on the ballot.

Commissioner Comander voiced that the referendum would be the only way to fairly settle the issue.

Ayes 3, Nays 2. Chapman Nay, Anderson Aye, Comander Aye, Jones Aye, Nipper Nay.

Mr. Louis Jennings addressed the flag issue and discussed the controversy surrounding the flag.

Ms. Harris commented on the Driftwood drainage issue and clarified that there are mosquito control ditches in Driftwood. She asked that the drainage plan be reconsidered so the water does not discharge into the bay.

Mr. Bob Hudson addressed the mosquito control ditches located in Driftwood and stated chemicals are not used to control the mosquitoes, fish are used instead. He encouraged the county to protect the mosquito control ditches.

Mr. Alan Osborne discussed the opinions of professionals regarding the contamination of the bay.

Ms. Bernstein thanked the board for voting to place the flag issue on the referendum.

Ms. Jill Lewis spoke in favor of removing the flag.

Ms. Bowman stated that people in the north end of the county have racist opinions and would vote to keep the flag. She also addressed over development in the county and discussed the 50 year lease for the Santa Rosa Plantation property.

Ms. Betty Letcher thanked the board for placing the flag issue on the referendum.

Mr. Mike Bowden spoke in opposition of placing the flag issue on the referendum.

Motion by Commissioner Jones, second by Commissioner Comander, to continue the Seaside Post Office Plat to the January 9, 2018 Regular Meeting as requested by Mr. Mac Carpenter, Planning and Development Director. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. **(Exhibits: Staff Memo-1)**

Motion by Commissioner Jones, second by Commissioner Comander, to continue Molbridge, LLC to the January 9, 2018 Regular Meeting as requested by Mr. Carpenter. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. **(Exhibits: Staff Memo-1)**

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 communications to the clerk.

Ms. Rene Bradley, Planning and Development Senior Planner/DRI Coordinator, presented Prominence Phase IV Plat, a plat application submitted by Innerlight Engineering, Corp. on behalf of D. R. Horton, requesting approval to plat 132 multi-family units (triplex units). This project consists of 11.37 acres with a future land use of Traditional Neighborhood Development within the Prominence PUD/DRI. The project is located north of C.R. 30A (Parcel No.: 20-3S-18-16000-002-0000). 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 Nipper discussed the South Walton Fire District's recommendation on August 8, 2016 to include an additional roadway for this project and questioned why it was not a condition on the current Staff Report. Ms. Bradley stated the condition to include the additional roadway could be included in the Development Order and that the PUD was approved before the

one access fire code regulations were approved. She reported that Chief Sammy Sanchez, SWFD, was aware of the issue. Commissioner Nipper asked if the fire hydrant locations would be addressed. Ms. Bradley replied they would.

Mr. David Smith, Innerlight Engineering, stated that all the infrastructure has been built and the fire hydrants have been installed.

Ms. Bonnie McQuiston supported the project, but voiced concern with the developer, D.R. Horton. She asked the company be strictly held to the county standards to insure quality development. Mr. Carpenter replied the developer had purchased the development and has been developing it for several years. He said this is the final plat which would complete this DRI.

Ms. Bowman voiced concern regarding the development.

Motion by Commissioner Jones, second by Commissioner Comander, to approve the Prominence Phase IV Plat contingent upon conditions being met as stated in the Staff Report. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. **(Exhibits: Staff Report-1)(Ex Parte: None)**

Ms. Bradley presented Rock Hill Road a request to approve by Final Order a Major Development Order application submitted by Heidi Nelson, Integrisite, on behalf of Branch Towers III and Allen White, requesting approval to install a telecommunications facility that includes a 250' tower on a 5,625 area within a 12.9 acre parcel within the General Agriculture land use category. The project is located at 9577 Rock Hill Road, Ponce De Leon, north of Rock Hill Road (Parcel No.: 08-2N-17-05000-019-000). 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)**

Ms. Bowman questioned how a cell tower could be constructed in the Agriculture classification. Chairman Chapman stated that the towers were an exception to the classification.

Motion by Commissioner Comander, second by Commissioner Jones, to approve by Final Order Rock Hill Road contingent upon conditions being met as stated in the Staff Report. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye. **(Exhibits: Staff Report-1)(Ex Parte: None)**

Attorney Noyes stated there was a public request for continuance of the Cypress Lake PUD. She said Attorney Dana Matthews, applicant representative, agreed to hear the request for a continuance prior to the presentation of the project.

Ms. Celeste Cobena requested the Cypress Lake PUD issue be continued based on illegal notices and PUD procedures not being followed. She stated she was told on Monday that the issue would be continued and was informed on Wednesday that it would not be continued. She asked that the procedures be followed correctly and the item be continued.

Attorney Matthews addressed Ms. Cobena's comments and stated that it was his opinion that the advertising was properly done. He reported that Ms. Cobena had attended the Planning Commission meeting, testified against the project, and did not voice objection to notice at that time. He did not think there were grounds for a continuance.

Attorney Noyes said that she was of the opinion that advertising was properly done and that there is a more detailed plan in what the applicant will be presenting.

Mr. Carpenter discussed the differences between conceptual and detailed PUD plans. Conceptual plans are not submitted without a detailed plan for the first phase. Detailed PUD plans are required Quasi-Judicial issues. He agreed the notices were properly advertised.

Attorney Noyes entered Ms. Cobena's submission into evidence. **(Cypress Lake PUD Exhibit 2: Objectors Exhibit 1-Request for Continuance)**

Commissioner Anderson asked Mr. Carpenter to address the miscommunication regarding the continuance. Mr. Carpenter stated he had commented to Mr. Tricker at a function on Monday that there was a possibility of a continuance due to the lack of engineering comments on the re-submittal. However, the comments were submitted and therefore the project was not continued. Commissioner Anderson reported that his assistant had notified Ms. Cobena when it was learned the project was not being continued. Discussion continued regarding notification that the project had not been continued.

Attorney Noyes questioned if the applicant wished to proceed. Attorney Matthews replied yes. Attorney Noyes stated the board needed to make a motion regarding the request for continuance.

Dr. Carolyn Zonia stated there were a number of concerns submitted to the Planning Commission and stated the public has not had an opportunity to comment on some of the issues. She asked for a continuance.

Mr. Fred Tricker, South Walton Community Council representative, and Ms. Donna Johns both stated opposition to the notice issue was raised at the November 9, 2017 Planning Commission Meeting and said the public was unaware the project was a PUD.

Mr. Bill Muldowney, Ms. Anne Frederick, and Mr. Bill Parks spoke in opposition to the continuance and supported the project.

A brief discussion was held regarding the communication relaying that the project had not been continued.

Ms. Karen Boyce spoke in opposition of the density of the project and requested it be continued.

Commissioner Nipper asked Mr. Carpenter if everything was timely noticed and the traffic concurrency submitted to the Planning Department as required by the Land Development Code. Mr. Carpenter stated that it was.

Attorney Matthews responded to the comments regarding the continuance and stated that notices were properly filed. He requested a motion to deny the continuance.

Motion by Commissioner Anderson, second by Commissioner Comander, to deny the continuance request and move forward with hearing the Cypress Lake PUD. Ayes 5, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Aye.

Mr. Bob Baronti, Planning and Development AICP, presented Cypress Lake PUD a request to approve by Final Order a Major Development Order application submitted by Dewberry, on behalf of Ashwood Holdings Florida, LLC requesting approval to subdivide parcel and sell residential lots as well as the leasing of commercial space on 22.36 +/- acres with a future land use of Neighborhood Infill. The project is located from the intersection of U.S. Highway 98 and C. R. 30A west, approximately 0.6 miles south on C.R. 30A the parcel is located on the right (Parcel No.: 32-2S-20-33000-005-0000). 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)**

Attorney Matthews discussed the project's history and stated that the developers have never had any issues with projects. He listed the professionals which were consulted regarding the project. He stated the project is compatible with surrounding projects. He said a traffic study was done on C.R. 30A and discussed the improvements the applicant will make to the roadway.

Mr. Cliff Knauer, Dewberry/Preble-Rish, discussed the details of the site plan of the project. He discussed the planning issues and what the developer has done to make this a compatible project for the community. He said there are over 4,700 linear feet of pedestrian pathways throughout the entire project which will safely connect the commercial and residential areas. Cypress Phase 2 connection has been removed and it will remain a gated community. He discussed the vegetation within the buffer. He discussed concerns raised regarding street lighting. Mr. Knauer stated a variance of five feet is being requested for the front set-backs. He discussed additional the parking spaces which have been included, the proposed landscaping for C.R. 30A, and the placement of underground utilities.

Commissioner Nipper asked about the request to have pervious parking spaces within the 20 foot scenic corridor buffer. Mr. Knauer responded that the intent is to preserve the vegetation within the corridor, the parking within the buffer would be public parking.

Chairman Chapman asked Mr. Knauer to discuss the parking spaces for residential units. Mr. Knauer discussed the different parking scenarios. Chairman Chapman asked if there were garages. Mr. Knauer said there were no garages, it is surface parking.

Commissioner Nipper asked if all commercial and residential roads would be 21 feet. Mr. Knauer replied they would.

Mr. Knauer discussed the project's 100 year event stormwater design.

Commissioner Nipper questioned where the residential vehicles would be parked. Mr. Knauer explained how the five foot setbacks would allow for the residential units to be shifted to allow for parking.

Chairman Chapman asked if there would be a gated community in the residential area. Mr. Knauer said that it is possibility and that Cypress Phases I and II are gated. He reported the roads and stormwater are being held privately.

Mr. Cole Forsyth discussed the residential and commercial design of the development. He talked about the green space located within the commercial areas which would provide a recreational area for shoppers and their families. He said a pool would be located on the top floor of the condominium units. Chairman Chapman asked if the parking plan included the commercial establishments' employees. Mr. Forsyth said the parking design was based on the code requirements, but no additional spaces were added for employees.

Commissioner Comander asked for clarification regarding the pool and the green space. Mr. Forsyth replied that the pool covers a portion of the green space and that area would be a gathering place with the majority of the remaining area green.

Mr. Tricker, South Walton Community Council, submitted and discussed a document listing the inconsistencies with the Comprehensive Plan. **(Exhibit 3: Objectors Exhibit 2)**

The meeting briefly recessed at 8:02 p.m. and reconvened at 8:11 p.m.

Ms. Cobena discussed the reasons to deny Cypress Lake PUD. She recommended the project go back through the process and be properly noticed. **(Exhibit 4: Objectors Exhibit 3)**

Mr. Don Boyce voiced concern regarding traffic and discussed the safety concerns. He stated the density is too high for the area.

Commissioner Nipper asked if there was a sidewalk buyout as a part of this PUD. Mr. Carpenter said the applicant has not requested a sidewalk buyout and discussed the proposed paths throughout the project.

Mr. Muldowney, Mr. Parks, Mr. Emory Gaultney, and Mr. Jim Sumter spoke in favor of the project.

Ms. Boyce, Dr. Zonia, and Mr. Brent Froeschner spoke in opposition to the project and voiced concern regarding its density.

Attorney Matthews addressed the concerns and issues raised during public comment. He submitted Petitioner Exhibits 1-3 into the record. He said cars will not be allowed to be parked on the road within the residential area. He said the project would be beneficial to the western end of 30A. **(Exhibit 5: Petitioner Exhibit 1-Boundary Survey; Exhibit 6: Petitioner Exhibit 2-Vicinity Location and Site Map; Exhibit 7: Petitioner Exhibit 3-Photos (thumb drive))**

Chairman Chapman asked what the width of the right of way was. Mr. Knauer replied 100 feet. Chairman Chapman discussed the need to plan for future road expansions. Further discussion was held regarding the right of way and the effects of future expansion on the current setbacks of the project.

Chairman Chapman asked if there was a sidewalk in front of the homes. Attorney Matthews replied there was not. Chairman Chapman asked where residential visitors would park. Both Mr. Knauer and Attorney Matthews discussed the parking which would be available in the commercial area for visitor parking and other possible parking solutions.

Commissioner Nipper asked if the project was connected to the Topsail State Park east beach access. Attorney Matthews said they were not connected. Commissioner Nipper asked if anyone had been told this project would have a beach access. Attorney Matthews stated no.

Commissioner Anderson asked staff to address the objections stating that the project does not comply with the Comprehensive Plan. Mr. Carpenter stated the project meets the Comprehensive Plan requirements.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve Cypress Lake PUD contingent upon conditions being met as stated in the Staff Report. Ayes 4, Nays 1. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Nay. **(Exhibits: Staff Report-1; Objector 1 (Cobena submission)-2; Objector 2 (Tricker submission)-3; Objector 3 (Cobena submission)-4; Petitioner 1 (Matthews submission)-5; Petitioner 2 Boundary Survey (Matthews Submission)-6; Petitioner 3 Vicinity Location and Site Map (Matthews submission)-7)(Ex Parte: Chapman, Anderson, Comander, Jones, Nipper)**

There being no further items to present the meeting was adjourned at 9:10 p.m.

Approved: _____

W. N. (Bill) Chapman, Chairman

Attest: _____

Alex Alford, Clerk of Courts and County Comptroller