

REGULAR MEETING-FEBRUARY 13, 2018

The Board of County Commissioners, Walton County, Florida held a Regular Meeting on February 13, 2018 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, and Commissioner Cecilia Jones. Mr. Larry Jones, County Administrator; and Attorney Heather Christman, Assistant County Attorney; were also present. Commissioner Melanie Nipper was not present.

Ms. Teresa Imdieke, Executive Director of Habitat for Humanity, expressed her gratitude for the ability to be the replacement housing provider and for the partnership between Walton County and Habitat for Humanity. She presented a check in the amount of \$160,734.88 which represents the amount Habitat Homeowners have paid into the county over the last 19 years. She announced a total of four new Habitat Homes are being added into the property tax rolls within Districts 3 (2 homes) and 5 (2 homes).

Chairman Chapman called the meeting to order.

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

There was no public comments regarding agenda items.

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

Motion by Commissioner Comander, second by Commissioner Jones, to adopt **Resolution 2018-16** authorizing the Walton County Tax Collector, pursuant to Section 1(k) Article VIII of the State Constitution and Section 197.332(2) Florida Statutes, to establish in the City of Freeport a branch office for conducting county business. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent.

Mr. Jones requested direction regarding the First National Bank and Records Storage Facility. The building has been declared surplus and the highest bid to purchase the property was \$180,000.00. The building appraised at \$230,000.00. The proceeds of the sell would go toward the construction of a new records retention facility. He reported no responses were received for the RFP for the construction of a new facility. Mr. Jones said that some contractors gave line item estimates for the cost of a new building which was approximately \$200,000.00. He felt the response would be greater once a sufficient building plan was in place. He asked for direction on whether to continue the process, abandon the process, or sell the building with the provision to utilize for a period of time. The proposed buyer has been approached and would be willing to enter into a lease agreement for the utilization of the building while a new facility is being constructed.

Chairman Chapman discussed the lack of bid response and asked if the policy requiring the contractor to perform 51% of the work was a hindrance. Mr. Jones said a contractor did voice concern regarding the policy and stated a lot of contractors hire subcontractors to perform certain jobs. He suggested waiving the provision on projects which require building permits. Inspections will still be held to ensure the building meets code.

Commissioner Comander discussed a conversation she held with a contractor who voiced concern regarding the policy and spoke in favor of waiving the policy provision as suggested by Mr. Jones. She suggested negotiating a higher sell price and requesting a free lease for one year

until a new facility is acquired. Mr. Jones responded that moving forward today would not equate to an acceptance of the purchase bid, but would rather allow for negotiations.

Commissioner Anderson questioned if an ordinance would be required for waiver process. Mr. Jones replied it would be an administrative action.

Discussion continued regarding negotiations and possible facility locations.

Attorney Heather Christman, Assistant County Attorney, stated bids are reviewed by legal and asked for direction to be given whether or not to waive the provision. Commissioner Anderson stated that many contractors do utilize subcontractors and felt the policy should be reviewed.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve to waive the policy and allow the use of subcontractors on the contingency of the permit being issued to a licensed contractor.

Commissioner Comander questioned if this action could be taken since it was not an agenda item. Attorney Christman stated the action did not require a motion.

Discussion continued on the projects which would be allowed a policy waiver.

Motion and second was rescinded.

Ms. Coy Bowman asked if the county owned the building and the business in it. Mr. Jones clarified that the county owns the building and that it does not contain a business.

Motion by Commissioner Comander, second by Commissioner Jones, to award Bid 018-004 for the Construction of the New Class I Solid Waste Transfer Station to the lowest responsive, responsible bidder, Kokolakis Contracting, Inc., contingent on value engineering the project for cost savings.

Ms. Bowman questioned why there were two garbage collection times in her neighborhood and asked if there was anything that could be done to prevent the trucks from shaking her home.

Mr. Jones discussed the franchise contract with Waste Management. Ms. Bowman discussed the Waste Management logo, the prohibition of junk mail, and encouraged the board to find ways to reduce garbage.

Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent.
A funding source will be researched accordingly.

Mr. Chance Powell, Public Works Engineer, presented an update of the Multi-Use Path Master Plan. He briefly discussed the positive feedback which had been received and stated Ms. Leigh Moore, Scenic Corridor Foundation, had noted that the 8 foot bike path on both sides of U.S. 98 from Orange Street to the Bay County Line was included in the East Corridor Improvement Plan, not the master plan. Mr. Powell stated the correction has been made to the master plan. He requested acceptance of the plan with the correction as stated.

Motion by Commissioner Comander, second by Commissioner Anderson, to accept the Multi-Use Path Master Plan with the corrections as stated.

Ms. Celeste Cobena commended the forward thinking of the county in developing this master plan. She encouraged the enhancement of trails through the forests and the formation of a committee to gather input which would assist the county in ranking the segments to be developed.

Ms. Moore commended the board and staff for the development of the master plan. She asked if this was a fluid plan which would be revisited on a regular basis to determine if adjustments are needed. Chairman Chapman stated since this is a long term project that Mr. Powell would be monitoring the plan. Ms. Moore supported the formation of a committee to garner community input.

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

Mr. Powell summarized the history of the 30A Traffic Study and briefly discussed the different alternative routes from C.R. 30A and U.S. Highway 98 which are being considered.

Mr. John Fielding, Atkins Engineering, briefly discussed the task to update the Genesis study. It was discovered the projections made in the study were on the low side and that the area is growing more than originally planned. He spoke about the FDEP Linear Facility policy which directs the department on how needs are treated. Mr. Fielding said Alternatives 1 and 4 were reviewed to determine the least impactful scenario. He discussed the impact the road would have on the State forestry land. The estimated use would be 3,000 – 5,000 cars per day. Mr. Fielding discussed funding processes and the need for a PEER and a PD&E to determine feasibility.

Commissioner Comander strongly voiced the need to find solutions to the problem and felt that constructing a roadway near the power lines would be the best option. She said FDOT has strict regulations for those types of roadways.

Commissioner Jones said the PD&E study would give us options. Mr. Fielding said the intent is to determine the least impactful alternative. Commissioner Jones stated she would like more information.

Discussion ensued on the different alternatives and what staff would be required to do.

Chairman Chapman questioned what direction would be needed regarding the PD&E. Mr. Powell requested to allow staff to move forward with the preparation of an RFQ to perform the PD&E study. Chairman Chapman asked what the focus would be for the PD&E. Mr. Powell replied congestion relief of 30A and looking at routes to move traffic from C.R. 30A to U.S. 98. The San Juan connector alternative has been removed from the table.

Motion by Commissioner Anderson, second by Commissioner Jones, to allow staff to move forward with an RFQ for the PD&E Study.

Motion amended by Commissioner Anderson, second amended by Commissioner Jones, to allow staff to develop a RFQ for the PD&E study for board approval.

Ms. Bowman spoke in opposition to any more roads being constructed in south Walton County.

Ms. Cobena recommended options which do not include the State forest and spoke against the construction of a road near the power lines. She raised concern regarding the easement agreement with Alabama Power.

Mr. Dave Rauschkolb spoke in favor of road construction along the power lines. Commissioner Anderson and Mr. Rauschkolb held discussion on the difficult drive times which occur during the summer/tourist season.

Mr. Hunter Harman spoke in favor of a road along the power lines.

Mr. Stephen McBroom voiced opposition to putting a road through a State park.

Ms. Bonnie McQuiston suggested that no road be constructed. She voiced concern that the road would cause more problems than it would help. Commissioner Anderson stated that the study does include the no road option.

Chairman Chapman reminded those in attendance that there would be no vote on the road construction at this meeting and that only a PD&E study is being considered.

Mr. Bob Brooke suggested reviewing the U.S. 98/C.R. 30A Master Plan from a broader perspective.

Mr. Scott Crompton suggested the people create a solution which will protect the environment and find a way to get folks off C.R. 30A.

Mr. Robert Weil encouraged finding a solution as quickly as possible due to the traffic concerns.

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

Mr. Jay Tusa, TDC Executive Director, requested direction regarding property located on U.S. Highway 331 South for consideration of a new TDC facility (Parcel Nos.: 29-2S-19-24000-008-0040, 29-2S-19-24000-008-0060, and 29-2S-19-24000-008-0070). He stated the three parcels equal approximately 4 acres. He stated the area would be used for the TDC Administration/Visitor Center and the beach maintenance facility. Chairman Chapman stated he had met with Mr. Tusa and preferred utilizing the land between the courthouse annex and the Eglin tower which would save on property cost. After some brief discussion, it was determined that research would have to be done regarding the lease with the U.S. Air Force and how much land could be utilized.

Motion by Commissioner Anderson, second by Commissioner Comander, to direct staff to proceed with the due diligence regarding the proposed properties and to research issues associated with the county land between the courthouse annex and the tower.

Commissioner Jones asked if the parcels were for sale at this time. Mr. Tusa briefly discussed the availability of the parcels.

Commissioner Jones asked if the existing facilities on the properties could be used. Mr. Tusa said a new facility would be considered if the site could accommodate both the TDC Administration/Visitor Center and the beach maintenance facilities.

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

Mr. Tusa presented the Tourist Development Tax (TDT) numbers for December. There was a 16.05% increase over December 2016 for a total of \$651,529.85. The year over year total had an 8.72% increase for a total just over \$2.8 million. He announced the October numbers were down due to a late remission of taxes by a bed tax collector.

Mr. Tusa gave an update on the State Legislature as it affects TDC. He stated the bill requires more transparency and that the TDC currently follows many of the provisions being presented in the bill. He discussed the bill's provision for the expansion of TDT funds. Discussion ensued on the benefits of the fund expansion provision. Mr. Tusa stated the Legislature is considering regulating vacation rentals from the State level and remove local authority. He addressed Amendment 95 which would affect home rule and reported it had died in committee. Commissioner Anderson announced that it could be revived with a simple majority vote.

Commissioner Comander asked that the issues with VRBO be discussed. Mr. Tusa remarked the VRBO has redesigned how their business is done and would essentially allow local businesses to be penalized for individuals not booking through VRBO. He said a meeting has been scheduled with the local bed tax collectors to discuss the issue.

Attorney Heather Christman, Assistant County Attorney, requested to adopt and authorize the Chairman to sign a resolution with ballot language regarding the Confederate Flag Referendum at the Walton County Courthouse.

Motion by Commissioner Comander, second by Commissioner Anderson, to adopt **Resolution 2018-17** approving the ballot language regarding the Confederate Flag Referendum.

Mr. Steven McBroom thanked the board for allowing the people to decide the fate of the flag and questioned if this would be a binding resolution. Chairman Chapman and Attorney Christman stated that what is decided by the voters will be binding.

Ms. Bowman voiced concern regarding the ability of residents to vote across district lines stating only those in the district should determine their representative.

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

Attorney Christman requested approval to terminate Contract 017-029: C.R. 30A Resurfacing Project Phase III from C.R. 83 to C.R. 395 with Midsouth Paving, LLC. Public Works does not expect the project to be completed before Spring Break when heavy traffic will be present.

Motion by Commissioner Comander, second by Commissioner Anderson, to terminate Contract 017-029 with Midsouth Paving, LLC.

Mr. Jones advised staff will re-advertise the bid to enable the work to begin after Labor Day 2018.

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

Commissioner Comander did not present any items.

Commissioner Jones stated they are continuing to gather information for the Strategic Plan meetings and announced the different dates and times of upcoming meetings. She also announced the Customary Use language had been removed from the House Bill.

Commissioner Anderson requested direction for staff to explore opportunities for Blue Mountain Beach sidewalk construction. He discussed the safety issues in the area and felt additional walkways were needed where pedestrians cross the roadway. He asked to extend the sidewalk to C.R. 30A to a more appropriate crossing to the beach. Mr. Jones confirmed the direction. Mr. Powell stated a developer has agreed to build that portion of the sidewalk. He recommended sidewalk plans be included with future development plans for properties in this area.

Chairman Chapman did not present any items for discussion.

Motion by Commissioner Jones, second by Commissioner Anderson, to approve the Helicopter Egg Drop over the soccer field at Helen McCall Park on March 10, 2018 as requested by Mr. Mike Thornton, Seagrove Baptist Church. Ayes 4, Nays 0. Chapman Aye, Anderson Aye,

Comander Aye, Jones Aye, Nipper Absent. Approval has been received from Parks and Recreation and South Walton Fire Department, and an events permit has been applied for.

Ms. Leigh Moore, Scenic Corridor Foundation, discussed the U.S. 98/U.S. 331 Scenic Corridor Median Enhancement Plan, an approximate 10 year plan which will improve the aesthetics of the area. She said she is aware of the road widening project for U.S. 98 in Inlet Beach and that FDOT has plans for a landscaping project at its completion. She briefly discussed the different gateways into south Walton County. Ms. Moore suggested that the county submit multiple projects of various sizes to FDOT for review. Ms. Moore and Mr. Tusa have worked to create a priority projects list for presentation. She requested the board consider: 1. To seek support for the project; 2. County would submit smaller high-priority project requests to FDOT; and 3. Put out an RFP for the design of east gateway.

Chairman Chapman voiced concern with moving forward with a RFP due to the possible funding of the pedestrian tunnel at that intersection stating it would be wasteful to place the landscaping only to tear it up later.

Commissioner Anderson asked how far the extended lanes would go. Ms. Moore briefly discussed the FDOT plans to widen U.S. 98 from C.R. 30A west to the Bay County line. Discussion was held regarding the effects the widening would have on the median.

Commissioner Comander voiced concern with the funding and recommended further research be performed. Commissioner Anderson said the decision may wait until next year's budget cycle is being considered. The board directed staff to research possible funding sources.

Ms. Moore asked this to be considered in next year's budget cycle if funding can't be found this year and asked to submit some of the smaller projects to FDOT for funding.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve to submit some of the smaller projects to FDOT. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent. Mr. Jones stated staff would meet with Ms. Moore to determine which projects would be submitted.

The meeting recessed at 5:50 p.m. and reconvened at 6:10 p.m.

Ms. Bowman spoke about the noise and earthquakes created by heavy trucks traversing the roadways near her home. She commented on speaking with Commissioner Anderson regarding several issues. However, Commissioner Anderson clarified for the record that he had never spoken with Ms. Bowman, but she had been to his daughter's place of employment and threatened her.

Mr. Mac Carpenter, Planning and Development Director, and Ms. Vivian Shamel, Planner, presented for final hearing the Farmers Market Ordinance. An ordinance amending sections 13.02.00, 13.03.00 and 13.04.00 of the Walton County Land Development Code (LDC); establishing a process for regulating farmers markets as temporary uses within the Walton County Scenic Corridors along U.S. Highway 98, U.S. Highway 331, and C.R. 30A.

There was no public comment.

Motion by Commissioner Comander, second by Commissioner Jones, to adopt Ordinance **2018-06**, Farmers Market Ordinance. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent.

Mr. Carpenter presented for first reading the LDC Chapter 7 Tourist Oriented Development Signs Amendment. An ordinance amending Chapter 7 of the LDC to provide the opportunity to participate in the FDOT Tourist Oriented Directional Sign Program. This program would allow certain directional signs on state right-of-ways, outside of the three designated Scenic Corridors, meeting the requirements of FAC 14-51.061.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Jones, to move to second hearing the LDC Chapter 7 Tourist Oriented Development Signs Amendment on February 27, 2018. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent.

Mr. Carpenter presented Pando SSA (2017-001), a Small Scale Amendment application submitted by Jenkins Engineering, Inc. requesting to amend the future land use designation from Conservation Residential 2:1 to Low Density Residential on 2.5 acres. The project is located on the north side of Michaela Lane, off of South Deno Drive (Parcel No.: 02-3S-20-34160-000-0120).

Ms. Melissa Ward, Dunlap and Shipman-representing the applicant, discussed the Pando SSA request. She stated the area around Pando has changed over the years and the other areas have been changed to higher density areas as well as changes to neighboring land use designations. Average density in the area is 4 units to the acre. Ms. Ward stated the Pando's property is the last property at 2.5 acres to change from Conservation Residential to a higher density. A nearby development, Shadow Pines, was approved for a density of eight (8) units per acre due to that being the highest and best use as policy allowed. She discussed Policy L-1.13.3 Compliance with Goals Objectives and Policies. Ms. Ward said the request is compatible to the surrounding areas and requested approval. (Copies of the PowerPoint presentation was submitted.)

Mr. Scott Jenkins, Jenkins Engineering, discussed the potential project which would include nine single family lots. He stated it is compatible with the area and discussed the land use changes that have occurred to the surrounding areas.

Chairman Chapman asked why it was denied a year ago and what has changed since then. Mr. Carpenter stated there were issues with compatibility when it was first presented. The proper

process has been followed by the applicant. Mr. Jenkins stated that approvals for land use changes have been made for surrounding properties since the request was first presented.

Mr. Fred Tricker, representing South Walton Community Council, spoke in opposition of the request. He voiced concern with increased density and preservation of land. Chairman Chapman stated there were no objections to other requests for increased density to the surrounding areas. Commissioner Comander asked if Mr. Tricker lived in the neighborhood. Mr. Tricker stated he did not and that he was representing the neighborhood. (A document in opposition to the project was submitted.)

Mr. Mike Hewitt, adjacent land owner, discussed the changes that have occurred since the last time this request was presented. He stated the change being made is to Low Density Residential. He spoke in favor of the request and discussed the buffers which would be constructed.

Mr. Graham Matthews, applicant's husband, spoke in favor of the request. He stated it appears there is only one neighbor in opposition. Commissioner Anderson raised concern with the buffer area. Mr. Jenkins discussed the preservation on the neighboring property and the buffer to be constructed on the Pando property.

Ms. Susan Pando, applicant, spoke about how she acquired the property and discussed the changes. She requested approval of the project.

Motion by Commissioner Comander, second by Commissioner Anderson, to adopt **Ordinance 2018-04** approving Pando SSA. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent.

Mr. Carpenter presented Nesius SSA (2017-0008), a Small Scale Amendment application submitted by Darrell Barnhill, on behalf of Dirt Investments, LLC, requesting approval to change the future land use designation from Conservation Residential 2:1 to Light Industrial on 9.75 +/-

acres. The project is located 0.40 miles south of U.S. Highway 98 and C.R. 393 (Parcel No.: 35-2S-20-33280-000-0580). Other adjacent property is designated Light Industrial.

There were no public comments.

Motion by Commissioner Jones, second by Commissioner Comander, to adopt **Ordinance 2018-05** approving the Nesius SSA amending the Comprehensive Plan Future Land Use Map designation of 9.75+/- acres of Conservation Residential 2:1 to Light Industrial. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent.

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

Mr. Carpenter presented The Southern, a Major Development Order application submitted by Jenkins Engineering, Inc., on behalf of Walton County Holdings, LLC, requesting approval to develop a new apartment complex with 76 units, common space, and 1,000 square foot office space on 9.77 +/- acres with a future land use of Town Center One. The project is located on J.D. Miller Road (Parcel No.: 30-2S-19-24000-035-0000). 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. **(Staff Report-1)**

Mr. Jamie Eubanks, Jenkins Engineering-representing the applicant, briefly discussed the project. He advised there would be a community park open to the public.

Chairman Chapman commented on the significant amount of wetlands and questioned how he would accommodate a structure and maintain the wetlands. Mr. Eubanks stated there was 4.22 acres of wetlands which only impact 10% of the property and would not affect the project. The area will be used as a community park.

Ms. Liz Stafford, owner of the adjacent lot to the south, stated the Department of Forestry has aided all the lots in the area by digging a fire ditch. She asked that DEP and Corps permits be required for the development order to prevent it from adversely impacting adjacent property owners. She stated she was in favor of the project, but asked that the permits be obtained before development. Chairman Chapman advised Ms. Stafford that the permits would be required before construction. Mr. Eubanks stated the applicant has applied for both permits. Chairman Chapman voiced concern that the stormwater stays on the property.

There were no public comments.

Motion by Commissioner Comander, second by Commissioner Anderson, to approve by Final Order, The Southern, contingent upon conditions being met as stated in the Staff Report. Ayes 4, Nays 0. Chapman Aye, Anderson Aye, Comander Aye, Jones Aye, Nipper Absent.

(Exhibits: Staff Report 1)(Ex Parte: Anderson, Jones, Chapman, Comander)

Mr. Carpenter presented Point Washington Preserve, a Major Development Order application submitted by Nautilus Civil Engineers, Inc. on behalf of Southern Hybrid Homes, LLC, requesting technical approval of Phase I to operate a 693 square foot multi-purpose building, as well-as a 5,247 square foot civic pavilion and conceptually approve Phase II, III, and IV on 9.76 +/- acres with a future land use of Town Center One. The project is located at 975 J.D. Miller Road (Parcel No.: 30-2S-19-24000-044-0000). 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. **(Staff Report-1)**

Chairman Chapman asked what the code violation was issued for. Mr. Carpenter stated it was issued for development without permits. The applicant misunderstood the process because of

the agriculture designation, but has worked with Code Enforcement and the county to move in the proper direction.

Mr. Curtis Smith, Nautilus Engineers-representing the applicant, discussed the code violation and what led to the land use change request. He briefly discussed the project and specific land use requirements.

Commissioner Comander voiced concern with approving conceptual plans and asked if this was the same. Mr. Carpenter stated they are asking for technical approval for Phase I and conceptual approval for Phases II, III, IV, and V will be brought back for the review process. Commissioner Comander asked why conceptual approval was needed. Mr. Carpenter stated they would be held liable to ensure they meet the requirements for Mixed Use in the Town Center land use designation. The applicant will return to obtain technical approval as the plan develops.

There were no public comments.

Mr. Doug Liles, applicant, was available to answer questions. Chairman Chapman questioned why due diligence was not done before he started construction. Mr. Liles stated he holds a USDA farm number for raising chickens and also has a permit and had inspection. The permit was for the office/cabin. He then built a pole barn using solar power to produce electricity on the property. The land use is zoned to have a pavilion and was never changed. He spoke about the confusion between the LDC and Comp Plan. He explained the compatibility of his project, but still needed a third use. At that point he proceeded through the technical review and planning process.

Commissioner Comander asked if he considered holding events at the pole barn when it was built. Mr. Liles stated he did not.

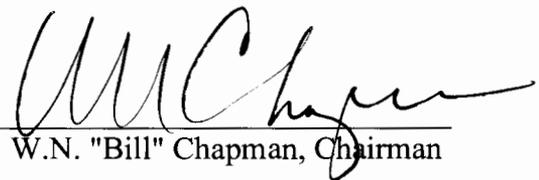
Commissioner Anderson stated the concern is the barn was constructed when it should not have been. Approval would put the barn in compliance. He asked if the solar panels were approved when the smaller building was built. Mr. Liles stated they had a permit to construct the pole barn, but the cost to run electricity to it changed their plans. Commissioner Anderson asked if permits were received for the solar panels. Mr. Carpenter said it was the intended power source for the single family dwelling unit. Mr. Carpenter stated you cannot construct a structure specifically for event purposes and claim the exemption, but events can be held in pre-existing buildings without permitting. Mr. Carpenter stated approval will put the project in compliance with the Comprehensive Plan, LDC, and Town Center Master Plan.

Mr. Larry Jones asked if there were any fines for the code violations. Mr. Carpenter was not aware of any fines. Mr. Bob Baronti, Planning and Development, stated the sign permit was in place.

Motion by Commissioner Anderson, second by Commissioner Jones, to approve by Final Order Point Washington Preserve. Ayes 2, Nays 2. Chapman Nay, Anderson Aye, Comander Nay, Jones Aye, Nipper Absent. **(Exhibits: Staff Report 1)(Ex Parte: Anderson, Comander)** Due to the tie vote, the request is denied.

The meeting was adjourned at 7:25 p.m.

Approved:


W.N. "Bill" Chapman, Chairman

Attest:


Alex Alford, Clerk of Courts and County Comptroller