



SEPTEMBER 26, 2011

THE BOARD OF COUNTY COMMISSIONERS, IN AND FOR WASHINGTON COUNTY, MET ON THE ABOVE DATE AT 9:00 A.M. AT THE WASHINGTON COUNTY ANNEX, BOARD MEETING ROOM, 1331 SOUTH BOULEVARD, CHIPLEY, FLORIDA, WITH COMMISSIONERS ABBOTT, BROCK, CARTER, PATE AND STRICKLAND PRESENT. ATTORNEY GOODMAN, INTERIM COUNTY MANAGER STEVE JOYNER AND DEPUTY CLERK DIANNE GLASGOW WERE ALSO IN ATTENDANCE.

DEPUTY RACKARD PROCLAIMED THE MEETING. ROGER HAGAN OFFERED PRAYER WITH COMMISSIONER STRICKLAND LEADING IN THE PLEDGE OF ALLEGIANCE.

ADOPT PREVIOUS MINUTES: COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER CARTER AND CARRIED TO APPROVE THE JULY 28 AND AUGUST 5, 2011 MINUTES AS WRITTEN.

PUBLIC HEARING-DOG ORDINANCE:

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO RECESS THE BOARD MEETING. COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER CARTER AND CARRIED TO OPEN THE PUBLIC HEARING ON THE DOG ORDINANCE.

ATTORNEY GOODMAN READ THE TITLE OF THE DOG ORDINANCE:

AN ORDINANCE OF WASHINGTON COUNTY, FLORIDA TO BE KNOWN AS THE ANIMAL CONTROL ORDINANCE FOR WASHINGTON COUNTY; PROVIDING DEFINITIONS; DEFINING THE AUTHORITY OF THE ANIMAL CONTROL OFFICER (S); PROVIDING FOR THE RESTRAINT, CONFINEMENT, ADOPTION, AND DISPOSAL OF STRAY, DANGEROUS, OR NUISANCE ANIMALS; PROVIDING REGULATIONS FOR THE TREATMENT, CARE AND USE OF ANIMALS; PROVIDING FOR ENFORCEMENT, PENALTIES AND FINES; PROVIDING FOR THE USE OF REVENUES COLLECTED; PROVIDING FOR AN EFFECTIVE DATE.

ATTORNEY GOODMAN UPDATED THE BOARD ON THE COMMITTEE HAVING HAD A COUPLE OF MEETINGS TO DISCUSS THE DOG ORDINANCE. THIS BOARD COMMISSIONED A GROUP OF INDIVIDUALS AND THE COUNTY MANAGER TO SIT DOWN AND REVIEW THE DOG ORDINANCE; THIS CAME BY INPUT FROM THE PARK AND RECREATION DEPARTMENT, MR. CORBIN AND SEVERAL INTERESTED INDIVID-

UALS THROUGHOUT THE COMMUNITY. THE GROUP PRESENTED IT TO THE BOARD AND DISCUSSED IT IN THE JULY WORKSHOP AS WELL AS THE AUGUST WORKSHOP. THE GROUP RECEIVED FEEDBACK FROM SEVERAL OF THE COMMISSIONERS AND ATTEMPTED TO IMPLEMENT SOME OF THE CHANGES BEING RECOMMENDED. THE BASIS OF THE DOG ORDINANCE WAS TO TRY AND TAKE SURROUNDING COUNTIES, JACKSON, SANTA ROSA AND WALTON COUNTY ORDINANCES AND MAKE THEM MORE APPLICABLE TO PEOPLE IN WASHINGTON COUNTY. THE GROUP FEELS LIKE THE PEOPLE WILL BE PROUD OF THE DRAFTED ORDINANCE AND HOPEFULLY THEY CAN USE IT FOR THE BETTERMENT OF OUR CITIZENS.

CHAIRMAN PATE ASKED IF ANY OF THE COMMISSIONERS HAD ANY COMMENTS OR QUESTIONS PERTAINING TO THE PROPOSED DOG ORDINANCE.

COMMISSIONER BROCK EXPRESSED APPRECIATION FOR THE OUTSTANDING JOB STEVE, DAVID AND THE COMMITTEE DID WITH THE DOG ORDINANCE. HE HAD DISTRIBUTED SEVERAL COPIES THROUGHOUT THE COMMUNITIES TO PEOPLE THAT WERE CONCERNED AND IT WOULD AFFECT. THESE PEOPLE CAME BACK WITH VERY POSITIVE STATEMENTS ON THE PROPOSED ORDINANCE. HE ADDRESSED HIM BEING WELL PLEASED WITH THE ORDINANCE HIMSELF.

COMMISSIONER PATE AND MR. JOYNER SAID THEY ALSO DISTRIBUTED SOME COPIES OF THE PROPOSED DOG ORDINANCE TO SOME HOG HUNTERS AS WELL AND HAVEN'T RECEIVED ANY FEEDBACK OR CONCERNS.

ATTORNEY GOODMAN EXPLAINED THE CONCEPT THE GROUP TRIED TO BASE THE DOG ORDINANCE UNDER WAS TO GIVE THE ANIMAL CONTROL OFFICERS AUTHORITY TO ACT WHEN THEY NEEDED TO ACT; BUT, NOT TO DISTURB THE CONCERNS OF THE PEOPLE OF WASHINGTON COUNTY BECAUSE THEY DRAFTED IT FOR WASHINGTON COUNTY AND NOT OTHER COUNTIES. THE DISCUSSIONS IN THE GROUP WAS HOW TO DRAFT THE ORDINANCE WHERE THEY CAN ACCOMPLISH THAT AND HOPEFULLY THE PROPOSED ORDINANCE WILL GET THEM IN A BETTER DIRECTION BEING ABLE TO DO THAT.

COMMISSIONER PATE ASKED IF ANYONE IN THE AUDIENCE HAD ANY QUESTIONS OR COMMENTS PERTAINING TO THE PROPOSED DOG ORDINANCE.

DEANNA THOMAS, 3151 PEKIN ROAD ON THE WASHINGTON/HOLMES COUNTY LINE ROAD, REFERRED TO HER HAVING LIVED AT THIS ADDRESS FOR THREE

YEARS AND HER NEIGHBORS' DOGS KEEP COMING IN HER YARD AND KILLING HER CHICKENS. SHE ADDRESSED HER HAVING A CHICKEN BOOK SHE PURCHASED FROM TRACTOR AND SUPPLY WHICH STATES A CHICKEN WILL LAY UP TO 2,000 EGGS A YEAR. SHE SAID IF THESE DOGS COME INTO HER YARD AND KILLS A CHICKEN THAT IS A LOT OF MONEY SHE MISSES OUT ON. SHE HAS CALLED THE LAW AND ANIMAL CONTROL AND THE NEIGHBOR STILL LETS HIS DOGS OUT; SHE FIRED A GUN TO SCARE THE DOGS OFF HER PROPERTY. THE NEIGHBOR'S DOGS HAS KILLED TWO MORE CHICKENS SINCE THIS INCIDENT. SHE SAID THESE DOGS HAVE EVEN GOTTEN AFTER HER CHILDREN. THE NEIGHBOR KEEPS TELLING EVERYBODY HIS DOGS AREN'T GETTING OUT. SHE QUESTIONED HOW IS HER CHICKENS DYING IF HIS DOGS AREN'T GETTING OUT.

CHAIRMAN PATE ASKED DAVID CORBIN TO TAKE CARE OF THIS ANIMAL CONTROL ISSUE. PATE ALSO TOLD MS. THOMAS SHE MIGHT WANT TO FILE A FORMAL COMPLAINT WITH ANIMAL CONTROL.

DUE TO THERE BEING NO ONE ELSE WISHING TO SPEAK ON THE PROPOSED DOG ORDINANCE, COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER STRICKLAND AND CARRIED TO CLOSE THE PUBLIC HEARING ON THE DOG ORDINANCE.

CHAIRMAN PATE CALLED THE REGULAR MEETING BACK TO ORDER. COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER STRICKLAND AND CARRIED TO ADOPT THE DOG ORDINANCE AS READ.

CONSENT AGENDA: COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO ADOPT THE CONSENT AGENDA AS PRESENTED:

A. APPROVAL FOR CLERK OF COURT TO PAY VOUCHERS FOR AUGUST 2011 TOTTALLING \$2,010,852.91.

B. APPROVAL OF RESOLUTION GIVING FL-DOT TEMPORARY USE OF CERTAIN LANDS NOW OWNED BY WASHINGTON COUNTY TO CONSTRUCT OR IMPROVE RIVER ROAD; FINANCIAL PROJECT NO. 4134811.

C. APPROVAL OF RESOLUTION GIVING FL-DOT TEMPORARY USE OF CERTAIN LANDS NOW OWNED BY WASHINGTON COUNTY TO CONSTRUCT OR IMPROVE DUNCAN COMMUNITY ROAD; FINANCIAL PROJECT 4134821.

D. APPROVAL OF RESOLUTION AND QUIT CLAIM DEED AUTHORIZING FL-DOT TO CONSTRUCT OR IMPROVE STATE ROAD NO. 79, F.P. NO. 2207738; STATE ROAD NO. 79 AND UNION HILL ROAD.

E. APPROVAL OF ANNUAL RENEWAL CONTRACT BETWEEN WASHINGTON COUNTY COUNTY COMMISSIONERS AND WASHINGTON COUNTY HEALTH DEPARTMENT AND APPROVAL OF CHD FEE SCHEDULE FOR 2011-2012.

F. APPROVAL OF TAX COLLECTOR, HELEN MCENTYRE, REQUEST TO AUTHORIZE AND DIRECT THE PROPERTY APPRAISER TO CERTIFY AND EXTEND THE 2011 TAX ROLL PRIOR TO THE COMPLETION OF THE VAB HEARINGS PURSUANT TO FLORIDA STATUTES 197.323. THIS WILL AVOID DELAYING THE MAILING OF TAX BILLS BEYOND NOVEMBER 1, 2011.

G. APPROVAL TO ADOPT UPDATED COMPREHENSIVE EMERGENCY MANAGEMENT PLAN FOR WASHINGTON COUNTY.

H. APPROVAL OF ADDENDUM TO CONTRACT FOR LEGAL SERVICES IN AN EFFORT TO ALTER FEE SCHEDULE AND BILLING PRACTICES.

ROGER HAGAN ADDRESSED THE BOARD ON THE BUDGET THAT WAS PASSED AT THEIR FIRST PUBLIC BUDGET HEARING BEING BALANCED INCLUDING THE FIRE SERVICES BUDGET. HE UPDATED THE BOARD ON THE WASHINGTON COUNTY FIREFIGHTERS ASSOCIATION OVER THE YEARS HAVE DEVOWED A COUPLE OF GOVERNMENT ORDINANCES AND DOCUMENTS FOR THEIR OWN INTERNAL OPERATIONS; BUT, IT DETAILS INTO THINGS THAT COMMISSIONERS DOES IN REFERENCE PROVIDES FUNDING, FIRE SERVICES FOR THE COUNTY. AT THE ASSOCIATION'S MEETING LAST WEEK, THEY LOOKED AT THE MONIES LEFT OVER IN PUBLIC

SAFETY OR CONTINGENCY LINE. THEY WERE COMBINED A FEW YEARS AGO SO THEY DIDN'T HAVE TWO POTS OF MONEY THEY WERE OPERATING. THEY MADE ONE FUND A LINE ITEM IN THE WHOLE BUDGET AND ALLOWED THAT MONEY TO CARRY FORWARD AND GROW TO DO SOME THINGS WHETHER IT BE ENHANCEMENT OR A COUNTY WIDE SITUATION. OVER THE LAST COUPLE OF YEARS, THIS HAS KIND OF DIMINISHED. THE WCFA WOULD LIKE TO PRESENT BUDGETS TO THE BOARD FOR THE FINAL HEARING WHERE THAT LINE ITEM WILL NOT BE CARRIED FORWARD FROM YEAR TO YEAR; IT WILL CONTINUE TO BE FUNDED AT \$25,000, WHICH THE RESOLUTION THEY ADOPTED CALLS FOR NOW. BUT, EACH YEAR, IT WILL BE FUNDED WITH THE INITIAL \$25,000; IF IT IS NOT USED AT THE END OF THE YEAR IT WILL BE BROUGHT BACK INTO ALL THE CARRY FORWARD AND BE REDISTRIBUTED. THAT WILL ALLOW THEM TO REDISTRIBUTE ABOUT \$22,000 THIS YEAR; NOT ADDITIONAL MONEY BUT MONEY THAT IS ALREADY IN THAT BUDGET SITTING ON A LINE ITEM. THIS WILL HELP MAKE UP THE SHORTFALL IN THE HALF MIL. IF THE BOARD AGREES TO DO THAT, WCFA WILL PRESENT THE BUDGET TO THE CLERK'S OFFICE FOR PUBLISHING AND IN OCTOBER WILL PRESENT THE BOARD A NEW RESOLUTION THAT SANCTIONS THEIR ACTION. HE HAD PROVIDED THE BOARD A COPY OF THE MINUTES FROM THE WCFA WHERE IT WAS UNANIMOUSLY APPROVED TO DO THIS. IF THIS IS AGREEABLE TO THE BOARD, WCFA WOULD LIKE AT THE BOARD'S NEXT WORK SHOP TO PRESENT A NEW FUNDING RESOLUTION THAT DISTRIBUTES THAT MONEY AND CHANGES THE FUNDING OF THAT ONE LINE ITEM SO THAT IT IS REPEATED EVERY YEAR; BUT, IT DOESN'T INCREASE OR ROLLOVER. WHEN THE FUNDING GETS BETTER, FUTURE BOARDS OR WCFA MEMBERS MAY WANT TO GO BACK TO DO SOMETHING DIFFERENT; BUT, RIGHT NOW THEY NEED ALL THE MONEY IN THEIR OPERATIONS BUDGET THEY CAN GET.

COMMISSIONER ABBOTT ASKED WHERE THE FUNDS FOR THE FIRE DEPARTMENTS COME FROM. MR. HAGAN ADVISED THE FUNDS CAME FROM THE HALF MIL FUNDED BY THE BOARD; THE FIRST \$25,000 THEY FUND THE FORESTRY, AND THE NEXT \$25,000 FUNDS THIS CONTINGENCY LINE ITEM. IT USE TO BE A SEPARATE BUDGET BY ITSELF; THAT IS WHERE IN THE COURSE OF A YEAR IF ANY DEPARTMENT EXCEEDS ITS BUDGET OR HAS A TREMENDOUS

EMERGENCY, ETC., THEY CAN COME BACK WITH A VOTE OF THE PUBLIC SAFETY COMMITTEE WHICH IS, HIMSELF, RANDY TRUETTE AND THE WCFA DIRECTOR TO GET MONIES OUT OF THAT \$25,000 TO FIX A TRUCK, ETC. IT IS FUNDED BEFORE THE DISTRIBUTION IS MADE.

COMMISSIONER ABBOTT, FOR HIS CLARIFICATION, SAID THE BOARD IS FUNDING A HALF MIL TO THE FIRE DEPARTMENTS; IT COMES TO A CERTAIN NUMBER AND THAT ALLOCATION GOES TO EACH FIRE DEPARTMENT BASED OFF THE ALLOCATION. THE MONEY THAT IS NOT SPENT FROM THAT ALLOCATION IS GOING INTO A POT AND BEING REDISTRIBUTED.

MR. HAGAN SAID "NO SIR." IT IS BEING DISTRIBUTED ON A LINE ALONG WITH THE DEPARTMENTS FROM THE BEGINNING; IT IS THERE ALL THE TIME. THE DIFFERENCE IN THAT IS THE FIVE MUNICIPALITIES IS FUNDED BY A FUNDING AGREEMENT; THEY GET SO MUCH FUNDING AND THEIR QUARTERLY REPORT SAYS HOW THAT GOES, WHERE IT HAPPENS, ETC. THE OTHER FIRE DEPARTMENTS ARE BEING ADMINISTERED BY A PURCHASE ORDER AND THIS LINE ITEM WILL BE ADMINISTERED BY A PURCHASE ORDER BASED ON A VOTE BY THE PUBLIC SAFETY COMMITTEE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS. IT IS NOT JUST MONEY THE WCFA CAN WRITE A PURCHASE ORDER ON. ALSO WITH THAT, IT APPEARS THIS IS THE BUDGET THE FIRE DEPARTMENTS ARE GOING TO BE WORKING WITH, THEY NEED TO GET THE FUNDING AGREEMENTS OUT. UNLESS THERE IS SOME OBJECTIONS, THEY ARE GOING TO START WITH THE FUNDING AGREEMENTS WITH THE CITIES PROBABLY THIS WEEK.

COMMISSIONER BROCK QUESTIONED THE AMOUNT IN THE FIRE DEPARTMENTS CONTINGENCY LINE ITEM. MR. HAGAN ADVISED IT WOULD BE \$25,000.

COMMISSIONER BROCK QUESTIONED WHAT THE NEW LINE ITEM WOULD BE COMING INTO THE 2011-2012 BUDGET. MR. HAGAN ADVISED IT WOULD BE \$25,000. THERE IS \$22,000 ON THAT LINE ITEM NOW; IF THEY DO NOT ALLOW THAT DISTRIBUTION, THAT WILL GO TO \$47,000. BUT, THE WCFA IS ASKING THE BOARD TO DISCONTINUE THE CARRY FORWARD, LET THEM DISTRIBUTE THAT \$22,000 BECAUSE OF WHAT THE FIRE DEPARTMENTS ARE LOSING WITH THE DIFFERENCE IN THE HALF MIL. EVERY YEAR IT WILL BEGIN WITH \$25,000 AND THEY WILL HAVE \$25,000 THROUGHOUT THE YEAR; IF THEY SPEND IT ALL,

IT IS ALL GONE.

COMMISSIONER BROCK QUESTIONED IF THEY DON'T USE THE \$25,000, DOES IT CARRY OVER. ROGER EXPLAINED IF THE BOARD DOES WHAT WCFA IS ASKING TODAY, IT WON'T CARRY OVER ON THAT LINE ANY LONGER. IT WILL GO BACK INTO CASH CARRY FORWARD AND NEXT YEAR'S HALF MIL AND DISTRIBUTED BY THE FORMULA AND A NEW \$25,000 WILL GO ON THE LINE. THE REASON THE FUNDING IS NOT BEING USED NOW IS BECAUSE WITH THE HALF MIL, THE FUNDING GOT SO MUCH BETTER MOST OF THE DEPARTMENTS WAS ABLE TO DO THEIR MAINTENANCE AND HAS BEEN FOR THE LAST FOUR TO FIVE YEARS. THAT MADE THAT MONEY INCREASE. WHAT WCFA WOULD LIKE TO DO IS GET \$100,000 OR \$200,000 OVER A COURSE OF SIX TO EIGHT YEARS AND THEN BUY SOMETHING SUPER DUPER FOR THE WHOLE COUNTY OR START A CENTRAL DEPARTMENT. THIS IS PART OF THE EVOLUTION THE BOARD HAS BEEN ON FOR SEVERAL YEARS TO GET TO BETTER FIRE PROTECTION.

COMMISSIONER BROCK QUESTIONED WHO DETERMINES THE FUNDING FOR THE ALLOTMENTS TO THE FIRE DEPARTMENTS. HE SEES SUCH A BIG GAP BETWEEN THE DEPARTMENTS; SOMETIMES \$30,000.

MR. HAGAN EXPLAINED THE FUNDING WAS PROVIDED BY THE BOARD WITH A HALF MIL AND IS DISTRIBUTED BY A FUNDING FORMULA THE BOARD SET UP IN 1998 OR 1999. IT HAS BEEN REVISED AS POPULATION SHIFTS, ETC. HAVE CHANGED. THE BOARD CONTRACTED WITH GSG OUT OF TALLAHASSEE TO DO A FUNDING FORMULA WHICH THE BOARD AND WCFA AGREED ON; THE FORMULA BREAKS IT DOWN INTO FOUR OR FIVE FACTORS, THAT COMES UP WITH THAT PERCENT OF THE TOTAL FIRE SERVICES AND THAT PERCENT IS APPLIED AGAINST THE MONIES.

COMMISSIONER BROCK SAID IT IS ACCORDING TO POPULATION AND ASKED IF THE FACTORS OF HOW MANY RUNS A FIRE DEPARTMENT MAKES A YEAR OR ANYTHING DETERMINING THAT.

MR. HAGAN EXPLAINED SOME OF THE FACTORS ARE LAND AREA, RUNS, NUMBER OF PEOPLE ON THE ROSTER, ETC.

COMMISSIONER BROCK REFERRED TO HIM LOOKING AT THAT AND SAYS



THIS DEPARTMENT IS NOT RESPONDING VERY MUCH; BUT, YET THEY ARE GETTING SOME OF THE GREATER FUNDING.

MR. HAGAN EXPLAINED NEXT YEAR THAT DEPARTMENT MIGHT MAKE SIX TIMES AS MANY RUNS AS IT DID THIS YEAR; YOU NEVER KNOW HOW MANY RUNS A DEPARTMENT IS GOING TO MAKE. THE WCFA HAS ALREADY LOOKED AT THAT AND HAVE ALREADY VOTED AMONG THEMSELVES THAT NEXT YEAR THE DISTRIBUTION FORMULA NEEDS TO BE CHANGED AGAIN BECAUSE THE BOUNDARY LINES HAVE BEEN CHANGED; ONE DEPARTMENT HAS TAKEN IN A LITTLE MORE AREA WITH A LITTLE MORE POPULATION. A COUPLE OF THE OLDER DEPARTMENTS IS GOING TO LOSE A LITTLE BIT OF MONEY; NOT BY THE VALUE OF THE MIL BUT BY REDISTRIBUTION OF THE FUNDS THAT ARE THERE. IT CHANGES FROM TIME TO TIME. THE REASON IT DIDN'T CHANGE IN THE LAST SEVERAL YEARS IS EVEN THOUGH THE HALF MIL WENT DOWN THE LAST COUPLE OF YEARS, THE BOARD CHOSE TO KEEP THE FIRE FUNDING THE SAME AS IT HAD BEEN. THE BOARD HAS ACTUALLY REDISTRIBUTED MORE MONIES THE LAST COUPLE OF YEARS THAN WHAT THE TRUE MIL WAS; IF THE FIRE DEPARTMENTS HAD TAKEN \$300 TO \$400 OR \$800 TO \$1,000 ONE YEAR THEN THE NEXT YEAR IT WOULD HAVE BEEN EASIER TO WORK IN THEIR BUDGET THAN COMING UP ALL AT ONE TIME AND LOSING \$5,000 OR \$6,000. THAT IS WHY WCFA IS ASKING THE BOARD TO ALLOW THEM TO REDISTRIBUTE THAT \$22,000 TO MAKE UP FOR THAT SUDDEN DECREASE. THE BOARD COULDN'T JUST CONTINUE TO GIVE THE \$498,000 ANY MORE; THEY HAD TO GO BACK TO THE HALF MIL AND THE WCFA UNDERSTANDS THAT.

COMMISSIONER ABBOTT QUESTIONED IF THE WCFA IS STILL IN SUPPORT OF THE ALLOCATION FACTORS. MR. HAGAN ADVISED THEY WERE; WHAT HE IS ASKING THE BOARD TODAY WAS UNANIMOUSLY VOTED ON BY THE WCFA AND IS THE CHIEFS' CHOICE.

COMMISSIONER STRICKLAND SAID WITHIN THE NEXT MONTH HE WOULD LIKE TO MEET WITH THE FIRECHIEFS AND THE BOARD IN A WORKSHOP SO THEY COULD FOLLOW UP AND SEE WHAT THEY COULD DO BETTER WITH THE LESS MONEY THEY HAVE.

MR. HAGAN SAID MR. JOYNER CAN LET THE WCFA KNOW WHEN THEY WOULD

LIKE TO HOLD A WORKSHOP AND THEY WOULD TRY AND SCHEDULE IT. COMMISSIONER ABBOTT SAID HE WOULD LIKE TO SEE ALL FIRE DEPARTMENTS REPRESENTED. MR. JOYNER SAID THEY COULD HOLD A WORKSHOP AT THE OCTOBER WORKSHOP IF THAT IS THE PLEASURE OF THE BOARD.

MR. HAGAN ASKED IF THE WCFA COULD DO WHAT THEY ARE ASKING FOR AND THEN BRING THE RESOLUTIONS, ETC. NEXT WEEK. THE EXECUTIVE OFFICERS ARE REVIEWING IT NOW TO MAKE SURE THEY HAVE EVERYTHING IN IT THEY VOTED ON. HE HAD PREPARED IT FOR THEM AND THE WCFA HAS TO APPROVE IT AND THEN HE WILL BRING IT TO THE BOARD.

DEPUTY CLERK GLASGOW EXPLAINED THE BOTTOM LINE OF THE FIRE SERVICES BUDGET WOULDN'T CHANGE; THE LINE ITEMS WOULD. THEREFORE, IT WON'T AFFECT THE BUDGET THE BOARD WILL BE VOTING ON TOMORROW NIGHT. HOWEVER, SHE AGREED HE WOULD NEED TO RESUBMIT HIS LINE ITEM BUDGET.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO APPROVE OF WCFA'S REQUEST TO CONTINUE FUNDING CONTINGENCY LINE ITEM IN FIRE OPERATIONS BUDGET AT \$25,000 EACH YEAR; AT END OF YEAR ANY UNUSED PORTION OF THIS LINE ITEM BE CARRIED FORWARD AND REDISTRIBUTED TO THE FIRE DEPARTMENTS IN ACCORDANCE WITH THE GSG FUNDING FORMULA. DEPUTY CLERK GLASGOW ASKED IF THE BOARD WAS APPROVING OF MR. HAGAN DISTRIBUTING THE FIRE DEPARTMENT AGREEMENTS SOMETIME THIS MONTH. THEY AGREED THIS WAS TO BE MADE PART OF THE MOTION.

CLIFF KNAUER, COUNTY ENGINEER, UPDATED THE BOARD ON PROJECTS:

A. AT THE LAST BOARD MEETING, THE BOARD AWARDED THE FEMA MITIGATION PROJECTS FOR \$384,000 TO GULF GROUP INCORPORATED. THE BOARD'S DIRECTION WAS TO GO BACK TO THE CONTRACTOR AND MAKE SURE THEY WOULD HOLD THEIR PRICES AND MAKE SURE THERE WAS NO PROBLEM WITH THEM MOVING FORWARD SINCE IT HAD BEEN SEVERAL MONTHS SINCE THE PROJECT HAD BEEN BID. THE CONTRACTOR CHECKED WITH THEIR SUPPLIERS AND ARE ACCEPTING THE AWARD OF THE FEMA MITIGATION PROJECTS AT THEIR BID PRICE. THE ONLY PROBLEM IS WITH FL-DOT MOVING

FORWARD ON THE CONSTRUCTION OF THE BRIDGE AT RIVER ROAD, THE LOW WATER CROSSING AWARDED AT THE LAST COMMISSION MEETING WOULD HAVE BEEN INCLUDED IN THE LIMITS OF THE BRIDGE WORK ON RIVER ROAD, WHICH IS APPARENTLY GOING TO BE UNDER CONSTRUCTION NEXT YEAR. HE HAS TAKEN THE LIBERTY TO REMOVE THE RIVER ROAD LOW WATER CROSSING, WHICH WILL BE TORN OUT WHEN FL-DOT BUILDS THE BRIDGE, FROM THE CONTRACT AND REDID THE NOTICE OF AWARD AND AGREEMENT. THIS REDUCED THE CONTRACT AMOUNT WITH GULF GROUP TO \$321,474. THE RIVER ROAD PORTION OF THE FEMA HAZARD MITIGATION CONTRACT WILL BE ELIMINATED SINCE IT WILL BE TORN OUT NEXT YEAR. HE DOESN'T KNOW IF THE BOARD WOULD HAVE ANY LIABILITY WITH FEMA; BUT, CERTAINLY THEY KNOW THEY HAVE TWO OVERLAPPING PROJECTS RIGHT NOW. IT DIDN'T MAKE SENSE FOR HIM TO GO FORWARD WITH IT KNOWING THOSE CREWS WOULD TEAR IT OUT WHEN THEY COME. HE DOESN'T KNOW IF THIS REQUIRES BOARD ACTION OR IF THE BOARD WOULD LIKE TO DISCUSS THIS FURTHER. HE DON'T KNOW IF THE BOARD WANTS TO TRY AND KEEP THE LOW WATER CROSSING ON THE RIVER ROAD PROJECT IN GULF GROUP'S CONTRACT KNOWING IT IS GOING TO BE TORN OUT WHEN FL-DOT DOES THE RIVER ROAD BRIDGE.

COMMISSIONER BROCK GAVE HIS OPINION THE BRIDGE IS DIFFERENT THAN A LOW WATER CROSSING. THE LOW WATER CROSSING IS JUST SOUTH OF THE BRIDGE WHERE THE RIVER CROSSES THE DIRT ROAD; WITH THE BRIDGE CONSTRUCTION, IS IT GOING TO HAVE THE LOW WATER CROSSING IN WITH IT.

CLIFF EXPLAINED FL-DOT IS RAISING UP RIGHT WHERE THE LOW WATER CROSSING IS GOING TO GO TO THE APPROACH OF THE NEW BRIDGE. IF THE COUNTY PUTS THE LOW WATER CROSSING IN WHERE THEY HAVE IT LINED UP TO GO RIGHT NOW, IT WOULD BE TORN OUT AND FILLED TO TIE IN TO THE SOUTH END OF THE APPROACH OF THE NEW BRIDGE.

COMMISSIONER ABBOTT QUESTIONED IF THE AMOUNT THAT WAS PUT IN FOR THE LOW WATER CROSSING THAT HAS BEEN AWARDED WOULD BE TAKEN OUT BECAUSE THAT IS NOT GOING TO BE A FACTOR. CLIFF AGREED THE SAME AMOUNT WOULD BE TAKEN OUT.

CLIFF SAID HE HAD SENT THE NOTICE OF AWARD AND AGREEMENT TO

MS. ZOLA LAST WEEK AND SHE HAS IT READY FOR THE CHAIRMAN TO SIGN.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER STRICKLAND AND CARRIED TO APPROVE OF THE CHANGE IN THE AGREEMENT AND NOTICE OF AWARD TO GULF GROUP INC. DECREASING THE AMOUNT FOR THE LOW WATER CROSSING ON RIVER ROAD.

B. TIGER III GRANT-CLIFF UPDATED THE BOARD ON HIM SUBMITTING THE PREAPPLICATION TO THE US DEPARTMENT OF TRANSPORTATION AND ONE OF THE ITEMS ON THE PREAPPLICATION HE THOUGHT WOULD HELP THEM WITH POINTS AND OVERALL SAFETY WOULD BE IF IT WAS MULTI-MOBILE, THEY WOULD GIVE YOU ADDITIONAL POINTS ON YOUR SCORE. HE THOUGHT THEY COULD ADD PAVED SHOULDERS SO THEY WOULD HAVE A 24' ROAD WITH PAVED SHOULDERS AND THE PAVED SHOULDERS WOULD GIVE THEM THE POINTS NECESSARY FOR BEING MULTI-MOBILE. HE MADE THE BOARD AWARE HE HAS PAVED SHOULDERS INCLUDED IN THE GRANT APPLICATION. HE ADDRESSED OCTOBER 3RD IS WHEN THE FINAL IS DUE AND HE PLANS ON CONTACTING THE US DEPARTMENT OF TRANSPORTATION THIS WEEK TO SEE IF THEY HAVE ANY QUESTIONS ABOUT WHAT WAS SUBMITTED LAST WEEK.

COMMISSIONER BROCK ADDRESSED SIDEWALKS BEING PUT FROM VERNON HIGH SCHOOL, MIDDLE SCHOOL ALONG HIGHWAY 79 AND THE MOWERS WENT THROUGH AND COULDN'T MOW. THIS IS A COUPLE OF MILES OF MAINTENANCE THAT IS GOING TO HAVE TO BE DONE WITH WEED EATERS AND REFERRED TO THE COUNTY CREWS STAYING ON ORANGE HILL ALL THE TIME WITH WEED EATERS DOING MAINTENANCE. HE MADE THE BOARD AWARE THERE IS A LOT OF MAINTENANCE ON THE SIDEWALK GRANTS; THEY CAN'T MOW WITH THE BACKWINGS AND THIS ELIMINATES THE MOWERS. IT CREATES A BIG MAINTENANCE PROBLEM AND THE COUNTY DON'T HAVE THE MANPOWER.

COMMISSIONER PATE AGREED WITH COMMISSIONER BROCK; BUT, POINTED OUT THOSE GRANTS ARE CTST GRANTS. CLIFF SAID THEY COULD HAVE BEEN DONE THROUGH THE SAFE SCHOOL ROUTES PROGRAM. HE EXPLAINED THE COUNTY IS RESPONSIBLE FOR MAINTENANCE AFTER THEY ARE BUILT.

COMMISSIONER ABBOTT ASKED IF THE CTST BOARD HAD SUBMITTED HIS

REQUEST FOR A TRAFFIC SIGNAL AT ORANGE HILL/BRICKYARD ROAD. CLIFF WASN'T AWARE OF THIS PROJECT BEING SUBMITTED.

COMMISSIONER ABBOTT ASKED IF THE CTST BOARD HAD DISCOVERED THAT AS A SAFETY HAZARD.

CLIFF AGREED THEY HAD AND A TURN LANE WARRANT ANALYSIS WAS DONE ON IT ABOUT FIVE TO SIX YEARS AGO WHEN ORANGE HILL ROAD WAS DONE.

COMMISSIONER ABBOTT ASKED IF IT WOULD BE APPROPRIATE FOR THE CTST TO CONSIDER PUTTING THE TRAFFIC SIGNAL AT ORANGE HILL/BRICKYARD ROAD AT THE TOP OF THEIR LIST AS A SAFETY HAZARD.

CLIFF AGREED TO PUT A PACKET TOGETHER TO SUBMIT TO THE CTST THAT WOULD INCLUDE THE TRAFFIC SIGNALIZATION ALONG WITH THE RIGHT TURN LANE ON ORANGE HILL/BRICKYARD ROAD. COMMISSIONER ABBOTT REQUESTED THIS BE PROVIDED TO THE DISTRICT SECRETARY AT FL-DOT, MR. BARFIELD.

COMMISSIONER BROCK ASKED CLIFF IF HE HAD SAID AT THE LAST BOARD MEETING THERE WAS SOME MONEY LEFT OVER FOR SAFETY. CLIFF EXPLAINED THERE WAS SOME MONEY LEFT OVER FROM SAFETY AND FL-DOT PUT OUT A BLAST EMAIL LOOKING FOR SAFETY PROJECTS A WEEK AGO.

COMMISSIONER BROCK WOULD LIKE, IF THE COUNTY IS LOOKING FOR PROJECTS, STOP BARS BE PLACED AT INTERSECTIONS AND DEAD END ROADS COUNTY WIDE.

CLIFF UPDATED THE BOARD ON AN OPTION TO PUT DOWN THE ONE PIECE THERMO PLASTIC STOP BARS THEY CAN PUT DOWN WITH A HEATER OR TORCH WHICH IS SOMETHING THE COUNTY MAY BE ABLE TO DO THEMSELVES IN THE FUTURE. THEY WOULD HAVE TO PURCHASE ALL THOSE. HE AGREED TO SUBMIT THE STOP BAR PROJECTS COUNTY WIDE TO FL-DOT.

REPORT FROM COUNTY ATTORNEY, JEFF GOODMAN:

A. ATTORNEY GOODMAN UPDATED THE BOARD ON THE BAY COUNTY/NORTHWEST FLORIDA WATER MANAGEMENT LITIGATION. IT STARTED LAST MONDAY; THE JUDGE GAVE THE PARTIES FRIDAY OFF TO FINISH UP SOME MOTIONS WITH RESPECT TO SOME THINGS THAT ARE OUTSTANDING FROM A LEGAL PROSPECTIVE. THEY ARE IN FULL SWING WITH THAT LITIGATION.

THEY HAVE BEEN KEEPING HIM ABREAST OF WHAT IS GOING ON THROUGH MR. JOHN THOMAS. A DATE HAS BEEN SET WHERE THE ADMINISTRATIVE LAW JUDGE IS GOING TO COME TO WASHINGTON COUNTY FOR THE PUBLIC HEARING PART OF THE LITIGATION PROCESS; THE BOARD ROOM HAS BEEN RESERVED FOR THAT ENTIRE DAY. THEY WILL MAKE SURE THE PUBLIC IS PUT ON NOTICE OF THAT DATE AND MAKE SURE EVERYONE IS AWARE OF THE DATE THAT MAY WANT TO PARTICIPATE IN THE PUBLIC HEARING.

B. MSBU ORDINANCE-ATTORNEY GOODMAN UPDATED THE BOARD IN THEIR AUGUST MEETING THERE WAS A MOTION TO RESTRUCTURE THE MSBU ORDINANCE AND THE MSBU BOARD IN CORRESPONDENCE WITH THAT. HE WAS TASKED WITH DRAFTING A PROPOSED UPDATED MSBU ORDINANCE. THERE WAS AN INITIAL MEETING WITH HIMSELF, COMMISSIONER CARTER, JOYNER AND SOME OF THE DESIGNEES. MR. GOODMAN APOLOGIZED BECAUSE HE WAS A LITTLE CONFUSED AS TO WHAT THE POTENTIAL STRUCTURE WAS GOING TO BE. AFTER DISCUSSING IT WITH MR. JOYNER AND MR. CARTER, HE MADE A RECOMMENDATION HE WOULD PREFER THE BOARD BE IN CONTROL OF ALL SEVEN APPOINTED MEMBERS TO THE NEW MSBU BOARD. THE WAY THEY LEFT IT WAS COMMISSIONER CARTER AND THIS BOARD HAD APPOINTED TWO MEMBERS AND THEN A SEVENTH TIE BREAKER MEMBER. THE TWO DESIGNATED MEMBERS, WHO WEREN'T THE TIE BREAKER MEMBER WERE GOING TO GIVE A LIST OF TWO OTHER NAMES WITH THEMSELVES; THAT WOULD BE THREE AND THREE WHICH WOULD BE SIX MEMBERS AND THE SEVENTH TIE BREAKER MEMBER. HE DISCUSSED WITH COMMISSIONER CARTER AND MR. JOYNER THE OPPORTUNITY POSSIBLY THEY COULD GET EACH DESIGNEE, WHICH HE BELIEVES IS MR. ZURICA AND MR. BAHR, TO SUBMIT A LIST OF UP TO FIVE NAMES TO THE BOARD THEY WOULD LIKE TO SEE ALONG WITH THEMSELVES AS THE ADDITIONAL TWO MEMBERS AND LET THE BOARD PICK TWO FROM THOSE FIVE. HE THINKS THAT WILL PROTECT THE BOARD FROM A LOT OF DIFFERENT AREAS WHEREBY THIS BOARD IS PICKING ALL SEVEN MEMBERS. OBVIOUSLY THERE WILL BE SOME INPUT GIVEN BY SOME OF THE POTENTIAL DESIGNEES; ULTIMATELY, IT WILL BE THE BOARD OF COUNTY COMMISSIONERS DECISION ON ALL SEVEN MEMBERS ON THE NEW MSBU BOARD. HE IS GOING TO ASK THE BOARD TO GO AHEAD AND AMEND THAT

TO REFLECT WHAT HE JUST DISCUSSED. HE HAD ALSO GIVEN THE BOARD MEMBERS AND MR. JOYNER A DRAFT COPY OF THE NEW PROPOSED MSBU ORDINANCE. HE WOULD LIKE TO DISCUSS THE PROPOSED ORDINANCE WITH ANY OF THE COMMISSIONERS WHO HAVE ANY CONCERNS. HE HAS ALREADY DISCUSSED IT WITH A COUPLE OF THE COMMISSIONERS AND MR. JOYNER; BUT, THAT DRAFT WAS GIVEN TO THEM HE THOUGHT THE FRIDAY BEFORE THE SEPTEMBER WORKSHOP. IF THEY NEED ANOTHER COPY, HE ASKED THEY LET HIM KNOW. ONCE IT IS READY TO GO, THEY WILL NOTICE THE ORDINANCE IN THE PAPER AND GET IT ADOPTED AS SUCH. HE ASKED IF THE BOARD HAD ANY QUESTIONS ON THE STRUCTURE OF THE MSBU BOARD HE IS PROPOSING.

COMMISSIONER CARTER OFFERED A MOTION TO RESCIND HIS PREVIOUS MOTION ON THE METHOD OF SELECTION OF THE MSBU BOARD AND RESUBMIT ANOTHER ONE. COMMISSIONER ABBOTT SECONDED THE MOTION AND IT CARRIED.

ATTORNEY GOODMAN EXPLAINED HOW HE HAD THE RESTRUCTURING OF THE MSBU BOARD DRAFTED: THE TWO SELECTED MEMBERS THAT HAVE ALREADY BEEN SELECTED TO THE COMMITTEE ALONG WITH THEIR TWO DESIGNEES IS TO PRESENT A LIST OF FIVE NAMES AND THE TWO DESIGNEES CAN BE ON THAT LIST OF FIVE; ULTIMATELY, THE BOARD OF COMMISSIONERS WILL PICK THE TWO ADDITIONAL MEMBERS FROM MR. BAHR AND MR. ZURICA; THAT WILL GIVE THEM SIX MEMBERS AND THE SEVENTH MEMBER, WHICH IS THE TIE BREAKING MEMBER AND THE CHAIR OF THE MSBU BOARD HAS ALREADY BEEN SELECTED AS WELL. THEY HAVE THREE MEMBERS AND HE IS PROPOSING TO GET A LIST OF FIVE FROM MR. ZURICA AND A LIST OF FIVE FROM MR. BAHR; THERE WILL BE A LIST OF TEN POTENTIAL MEMBERS TOTAL AND THE BOARD WILL PICK FOUR OF THOSE AND THAT WILL BE THE ADDITIONAL MEMBERS. HE WILL NEED A MOTION APPROVING OF THIS RESTRUCTURING OF THE MSBU BOARD.

COMMISSIONER BROCK ASKED FOR CLARIFICATION ON THE RESTRUCTURING OF THE MSBU BOARD. ATTORNEY GOODMAN EXPLAINED AGAIN RIGHT NOW THEY HAVE THREE MEMBERS CHOSEN; MR. BAHR, MR. ZURICA AND MR. WARD. THEY NEED TO GET FOUR MORE MEMBERS; THE WAY IT WAS ORIGINALLY STRUCTURED THAT HAS BEEN RESCINDED IS MR. BAHR AND MR. ZURICA WERE GOING TO

GIVE THE NAMES OF TWO MORE MEMBERS EACH TO THIS BOARD AND THAT WOULD GIVE THEM SEVEN MEMBERS. AFTER DISCUSSING THE MOTION WITH MR. CARTER THAT WAS APPROVED AT THE AUGUST MEETING AND TALKING ABOUT IT WITH MR. JOYNER, HE FELT IT WOULD BE BETTER FOR THE BOARD OF COUNTY COMMISSIONERS TO HAVE ULTIMATE CONTROL OF APPOINTING EVERYBODY THAT IS GOING TO BE ON THE MSBU BOARD. THE COMPROMISE THAT WAS MADE WAS MR. BAHR AND MR. ZURICA ALONG WITH SOME REPRESENTATIVES WORKING WITH THEM ARE GOING TO PRESENT FIVE NAMES FROM MR. BAHR AND MR. ZURICA AND THE BOARD WILL PICK TWO OF THOSE NAMES FROM MR. BAHR AND TWO OF THOSE NAMES FROM MR. ZURICA. INSTEAD OF MR. BAHR AND MR. ZURICA TELLING THE BOARD WHAT FOUR IT IS GOING TO BE, THEY ARE GOING TO SUBMIT A LIST OF NAMES AND THE BOARD IS GOING TO PICK FROM THOSE TWO REPRESENTATIVES EACH.

COMMISSIONER BROCK ASKED IF THESE MEMBERS CAN HOLD AN OFFICE.

ATTORNEY GOODMAN ADDRESSED THERE BEING LANGUAGE IN THE DRAFT ORDINANCE WHEREBY THEY ARE LIMITED IN THE NUMBER OF BOARDS THEY CAN SIT ON IN WASHINGTON COUNTY AND THE SUNNY HILLS COMMUNITY; SO THERE ARE LIMITATIONS TO THE NUMBER OF OFFICES THEY CAN HOLD.

WHEN COMMISSIONER PATE QUESTIONED IF THEY WERE TALKING ABOUT ELECTED OFFICES OR THIS BOARD, ATTORNEY GOODMAN SAID THERE WERE CONCERNS WHICH HE THOUGHT WAS ADDRESSED IN PREVIOUS ORDINANCES WHEREBY THERE WOULD BE TOO MUCH INTERTWINEMENT WITH SOME OF THE SOCIAL GROUPS AND OTHER GROUPS OUT IN THE SUNNY HILLS AREA AND THE WASHINGTON COUNTY AREA AS A WHOLE. THEY TRIED TO SWAY THAT BY LIMITING THE NUMBER OF BOARDS THESE NOMINATED PEOPLE CAN SIT ON.

COMMISSIONER BROCK EXPLAINED THE REASON HE IS ASKING THIS IS BECAUSE HE DON'T WANT TO GO BACK TO THE SAME THING THEY HAVE HAD OVER AND OVER DOWN THERE WHERE YOU HAVE ONE PICKING AND THE OTHER ONE PICKING, ETC.

ATTORNEY GOODMAN UPDATED THE BOARD ON A MEETING THEY HAD WITH MR. BAHR AND A COUPLE OF HIS REPRESENTATIVES AND A MEETING WITH MR. ZURICA AND HIS GROUP AS WELL ABOUT TWO WEEKS AGO; GOODMAN SAID



HE WAS AT THE MEETING ALONG WITH MR. CARTER AND MR. JOYNER. THEY HAD A FRANK DISCUSSION ABOUT WHAT WILL MAKE THIS WORK AND WHAT WILL MAKE IT FAIL. THEY TRIED TO SET IT UP IN A WAY THIS BOARD ULTIMATELY HAS CONTROL WHO WILL BE PICKED WITH INPUT FROM THE CITIZENS OF SUNNY HILLS. THEY HAVE ALSO TRIED TO SET IT UP TO HAVE A THIRD PARTY NEUTRAL INVOLVED WITH IT AS A TIE BREAKER VOTE. ULTIMATELY, IF THIS THING HAS SUCCESS OR FAILS, IT WILL BE UP TO THAT MSBU BOARD AND HOW WELL THEY ARE GOING TO WORK TOGETHER IN DOING WHAT IS BEST FOR THAT COMMUNITY OUT THERE.

COMMISSIONER BROCK SAID IT SHOULD BE; BUT, HE DON'T WANT TO COME UP HERE WITH THE NAMES FROM THE CIVIC ASSOCIATION AND THE NAMES FROM THE OTHER SIDE AND BE RIGHT BACK TO WHERE THEY STARTED SEVERAL YEARS AGO.

ATTORNEY GOODMAN REITERATED THE TWO THINGS THEY HAVE TRIED TO PUT IN PLACE TO PREVENT THAT IS: (1) TO TRY AND ENCOURAGE THE PARTIES ABOUT HAVING A GOOD OVERVIEW OF THE PEOPLE THEY SUBMIT TO THIS BOARD AND (2) THE BOARD OF COUNTY COMMISSIONERS WILL HAVE CONTROL OF THIS MSBU BOARD TO PICK TWO OF THE FIVE. SO, THEY ARE NOT GOING TO BE ABLE TO DICTATE TO THE BOARD WHO IT IS THEY ARE GOING TO PICK. (3) THEY TRIED TO IMPLEMENT A TIE BREAKER SO IF THERE IS SOME SORT OF STALEMATE OUT THERE AND THEY HAVE THREE AGAINST THREE, THERE IS THE SEVENTH MEMBER APPOINTED BY THE COUNTY COMMISSION TO ACT AS A TIE BREAKER IN CERTAIN SITUATIONS AND TO MAKE SURE THEY ARE FORCED TO COOPERATE. IF THEY HAVE AN MSBU BOARD THAT WON'T WORK WITH EACH OTHER, THEY ARE GOING TO BE AT A STALEMATE AND THIS THING WILL BE A FAILURE; BUT, THEY HAVE TRIED TO STRUCTURE THE ORDINANCE IN A WAY THEY ARE GOING TO GIVE THE MSBU BOARD AN OPPORTUNITY TO SUCCEED.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT TO AUTHORIZE MR. BAHR AND ZURICA TO SUBMIT FIVE NAMES EACH WITH THE BOARD OF COUNTY COMMISSIONERS MAKING THE SELECTION OUT OF THOSE NAMES. IF MR. BAHR AND ZURICA DOES NOT SUBMIT THE FIVE NAMES

THE BOARD OF COUNTY COMMISSIONERS WILL GO AHEAD AND MAKE THE SELECTION FROM A NUMBER OF NAMES THE COUNTY COMMISSION HAS HAD SUBMITTED FOR THE MSBU BOARD.

COMMISSIONER CARTER ADDRESSED THE MSBU HAS THE OPPORTUNITY TO START WORKING TOGETHER REGARDLESS OF WHICH SIDE, WHOSE SIDE, ETC. TO MAKE THIS WORK. IF IT DOES NOT AND THEY CAN NOT, IT WILL BE UP TO THE COUNTY COMMISSION IN HIS OPINION TO GO AHEAD AND CANCEL ALL THE EXPENDITURES OUT THERE AT THIS POINT AND APPLY EVERYTHING COLLECTED FROM THE MSBU TO THE DEBT AND PAY THE DEBT SERVICES OFF. THEY CAN GO FROM THAT POINT ON AS FAR AS ABANDONMENT.

ATTORNEY GOODMAN EXPLAINED THEY BASICALLY STRUCTURED THE ORDINANCE IN A WAY IF THE MSBU BOARD DON'T BRING SOMETHING TO THE COUNTY COMMISSION AND THEY DON'T WORK TOGETHER, THE COUNTY COMMISSION WILL MOVE ON WITHOUT THEM.

MR. ZURICA ADDRESSED THE BOARD STATING HE HAS SUBMITTED HIS FIVE NAMES AND EVIDENTLY MR. BAHR HAS REFUSED TO DO THAT. HE CAN'T SEE HOW THIS IS GOING TO WORK UNLESS THE COUNTY COMMISSION USES THE FIVE NAMES HE HAS GIVEN THEM WHICH HAS NO TIES TO ANYBODY.

COMMISSIONER CARTER SAID IF MR. BAHR DON'T SUBMIT ANY, THEY WILL HAVE THE FIVE.

COMMISSIONER ABBOTT ADDRESSED IT HAVING BEEN HIS EXPERIENCE THEY HAVE A COUPLE OF STRONG SIDES IN SUNNY HILLS THAT ARE OPPOSING THEMSELVES. HE WOULD LIKE TO SEE BOTH SIDES REPRESENTED. HE UNDERSTANDS MAYBE ONE INDIVIDUAL HAD THE OPPORTUNITY TO SUBMIT FIVE NAMES FROM THE OTHER SIDE. IF MR. BAHR IS THE INDIVIDUAL IN QUESTION, MAYBE THE COUNTY COMMISSION DID A POOR JOB OF PICKING THE CHAIR PERSON FOR THE OTHER SIDE PERHAPS. MAYBE THEY NEED TO EXPLORE.

COMMISSIONER CARTER SAID MR. BAHR HAS THE OPPORTUNITY TO SUBMIT FIVE NAMES AND HE IS SURE THE WORD WILL GET AROUND IF THAT DON'T WORK, MORE NAMES WILL BE SUBMITTED UP HERE.

ATTORNEY GOODMAN EXPECTS, NOW THAT THEY HAVE A REVISION OF THE ORDINANCE, WHICH HE FEELS IS 90% DONE, HOPEFULLY THEY WILL HAVE

A LIST FROM MR. BAHR IN OCTOBER AND HE PLANS ON PUBLISHING THE NOTICE OF THE ORDINANCE IN OCTOBER AND HOPEFULLY THEY WILL APPROVE IT IN A PUBLIC HEARING IN NOVEMBER.

THE MOTION ON THE FLOOR CARRIED UNANIMOUSLY.

ATTORNEY GOODMAN REMINDED THE BOARD AFTER THE MEETING TODAY, THERE IS A WORKSHOP SCHEDULED WITH RHYTHM.

CHAIRMAN PATE CALLED FOR A TEN MINUTE RECESS.

PURSUANT TO A RECESS, INTERIM COUNTY MANAGER, STEVE JOYNER, GAVE HIS REPORT:

A. CARR, RIGGS AND INGRAM CONTRACT-MR. JOYNER REQUESTED APPROVAL OF THE AUDITORS CONTRACT WITH CARR, RIGGS AND INGRAM. HE EXPLAINED DEPUTY CLERK GLASGOW HAS BEEN VERY PLEASED WITH THE FIRM AND HE HAS BEEN PLEASED ALSO FROM THE REPORTS HE HAS SEEN. THE FEES DIDN'T INCREASE.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK TO KEEP CARR, RIGGS AND INGRAM AS THE COUNTY AUDITORS FOR THE 2011-2012 YEAR WITH NO INCREASE IN FEES. COMMISSIONER ABBOTT ASKED MR. JOYNER IF IT WAS HIS RECOMMENDATION TO KEEP THIS AUDITING FIRM; MR. JOYNER ADVISED HE WAS RECOMMENDING THEY KEEP CARR, RIGGS AND INGRAM. THE MOTION CARRIED UNANIMOUSLY.

B. INMATE MEDICAL BILLS AT JAIL ON AN IMATE-MR. JOYNER EXPLAINED THE BOARD NEEDED TO PAY THE \$35,000 DEDUCTIBLE ON THE HUNTS INMATE MEDICAL POLICY IN ORDER FOR THE INSURANCE COMPANY TO CONTINUE NEGOTIATIONS ON THE MEDICAL BILLS.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO AUTHORIZE THE CLERK TO PAY THE \$35,000 DEDUCTIBLE.

COMMISSIONER CARTER, AS A POINT OF DISCUSSION, WANTED TO MAKE SURE ALL INCOMING BILLS ARE SUBMITTED TO THE INSURANCE COMPANY AS HE KNOWS THERE ARE STILL BILLS COMING. DEPUTY CLERK GLASGOW SAID THE INVOICES ARE UPDATED AND A LOT OF THEM BEING SENT OVER NOW ARE

DUPLICATES.

COMMISSIONER CARTER ASKED ATTORNEY GOODMAN HOW ONGOING ARE THOSE EXPENSES GOING TO BE CONTAINED AS LONG AS THIS INMATE IS STILL UNDER THAT ONE INCIDENT. ARE THEY STILL GOING TO HAVE TO PAY ALL THE BILLS HE IS INCURRING EVEN THOUGH HE IS NOT IN JAIL.

ATTORNEY GOODMAN THOUGHT, IF IT IS A CONTINUATION OF AN INCIDENT, THE WAY HE READS THE LAW IS THE BOARD WILL HAVE TO CONTINUE PAYING THE BILLS.

COMMISSIONER BROCK ADDRESSED THE NEED TO GET THE CANNING CENTER IN VERNON UP AND RUNNING FOR THE COMMUNITIES. THIS HAS BEEN TALKED ABOUT FOR SEVERAL MONTHS.

COMMISSIONER CARTER SUGGESTED COMMISSIONER BROCK SET ON THE TRI-COUNTY COMMUNITY COUNCIL BOARD AS COUNTY COMMISSION REPRESENTATIVE.

COMMISSIONER ABBOTT SAID HE DID GET THE CANNING CENTER OPENED THIS YEAR; BUT, IT WAS JUST FOR THE SHELLING; HOWEVER, THE PROBLEM THEY HAVE IS THE BOILER. TRI-COUNTY DID GET SOME MORE BIDS IN THAT WERE CONSIDERABLY CHEAPER. HE HASN'T BEEN BACK TO A TCCC BOARD MEETING SINCE THAT TIME; HE WOULD BE HAPPY TO HAND ALL THAT INFORMATION TO COMMISSIONER BROCK AND LET HIM START OFFICIALLY BEING ON THE TCCC BOARD IMMEDIATELY.

COMMISSIONER BROCK SAID HE WOULD SET ON THE TCCC BOARD FOR THAT ONE ISSUE WITH THE CANNING CENTER; BUT, THE COUNTY COMMISSION IS GOING TO HAVE TO GIVE HIM SOME SUPPORT.

COMMISSIONER CARTER TOLD COMMISSIONER BROCK HE COULD TELL TCCC, THE BOARD WANTS THEM TO DO EVERYTHING THEY CAN TO MAKE SURE THE CANNING CENTER IS OPEN.

COMMISSIONER ABBOTT RESIGNED FROM THE TCCC BOARD AT THIS TIME AND OFFERED A MOTION TO APPOINT COMMISSIONER BROCK TO THE TCCC BOARD AS HIS REPLACEMENT. COMMISSIONER CARTER SECONDED THE MOTION AND IT CARRIED.

COMMISSIONER CARTER REQUESTED ANYTIME THE COUNTY ENGINEER IS USED, HE HAS PRIOR APPROVAL FROM THE COUNTY MANAGER TO BE CALLED IN ON WHATEVER SUBJECT NEEDS TO BE LOOKED AT.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED ANYTIME THE COUNTY ENGINEER IS USED, THE ENGINEER HAS PRIOR APPROVAL FROM INTERIM COUNTY MANAGER STEVE JOYNER TO PROVIDE ENGINEERING SERVICES.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED FOR ALL OVERTIME, EXCEPT IN CASE OF EMERGENCY, BE PREAPPROVED BY INTERIM COUNTY MANAGER, MR. JOYNER.

COMMISSIONER CARTER UPDATED THE BOARD ON HE, DAVID CORBIN AND MR. JOYNER MEETING WITH THE PRISON IN GREENHEAD. THEY ALL FELT LIKE THE COUNTY COULD GET MORE WORK OUT OF THE INMATE CREWS IF THEY GO ON A FIVE DAY WORK WEEK; MR. CORBIN HAS AGREED TO PUT HIS WHOLE OPERATIONS UNDER A FIVE DAY WORK WEEK. THAT WILL GIVE THE COUNTY AN EXTRA DAY WITH INMATES. THEY ARE WORKING ON HOW TO GET THOSE DISTRIBUTED OUT. THE PRISON HAS GIVEN THE COUNTY A LITTLE BIT OF LEADWAY AS FAR AS THE TIME THEY HAVE TO GET THE INMATES BACK TO THE PRISON.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED FOR DAVID CORBIN AND HIS CREWS GO ON A FIVE DAY WORK WEEK.

COMMISSIONER BROCK ADDRESSED SOME OF THESE CREWS WORK ON THE WEEKENDS; IN GENERAL THEY ARE OFF A DAY A WEEK. COMMISSIONER CARTER SAID IF THEY DO TAKE OFF DURING THE WEEK TO TAKE OFF FOR A SATURDAY THEY WORKED, BY THE COUNTY WORKING FRIDAY'S THEY GAIN A DAY BACK BY INSTEAD OF THE INMATES WORKING THREE DAYS, THEY WILL WIND UP GETTING FOUR DAYS OUT OF THEM.

THE MOTION CARRIED UNANIMOUSLY FOR DAVID'S CREWS TO WORK FIVE DAYS A WEEK EFFECTIVE AS SOON AS DAVID CAN GET IT COORDINATED.

COMMISSIONER CARTER OFFERED A MOTION FOR THE PUBLIC WORKS DEPARTMENT, MR. BARFIELD AND HIS TWO SUPERVISORS, TO GIVE A CROSS SECTION OF ALL THE BARROW PITS IN THE COUNTY, PROVIDE AN ANALYSIS ON THE NUMBER OF YARDS OF SAND AND/OR CLAY AVAILABLE IN EACH ONE OF THOSE BARROW PITS SO THEY WILL KNOW WHAT THEY HAVE TO WORK WITH IN THE FUTURE AND PROVIDE A FULL SCHEDULE ON THE PLANS TO START RECLAMATION ON ALL THE BARROW PITS. COMMISSIONER STRICKLAND SECONDED THE MOTION FOR DISCUSSION.

COMMISSIONER ABBOTT POINTED OUT, FROM THE PAST HISTORY OF HIS INVOLVEMENT AND EVEN BEFORE HIS DIRECT INVOLVEMENT, THERE HAS ALWAYS BEEN ISSUES WITH THE BOARD GIVING AWAY MUCK DIRT, GOOD DIRT, ANY KIND OF DIRT. HE ASKED IF IT WOULD BE APPROPRIATE TO ADD THAT TO THIS. COMMISSIONER CARTER THOUGHT THAT SHOULD BE A SEPARATE MOTION.

THE MOTION ON THE FLOOR CARRIED UNANIMOUSLY.

COMMISSIONER CARTER STATED ON THE RECLAMATION OF BARROW PITS, IT IS REAL IMPORTANT TO HAVE A PLAN IN PLACE FOR THE RECLAMATIONS BECAUSE IT IS PART OF THE COUNTY'S LAND DEVELOPMENT ORDER THEY REQUIRE ALL PRIVATE INDIVIDUALS TO HAVE A RECLAMATION SCHEDULE TO RECLAIM ALL THEIR PITS. THE BOARD SHOULD BE THE ONE TO SET THE EXAMPLE AND HAVE AN ONGOING PROGRAM FOR THAT TO CONTINUE AND SHOW THEY ARE SETTING AN EXAMPLE AND FOLLOWING THEIR OWN RULES.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED FOR MR. JOYNER TO LOOK WITH GIL CARTER AND JERRY BROCK THE NUMBER OF PARCELS IN THE COUNTY. IF THE BOARD LOOKED AT PARCELS AND HELD A COUPLE OF WORKSHOPS, THEY MAY BE ABLE TO COME UP WITH A SYSTEM THEY COULD BETTER FUND THEIR EMS AND FIRE DEPARTMENTS OFF A PARCEL TYPE CHARGE IN LIEU OF AD VALOREM. IF THEY CAN COME UP WITH LIKE MONEY OFF OF PARCELS, IT BRINGS THE WHOLE SPECTRUM OUT WHERE EVERYBODY INVOLVED IN THE NEED OF EMS AND FIRE PROTECTION IS HELPING TO PAY FOR THE SERVICES THEY RECEIVE. THEY COULD THEN REMOVE THE MIL OFF OF EMS AND FIRE PROTECTION AND WOULD BE BETTER SERVED ALL THE WAY THROUGH THE COUNTY.

COMMISSIONER ABBOTT READDRESSSED THE COUNTY GIVING AWAY DIRT; MUCK DIRT, IT BEING THE CLOSEST TO THE HOUSE AND THE WAY THE POLICY READS, HE HAS STUDIED IT. JUST FROM A LIABILITY STANDPOINT, HE WOULD LIKE TO SEE THE BOARD DO AWAY WITH GIVING AWAY ANY DIRT. ALL DIRT THAT IS DUG OUT OF A DITCH OR ELSEWHERE SHOULD GO BACK TO THE PIT UNLESS THEY ARE FIXING A DRIVEWAY UP TO 50', THE WAY THEIR POLICY READS HE DON'T WANT ANY DIRT TO BE GIVEN AWAY. MUCK DIRT CAN BE MIXED WITH GOOD DIRT AND HAVE GOOD DIRT. FROM A LEGAL STANDPOINT HE FELT THE BOARD SHOULD DO AWAY WITH GIVING AWAY ANY DIRT.

COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER CARTER FOR DISCUSSION TO CHANGE THE POLICY AND DO AWAY WITH GIVING AWAY ANY DIRT.

COMMISSIONER CARTER THOUGHT AT THIS POINT IN TIME, THEY PROBABLY HAVE A PRETTY GOOD REASON TO DO THIS BECAUSE LOOKING AT ALL THE BARROW PITS IN THE AREA, SOME OF THIS MATERIAL IN ORDER FOR THE COUNTY TO RECLAIM WILL HAVE TO BE HAULED BACK TO DO SO. THAT SHOULD BE SOMETHING THE PUBLIC WORKS SHOULD LOOK AT AND START DESIGNATING THE BARROW PITS IN LOCAL LOCATIONS WHERE IT NEEDS THAT. IT WOULD PROBABLY CUT DOWN ON A LOT OF HAULING TIME THAT HAS TO BE WHEREVER BECAUSE MOST ALL THE PITS ARE GOING TO NEED SOME MATERIALS THROUGH THE RECLAMATION OF THE PITS.

COMMISSIONER BROCK THOUGHT THIS BOARD WAS ABOUT SAVING MONEY, DOWN TIME, FUEL. THE SOUTH END OF THE COUNTY IS NOT LIKE THE NORTH END; HE HAS THIRTY MILES ONE WAY, HE HAS EAST RIVER, HE GOES SEVEN MILES EAST OF HIGHWAY 20. HE REFERRED TO BASICALLY ALL THROUGH THE WEST SIDE OF THE COUNTY AS FAR AS THE RIVER, THERE IS NO BARROW PITS. THERE IS OUTFALLS AFTER OUTFALLS OVER THERE AND COMMISSIONER ABBOTT IS TALKING ABOUT A BIG EXPENSE. COMMISSIONER ABBOTT TALKS ABOUT WANTING TO SAVE MONEY; HE WANTS TO TAKE THE WATER COOLERS OUT AT THE PARKS, CHANGE RADIOES TO SAVE MONEY AND NOW HE IS FIXING TO PUT A BIG EXPENSE OUT HERE ON THE TAXPAYERS. THAT IS A FACT WHETHER THE BOARD LIKES IT OR NOT; THAT IS WHAT THEY ARE FIXING TO DO.

COMMISSIONER ABBOTT TOLD COMMISSIONER BROCK HE COULD GIVE HIM EXAMPLE AFTER EXAMPLE AFTER EXAMPLE. ACTUALLY THE BOARD IS GOING TO NEED DIRT TO RECLAMATE THESE PITS AND ASKED WHERE IS IT GOING TO COME FROM. THERE IS CONSTANTLY LEGAL ISSUES WITH HAULING DIRT TO DIFFERENT PLACES, DOING FAVORS FOR ONE PERSON OVER ANOTHER. THERE HAS JUST BEEN ISSUE AFTER ISSUE AFTER ISSUE ACCUSATIONS OF THE BOARD DOING WRONG-DOINGS WITH DIRT. IF IT ALL GOES BACK TO THE PIT, THEY DON'T GIVE AWAY ANY MORE DIRT AND THEY ARE DONE WITH ALL THE ISSUES. GRANTED, IF THEY HAVE TO HAUL THE DIRT FIFTEEN MILES BACK TO A PIT, THERE IS AN EXPENSE IN CARYVILLE; BUT, IT IS A LOT LESS EXPENSE THAN LEGAL ISSUES.

COMMISSIONER BROCK EXPLAINED IT WAS A LOT MORE THAN FIFTEEN MILES; IT IS MORE LIKE 40 MILES ONE WAY.

COMMISSIONER CARTER ADDRESSED THERE NOT BEING A LOT OF THIS DIRT THAT CAN'T BE PUT RIGHT BACK INTO THE ROAD.

ATTORNEY GOODMAN SAID HE WAS GOING TO STAY OUT OF WHETHER DOING AWAY WITH GIVING AWAY DIRT IS A GOOD DECISION OR A BAD DECISION OR THE COST OR HOW IT IS USED FROM A POLICY STAND POINT. HE DID SAY, WITHOUT GETTING INTO WHETHER IT IS LEGAL OR NOT, THEY HAVE A POLICY IN PLACE AND IT IS WHAT IT IS. HE AGREES WITH MR. ABBOTT IN THE SENSE THAT IF YOU DO AWAY WITH GIVING AWAY ANY DIRT, THEY ARE LESSENING THEIR CHANCE TO OPEN THEMSELVES UP TO A POTENTIAL VIOLATION OF ANY LAW. THE QUESTION BEFORE THE BOARD IS THE LIABILITY THAT ATTACHES TO THEIR POLICY AND HOW THEY OPEN THEMSELVES UP TO THE RAMNIFICATIONS TO SOMEBODY GOING OUTSIDE THE POLICY OR PLAYING ALONG THE EDGES OF THE POLICY, IS THAT WORTH ANY EXPENSE AND HE DON'T KNOW WHAT THE EXPENSE IS. HE IS JUST SAYING NO DIRT GIVEN WOULD BE WHAT HE WOULD ENCOURAGE THE BOARD TO THINK ABOUT.

COMMISSIONER PATE UPDATED THE BOARD WHEN HE DID HIS STUDY, IT WAS TAKING THE DIRT OUT OF THE DITCH, PULLING THE SAND UP THERE AND MIXING IT WITH WHAT HE CALLED RAW CLAY AND MAKING ABOUT A 7" TO 8" BASE ON THE ROAD; IT WORKS WONDERFUL. THEN, WHEN THEY GET A



LITTLE MILLED ASPHALT THEY COULD PUT IT ON THE ROAD. IF HE REMEMBERS CORRECTLY, GOING THROUGH DIFFERENT SCENARIOS, HIS FIGURES CAME OFF THE HAUL FIGURES THAT WAS CLEARLY VIOLATING THE COUNTY'S POLICY AND IT WAS AROUND \$70,000 FOR THAT YEAR. THAT MAY NOT TAKE IN FOR THE TRAVELLING; BUT, IS LIKE MR. CARTER SAID, THEY ARE GOING TO HAVE TO START RECLAIMING THESE PITS SOME TIME OR ANOTHER.

COMMISSIONER BROCK ASKED HOW DOES RECLAIMED DIRT HELP RECLAIM A PIT WHEN THEY ARE SUPPOSE TO HAVE 3 TO 1 SLOPES ON IT; THEY WERE SUPPOSE TO BE DOING THIS IN THE BEGINNING. COMMISSIONER CARTER SAID IT IS NOT BEING DONE; THAT IS THE OBVIOUS THING.

COMMISSIONER BROCK EXPLAINED TO PUT A 3 TO 1 SLOPE ON A PIT, YOU ARE SUPPOSE TO HAVE AN OFFSET ON IT, WHICH THEY DO. THEY ARE JUST GOING TO HAVE TO GO IN THERE WITH A BIG EXCAVATOR AND SLOPE IT TO A 3 TO 1 SLOPE AND GRASS IT. HE WAS INVOLVED IN A RECLAMATION OF A PIT ON THE COOK MILL PIT IN DISTRICT I WHEN THEY CLOSED IT OUT.

COMMISSIONER CARTER TOLD COMMISSIONER BROCK IF HE LOOKED AT SOME OF THE PITS, THEY DON'T HAVE THE MATERIALS TO SLOPE IT AND KEEP A BUFFER ON IT; IT IS NOT THERE. IT IS NOT EVEN ON MUD HILL; THEY ARE ALREADY UP AGAINST THE FENCE AT MUD HILL ON THE PROPERTY LINE. YOU CAN'T COME OUT AND LEAVE A BUFFER AND THEN DO THE SLOPE WITH WHAT THEY HAVE; IT IS NOT THERE.

COMMISSIONER BROCK REITERATED IT WAS GOING TO COST A LOT OF EXPENSE.

COMMISSIONER STRICKLAND SAID HE HAD ALWAYS WENT ALONG WITH MR. BROCK ON THE DIRT; BUT, LISTENING TO ATTORNEY GOODMAN; THIS IS THE FIRST TIME WE HAVE HAD A LAWYER TO TELL THEM ABOUT POSSIBLE CONCERNS.

ATTORNEY GOODMAN ADDRESSED AS LAWYERS, THEY ARE POLLUTED IN THEIR BRAINS; THEY THINK ABOUT DIVORCE AND NOT THE MARRIAGE; THEY DON'T THINK OF THE GOOD, THEY THINK ABOUT THE BAD. HE IS TELLING THE BOARD, IRRESPECTIVE OF THE POLICY THEY HAVE IN PLACE WHETHER IT IS LEGAL OR NOT, IF THEY CONTINUE DOWN THE PATH OF GIVING AWAY DIRT, THEY ARE

ESSENTIALLY OPENING THEMSELVES UP TO MORE ISSUES. HE DON'T KNOW WHAT THE COST IS AND HE DON'T KNOW ANYTHING ABOUT WHAT THE DIRT CAN BE USED FOR BECAUSE THAT IS NOT HIS EXPERTISE; BUT, HE CAN TELL THEM THEY ARE OPENING THEMSELVES UP TO SOME THINGS THEY WOULDN'T OTHERWISE BE OPENING THEMSELVES UP TO BY GIVING IT AWAY.

COMMISSIONER BROCK SAID FOR YEARS THE BOARD HAS BEEN TOLD AS LONG AS IT IS IN POLICY, IT IS LEGAL. THAT IS WHAT THEY HAVE ALWAYS BEEN TOLD BY THEIR ATTORNEY AND WHAT THEY HAVE ALWAYS OPERATED ON.

ATTORNEY GOODMAN SAID HE DIDN'T WANT TO STEP ON ANY OTHER ATTORNEY'S FEET. HE CAUTIONED THE BOARD THAT THE STATEMENT AND HE THINKS WHAT MR. BROCK IS SAYING IS CORRECT; BUT, HE CAUTIONED THE BOARD JUST BECAUSE SOMETHING IS IN THEIR POLICY IF IT VIOLATES STATE STATUTE THEY MAY BE PROTECTED FROM A POLICY STANDPOINT BUT NOT FROM STATE STATUTE OR FROM A COMMON LAW STANDPOINT. JUST BECAUSE SOMETHING IS IN POLICY, THE BOARD NEEDS TO FOLLOW THEIR POLICY AND HE UNDERSTANDS THAT; BUT, JUST LIKE THEY CAN'T PUT IN THEIR POLICY THE FIVE COMMISSIONERS CAN MEET WHENEVER THEY WANT TO AND HAVE A MEETING WITHOUT IT BEING OPEN TO THE PUBLIC, EVEN IF THEY PUT THAT IN POLICY, IT WOULD BREACH SUNSHINE LAWS. HE CAUTIONED THE BOARD IT IS IMPORTANT TO HAVE THEIR POLICY JUST LIKE THEY WANT IT AND FOLLOW IT; BUT, IT STILL DOESN'T IMMUNIZE THEM FROM OTHER REQUIREMENTS THAT ARE IN FLORIDA STATE STATUTES AND OTHERWISE.

THE MOTION TO CHANGE THE POLICY AND DO AWAY WITH GIVING AWAY DIRT CARRIED. COMMISSIONER BROCK OPPOSED.

COMMISSIONER BROCK TOLD THE BOARD TO BE AWARE THEY ARE GOING TO HAVE EQUIPMENT DOWN TIME WITH THIS BECAUSE THE TRUCKS HAVING TO RUN SO FAR. THE ONLY WAY TO KNOW WHAT HE IS TALKING ABOUT IS TO BE IN THE FIELD AND SEE THIS VISUALLY.

COMMISSIONER STRICKLAND SAID HE KNOWS IT HAS PASSED NOT TO HAUL THE DIRT AWAY, IF THEY CALL THE ROAD DEPARTMENT, LET MR. BARFIELD KNOW TO TELL THE SUPERVISORS NOT TO CALL THE COMMISSIONERS.

COMMISSIONER ABBOTT STATED THAT THE POLICY HAD CHANGED; THE

COUNTY IS NOT GIVING AWAY ANY MORE DIRT.

COMMISSIONER PATE SAID SO HAS THE PLAYING GROUND CHANGED OVER THE LAST FEW YEARS FOR THE COUNTY COMMISSIONERS; IT HAS CHANGED DRASTICALLY FOR THE LOCAL ELECTED OFFICIALS.

ATTORNEY GOODMAN UPDATED THE BOARD ON A RESOLUTION HE HAD GOTTEN FROM STACY WEBB, GRANTS DIRECTOR, THAT HAD TO DO WITH THE SMALL COUNTY OUTREACH PROGRAM IN GETTING IT APPROVED. HE REVIEWED THE CONTRACT; BUT, DOESN'T KNOW ANYTHING REALLY ABOUT THE NUTS AND BOLTS OF THE PROJECT.

COMMISSIONER PATE SAID HE THOUGHT THEY HAD ALREADY APPROVED THE RESOLUTION FOR THE SCOP PROJECT. ATTORNEY GOODMAN SAID THEY MAY HAVE; BUT, HE IS JUST CONCERNED WITH BEING HANDED THE RESOLUTION.

COMMISSIONER PATE UPDATED THE BOARD ON THEM AGREEING TO PAVE THE UNPAVED PORTION OF CLAYTON ROAD THAT HAS BEEN PREPARED ALMOST AS LONG AS HE HAS BEEN ON THE BOARD.

STACY ADDRESSED THE BOARD ON THE RESOLUTION FOR THE SCOP PROGRAM FOR CLAYTON ROAD. THE BOARD HAD APPROVED THIS PROJECT IN A PREVIOUS MEETING; SHE JUST RECEIVED THE CONTRACT. ONCE THE CONTRACT IS SIGNED OFF ON ALONG WITH THE RESOLUTION, THEY WILL ISSUE A NOTICE TO PROCEED.

DEPUTY CLERK GLASGOW ASKED IF THERE IS A MATCH ON THIS SCOP PROJECT. STACY ADVISED THERE WAS NOT A MATCH.

COMMISSIONER STRICKLAND OFFERED A MOTION, SECONDED BY COMMISSIONER CARTER AND CARRIED TO APPROVE THE RESOLUTION TO ENTER INTO A CONTRACT FOR THE CLAYTON ROAD SCOP PROJECT WITH FL-DOT.

COMMISSIONER STRICKLAND SAID AS LONG AS HE HAS BEEN ON THE BOARD, HE HAS BEEN TRYING TO GET CLAYTON ROAD PAVED. THEY HAVE WORKED HARD ON THE ROAD TO GET THE RIGHT-OF-WAY AND EVERYTHING CLEARED OFF. HE EXPRESSED HIS APPRECIATION TO THIS BOARD AND OTHER BOARDS FOR THEIR HELP TO GET THE JOB DONE.

STACY ADDRESSED CLIFF NEEDING TO BE IN THAT APPRECIATION TOO; HE IS THE ONE THAT SUBMITTED THE APPLICATION TO FL-DOT AND DID ALL THE

LEG WORK.

COMMISSIONER STRICKLAND ADDRESSED ANYTHING PURCHASED BY THE COUNTY THAT COST \$100 OR MORE HAS TO BE INCLUDED IN THE INVENTORY. HE ASKED THIS BE BUMPED UP TO \$500; IT WOULD SAVE A LOT OF WORK ON PEOPLE WHO DO THE INVENTORY. WHEN ASKED IF THE BOARD WOULD HAVE A PROBLEM WITH MOVING THE LIMIT TO \$500 FOR ITEMS TO BE INVENTORIED, COMMISSIONER ABBOTT SAID HE WOULD.

WHEN ASKED WHAT THE AUDITORS LOOK AT, DEPUTY CLERK GLASGOW DIDN'T THINK THE AUDITORS LOOKED AT THE \$100 INVENTORY LIST; THAT IS IN COUNTY POLICY FOR THE DEPARTMENT HEADS TO KEEP UP WITH. SHE DIDN'T KNOW WHAT THE GASB REQUIREMENTS WERE; SHE THOUGHT IT WAS A \$1,000.

COMMISSIONER ABBOTT THOUGHT THE GASB REQUIREMENT WAS \$500 OR MORE.

ATTORNEY GOODMAN REQUESTED HE BE ALLOWED TO REVIEW THE BOARD POLICY ON INVENTORY AND ADDRESS IT AT THE NEXT BOARD WORKSHOP.

COMMISSIONER STRICKLAND ADDRESSED ALL THE MEETINGS THEY HAVE, MS. CARTER ALWAYS DRAGS IN HER STUFF AND THAT IS A JOB. SHE HAS A LOT OF STUFF TO KEEP UP WITH. HE DON'T KNOW IF THE BOARD OF COUNTY COMMISSIONERS FUNDS THEIR DEPARTMENT OR DOES IT FALL UNDER LINDA.

DEPUTY CLERK GLASGOW STATED IT IS ONE IN THE SAME; CLERK COOK IS THE CLERK TO THE BOARD AND THE BOARD FUNDS BOARD FINANCE.

COMMISSIONER STRICKLAND REFERRED TO THEM HAVING CALLED THE LAST COUPLE OF WEEKS WANTING SOME INFORMATION. HE THINKS IT WOULD BE BETTER IF BOARD FINANCE WAS LOCATED AT THE COUNTY ANNEX; THAT WAY IF THE COUNTY MANAGER NEEDED ANYTHING, THEY WOULD BE HERE. THE SAME WITH MS. CARTER, IF SHE NEEDS ANYTHING, MR. JOYNER WOULD BE HERE. HE ASKED IF ANYBODY HAD EVER THOUGHT ABOUT THIS.

DEPUTY CLERK GLASGOW ADVISED IT HAD BEEN MENTIONED BEFORE; THEY WOULD NEED TO TALK TO CLERK COOK AS SHE KNOWS ALL THE STATUTES ON WHAT COMMISSIONER STRICKLAND IS ASKING.

COMMISSIONER CARTER SAID THE WAY THEY ARE SET UP, THE COUNTY'S FINANCIALS ARE HANDLED BY THE CLERK. IT IS NOT GOING TO TAKE ANYBODY OUT FROM UNDER THE CLERK; IT IS JUST GOING TO CHANGE THE LOCATION THAT IT IS PHYSICALLY TAKING PLACE. THE ONLY OTHER WAY WOULD BE IF THE COUNTY WAS A CHARTERED COUNTY.

ATTORNEY GOODMAN SAID THAT IS AN INTERESTING ISSUE HE HAS NEVER LOOKED AT. THE CLERK IS A CONSTITUTIONAL OFFICER; BUT, NOT TAKING THAT AUTHORITY AWAY BUT LITERALLY A PHYSICAL LOCATION IS NOT AN ISSUE HE HAS EVER LOOKED AT AND FROM A STATUTORY STANDPOINT, DON'T KNOW THE ANSWER TO TODAY.

COMMISSIONER CARTER REITERATED ALL THEY ARE GOING TO SEE IS A PHYSICAL LOCATION OF WHERE THE FINANCIAL FOR THE COUNTY IS ACTUALLY LOCATED; BUT, IT WILL ALWAYS REMAIN UNDER THE CLERK.

ATTORNEY GOODMAN AGREED TO HAVE THE ANSWER TO THIS AT THE OCTOBER WORKSHOP AND HE WILL KNOW FROM A LEGAL PROSPECTIVE AFTER TALKING WITH CLERK COOK AND LOOKING AT THE STATUTE WHAT THEIR OPTIONS ARE.

COMMISSIONER BROCK ASKED CLIFF IF WILDERNESS ROAD HAD BEEN SUBMITTED UNDER THE SCRAP PROGRAM. CLIFF ADVISED WILDERNESS ROAD HAS BEEN SUBMITTED; THEY HAVEN'T HEARD ANYTHING BACK ON WHETHER IT HAS BEEN APPROVED.

COMMISSIONER PATE EXPRESSED HIS APPRECIATION FOR THE IDEAS THAT CAME UP TODAY. HE UPDATED THE BOARD ON LESISLATIVE BILLS THAT ARE GOING TO AFFECT THE COUNTY ON ROADS, ETC. HE ADDRESSED THE SEPTIC TANK ISSUE IS NOT DEAD; IT IS COMING BACK UP. THERE IS A BIG MOVE OUT THERE BY THE SMALL COUNTIES TO TOTALLY REPEAL IT; BUT, THEN THEY START RUNNING INTO THE OPPOSITION OUT THERE AND THEY HAVE TO BACK UP. THE COMMITTEE IS SUPPOSE TO FINALIZE EVERYTHING ON THE SEPTIC TANK ISSUE AT A MEETING IN DESTIN IN NOVEMBER.

COMMISSIONER PATE UPDATED THE BOARD ON DRI'S HAVING COME UP AND HE HAS TOLD MIKE DERUNTZ HE WOULD TRY TO KEEP HIM APPRISED OF

WHAT IS GOING ON THERE. MOST OF THE ISSUES GOT STRAIGHTENED OUT DURING THE LAST SESSION; OF COURSE, GROWTH MANAGEMENT, DEP AND AGRICULTURE IS ALWAYS A FREE FOR ALL. HE TOLD THE BOARD HE WOULD KEEP THEM POSTED AND PROVIDE THEM AND THE DEPARTMENT HEADS THE MATERIALS HE RECEIVES ON THE LEGISLATIVE ISSUES. HE ENCOURAGED THE BOARD TO GET READY TO START SENDING EMAILS, PHONE CALLS, ETC. TO THE LEGISLATURE ON THE SEPTIC TANK ISSUES IF THEY REALLY FEEL THEY WANT TO TRY AND STOP IT. THERE WAS A CONSENSUS FROM THE COMMITTEE NOT TO HAVE AN INSPECTION ON THE SEPTIC TANKS; BUT, IF A PERSON SELLS THEIR HOUSE, THEY OR THE BUYER HAS TO HAVE THE SEPTIC SYSTEM CHECKED, FIXED OR DONE AWAY WITH. THE ONLY PROBLEM WITH THAT IN SMALL COUNTIES, IT SAYS "SHALL BE HOOKED UP TO A CENTRAL SEWER." IT DOESN'T MAKE A WHOLE LOT OF SENSE DUE TO THE SMALL NUMBER OF CENTRAL SEWER SYSTEMS IN THE COUNTY AND IT BEING DIFFICULT FOR A PERSON TO HOOK UP TO THEM DUE TO THE DISTANCE FROM THEIR HOME.

DEPUTY CLERK GLASGOW REMINDED THE BOARD THEIR FINAL PUBLIC BUDGET HEARING FOR THE FISCAL YEAR 2011-2012 WOULD BE HELD AT 5:05 P.M. ON SEPTEMBER 27TH.

COMMISSIONER CARTER OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO ADJOURN THE BOARD MEETING AND COME BACK IN SESSION FOR THE WORKSHOP ON RHYTHM DRI.

ATTEST:

\_\_\_\_\_  
DEPUTY CLERK

\_\_\_\_\_  
CHAIRMAN

CHAIRMAN PATE CALLED THE WORKSHOP ON THE RHYTHM DRI TO ORDER.

ATTORNEY GOODMAN UPDATED THE BOARD ON A COUPLE OF MEETINGS THAT WERE HELD WITH MR. HENDERSON AND THE ATTORNEY FOR RHYTHM WHEREBY SOME ISSUES HAD BEEN RAISED ABOUT THE ONGOING PROCESS AND SOME ISSUES THAT HAVE POPPED UP WITH RESPECT TO, FOR INSTANCE, ROADS THAT MAY NEED TO BE PAVED OR POTENTIAL TRIGGERS AND THE DEVELOPERS AGREEMENT THAT IS COMING FORWARD. COMMISSIONER ABBOTT HAS BEEN AT THOSE MEETINGS AS WELL AS HIMSELF, MR. JOYNER AND CLIFF WAS AT ONE OF THE MEETINGS. AT THE LAST MEETING ISSUES WERE RAISED WITH RESPECT TO SOME ONGOING

THINGS THAT HAVE TO BE WORKED OUT BETWEEN THE COUNTY AND THE DEVELOPER. HE FELT LIKE IT WAS IMPORTANT TO HAVE THIS BOARD HEAR WHAT THOSE ISSUES ARE AND TO HAVE A DISCUSSION ABOUT WHAT THOSE ISSUES ARE ON AN ONGOING BASIS. HE FELT LIKE, AND HE KNOWS STEVE AND MIKE FELT LIKE, THEY HAD GOTTEN IN A POSITION THEY COULDN'T GIVE ANY COMMITMENT WITH RESPECT TO THE DIRECTION THEY WANTED TO OR NEEDED TO GO WITHOUT GETTING INPUT FROM THE COUNTY COMMISSION. HE THEN TURNED THE WORKSHOP OVER TO MIKE DERUNTZ, SENIOR PLANNER.

MR. DERUNTZ UPDATED THE BOARD ON THEM RECENTLY APPROVING TO PROCEED WITH THE TRANSMITTAL OF THE LANGUAGE PROPOSED TO BE AMENDED IN THE COMPREHENSIVE PLAN FOR THE DEVELOPMENT OF REGIONAL IMPACT APPLICATION. THEY HAVE BEEN RECEIVING COMMENTS BACK AND ARE WAITING FOR WFRPC TO GIVE THEIR FINAL RECOMMENDATION. THE DEVELOPMENT REVIEW COMMITTEE, WHICH IS MADE UP OF THE DEPARTMENT HEADS THAT HAVE BEEN MEETING TO REVIEW THIS DEVELOPMENT PROPOSAL AND LOOKING AT THE LANGUAGE THAT HAS BEEN SUBMITTED FOR THE DEVELOPMENT ORDER, HAS PROVIDED SOME COMMENTS. THERE HAS BEEN A SENIOR DEVELOPMENT REVIEW COMMITTEE, WHICH IS MADE UP OF HIM, ATTORNEY GOODMAN, CLIFF, COUNTY MANAGER AND COMMISSIONER ABBOTT. HE POINTED OUT COMMISSIONER CARTER WILL BE TAKING THAT ROLE NOW. THROUGH THIS PROCESS AS ATTORNEY GOODMAN HAS MENTIONED, THE PLAN HAS CHANGED SOME FROM THE INPUT THAT THE STATE DEPARTMENT OF TRANSPORTATION HAD LAID OUT AND NOW WHAT THE COUNTY IS SAYING IS "THIS IS WHAT WE PREFER." THEREFORE, THERE HAVE BEEN SOME MODIFICATIONS THAT HAVE OCCURRED IN THE PLAN. THE APPLICANT IS GOING TO BE PRESENTING TODAY SOME OF THOSE CHANGES THAT HAVE BEEN PROPOSED. THIS WORKSHOP IS FOR DISCUSSION PURPOSES; NOTHING IS BEING APPROVED. BUT, THE APPLICANT NEEDS TO HAVE SOME GUIDANCE. WITH THE BOARD'S GUIDANCE AND SUGGESTIONS AS THE APPLICANT GOES THROUGH SOME OF THESE DECISION POINTS, THEY EITHER GO RIGHT OR THEY GO LEFT. WHICH DIRECTION DOES THE BOARD FEEL BETTER ABOUT, THE APPLICANT WILL START PLANNING AND WORKING OUT THE DETAILS. THIS IS SUPPOSE TO BE A PROJECT THAT IS GOING TO BENEFIT THE COUNTY; IF IT

DOESN'T BENEFIT THE COUNTY AND IS AN ASSET, THE COUNTY DON'T WANT IT. THIS IS AN OPPORTUNITY FOR THE BOARD TO HAVE SOME INPUT WITH THE APPLICANT TO MAKE THE NECESSARY MODIFICATIONS. THEN, LAST WEEK THEY HAD THE NEIGHBORHOOD INFORMATIONAL MEETING WHICH WAS WELL ATTENDED. THE COMMENTS THAT WERE PROVIDED THE COMMITTEE WILL BE LOOKING AT AS WELL AS THE COMMENTS FROM THE WFRPC; THERE WILL BE ANOTHER MEETING WITH THE DEVELOPMENT REVIEW COMMITTEE TO ADDRESS THOSE COMMENTS. THE COMMITTEE WILL ALSO LOOK AT ANY RECOMMENDATIONS FROM THIS WORKSHOP AND THEN IT WILL GO TO THE PLANNING COMMISSION. A PUBLIC HEARING IS SCHEDULED FOR NOVEMBER 1ST WITH THE PLANNING COMMISSION; THE APPLICATION WILL BE PRESENTED AND A RECOMMENDATION WILL COME BACK TO THE BOARD. THEY WILL REVIEW IT AT THEIR WORKSHOP IN NOVEMBER AND THEN THERE WILL BE A PUBLIC HEARING AT THE BOARD'S REGULAR MEETING SCHEDULED IN NOVEMBER. HE EXPLAINED THIS IS THE KIND OF TIME FRAME THEY ARE LOOKING AT PRESENTLY. HE WAS HAPPY THAT ATTORNEY GOODMAN RECOMMENDED THEY HAVE THIS WORKSHOP BECAUSE THERE ARE SOME CRITICAL CRITICAL ISSUES OUT THERE AND THE DEVELOPER NEEDS SOME DIRECTION. THE DEVELOPER IS GOING TO BRING THE BOARD UP TO SPEED AND POINT OUT THESE PARTICULAR POINTS OF DISCUSSION, DIRECTION THEY ARE GOING TO BE NEEDING, DECISION POINTS. HE THEN TURNED THE MEETING OVER TO MR. HENDERSON, PLANNING DIRECTOR FOR THIS PROJECT.

COMMISSIONER PATE ASKED MR. DERUNTZ IF HE HAD CONTACTED WFRPC; THEY HAVE DELAYED WHAT THEY WERE DOING. MR. DERUNTZ ADVISED HE HAD BEEN AWARE OF THAT.

MR. HENDERSON UPDATED THE BOARD ON RHYTHM HAVING MADE SOME ADJUSTMENTS ON THEIR PROJECT IN ORDER TO TRY AND RESPOND TO ISSUES AND CONCERNS. THEY HAVE DELAYED THE TIME OF THE PLANNING COMMISSION MEETING BY ONE MONTH IN ORDER TO BE ABLE TO ALLOW INPUT NOT ONLY FROM THE STAFF; BUT, THE WFRPC RECOMMENDATIONS WILL NOT BE COMING FORWARD UNTIL AFTER THE PLANNING COMMISSION MEETING IN OCTOBER. THAT IS WHY THEY MOVED THE PLANNING COMMISSION MEETING UNTIL NOVEMBER 1ST.

HE ADDRESSED THEM HAVING A GOOD INFORMATIONAL MEETING ON THE



PROJECT; THERE WERE VARIOUS ISSUES THAT CAME UP AND DIFFERENCE OF OPINIONS. WHAT RHYTHM IS TRYING TO DO IS BALANCE OUT THIS PROGRAM AND TO SEE HOW THEY STRIKE THE CONDITIONS OF APPROVAL TO ACCOMMODATE THE PROJECT THAT WILL MEET EVERYONE'S CONCERNS AS BEST THEY CAN. THEY ARE NOT GOING TO MEET EVERYONE'S CONCERNS THOUGH. WHEN YOU GET TO ROADS, THERE WAS DISCUSSION WITH SOME PEOPLE WANTING THE ROADS PAVED AND SOME DON'T WANT THEM TO BE PAVED BECAUSE PEOPLE WILL DRIVE TOO FAST; BUT, THE DIRT ROADS WILL KEEP TRAFFIC DOWN. THERE IS OTHER PEOPLE WHO THINK IF A ROAD IS PAVED AND WITH THEIR PEOPLE OUT THERE, ARE PEOPLE GOING TO BE DRIVING TOO SLOW. THERE IS NO WAY TO MAKE EVERYONE HAPPY; SO, THEY ARE GOING TO HAVE TO STRIKE THAT BALANCE THE BEST THEY CAN.

MR. HENDERSON EXPLAINED ONE OF THE THINGS THEY HAVE DONE WITH THE DEVELOPMENT PROGRAM IS ORIGINALLY THEY HAD A TWO PHASE DEVELOPMENT PROGRAM: PHASE I WAS 1800 UNITS. THIS PROGRAM HAS BEEN MODIFIED TO WHERE THEY NOW HAVE A PHASE I A; THE FIRST TRIGGER POINT IS GOING TO BE 500 UNITS. THEY ARE TRYING TO DEFINE EXACTLY WHAT HAS TO BE DONE FOR THOSE 500 UNITS. THESE 500 UNITS ARE GOING TO BASICALLY BE IN THE VILLAGE AND IN THE COURT AREA. IN THE SUBMITTAL EACH OF THE BOARD MEMBERS HAVE GOTTEN, THEY SHOWED HOW THE 500 UNITS WILL BE PLANNED ON THE PROPERTY.

MR. HENDERSON ADDRESSED THE ROADS IN THE PROJECT. RHYTHM HAS TAKEN EACH ONE OF THE ROAD SEGMENTS AND IDENTIFIED IT STARTING AT 231 AND HEADING WEST. THE COUNTY LINE ROAD IS THE PRIMARY ACCESS COMING THROUGH THIS PROJECT. SEGMENT A IS THE PAVED PORTION OF COUNTY LINE ROAD FROM 231 TO THE WEST 1.9 MILES. SEGMENT B GOES FROM THE END OF PAVEMENT TO SCOTT ROAD. SEGMENT C IS THROUGH RHYTHM'S PROPERTY, BUCKHORN BOULEVARD. SEGMENT D IS BUCKHORN BOULEVARD OVER TO QUAIL HOLLOW. SEGMENT E IS QUAIL HOLLOW TO ORANGE HILL. SEGMENT F IS ORANGE HILL NORTH TO WHERE THE END OF PAVEMENT ENDS. SEGMENT G IS OVER ON HARTFORD BOULEVARD. THEY ARE SETTING THIS UP WHERE THEY ARE PROPOSING FOR THE FIRST

500 UNITS, THEY WOULD HAVE TO DO THE INTERSECTION IMPROVEMENTS BEFORE THEY COULD GET THEIR FIRST BUILDING PERMIT. THEY WILL HAVE TO FIX THE INTERSECTION, DO REPAIRS AT THE RAILROAD BRIDGE; THEY ARE NOT PROPOSING TO REBUILD IT. IT DOES NEED SIGNAGE AND BARRIERS IN ORDER TO PROTECT THOSE PILLARS. THEY HAVE HAD A BRIDGE ENGINEER LOOK AT THAT AND THAT IS WHAT THEY ARE PROPOSING.

MR. HENDERSON SAID IN PHASE IA, THEY WOULD PAVE COUNTY LINE ROAD FROM SCOTT ROAD OVER TO THE END OF PAVEMENT. THEY WOULD PAVE BUCKHORN BOULEVARD, WHICH THEY CALL NEW BUCKHORN BOULEVARD, WHERE IT REALIGNS THROUGH THEIR PROJECT. IN SEGMENT D, THEY WOULD LIMEROCK AND DO DRAINAGE IMPROVEMENTS. IN SEGMENT E, WHICH IS QUAIL HOLLOW, DO THE DRAINAGE IMPROVEMENTS AND LIMEROCK IN SEGMENT E. THEY WILL DO DRAINAGE IMPROVEMENTS AND LIMEROCK IN SEGMENT F. THE POINT BEING THERE WERE CONCERNS THAT THERE WAS GOING TO BE MORE TRAFFIC GOING TO THE WEST THAN RHYTHM HAD PROPOSED IN THEIR PROJECT. THE DEVELOPER UNDERSTOOD THAT AND SAID THEY WERE LOOKING AT SIGNIFICANTLY ADVANCING THE IMPROVEMENTS GOING TO THE WEST. THOSE IMPROVEMENTS TO THE WEST ARE ABOUT A \$2.5 MILLION ADDITION TO THE INITIAL PHASE OF THE PROGRAM AND BRINGING IT DOWN FROM 1800 UNITS TO 500 UNITS. BEFORE THEY GET THE FIRST BUILDING PERMIT, THEY HAVE TO REPAVE SEGMENT A BECAUSE IT IS TEMPORARY PAVING, SEGMENT B WILL BE DOEN AND SEGMENT C WILL BE DONE.

ATTORNEY GOODMAN ASKED IF THIS WAS BEFORE THEY GET THEIR FIRST BUILDING PERMIT. MR. HENDERSON SAID THE FIRST BUILDING PERMIT, FIX THE INTERSECTION, PAVE ALL THE WAY UP BASICALLY TO THE GAS LINE, LIMEROCK THE ROADS GOING TO THE WEST AND NORTH. D, E AND F WOULD BE DRAINAGE IMPROVEMENTS AND LIMEROCK. THE RECOMMENDATION THEY HAVE GOTTEN FROM THE COUNTY ENGINEER IS, THAT IF THE BOARD DECIDES NOT TO PAVE UPFRONT AND TO PHASE THE IMPROVEMENTS TO THOSE ROADS, HE HE WANTED ALL THE DRAINAGE IMPROVEMENTS DONE AND READY SO THE ONLY THING TO BE DONE WAS PAVE IT.

ATTORNEY GOODMAN SAID LIMEROCK AND DRAINAGE IS WHAT THEY ARE

SAYING BEFORE THE FIRST BUILDING PERMIT IS ISSUED; NOW, THEY ARE DRIVING INTO WHAT HAPPENS AT THE 501ST BUILDING PERMIT.

MR. HENDERSON EXPLAINED THE WAY THE DEVELOPMENT ORDER IS WRITTEN, THEY CAN'T GO BEYOND 500 UNITS UNTIL THEY DO THE NEXT PHASE OF ROAD IMPROVEMENTS. EVERYTHING TO THE EAST WILL BE PAVED, THEY WOULD PAVE BUCKHORN, QUAIL HOLLOW AND ORANGE HILL. THEY WOULD HAVE A FULL ROAD CONNECTION FROM 272 THROUGH ORANGE HILL ALL THE WAY OUT TO 231 PAVED. THAT WOULD TAKE THEM UP TO 1800 UNITS; TO GO BEYOND 1800 UNITS THEY WOULD HAVE TO PAVE HARTFORD BOULEVARD AND WASHINGTON BOULEVARD TO THE WEST. WHAT IS CRITICAL ABOUT THIS IS THEY NEED GUIDANCE FROM THE BOARD ON WHETHER OR NOT THE ROAD ROUTING IS APPROPRIATE. HE ASKED THAT THEY SET ASIDE THE TIMING OF LIMEROCKING AND PAVEMENT FOR RIGHT NOW AND TALK ABOUT THE ROAD NETWORK. ORIGINALLY THE ROAD NETWORK HAD THEM COMING OUT TO THE WEST AND GOING FROM ORANGE HILL SOUTH TO ELKCAM. WHAT THEY ARE PROPOSING TO HELP THEM OFFSET THE SIGNIFICANT COST TO ADVANCE THESE ROADS, THEY LOOK AT GOING TO HARTFORD BOULEVARD AND ELIMINATING ELKCAM AND ORANGE HILL. THEY ARE LOOKING FOR THE BOARD'S GUIDANCE IF THAT IS AN APPROPRIATE ROUTING OF THE ROAD IMPROVEMENTS. AT THE END OF THE DAY, BEFORE THEY GO TO PHASE II, THEY ARE GOING TO HAVE THESE ROADS PAVED, ORANGE HILL OUT ALL THE WAY TO 231 BEFORE THEY GO TO PHASE II, THEY WOULD PAVE HARTFORD AND WASHINGTON BOULEVARD. THEY NEED THE BOARD'S GUIDANCE WHETHER OR NOT THAT ROAD NETWORK IS APPROPRIATE.

COMMISSIONER PATE SAID IF YOU ARE GOING TO THE WEST TO PANAMA CITY, YOU WOULD BE BETTER OFF GOING TO 231 AND COME DOWN.

MR. HENDERSON SAID THAT IS WHY THEIR ORIGINAL PROJECT DESIGN AND THEIR PHASE I FOCUSES PAVING THESE ROADS OUT TO HIGHWAY 231 BEFORE THEY GET THE FIRST BUILDING PERMIT.

ATTORNEY GOODMAN WANTED TO MAKE SURE THE BOARD UNDERSTANDS WHAT MR. HENDERSON IS SAYING AND HE WANTS THEM TO THINK ABOUT IT. THEY HAVE IT RIGHT NOW WITH 500 AND THE BOARD NEEDS TO THINK ABOUT HOW TO USE THAT NUMBER OF 500 BUILDING PERMITS AND WHAT IT WANTS AND WHAT

IT IS GOING TO REQUIRE IN PRE 500 BUILDING PERMITS AND THE 501ST BECAUSE MR. HENDERSON STATED WHAT THEIR PLAN IS BUT THIS BOARD NEEDS TO HAVE SOME CONSIDERATION IF THAT IS WHAT THEY WANT OR DESIRE OR DO THEY WANT SOMETHING ELSE. HE ASKED THEM TO THINK ABOUT THAT AS WELL AS HOW THEY WANT TO GET IN AND OUT OF THE DEVELOPMENT.

COMMISSIONER STRICKLAND ASKED HOW MUCH OF THIS PROJECT IS IN JACKSON COUNTY. MR. HENDERSON SHOWED THE COUNTY BOUNDARY; THE NORTH HALF IS IN JACKSON COUNTY AND THE SOUTH HALF IS IN BAY COUNTY. HE SHOWED THE PART OF THE PROJECT THAT WAS IN JACKSON AND BAY COUNTY.

COMMISSIONER STRICKLAND ASKED IF MR. HENDERSON WAS WANTING TO GET THE PERMITS FOR 500 HOUSES. MR. HENDERSON REITERATED BEFORE THEY COULD GET THE FIRST BUILDING PERMIT, THEY WOULD HAVE TO HAVE A PAVED ROAD FROM THEIR ENTRANCE TO THE PROJECT ALL THE WAY OUT TO HIGHWAY 231. IN ADDITION THEY HAVE TO FIX THE DRAINAGE AND LIMEROCK THE ROADS ALL THE WAY TO THE WEST AND NORTH BEFORE THEY GET THE FIRST PERMITS.

COMMISSIONER CARTER QUESTIONED MR. HENDERSON WHEN HE IS SPEAKING OF BUILDING PERMITS, WHAT WAS HE RELATING TO; ACTUAL VERTICAL CONSTRUCTION.

LINDA SHELLY SAID THEY WERE REFERRING TO RECORDING THE PLAT. COMMISSIONER CARTER QUESTIONED IF IT WAS VERTICAL CONSTRUCTION PERMIT AND NOT ELECTRICAL PERMIT WHERE THEY COULD BRING IN A MODULAR HOME FOR A SALES OFFICE.

MS. SHELLY, ATTORNEY FOR THE RHYTHM PROJECT, SAID RIGHT NOW THEY HAVE IT AS RECORDING THE PLAT, WHICH IS BEFORE YOU GET ANY OF THOSE PERMITS. RIGHT NOW THEY ARE SAYING BEFORE YOU CAN RECORD THE FIRST PLAT, YOU HAVE TO HAVE THIS DONE. MR. HENDERSON SAYS BUILDING PERMITS; BUT, THEY HAVE IT PLAT. THERE IS A DIFFERENCE.

COMMISSIONER CARTER ASKED WHICH ONE WAS THEY GOING WITH. MS. SHELLY SAID THAT IS UP TO THE BOARD; RIGHT NOW THEY HAVE IT AS RECORDING THE FIRST PLAT.

ATTORNEY GOODMAN FELT OBVIOUSLY THE PLAT WOULD BE BETTER FOR

THE COUNTY THAN BUILDING PERMITS. HE DON'T WANT TO JUMP ONE TO GET TO TWO BECAUSE IT IS IMPORTANT THE BOARD UNDERSTANDS THIS IS WHAT THEY WANT. THIS IS NEGOTIATIONS AND THE BOARD HAS TO THINK ABOUT WHAT THEY WANT IN EACH PHASE. WHAT IS BEING PRESENTED IS THE PROPOSAL ON THE TABLE; BUT THE PURPOSE OF THE WORKSHOP IS (1) UNDERSTAND THE PROPOSAL AND (2) HAVE A DIALOGUE IF THE BOARD WANTS OR DESIRES SOMETHING DIFFERENT THAN WHAT THE PROPOSAL IS.

MR. HENDERSON SAID ONE OF THE THINGS MS. SHELLY CORRECTED HIM ON IN THE PHASE I PROGRAM, THEY HAVE 500 UNITS, 5000 SQUARE FEET OF RETAIL AND 5000 SQUARE FEET OF OFFICE PLUS THE 12 BREAD AND BREAKFAST UNITS. HE PREVIOUSLY LEFT OUT THE SMALL AMOUNT OF OFFICE AND RETAIL. THEY ARE SETTING THIS UP SO THEY CAN'T GET STARTED UNTIL THEY GET THESE THINGS COMPLETED. IF THE BOARD WANTS TO HAVE IT AS RECORDING OF THE PLAT, THAT IS FINE; EITHER ONE OF THOSE IS SYNONOMOUS TO HIM.

COMMISSIONER CARTER EXPLAINED HIS QUESTION ON THE PLAT IS WITHOUT THE PLAT ACTUALLY BEING RECORDED, IS IT NOT GOING TO BE A LITTLE BIT CLUMSON TO TRY AND CONSTRUCT ROADS ON A NON RECORDED PLAT. THEY HAVE NO DESIGNATION.

MS. SHELLY SAID SHE COULDN'T SELL PROPERTY BEFORE SHE RECORDED THE PLAT; BUT, SHE COULD DO ROAD CONSTRUCTION. COMMISSIONER CARTER SAID IT WAS NOT SUFFICIENT ENOUGH TO IDENTIFY THE RIGHT-OF-WAY FOR ANY ROAD CONSTRUCTION WITHIN THE PLAT.

MS. SHELLY SAID SHE WOULD NEED TO SURVEY HER RIGHTS-OF-WAY FOR PURPOSES OF DEDICATION ON THE PLAT.

MR. HENDERSON SAID THERE WOULD BE A PRELIMINARY PLAT THAT WOULD BE SUBMITTED THAT THE BOARD WOULD REVIEW, THE COUNTY ENGINEER WOULD REVIEW IT; ALL THE PLANS WOULD BE REVIEWED TO MAKE SURE THE BOARD IS IN AGREEMENT WITH THE PLAT BEFORE RHYTHM EVER MOVED FORWARD.

MS. SHELLY SAID THEY COULD CLARIFY THE VERTICAL CONSTRUCTION ISSUE AS WELL. AS MR. GOODMAN HAS POINTED OUT A COUPLE OF TIMES, THIS IS A DRAFT. THEY HAVE PUT IT PRIOR TO RECORDING THE FIRST PLAT BECAUSE THAT IS VERY EARLY IN THE PROCESS FROM THE STANDPOINT OF

THIRD PARTIES.

COMMISSIONER ABBOTT ASKED REALISTICALLY HOW DOABLE IS PAVING FROM ORANGE HILL ON THROUGH BUCKHORN CREEK ON INTO THAT DEVELOPMENT BEFORE THEY START.

MR. HENDERSON EXPLAINED PHYSICALLY IT CAN BE DONE; FINANCIALLY IT IS VERY DIFFICULT. THE COST OF THE ROAD IMPROVEMENTS TO THE WEST, THIS LIMEROCKING AND DRAINAGE, CHANGED TO ADDING A LITTLE OVER \$2.5 MILLION BEFORE THAT FIRST PLAT. THE COST TO PAVE THE ROADS ON TOP OF THAT IS APPROXIMATELY \$950,000. THAT IS THE DIFFERENCE WHEN TALKING ABOUT COST. WHAT THEY HAVE TO BALANCE OUT ON THIS PROJECT IS THE SIGNIFICANT AMOUNT OF COST BEFORE THEY COME OUT WITH THE VERY FIRST HOUSE. SO IT IS NOT JUST ROADS; IT IS BUILDING THE ON SITE ROADS, BUILDING THE OFF SITE ROADS, IT IS THE SEWER PLANT, THE WATER PLANT, THE POWER SUBSTATION, ETC. THEY ARE TRYING TO FIND A COMPROMISE THAT SAYS HOW DO WE GET THERE AND THEY STEPPED UP WITH AN ADDITIONAL \$2.5 MILLION.

COMMISSIONER CARTER ASKED IF THEY WERE TALKING ABOUT THE ACTUAL RHYTHM DOING THE VERTICAL CONSTRUCTION AND SELLING OR ARE THEY TALKING ABOUT SELLING PROPERTY FOR FUTURE.

MR. HENDERSON SAID IN THIS CASE IT DOESN'T MAKE ANY DIFFERENCE; BUT, THE APPROACH THE DEVELOPER HAS TO THIS IS HE WANTS TO CREATE A LOCAL BUILDING COMPANY AND BUILD HOUSES HIMSELF. THE DEVELOPER WILL ALSO LOOK AT SELLING TO CERTAIN BUILDERS THAT WANT TO COME IN AS A PART OF THAT. SO, IF THEY RECORD THE FIRST PLAT.

COMMISSIONER CARTER REITERATED HIS QUESTION WAS WHETHER OR NOT THEY ARE GOING TO SELL PROPERTY TO BUILD OR ARE THEY ACTUALLY GOING TO BUILD FIRST. THERE IS A DIFFERENCE. YOU CAN SELL LAND AND IT CAN LAY OUT THERE.

MR. HENDERSON ADDRESSED THE DIFFERENCE IN THIS PROJECT AND SUNNY HILLS IS SUNNY HILLS WENT THROUGH AND DID HUGE PLATS AND SOLD LOTS AND THEY DIDN'T REALLY CARE. WHAT RHYTHM HAS IS A CONTROL IN THIS PROJECT ABOUT THE NUMBER OF BUILDING PERMITS AND THE NUMBER OF

PLATS. THERE ARE TRIGGERS THAT SAY WE CAN'T GO BEYOND THAT. THAT HOPEFULLY IS GIVING THE BOARD THE ASSURANCE THIS PROJECT IS NOT GOING TO COME IN, PLAT THE ROADS, SELL OFF THE LOTS AND NOT WORRY ABOUT IT.

COMMISSIONER CARTER QUESTIONED ON THE FIRST 500 HOUSES, WHAT IS RHYTHM'S PLAN. MR. HENDERSON SAID THE FIRST 500 IS TO BUILD THOSE HOUSES. THEY NEED HOUSES.

COMMISSIONER CARTER SAID HE WAS ASKING A QUESTION IF RHYTHM WAS PLANNING ON BUILDING.

MR. HENDERSON REITERATED THEY WERE PLANNING ON BUILDING; BUT, THEY ARE NOT GOING TO BUILD A 100% OF THE HOUSES THEMSELVES. THEY ARE GOING TO LOOK AT OTHER BUILDERS TO COME IN AND PRESENT OTHER TYPE OF PRODUCTS. THE DEVELOPER WANTS TO CREATE A LOCAL BUILDING COMPANY TO BUILD THE HOUSES. THEY WILL BUILD AS MANY AS THEY CAN; BUT, THEY WILL BE LOOKING AT OTHERS THAT ARE PROVEN BUILDERS WITHIN THIS AREA ALSO THAT WANT TO COME IN AND SELL HOUSES ON THIS PROPERTY. THEY CAN'T RECORD A PLAT BEYOND 500 UNITS WITHOUT MAKING THE OTHER ROAD IMPROVEMENTS. THE OTHER POINT IS THEY NEED THE HOUSES AND IT MAKES NO SENSE FOR THEM TO GO OUT AND PAVE THE ROADS AND PUT IN ALL THE INFRASTRUCTURE IF THEY DON'T HAVE THE HOUSES AND HAVE THE HOUSES BUILT. IF THEY NEED CONTROLS TO SATISFY THE BOARD'S CONCERN, HE IS SURE THEY CAN COME UP WITH LANGUAGE THAT DEALS WITH THAT.

COMMISSIONER PATE ASKED HOW THICK OF LIMEROCK BASE ARE THEY PLANNING ON PUTTING DOWN. MR. HENDERSON SAID 6" IS THE MINIMUM; IT IS BASED ON A CROSS SECTION DESIGN THAT IS GOING TO BE PRESENTED TO THE COUNTY ENGINEER THAT HE WILL HAVE TO APPROVE. IF THE ENGINEER COMES BACK AND SAYS "NO, IT NEEDS TO BE 8", IT IS GOING TO BE 8". HE IS NOT PROPOSING A 6" LIMEROCK PLAN. HE IS PROPOSING A LIMEROCK PLAN AND DRAINAGE IMPROVEMENT THAT WILL BE SUBJECT TO THE COUNTY ENGINEER'S APPROVAL.

COMMISSIONER CARTER SAID SUBJECT TO FL-DOT STANDARDS.

CLIFF SAID IT MIGHT BE HELPFUL FOR THE BOARD TO UNDERSTAND HOW THE DISCUSSION WENT WITH REGARD TO THE ROADS FROM ORANGE HILL TO QUAIL HOLLOW TO BUCKHORN. THE ORIGINAL DISCUSSION WAS IN ORDER TO KIND OF OFFSET THE DIFFERENCE IN THE COST FOR THE COUNTY'S MAINTENANCE ON THOSE ROADS, THEY WOULD BE WILLING TO LIMEROCK. CLIFF SAID HE TOLD THEM THERE WAS A BIG DIFFERENCE IN THROWING DOWN SOME LIMEROCK AND ADDRESSING ALL THE DRAINAGE ISSUES ON ALL THOSE ROADS. THE COUNTY HAS DRAINAGE ISSUES ON BUCKHORN RIGHT NOW, QUAIL HOLLOW AND ON PART OF ORANGE HILL. HE SUGGESTED TO MR. HENDERSON TO DESIGN THE SEGMENTS, PUT IN ALL THE DRAINAGE NECESSARY, BUILD STABILIZED SUBGRADE AND THEN PUT LIMEROCK DOWN SO AFTER THE MAJORITY OF THEIR CONSTRUCTION IS DONE WITH THEIR PROJECT, IT WOULD BE AS SIMPLE AS PAVING BECAUSE IN REALITY THE DRAINAGE, THE SUBGRADE AND THE BASE IS PROBABLY SOMEWHERE IN THE NEIGHBORHOOD OF 2/3 OF THE COST TO COMPLETION OF THOSE PROJECTS. THERE WAS REALLY TWO IDEAS; RATHER THAN JUST GOING OUT THERE AND THROWING DOWN SOME LIMEROCK, IT WOULD BE SMARTER TO GO AHEAD AND SET THE PROFILE GRADES OF THE ROADS, ADDRESS THE DRAINAGE ISSUES, HAVE THAT LIMEROCK TO BE THE LIMEROCK BASE THAT WOULD BE NECESSARY TO FINALLY PAVE THOSE ROADS. IN OTHER WORDS, THEY WOULDN'T JUST GO THROW LIMEROCK OUT IF THE FINAL ROAD CONSTRUCTION REQUIRED A CHANGE IN GRADE. THAT IS HOW THE DISCUSSION WENT.

COMMISSIONER ABBOTT EXPLAINED HIS CONCERN WITH THAT, AND HE IS GOOD WITH IT AND HE ATTENDED THAT MEETING; BUT, THE KIND OF CONSTRUCTION, DELIVERY OF TRAFFIC, ETC. THEY ARE GOING TO HAVE, THEY ARE JUST FIXING TO CREATE, AND HE UNDERSTANDS THEY ARE FIXING A LOT OF THINGS AND IT IS IMPROVEMENTS THAT HAVE GOT TO BE DONE. BUT, HIS THOUGHT PROCESS FROM THE VERY BEGINNING THE TYPE OF TRAFFIC THEY WILL HAVE COMING OFF OF ORANGE HILL AND GOING TO ORANGE HILL WHEN THEY GET FIFTY HOUSES OUT THERE, THAT IS FIFTY FAMILIES AND TO GO TO TOWN, THEY ARE FIXING TO COME THROUGH WASHINGTON COUNTY AND ARE FIXING TO COME OUT ORANGE HILL HIGHWAY. THE DUST BOWL THEY



WILL BE CREATING WITH LIMEROCK; THEY ARE CREATING A VERY LARGE PROBLEM. HE UNDERSTANDS THAT AFFORDABILITY IS A QUESTION; BUT, AS FAR AS WASHINGTON COUNTY IS CONCERNED, WITH ALL DUE RESPECT, HE LIKES THE IDEA BUT HE IS NOT CONCERNED WITH RHYTHM PAVING, FIXING THE BRIDGE, ETC. IN SOMEBODY ELSE'S COUNTY. THAT DOESN'T PUT A TWINKLE IN HIM; THE ONE HE IS CONCERNED ABOUT IS WASHINGTON COUNTY WHERE THEY ARE BUILDING THIS DEVELOPMENT. THIS KIND OF TRAFFIC GOING IN AND OUT OF WASHINGTON COUNTY AND PUTTING THAT LIMEROCK UP THERE, WITH ALL DUE RESPECT, IS CREATING LARGE PROBLEMS.

CLIFF SAID THE OTHER SIDE OF THE COIN IS WITHOUT THAT LIMEROCK, THE SAND/CLAY AND THE RECYCLE OUT THERE NOW WOULD BE BEAT TO PIECES WITH HEAVY CONSTRUCTION TRAFFIC.

COMMISSIONER ABBOTT SAID HIS THOUGHT PROCESS FROM THE VERY BEGINNING IS HE WANTS TO SEE THIS HAPPEN; BUT, HE WANTS TO SEE SOME ASPHALT. HE HAS NOT WAIVERED FROM THAT. HE DOESN'T KNOW IF IT IS DOABLE. HE IS NOT CONCERNED WITH THE INVESTMENT RHYTHM IS MAKING IN BAY AND JACKSON COUNTY. HE UNDERSTANDS THEY HAVE TO HAVE THAT TO MARKET THEIR PLACE WHICH MAKES IT HAPPEN IN WASHINGTON COUNTY TO INCREASE THE TAX REVENUE. BUT, IN THE SAME RESPECT HE HAS CONCERNS AND HE HAS JUST SHARED THEM.

COMMISSIONER PATE QUESTIONED WHOEVER FIGURED THE THICKNESS OF THE BASE, WHAT KIND OF ADT WAS USED. CLIFF EXPLAINED HE HADN'T FIGURED ANY BASE THICKNESS; BUT, HE CAN GO AHEAD AND TELL THE BOARD 6" WOULD LIKELY NOT BE ADEQUATE FOR THE TRAFFIC HE WOULD ANTICIPATE. COMMISSIONER PATE AGREED 6" DIDN'T SEEM SUFFICIENT TO HIM.

MR. HENDERSON ASKED IF AGREEING TO THE FL-DOT STANDARDS IS APPROPRIATE LANGUAGE OR THEY CAN SAY SUBJECT TO APPROVAL OF THE COUNTY ENGINEER. THEY ARE NOT TRYING TO HEDGE ON A COUPLE OF INCHES.

COMMISSIONER CARTER SAID IF RHYTHM BRINGS IT UP TO FL-DOT STANDARDS, FIRST THEY HAVE TO HAVE A SUB BASE AND THEN THE WHOLE

THING THROUGH THERE. CLIFF COULD BETTER ANSWER THAT ON WHAT THE SPECIFICATIONS IN RHYTHM'S PLANS SHOULD STATE.

CLIFF ADDRESSED THE PROPER WAY TO LOOK AT THAT WOULD BE THE EQUIVALENCY, THE ACTUAL LOADS FOR FULL BUILD OUT OF THEIR PROJECT AND ALSO TAKING INTO CONSIDERATION WHAT MIGHT HAPPEN IN THE BUCKHORN AREA BECAUSE THERE IS A LOT OF VACANT LAND THERE AS WELL.

COMMISSIONER PATE SAID HE WOULD SUSPECT THERE WOULD BE AT LEAST 2" TO 3" MORE BASE THAN WHAT MR. HENDERSON WAS TALKING ABOUT.

MR. HENDERSON SAID RHYTHM WOULD BE HAPPY TO MEET THE CRITERIA; 6" WAS WHAT HE WAS TOLD WOULD BE THE MINIMUM SO THEY WILL DO IT TO THE COUNTY'S STANDARDS.

COMMISSIONER CARTER EXPRESSED HIS SURPRISE THAT RHYTHM IS NOT TRYING TO WORK WITH SPRING RIDGE ON THAT ROAD BECAUSE IF THEY PAVE THE ROAD FROM BUCKHORN OUT EITHER WAY TO WASHINGTON OR HARTFORD, THEY ARE GIVING SPRING RIDGE A LOT OF LOTS ON A PAVED ROAD THAT HE WOULD THINK THEY SHOULD BE ABLE TO WORK AN INTERLOCAL AGREEMENT WITH THEM TO WHERE SPRING RIDGE OFFSETS SOME OF RHYTHM'S COST. RHYTHM IS TALKING ABOUT PUTTING THE BASE THERE; MAYBE THEY COULD WORK UP SOMETHING WITH SPRING RIDGE TO COUGH UP THE ASPHALT. SPRING RIDGE IS GOING TO BENEFIT FROM WHAT RHYTHM IS DOING; HE CAN'T BELIEVE RHYTHM IS NOT OUT THERE TRYING TO WORK SOMETHING OUT THERE AS AN AGREEMENT BETWEEN THE TWO ENTITIES THAT WOULD BENEFIT BOTH PARTIES.

MR. HENDERSON ADDRESSED IT BEING THEIR UNDERSTANDING THE FOLKS AT SPRING RIDGE HAVE NO PLANS TO MOVE FORWARD AT THIS POINT.

COMMISSIONER CARTER TOLD MR. HENDERSON IF THEY WOULD GIVE SPRING RIDGE AN OPPORTUNITY THERE TO WHERE THEY ARE PUTTING JUST A LITTLE BIT OF MONEY OUT THEY ARE GOING TO GET "X" NUMBER OF LOTS AVAILABLE THEY COULD SALE ON A PAVED ROAD, THEY MIGHT GET SOME INTEREST.

MR. HENDERSON AGREED RHYTHM WOULD SPECIFICALLY TALK TO SPRING RIDGE ABOUT PARTICIPATION IN THESE ROADS AND THEY WOULD WELCOME THE OPPORTUNITY FOR THEM TO JOIN WITH THEM TO GET THESE ROADS DONE. RHYTHM UNDERSTANDS IT WOULD BE A SIGNIFICANT ADVANTAGE FOR SPRING

RIDGE. BUT, THE WAY THE DEVELOPMENT ORDER IS BEING WRITTEN IS THAT THIS IS DEALING WITH RHYTHM'S OBLIGATION AND DID NOT WANT TO GET INTO A POSITION TO WHERE THEY HAVE TO COME FORWARD AND HAVE SOME TYPE OF AGREEMENT WITH SPRING RIDGE.

COMMISSIONER CARTER ADDRESSED THE BOARD UNDERSTANDS THAT; BUT, IN ORDER TO GAIN WHAT THIS COUNTY IS LOOKING AT AS FAR AS A BENEFIT FOR THE OVERALL ROAD SYSTEM, IT MIGHT BE BENEFICIAL TO LOOK AT THAT AND IF SPRING RIDGE DOES DENY IT, THAT GIVES THE BOARD A LITTLE BETTER LEADWAY ON WHAT THEY CAN AND CAN'T APPROVE AS FAR AS ROAD CONSTRUCTION. SOMEWHERE ALONG THE LINE WHEN RHYTHM CONSTRUCTS THIS ROAD THROUGH THERE, THE ADJOINING PROPERTIES ARE GOING TO IMPACT THAT ROAD AS FAR AS WHAT HAPPENS THERE AS FAR AS TRAFFIC THAT MAY OR MAY NOT OCCUR AND AS FAR AS DRAINAGE AND EVERY THING ELSE. THOSE LOTS THAT IS NEXT TO THAT PAVED ROAD IS GOING TO IMPACT THE DESIGN OF THAT DRAINAGE STRUCTURE THAT IS IN THERE.

MR. HENDERSON SAID RHYTHM WOULD COMMIT TO THE BOARD THEY WOULD MEET WITH SPRING RIDGE AND TALK WITH THEM ABOUT WHAT THEY MIGHT BE ABLE TO SOLVE. HE THOUGHT THOSE ARE THE TYPE OF THINGS THEY APPRECIATE THE BOARD'S GUIDANCE TODAY AND THEY WILL TAKE THAT AND SEE WHAT THEY CAN DO ABOUT COMING UP WITH A SOLUTION.

COMMISSIONER CARTER CONCURRED WITH COMMISSIONER ABBOTT AS FAR AS BENEFITTING THIS COUNTY. HE UNDERSTANDS THE COUNTY LINE PROBLEM BECAUSE IT IS PERCEIVED TO BE THE MARKETING AREA TO COME OFF OF HIGHWAY 231. BUT, HE THINKS MARKETING IS MARKETING; WHEREVER YOU WANT TO BRING THAT PERSON IN IS THE WAY YOU MARKET IT.

MR. HENDERSON SAID RHYTHM HOPES THE BOARD UNDERSTANDS WHAT THEY HAVE DONE IN MAKING A SUBSTANTIAL MODIFICATION TO THE DEVELOPMENT PROGRAM TO BE ONLY 1/3 OF WHAT THEY HAD PROPOSED AND TO SUBSTANTIALY ENHANCE THOSE ROADS TO THE WEST AND TO THE NORTH. THEY HAVE TRIED TO TAKE THE COMMENTS THEY HAVE BEEN HEARING AND ARE TRYING TO RESPOND TO THAT. THEY WILL CONTINUE TO LOOK AT THE PAVING AND HE THINKS THEY HAVE SOME IDEAS HERE FROM THE BOARD AND SOME GOOD SUGGESTIONS AND WILL

TAKE A LOOK AT THAT. WHAT HE WOULD LIKE TO DO AT THIS TIME IS ASK FOR A CONSENSUS OF THE BOARD WITH REGARD TO THE ROAD ROUTING. LETS SEPARATE WHETHER OR NOT THE QUAIL HOLLOW/BUCKHORN AND ORANGE HILL ARE PAVED OR NOT PAVED WITH THE FIRST 500 UNITS. THEY CAN SET THAT ASIDE AND ASKED IF THEY COULD GET A CONSENSUS OF THE BOARD WITH REGARD TO USING HARTFORD AND WASHINGTON BOULEVARD AND NOT DOING ORANGE HILL AND ELKCAM.

COMMISSIONER CARTER SAID HE DIDN'T HAVE A PROBLEM WITH THIS; TO HIM, IT IS BETTER ACCESS THAN ELKCAM DESIGN. HE THINKS RHYTHM COULD COME OUT ORANGE HILL AND BE MORE PRODUCTIVE IN EVERY WAY.

COMMISSIONER BROCK SAID HE DIDN'T HAVE A PROBLEM WITH RHYTHM USING HARTFORD AND WASHINGTON.

COMMISSIONER ABBOTT SAID HE IS FOR ORANGE HILL. COMMISSIONER CARTER SAID WASHINGTON AND ORANGE HILL/ HARTFORD AND ORANGE HILL.

MR. HENDERSON MOVED ON TO THE NEXT MAJOR SUBJECT WHICH IS WATER AND WATER RESOURCES. HE SAID THERE HAVE BEEN A NUMBER OF CONCERNS THAT HAVE COME UP BY THE STAFF AND THE PUBLIC WITH REGARDS TO THE WATER RESOURCES IN LIGHT OF THE WATER BATTLE THAT IS GOING ON WITH BAY COUNTY RIGHT NOW AND ISSUES WITH REGARD TO THE SAND HILLS LAKES. THEY HAVE HAD THEIR GEOTECHNICAL ENGINEER LOOK AT THE WATER RESOURCES THAT ARE AVAILABLE IN THIS AREA AND HAVE GOTTEN A CLEAR INDICATION FROM HIM THE WATER RESOURCES ARE AVAILABLE. RHYTHM DOESN'T HAVE A PERMIT AND THE FIRST STAGE IS LOOKING AT THE AVAILABILITY OF WATER. WATER IS AVAILABLE IN AN ADEQUATE AMOUNT TO ACCOMODATE THE RHYTHM PROJECT. RHYTHM STILL HAS TO GO THROUGH THEIR PERMITS WITH THE WATER MANAGEMENT DISTRICT TO BE ABLE TO DEAL WITH THAT. THE CONCERN HAD BEEN THEY HAD A BARROW PIT THAT IS DOING SOME DEWATERING AND IMPACTING THE SAND HILL LAKES TO THE SOUTHWEST OF RHYTHM. HE EXPLAINED THESE ARE TWO DIFFERENT GEOLOGICAL AREAS; THE SAND HILL LAKES TO THE SOUTH ARE VERY CLOSELY RELATED TO THE SHALLOW FLORIDIAN AQUIFER. THE WATER IN RHYTHM'S AREA IS DRAMATICALLY DIFFERENT. IF THE BOARD WILL RECALL, THE WAY IN WHICH RHYTHM'S PROPERTY PHYSICALLY

IS CONFIGURED, THEY HAVE HIGH SAND HILLS IN AN AREA WHICH HE POINTED OUT AND THE FINGERS THAT RELATE TO THE SPRING HEADS. WHAT HAPPENS IS THE RAIN HITS THE GROUND, IT HITS A CLAY LAYER AND FLOWS OUT. HE SHOWED WATERS THAT HAVE WASHED OUT OVER CENTURIES TO CREATE THE RAVINES AND THIS FLOW; SO, THE CHARACTER OF THE WATER IS DRAMATICALLY DIFFERENT. THERE ARE WATER RESOURCES THAT DON'T HAVE THE SAME CONDITIONS AS THEY HAVE TO THE SOUTH. IN ORDER TO TRY AND RESOLVE THE CONCERNS OF THE PUBLIC ABOUT RHYTHM'S POTENTIAL IMPACT OF THE COUNTY'S WATER WELLS IS THEY HAVE DONE TWO THINGS: (1) THEY HAVE MOVED THEIR WELLS OFF THE PROPERTY CORNER AND SHOWED THEM A POINT WHERE THEY WERE AT LEAST 750' AWAY. (2) IN ADDITION, THEY HAVE IDENTIFIED THREE WELLHEAD LOCATIONS. THE RECOMMENDATIONS OF THEIR GEOTECHNICAL ENGINEER AND WATER RESOURCES EXPERT HAVE SAID IF YOU SEPARATE THE WELL FROM ONE ANOTHER, THE IMPACT ON THE GROUND WATER WILL BE LESS. THEY WILL HAVE AT LEAST TWO WELLS ON THE PROPERTY; THE FIRST ONE WOULD BE NO LESS THAN 750' TO THE PROPERTY BOUNDARY. THE NEXT THING THAT WAS SAID WAS "WHAT COULD BE THE POTENTIAL IMPACT OF THIS PROJECT." HIS OPINION WAS, THE GEOTECHNICAL ENGINEER/OR WATER RESOURCE EXPERT, IF YOU MOVE IT OFF THE PROPERTY BOUNDARY, THERE WOULDN'T BE AN IMPACT. HOWEVER, IF THERE IS A POTENTIAL IMPACT IT WOULD BE IT WOULD DRAW DOWN UP TO 5' ON THE SURROUNDING WELLS. RHYTHM HAS MOVED THE WELL OFF AND THEY HAVE ALSO PUT IN THE CONDITION THAT SAYS "IF RHYTHM IMPACTS ANY OF THE NEIGHBORING WELLS, THEY WILL BE RESPONSIBLE FOR FIXING THAT IMPACT." IN ADDITION, THEY ARE GOING TO SET MONITORING WELLS AROUND THE EDGE OF THE PROPERTY SO THERE WILL BE DATA BEFORE THEY EVER START ON HOW DEEP THE WATER IS IN THE AREA AND THAT WILL BE THE BASELINE INFORMATION. THEY HAVE INCLUDED WITHIN THE DEVELOPMENT ORDER THE CONDITION THEY WILL PAY UP TO \$5,000 A YEAR EVERY YEAR, ON ANY GIVEN YEAR, FOR THE COUNTY TO GO OUT IF A PROPERTY OWNERS SAYS YOU HAVE MESSED UP MY LAKE AND MY WELL, THE COUNTY WOULD HIRE A CONSULTANT TO GO OUT AND TEST THE WELL OF THE COMPLAINING PERSON, EVALUATE THE MONITORING WELLS ON RHYTHM'S SITE AND GIVE THE

COUNTY A RECOMMENDATION OF WHETHER OR NOT IT IS NATURAL CONDITIONS OR WHETHER OR NOT RHYTHM IMPACTED IT. IF RHYTHM IMPACTED IT, RHYTHM WILL BE RESPONSIBLE TO FIX IT. THE WATER SYSTEM IS A PRIVATE WATER SYSTEM AND WOULD BE FOR THE BENEFIT OF THESE PROPERTIES ON THIS SITE; THE WATER WILL BE OPERATED UNDER A PRIVATE UTILITY; THE PRIVATE UTILITY WOULD BE RESPONSIBLE FOR ANY FIX OF THE IMPACT. THERE IS AN ONGOING LONG TERM SOLUTION.

COMMISSIONER PATE REFERRED TO HIM THINKING HE HEARD MR. HENDERSON SAY HE WOULD PUT UP \$5,000 A YEAR FOR THE COUNTY TO TAKE CARE OF THE WATER ISSUES. MR. HENDERSON SAID "NO;" FOR THE COUNTY TO TEST THE WELL OF THE PERSON THAT IS COMPLAINING. THE FIX MAY BE MORE; THEY ARE NOT PUTTING A LIMIT ON THE COST OF THE FIX. THEY ARE SIMPLY PUTTING UP DOLLARS TO BE ABLE TO TEST AND GIVE THE COUNTY A RECOMMENDATION; RHYTHM WON'T BE GIVING THE COUNTY A RECOMMENDATION.

COMMISSIONER PATE QUESTIONED WHAT IF THE COST OF THE CONSULTANT EXCEEDED \$5,000. MR. HENDERSON SAID HE GUESSED THEY WOULD HAVE TO FIGURE OUT A CONDITION THAT SAYS IF IT EXCEEDS \$5,000. RHYTHM DIDN'T THINK IT WOULD COST MORE THAN THAT TO GO OUT AND DO WATER TESTING.

MR. HENDERSON ADDRESSED THERE BEING SOME MISINFORMATION OUT TO THE PUBLIC THAT RHYTHM WAS GOING TO HAVE OPEN CESSPOOLS FOR THEIR WASTEWATER. THE WASTEWATER ON THEIR PROPERTY IS AGAIN GOING TO BE A PRIVATE UTILITY; IT IS GOING TO BE DESIGNED TO ADVANCE WASTEWATER TREATMENT LEVELS, WHICH MEANS YOU CAN REUSE THE WATER FOR IRRIGATION. THEIR FIRST SOURCE OF WATER FOR IRRIGATION FOR THE COMMAN AREAS, THEIR VILLAGE IS GOING TO BE THE REUSED WATER COMING OUT OF THEIR WASTEWATER PLANT. IT WILL NOT BE ENOUGH; THERE WILL BE WATER THAT WILL BE DRAWN FROM THE GROUND TO BE ABLE TO SUPPLEMENT THAT. THAT IS GOING TO BE NONPOTABLE WATER THEY WON'T RUN THAT THROUGH THEIR PLANT. ALL THOSE CALCULATIONS FOR THE AMOUNT OF WATER REQUIRED IS IN THAT NUMBER PRESENTED IN THE DRI; IN THAT CALCULATION IN THE DRI'S BUYING OF WATER THEY NEED DOESN'T TAKE INTO CONSIDERATION ANY OF THEIR REUSED WATER, ANY OF THEIR WATER SENSORS THAT IS GOING TO BE REQUIRED

FOR ALL THE HOUSES, ANY OF THEIR WATER SAVING DEVICES THAT ARE MANDATED WITHIN THE PROJECT. THAT IS AN UPSET NUMBER AND THEY BELIEVE IT IS GOING TO BE SUBSTANTIALLY BELOW; BUT, THEIR CALCULATION IS ON THE HIGHER NUMBER. THOSE ARE THE APPROACHES TO THE MAJOR UTILITY SYSTEMS AND HOW THEY ARE GOING TO BE OPERATED. HE WOULD LIKE FOR MS. SHELLY TO COME UP AND TALK ABOUT HOW SOME OF THESE THINGS ARE ADDRESSED IN THE DEVELOPMENT ORDER.

COMMISSIONER BROCK ASKED APPROXIMATELY THE DISTANCE OF LIMEROCK ROADS ARE THEY TALKING ABOUT. MR. HENDERSON SAID SEGMENT D, WHICH IS BUCKHORN BOULEVARD, IS 2.2 MILES; SEGMENT E, WHICH IS QUAIL HOLLOW, THE UNPAVED PORTION IS .5 MILE, SEGMENT F, WHICH IS .8 MILES AND THAT GOES BEYOND WHERE THE MILLED ASPHALT IS ALL THE WAY UP TO WHERE WHAT THEY WILL CALL WHERE THE RAILROAD BEGINS.

COMMISSIONER BROCK ESTIMATED THAT WOULD COST \$1,000,000 TO PAVE 3.5 MILES. MR. HENDERSON SAID THEY ESTIMATED IT WOULD COST \$950,000 FOR THE PAVING.

MS. SHELLY WANTED TO REMIND THE BOARD THIS IS, AS A DEVELOPMENT OF REGIONAL IMPACT, AND THE CHAIRMAN MENTIONED THIS IS ALWAYS A SUBJECT THE LEGISLATURE LIKES TO TALK ABOUT; ALTHOUGH, NEXT YEAR, THEY WILL BE TALKING ABOUT REDISTRICTING AND REAPPORTIONMENT WHICH IS THEIR PRIMARY CONCERN AND SHE IS NOT SURE THEY WILL BE ABLE TO GET TO THEIR OTHER SUBJECTS. IT PROVIDES THE COUNTY AN EXTRA LEVEL OF PROTECTION; THE COUNTY ALWAYS HAS THEIR COMPREHENSIVE PLAN AND IN THIS CASE, THEY WILL HAVE THEIR ZONING. SHE EXPLAINED A DEVELOPMENT ORDER IS ISSUED BY THE BOARD AND IT HAS BOTH GENERAL CONDITIONS, WHICH OTHER DEVELOPMENTS DON'T HAVE TO HAVE. IT TELLS THEM WHEN RHYTHM HAS TO START, WHEN THEY HAVE TO FINISH, WHAT THE PHASES ARE AND IT HAS SO FAR ABOUT 45 PAGES OF CONDITIONS THEY HAVE BEEN TALKING OVER WITH THE COUNTY'S PLANNING DIRECTOR AND THE COUNTY ATTORNEY. A LARGE PART OF THE REVIEW PROCESS TO DATE HAS BEEN ON THE ENVIRONMENTAL ASPECT OF THE PROJECT AND IN ORDER TO RESPOND TO THE AGENCY COMMENTS AND THE COMMENTS OF THE COUNTY STAFF, THE APPLICANT HAS

CREATED A HABITAT MANAGEMENT PLAN THE COUNTY'S STAFF HAS REVIEWED AND ALL THE ENVIRONMENTAL AGENICES HAVE REVIEWED AND GIVEN A GREEN LIGHT TO. THEY ARE GETTING EXCELLENT REVIEWS OF THE HABITAT MANAGEMENT PLAN WHICH WAS ADOPTED FOR HOW THIS PROJECT WILL BE MANAGED. THE COST OF REVIEW BY THE COUNTY IS PAID BY RHYTHM SO THEY DON'T HAVE AN ISSUE WHERE IT COST THE COUNTY OUT OF POCKET EVERYTIME THEY SUBMIT SOMETHING TO THEM.

AS MR. HENDERSON MENTIONED, MS. SHELLY SAID THE GROUNDWATER ISSUE HERE IS THE COUNTY HAS ONGOING LITIGATION HERE WHICH EVERYONE, NOT ONLY IN WASHINGTON COUNTY, BUT IN THE STATE IS PAYING VERY CLOSE ATTENTION TO BECAUSE IT IS A BIG ISSUE. BUT, FOR RHYTHM'S PROJECT BECAUSE OF THE CONCERNS RAISED BY THE CITIZENS, THEY REQUIRE IN THIS DOCUMENT THEY DO BASELINE MONITORING THAT IS SUBMITTED TO THE BOARD SO RHYTHM KNOWS WHAT THE GROUND LEVELS ARE AROUND THEM. THEY MONITOR THEM DURING THE ENTIRE DURATION OF THE PROJECT. THE COUNTY REQUIRES RHYTHM BY THIS DOCUMENT TO DO A MASTER STORM WATER PERMIT BEFORE THEY GET STARTED AND ALL DURING THE DEVELOPMENT, RHYTHM WILL BE UPDATING AS THAT WILL CHANGE. THE WETLANDS, WHICH THERE ARE MANY ON THE SITE, RHYTHM IS RESTRICTING AND ARE ACTUALLY GOING TO PLUG A NUMBER INTO THE DEVELOPMENT ORDER. THEY CAN'T HAVE MORE THAN "X" ACRES IN WETLAND IMPACTS; OF COURSE, ANY WETLAND IMPACT HAS TO BE MITIGATED. THE COUNTY REQUIRES RHYTHM USE BEST MANAGEMENT PRACTICES WHICH ARE ALSO INCORPORATED INTO THE HABITAT MANAGEMENT PLAN. PART OF THE SITE DESIGN, BECAUSE OF THE ENVIRONMENTAL SENSITIVITY AND MUCH TO THE DISMAY OF THE COUNTY ATTORNEY THE ELIMINATION OF THE GOLF COURSE, THEY HAVE NOW A MINIMUM OF 50% OPEN SPACE ON THE SITE AND THEY HAVE AN OPEN SPACE MASTER PLAN THAT SHOWS THE BOARD WHERE IT IS. UNCOMMONLY WHEN THEY DO A COMP PLAN, WITH A DRI, THEY HAVE WHAT IS AFFECTIONATELY REFERRED TO IN THE TRADE AS A MAP H. THE BOARD ACTUALLY ADOPTS THIS MAP AS PART OF RHYTHM'S DEVELOPMENT ORDER OR THE MAP THE BOARD TELLS THEM TO ADOPT AND IT TELLS THE BOARD ALL ABOUT WHERE THE UNITS ARE, HOW MANY ACRES, ETC. RHYTHM HAS TO STAY GENERALLY WITHIN THAT;



IT CAN BE ADJUSTED BY SCIENCE BASED PERMITTING ISSUES. BUT, THAT IS GENERALLY WHERE EVERYTHING IS GOING TO BE. THE BOARD WILL ADOPT, IN ADDITION TO MAP H, IN THIS CASE THEY WILL ADOPT AN OPEN SPACE MASTER PLAN THAT SHOWS WHERE ALL THE OPEN SPACE WILL BE. PART OF THAT IS GOING TO BE A BUCKHORN CREEK WILDLIFE CORRIDOR; SHE SHOWED THEM THE GREEN AREA THAT WAS GOING TO BE PROTECTED AND ALSO ACROSS THE TOP OF THE PROPERTY, THERE IS A 1000 MINIMUM WILDLIFE CORRIDOR. THE COUNTY REQUIRES BY THE DEVELOPMENT ORDER BEFORE RHYTHM GETS STARTED, THEY HAVE TO RECORD CONSERVATION EASEMENTS FOR THE PARTS THEY ARE GOING TO PRESERVE AND THE BOARD TELLS RHYTHM WHO THEY WANT TO HAVE THOSE CONSERVATION EASEMENTS. SOMETIMES THE BOARD SAYS THEY WANT THE EASEMENTS IN THE NAME OF THE COUNTY, THEY MAY SAY THEY WANT THEM TO BE IN NWFWD OR FDEP; THIS IS UP TO THE BOARD AND RHYTHM WILL HAVE TO DO THE RECORDING OF THAT. RHYTHM HAS PERIMETER BUFFERING AS WELL AROUND IT SO THEY CAN'T PUT ANYTHING WITHIN A 100' OF ANYBODY'S PLATTED LOT SO THEIR NEIGHBORS DON'T FEEL RHYTHM TO CLOSE TO THEM. SHE ASKED THE BOARD IF THEY HAD ANY QUESTIONS ABOUT THE ENVIRONMENTAL ISSUES, THE WETLANDS, STORMWATER OR OPEN SPACE. SHE SAID IF THERE IS SOMETHING SPECIFIC THAT COMES UP AS A RESULT OF COMMENTS OR QUESTIONS THEY HAVE, PLEASE LET RHYTHM KNOW ABOUT THAT.

MS. SHELLY ADDRESSED RHYTHM BEING AN AGE RESTRICTED COMMUNITY; IT IS ALREADY AGE RESTRICTED IN THE COUNTY'S COMP PLAN AND IT WILL ALSO BE AGE RESTRICTED IN THEIR DEVELOPMENT ORDER. THERE WILL BE SIX WAYS FROM SUNDAY THAT IF THAT CHANGES, IT WILL BE UP TO THE BOARD. THE TYPE OF DEVELOPMENT THAT IT IS, IT IS AN URBAN VILLAGE AND IT IS NOT SPREAD OUT ALL OVER THE PLACE AND THE REQUIREMENT FOR A MIX OF USES, ALL OF THAT IS IN THE DEVELOPMENT ORDER. THE BOARD REQUIRES RHYTHM NOT HAVE OVERSIZED PIPES FOR THEIR WATER SUPPLY OR THEIR SANITARY SEWER IN THE DEVELOPMENT ORDER SO THAT IS ANOTHER PROTECTION OF THE NEIGHBORHOOD RHYTHM IS NOT TRYING TO BE THEIR SERVICE PROVIDER. RHYTHM CAN ONLY HAVE PIPES, ETC. THAT ARE SIZED TO FIT THIS DEVELOPMENT FOR BOTH WATER AND WASTE WATER. THE REUSE ASPECT,

THEY DON'T HAVE ENOUGH REUSE THAT THEY WILL GENERATE TO PROVIDE IRRIGATION TO THE WHOLE; BUT, THEY WILL PROVIDE IT TO THE COMMON AREAS AND THAT WILL ALLOW SUPPLEMENTAL IRRIGATION WELLS FOR THE REMAINDER. ONE OF THE THINGS ABOUT THIS IS THE BOARD GIVES NOTICE TO THE COMMUNITY. THEY ARE IN THEIR SIXTY DAY NOTICE PERIOD; THIS IS PROBABLY HER FOURTH DRAFT AND SHE HAS ONLY SENT TWO TO THE BOARD. SHE IS GETTING GOOD ANSWERS FROM THE COUNTY AND OF COURSE THEY ARE THE BOSS OF WHAT THIS SAYS SO IT IS HER GOAL TO WRITE THIS IN A WAY THAT IS SO CLEAR OF WHAT THE THE BOARD'S INTENTION IS. IF THEY NEED TO CHANGE THE LANGUAGE TO MAKE THE VERTICAL CONSTRUCTION ISSUE CLEARER, SHE WOULD BE PLEASED TO DO THAT.

COMMISSIONER ABBOTT QUESTIONED, THIS BEING AN AGE RESTRICTED COMMUNITY 55 AND ABOVE, IS THERE ANY CIRCUMSTANCE FOR SOMEBODY UNDER THE AGE OF 50 TO PURCHASE AND BUILD IN THERE.

MS. SHELLY EXPLAINED THERE IS A HUSBAND AND WIFE ISSUE THAT THEY DON'T BOTH HAVE TO BE AGE 55 AND THERE IS AN EXCEPTION THE HOA OR WHOEVER TAKES OVER, USUALLY AN HOA CAN MAKE A HARDSHIP EXCEPTION. FOR EXAMPLE IF SOMEBODY LEFT A PROPERTY TO SOMEONE AND THEY HADN'T BEEN ABLE TO SELL IT. IT IS NOT HARD AND FAST; SO, YES THERE IS A WAY THAT CAN HAPPEN JUST AS THERE IS IN THE VILLAGES.

COMMISSIONER ABBOTT SAID RHYTHM UNDERSTANDS HIS CIRCUMSTANCES AND HE DON'T THINK HE IS INFRINGING ON ANYBODY'S SPACE OVER THERE AND WOULD THE SAME EXCEPTION BE MADE FOR HIM. MS. SHELLY SAID "YES;" BUT NO SCHOOL KIDS THOUGH.

COMMISSIONER ABBOTT SAID HE WAS GOOD WITH THAT; BUT, GRANDKIDS CAN COME VISIT GRANDMA AND GRANDPA. HE DON'T WANT TO PUT OUT THERE THE FRAME OF MIND YOU CAN'T EVEN VISIT IF YOU ARE 55 YEARS OLD OR OLDER.

NAN THOMPSON ADDRESSED THE BOARD ON RHYTHM TALKING ABOUT A WATER REPORT. THEY DID A WATER REPORT; THEIR REPORTS WERE FROM 1980 AND 1997 AND EVERYTHING HAS MOVED AROUND SINCE THEN. SHE SAID HER PROPERTY ADJOINS RHYTHM AND SHE THINKS THE WATER ISSUE IS SOMETHING

THE BOARD NEEDS TO LOOK INTO A LITTLE MORE. SHE SAID THEY HAD A MEETING ON MONDAY AND THEY WERE NOT TOLD THERE WAS A POSSIBILITY OF DIFFERENT BUILDERS COMING IN; THEY WERE TOLD IT WAS ONE PROJECT, ONE BUILDER, ETC.

COMMISSIONER ABBOTT EXPLAINED IT IS JUST ONE DEVELOPER. MS. THOMPSON POINTED OUT RHYTHM HAD SAID THEY WERE GOING TO ALLOW DIFFERENT BUILDERS TO COME IN.

COMMISSIONER ABBOTT SAID THAT WOULD BE WONDERFUL AND ASKED MS. THOMPSON IF SHE HAD A CONCERN WITH THERE BEING DIFFERENT BUILDERS.

MS. THOMPSON SAID SHE HAS CONCERN WITH THE WHOLE PROJECT ON SOME OF THE THINGS THAT ARE BEING SAID AND SHE ADJOINS THE PROPERTY. ONE OF THE QUESTIONS SHE ASKED MR. HENDERSON IS WHETHER OR NOT THERE WERE STUBBING FOR THE INDIVIDUAL PROPERTIES AROUND THE OUTSIDE, ADJOINING PROPERTIES. SHE WAS TOLD "NO." SHE DIDN'T LOOK FOR THE WORD STUBBING AND THAT WAS HER PROBLEM. SHE DON'T KNOW IF THE COUNTY IS PLANNING ON GOING INTO THE WATER BUSINESS; BUT, IT DOES SAY.

COMMISSIONER ABBOTT SAID THE COUNTY WOULD LIKE TO GET INTO THE WATER BUSINESS. MS. THOMPSON SAID SHE LIKED HER WELL WATER AND REFUSES TO BE LIKE SUNNY HILLS AND PAY \$200 FOR CRAPPY WATER. BUT, IT DOES SAY AN EXTENSION OF SANITARY LINES AND POTABLE WATER SUPPLIES TO ADJOINING PROPERTIES SHALL BE PROVIDED. IN HER MIND THIS SAYS IF HER WELL GOES DOWN, GUESS WHAT, SHE IS GOING TO BE REJECTED BY THE COUNTY AT SOME POINT AND TOLD SHE WILL HAVE TO GO ON RHYTHM'S SYSTEM IF THE COUNTY TAKES OVER.

COMMISSIONER CARTER SAID THAT IS A LITTLE CONTRADICTORY TO THE PLAN BECAUSE MR. HENDERSON AND MS. SHELLY HAS JUST SAID THERE WOULDN'T BE ANY OVERSIZED PIPING, ETC. HE UNDERSTANDS WHAT MS. THOMPSON IS SAYING.

MS. SHELLY REFERRED TO HER HAVING JUST MENTIONED THEY HAVE PROVIDED TWO DRAFTS OF THEIR PLAN TO THE COUNTY AND MS. THOMPSON WAS READING ONE OF THE SUFFICIENCY RESPONSES. THE CURRENT DRAFT SAYS EXTENSIONS ARE PROHIBITED. THAT WOULD OFFEND SOMETHING THAT

RHYTHM WOULD HAVE GONE TO A HEARING. THE DOCUMENT ALSO SAYS IN CASE OF ANY CONFLICT BETWEEN THE APPLICATION DOCUMENT AND THE DEVELOPMENT ORDER, THE DEVELOPMENT ORDER CONTROLS. IN OTHER WORDS, THIS IS THE PROPOSAL OF THE APPLICANT AND THEN THE COUNTY SAYS WHAT THEY THINK ABOUT IT. RHYTHM HAS HEARD VERY CLEARLY THE COUNTY DOES NOT WANT THEM TO EXTEND WATER AND WASTEWATER. THE CURRENT DRAFT SAYS IT IS PROHIBITED.

MS. THOMPSON REQUESTED A COPY OF THE CURRENT DRAFT. MS. SHELLY AGREED TO PROVIDE HER THE CURRENT DRAFT.

MS. THOMPSON ADDRESSED THEM TALKING ABOUT WHAT THEY ARE GOING TO BE DOING WITH THE 55 AND OLDER. SHE HAS NO PROBLEM; BUT, IF SHE IS TOLD AT 10:00 P.M. THAT SHE HAS TO SHUT DOWN HER MUSIC, ETC. AND THEY ARE HOLDING CONCERTS AT RHYTHM, SHE MOVED OUT TO THE END OF THE WORLD WAITING FOR IT TO DROP OFF BECAUSE SHE DIDN'T WANT TO LIVE IN CHIPLEY. PRETTY MUCH THIS IS THE CONSENSUS OF EVERYBODY THAT WAS AT THE MEETING. SHE ASKED COMMISSIONER ABBOTT TO BE AT THE MEETING; HOWEVER, SHE DON'T KNOW WHY HE DIDN'T BUT WISHES HE HAD.

COMMISSIONER ABBOTT STATED IT WAS HIS SON'S BIRTHDAY.

MS. THOMPSON SAID CERTAINLY THEY NEED REPRESENTATION OUT THERE AND MAYBE MR. ABBOTT COULD ATTEND THE NEXT MEETING. SHE HAS SOME MAJOR CONCERNS ON THIS WHOLE PROJECT SHE WILL BE DISCUSSING INDIVIDUALLY WITH MR. ABBOTT OR WHATEVER. THE WATER ISSUE IS THE MAIN THING; THIS IS THE ACQUAFER; THE SAME ONE THAT BAY COUNTY IS TRYING TO PULL OUT OF. THE LAST WELL SHE PUT IN FIVE YEARS AGO WAS \$10,000. SHE DON'T CARE WHAT THEY DO; IF THEY SUCK WATER, IT IS GOING TO GO DOWN. IT IS NOT GOING TO REPRODUCE.

MIKE DERUNTZ UPDATED THE BOARD ON ANOTHER ISSUE IS RIGHT-OF-WAY FOR BUCKHORN BOULEVARD FOR THE ELKCAM EXTENSION. WHEN THEY ARE PROPOSING THIS DEVELOPMENT, HE SHOWED A SECTION WHERE THEY ARE GOING TO BE PROVIDING THE RIGHT-OF-WAY AND DEPENDING ON THE WIDTH OF THE RIGHT-OF-WAY, THEY ARE GOING TO USE THAT AS A DEDUCTION AGAINST THE FEES, COSTS, REVENUES THEY ARE GOING TO CONTRIBUTE BACK TO THE COUNTY

BECAUSE IT IS RIGHT-OF-WAY; THEY ARE NOT GOING TO GIVE IT TO THEM DEPENDING ON HOW WIDE IT IS. RHYTHM IS LOOKING AT GOING 80' OR 120' OR EVEN MORE DEPENDING ON WHAT THE ORIGINAL STUDY WAS. THIS IS PART OF THE DECISION THAT HAS TO BE MADE; ARE THEY GOING TO HAVE A WIDER RIGHT-OF-WAY THROUGH HERE OR LESS. IF IT IS WIDER, THERE IS GOING TO BE ADDITIONAL RIGHT-OF-WAY.

CLIFF EXPLAINED HE THOUGHT WHAT MIKE WAS GETTING TO WHEN THE ELKCAM FEASIBILITY STUDY WAS DONE, THEY WERE PREPARING TO FOUR LANE ELKCAM TO 231; THAT WAS THE ULTIMATE GOAL OF THE PROJECT. THEY HAD A RIGHT-OF-WAY 162' WIDE IN ORDER TO FIT A FOUR LANE WITH ALL THE DRAINAGE, ETC. THE PLAN HE THINKS RHYTHM HAS HERE WAS INITIALLY INCORPORATED INTO THAT ELKCAM STUDY WHERE THEY HAD 162' THE WHOLE WAY. NOW, ON BUCKHORN BOULEVARD, THERE IS ONLY A 60' WIDE RIGHT-OF-WAY; IF THEY WENT TO 162', THEY WOULD NEED A LOT MORE RIGHT-OF-WAY AND THE SAME THING WITH QUAIL HOLLOW. QUAIL HOLLOW IS 100' NOW AND THEY WOULD NEED 162' IF ELKCAM WAS FOUR LANED ALL THE WAY FROM HWY 77 TO 231. THE POINT MIKE IS MAKING IS THEIR INITIAL PLANS WERE SET UP SO IF THAT CONNECTOR ROAD FROM HIGHWAY 77 TO 231 WHETHER IT IS WASHINGTON BOULEVARD OR ELKCAM BOULEVARD WERE EVER FOUR LANED THERE WOULD BE NO PROBLEM COMING THROUGH THAT PROJECT. HE THINKS THE POINT MR. HENDERSON MENTIONED TO HIM EARLIER IS IF RHYTHM IS GOING TO DEDICATE RIGHT-OF-WAY FOR A FUTURE FOUR LANE, THEY WANT CREDIT FOR DEDICATING THAT RIGHT-OF-WAY.

MR. HENDERSON CLARIFIED RHYTHM IS GOING TO DEDICATE RIGHT-OF-WAY THROUGH THEIR PROPERTY FOR HOWEVER MUCH THE COUNTY WANTS. THEIR PROJECT ONLY REQUIRES TWO LANES; SO, THEY ARE GOING TO DEDICATE RIGHT-OF-WAY ALL THE WAY THROUGH THEIR PROPERTY FOR TWO LANES. IF THE COUNTY WANTS RIGHT-OF-WAY FOR A FUTURE FOUR LANE, RHYTHM WILL DEDICATE THE ADDITIONAL RIGHT-OF-WAY TO ACCOMODATE THE THIRD AND FOURTH LANES. BUT, THE WAY IN WHICH IMPACT FEES WORK, THEY ARE ONLY RESPONSIBLE FOR THE IMPACTS OF THEIR PROJECTS. IF THE COUNTY WANTS THE ADDITIONAL RIGHT-OF-WAY, THEY WILL DEDICATE IT; BUT, THEY ARE

GOING TO APPLY FOR IMPACT FEE CREDITS FOR THE RIGHT-OF-WAY FOR THE THIRD AND FOURTH LANES. WHERE THE QUESTION COMES UP, SHOULD WE BE PLANNING FOR THE ADDITIONAL RIGHT-OF-WAY; IF THEY ARE, THEY HAVE ALREADY PLANNED FOR IT. IT IS ALREADY SET ASIDE; BUT, THERE WAS A CONCERN THE BOARD DIDN'T WANT TO POTENTIALLY GIVE THEM IMPACT FEES CREDIT. THE DECISION POINT IS DOES THE BOARD WANT THEM TO DEDICATE RIGHT-OF-WAY FOR TWO LANES AND BUILD TWO LANES OR DO THEY WANT THEM TO BUILD TWO LANES AND DEDICATE THE ADDITIONAL THIRD AND FOURTH LANE.

COMMISSIONER PATE SAID HE REALLY WOULDN'T FOR THAT STUDY WHERE IT WAS AT; SO, IT DOESN'T MATTER TO HIM BECAUSE HE DIDN'T THINK IT WOULD EVER BE BUILT IN HIS LIFETIME. MR. HENDERSON SAID THEY WOULD BE GLAD TO JUST DO TWO LANES; BUT, THEY WANT TO COMPLY WITH WHAT THE BOARD WANTS THEM TO DO.

COMMISSIONER CARTER SAID THEY WOULD HAVE TO ASK CLIFF WHAT HE HAS PUT IN FOR DIFFERENT GRANTS AND WHAT THAT IS GOING TO DO WITH ANYTHING HE HAS SUBMITTED.

CLIFF EXPLAINED THE NEXT STEP ON THE ELKCAM FEASIBILITY STUDY WOULD BE A PD&E; THE PD&E NEVER GOT FUNDED THROUGH THE TRIP PROGRAM. RIGHT NOW, THAT PROJECT IS KIND OF DEAD IN THE WATER UNTIL IT GETS TO THE NEXT PHASE WHICH IS THE PD&E. AS FAR AS TIGER III GOES, WASHINGTON BOULEVARD, THEY ARE NOT PROPOSING TO FOUR LANE WASHINGTON BOULEVARD; THEY ARE PROPOSING TO HAVE 12' TRAVEL LANES WITH PAVED SHOULDERS FROM WASHINGTON BOULEVARD TO WHERE THE PAVING ENDS RIGHT NOW ALL THE WAY TO THE WASHINGTON COUNTY/JACKSON COUNTY BOUNDARIES. THEIR GROUP IS COMMITTED TO MAKING IMPROVEMENTS FROM THEIR PROPERTY ALL THE WAY OUT TO HIGHWAY 231. TOGETHER THOSE TWO PROJECTS WOULD BE A FANTASTIC IMPROVEMENT FOR EAST/WEST CORRIDOR FOR THE COUNTY. THE TIGER III GRANT IS NOT PROPOSING A FOUR LANE FOR THE EXTENSION OF WASHINGTON BOULEVARD.

MS. SHELLY TOLD THE BOARD THEY DON'T HAVE TO DECIDE NOW ON THE RIGHT-OF-WAY DEDICATION; BUT, BEFORE THEY COULD START PHASE 1B, THE

COUNTY WOULD HAVE TO LET RHYTHM KNOW IF THEY WANTED THAT SECOND TWO LANE.

COMMISSIONER CARTER ASKED WHAT WAS THE RIGHT-OF-WAY RHYTHM WAS TRYING TO GET OFF THE COUNTY LINE ROAD; WHAT IS THE EXISTING RIGHT-OF-WAY THERE.

MR. HENDERSON SAID WITHIN BAY AND WASHINGTON COUNTY, BAY AND JACKSON COUNTY, JACKSON COUNTY HAS APPROXIMATELY 40' OF DEDICATED RIGHT-OF-WAY WITH TWO PARCELS THAT ARE OUT. BAY COUNTY IS BETWEEN 25' AND 33' WITH A FEW OUT PARCELS. WHEN IT GETS TO RHYTHM'S PROPERTY, THERE IS ONLY 25' TO 33'; THEY WOULD MAKE UP WHATEVER THEY NEEDED TO ALL THE WAY THROUGH THEIR PROPERTY BASED ON THAT.

COMMISSIONER CARTER ASKED AT A 60' RIGHT-OF-WAY BASIS. MR. HENDERSON SAID RHYTHM WAS GOING TO GIVE THE COUNTY 120' AND THEN THEY ARE GOING TO DO THEIR STORM WATER OUTSIDE THAT.

COMMISSIONER CARTER SAID IF RHYTHM IS GIVING IT TO THE COUNTY, THE COUNTY WANT HAVE TO WORRY ABOUT NO IMPACTS. RHYTHM WOULD BE GIVING IT AND THE COUNTY WILL KEEP THEIR IMPACTS.

MR. HENDERSON SAID RHYTHM WAS GOING TO TAKE RESPONSIBILITY FOR THEIR IMPACTS. RHYTHM WOULD GIVE THE COUNTY ENOUGH RIGHT-OF-WAY FOR A TWO LANE ROAD THROUGH THAT PROPERTY; ANHYTHING BEYOND THAT, THEY WOULD EXPECT IMPACT FEE CREDITS BECAUSE THAT IS NOT THEIR RESPONSIBILITY. BUT, THEY DON'T WANT TO BUILD IN THE WAY OF THAT ROADS, THEY JUST WANT TO PLAN AROUND IT. BUT, IF IT IS BEYOND TWO LANES THEN UNDER THEIR IMPACT FEE ORDINANCE THAT QUALIFIES FOR IMPACT FEE CREDITS.

COMMISSIONER CARTER SAID THAT DOESN'T MEAN THEY HAVE TO LIVE WITH THE CRITERIA. IF RHYTHM WANTS TO GIVE THE COUNTY 120', THEY WILL JUST TAKE THE 120'. MR. HENDERSON ASKED IF THE COUNTY WOULD BE WILLING TO GIVE RHYTHM IMPACT FEE CREDITS.

COMMISSIONER CARTER SAID "NO."

COMMISSIONER CARTER SAID HE DIDN'T HAVE A PROBLEM WITH THE 60' WITH 24' PAVEMENT.

CLIFF SAID HE WOULD DEFINITELY HAVE MORE THAN 60'. COMMISSIONER CARTER SAID 80' AT THE MOST; THERE IS NO NEED FOR 120'.

MR. HENDERSON REITERATED THEY WOULD GIVE THE COUNTY ENOUGH RIGHT-OF-WAY TO MEET THE COUNTY ENGINEER'S CRITERIA FOR A TWO LANE ROAD THROUGH THIS PROPERTY WHETHER OR NOT IT IS 60', 80' OR 100'.

MR. DERUNTZ ADDRESSED ONE OF THE THINGS THAT WAS MENTIONED AT THE NEIGHBORHOOD INFORMATIONAL MEETING WHEN THEY WERE TALKING ABOUT THE WATER RESOURCES WAS IT WAS A SUGGESTION FROM THE RESIDENTS THAT THE APPLICANT LOOK AT THE DEPTHS OF THE WELL BASED ON THE PERMITS THAT HAVE BEEN ISSUED SO THEY KNOW THE DEPTHS OF ALL THE WELLS. BUT, THEY SHOULD HAVE A BASELINE OF WHICH WELLS ARE WORKING AND WHICH ONES AREN'T SO WHEN THEY GET OUT THERE AND START IMPACTING, THEY KNOW WHICH WELLS WERE WORKING WHEN THEY STARTED. HE THOUGHT THAT WAS A REALLY GOOD SUGGESTION ON THEIR PART SO THERE IS A BASELINE OPERATIONAL THE EXISTING WELLS ON THE ADJOINING PROPERTIES SO THERE IS A POINT OF STARTING AND WHAT THEY ARE DOING TO WELLS, ETC.

COMMISSIONER CARTER ASKED HOW DO THEY PROPOSE TO GET THE BASELINE SET UP AND WHO BEARS THAT EXPENSE.

MR. DERUNTZ SAID THE DEVELOPER WOULD BEAR THAT EXPENSE; TEST THE WELLS TO SEE IF THEY ARE OPERATIONAL, FUNCTIONAL, WHATEVER.

COMMISSIONER CARTER EXPLAINED THAT MEANS SOMEWHERE DOWN THE LINE THE DEVELOPER IS GOING TO HAVE TO HAVE PERMISSION TO GET ON ALL OF THAT PROPERTY.

MR. DERUNTZ SAID THIS IS SOMETHING HE SUGGESTED; HE WAS BRINGING OUT A SIGNIFICANT POINT THAT WAS MADE AT THE NEIGHBORHOOD INFORMATION MEETING. THERE IS ALWAYS THIS QUESTION ABOUT SOMEONE'S WELL NOT WORKING AND CLAIMING THE DEVELOPER IMPACTED IT BECAUSE THEY PUT THEIR WELLS IN.

MR. HENDERSON SAID WHAT THEY HAVE IS A LIST OF ALL THE PERMITTED WELLS; THEY DON'T HAVE THE DEPTH BUT THEY KNOW HOW DEEP THOSE WELLS WERE DUG. THEY HAVE NO IDEA OF THE DEPTH OF THE WATER WITHIN THOSE PRIVATE WELLS. THEY WILL DO MONITORING WELLS AROUND THEIR PROPERTY



TO IDENTIFY WHERE THE DEPTH OF THE WATER IS BEFORE THEY EVER START. THAT IS THE BASELINE. THEY WOULD BE RESPONSIBLE FOR IMPACTING ANY OF THOSE WELLS. ONE OF THE THINGS THAT NEED CLARIFYING IS THAT IS PERMITTED WELLS; THEY ARE NOT PROPOSING TO BE RESPONSIBLE FOR ILLEGAL WELLS. ANY PERMITTED WELLS HAS A DEPTH AND IF RHYTHM IMPACTS THEM, THEY WILL HAVE TO FIX IT. IF THERE IS AN IMPACT AND THE PROPERTY OWNER CALLS UP, RHYTHM IS GOING TO TAKE PART OF THAT \$5,000, THE COUNTY IS GOING TO HIRE A CONSULTANT TO GO OUT AND SAY WHAT HAPPENED TO THAT WELL, LOOK AT RHYTHM'S MONITORING WELLS AND SEE WHATS HAPPENED AND WHO IMPACTED IT.

COMMISSIONER CARTER SAID THE ACTUAL ONLY IMPACT THEY ARE LOOKING AT CORRECTING IS IF THERE IS A LOSS OF WATER; THAT IS ALL.

MR. HENDERSON REITERATED RHYTHM'S GEOTECHNICAL ENGINEER HAS SAID PRIMARILY WHAT YOU END UP HAVING TO DO IN THESE TYPE OF CASES IS LOWERING THE PUMP. RHYTHM IS NOT RESTRICTING THEMSELVES TO THAT. WORSE CASE, IF THEY ARE RESPONSIBLE FOR THAT WELL, THEY MAY HAVE TO DIG ANOTHER WELL FOR THEM AND THEY ARE NOT DENYING THAT AS THE OUT-SIDE RESPONSIBILITY. THEY WOULD NOT BE AGREEING TO THIS IF THEY THOUGHT THEY WERE GOING TO POTENTIALLY BE IMPACTING A WHOLE LOT OF WELLS AND DIGGING A WHOLE BUNCH OF INDIVIDUAL WELLS. IT MAKES MORE SENSE TO RHYTHM TO MOVE THEIR WELL AWAY FROM THE CORNER OF THE PROPERTY SO THEY DON'T IMPACT THEM.

COMMISSIONER CARTER QUESTIONED WHAT DEPTH ARE THEY LOOKING AT PUTTING THEIR MONITORING WELLS. MR. HENDERSON ADVISED WHATEVER IS REQUIRED BY NFWFMD, THE COUNTY ENGINEER AND RHYTHM'S GEOTECHNICAL GUY. MR. HENDERSON SAID YOU PUT THE MONTORING WELLS DOWN FAR ENOUGH YOU MONITOR THE DEPTH OF THAT WATER AND THERE IS A MONITORING PROGRAM THEY WILL BE REQUIRED TO DO. THEY WILL MONITOR ALL THE MONITORING WELLS AND SAY THE DEPTH OF ALL THE WELLS AND TURN THIS INFORMATION IN TO THE COUNTY AND SAY HERE IS THE BASE INFORMATION.

COMMISSIONER CARTER ASKED THEY ASSUME THEY HAVE THE DEPTH AT 200'; WHAT IF A PERSON'S WELL OUT THERE THAT WAS FUNCTIONAL WAS 100'

AND IT IS NOT ANY MORE. IS THAT SAYING RHYTHM IS GOING TO IMPACT THAT.

MR. HENDERSON EXPLAINED IF THE WATER SAYS THAT BEFORE RHYTHM EVER STARTED DAY 1, THE WATER IS AT 200' AND THEIR WELL IS NOT WORKING AT 100', THAT IS NOT RHYTHM'S RESPONSIBILITY.

COMMISSIONER CARTER ADDRESSED HE ASSUMED THERE WERE SHALLOW WELLS OUT THERE AND ASKED HOW DO YOU DETERMINE THAT.

MR. HENDERSON REITERATED IF IT IS A PERMANENT WELL, THEY KNOW EXACTLY THE DEPTH OF THE WATER. THEY CAN'T BE RESPONSIBLE FOR ILLEGAL WELLS AND HE CAN'T TELL THEM HOW MANY OF THEM ARE OUT THERE.

COMMISSIONER CARTER TOLD MR. HENDERSON THEY WILL HAVE PERMITTED SHALLOW WELLS. MR. HENDERSON SAID IT WOULD BE RELATED BACK TO THEIR MONITORING PROGRAM. IF THEIR WELLS DRAW DOWN, THE FIRST THING IT IS GOING TO DRAW DOWN ARE THE ONES THAT IN THEIR MONITORING LOCATIONS SO THE ENGINEERS ARE GOING TO SAY "HERE IS WHAT WE WANT ON YOUR MONITORING WELLS." HE SHOWED ON THE MAP WHAT ZONE THEY WOULD DIRECTED TO. THEY ARE GOING TO TELL THEM HOW MANY MONITORING WELLS THEY HAVE TO HAVE IN ORDER TO IDENTIFY AND MONITOR WHAT HAS HAPPENED. THEY WILL DRILL THE MONITORING WELLS AND MEASURE THE WATER DEPTH.

COMMISSIONER ABBOTT INFORMED COMMISSIONER CARTER RHYTHM ALREADY KNOWS HOW DEEP THE PERMITTED WELLS ARE AND THEY AREN'T GOING TO TAKE THEIR TEST WELL AND PUT IT BELOW THAT.

COMMISSIONER PATE ADDRESSED SHALLOW WELLS COULD BE ANYTHING FROM A DUG WELL TO A DRILLED WELL.

MR. HENDERSON EXPLAINED IF THERE IS A SHALLOW WELL, RHYTHM'S MONITORING WELLS WILL TELL THEM WHERE THE WATER IS AND IF THEY ARE IMPACTING IT. THE FIRST WELLS TO BE IMPACTED WILL BE RHYTHM'S MONITORING WELLS AS IT WILL BE THE CLOSEST TO THEIR DUG WELL POINT. IT IS GOING TO IMPACT RHYTHM IN THEIR MONITORING WELLS BEFORE IT IMPACTS THEM. THEY WILL BE ABLE TO SEE THAT REPORT, THE COUNTY ENGINEER WILL LOOK AND SAY WHETHER OR NOT IT IS RHYTHM'S FAULT OR GOD'S FAULT.

JOHN LEGG ADDRESSED THE BOARD HANDING THEM A GRAPH OF HOW SHALLOW WELLS HAVE CHANGED FROM 1997 FORWARD. UNDER NFWFMD LAW, LOW VOLUME WELLS TO WATER YOUR LAWN THAT YOU DON'T DRINK WATER OUT OF, DO NOT HAVE TO BE PERMITTED. SO, RHYTHM WON'T BE COVERING THOSE WELLS THAT PEOPLE USE TO WATER THEIR LAWNS.

COMMISSIONER ABBOTT QUESTIONED IF THERE ARE WELLS OUT THERE PEOPLE HAVE FOR WATERING THEIR LAWNS. MR. LEGG ADVISED THERE WAS; THEY DIG A HOLE IN THE GROUND ABOUT 5' DEEP BECAUSE THE SHALLOW WATER PUMP IS ONLY GOOD FOR ABOUT 20' WATER SO THEY DIG A PIT IN THE GROUND TO GET DOWN A LITTLE DEEPER SO THEY CAN USE A SHALLOW WELL PUMP AND USE IT FOR WATERING THEIR YARDS BECAUSE IT IS A WHOLE LOT CHEAPER THAN REPLACING A REGULAR PUMP SEVERAL HUNDRED FEET DOWN. HE REITERATED THESE WELLS DON'T HAVE TO BE PERMITTED BECAUSE THEY ARE NOT USING THEM FOR POTABLE WATER.

MR. TOD BARFIELD ENCOURAGED SEEKING SOME INPUT FROM NFWFMD ON THE SHALLOW WELL VERSUS THE DEEP WELLS; TYPICALLY THE AQUIFER DOESN'T AFFECT THE SHALLOW WELLS DIRECTLY AND VICE-VERSA. TECHNICALLY THEY ARE NOT CONNECTED. NFWFMD HAS SOME RESOURCES THEY CAN EXPLAIN THAT VERY WELL.

ROGER HAGAN ADDRESSED THE BOARD AND COMMENDED THE BOARD AND THE DEVELOPER; THIS HAS PROBABLY BEEN ONE OF THE MOST THOROUGH RESEARCHED AND WORKED ON PROJECT THAT HAS COME BEFORE THEM SINCE THEY HAVE HAD COMPREHENSIVE PLANNING GOING BACK TO 1975 TO 1979 WHEN THE COUNTY ADOPTED THEIRS. MR. DERUNTZ SENT OUT A LETTER OF INVITATION TO REVIEW THE DRAFT AND HE IS NOT SURE WHO ALL GOT THAT; HE REVIEWED IT AND SUBMITTED COMMENTS BACK TO MR. DERUNTZ. MOST OF IT WAS EDITORIAL. HE REFERRED TO SAM MITCHELL BACK IN THE EARLY 1980'S SAYING THE BIGGEST PROBLEM FACING THE LEGISLATURE THAT YEAR WOULD BE WATER ISSUES; SOME THIRTY YEARS LATER, HE IS PERSUADED THAT HAS NOT GOTTEN MUCH BETTER. THERE WAS SOME MOVE IN THE LATE 80'S TO LAY PIPE LINES FROM SOUTH WASHINGTON COUNTY, NORTH BAY COUNTY, DEER POINT LAKE PARTICULAR, ACROSS PART OF THE PANHANDLE

TO THE WEST AND HELP CARRY WATER TO THE WEST. WHATEVER RHYTHM AND THEIR DEVELOPER WORKS ON, WATER IS GOING TO BE IMPORTANT. HE SAID IF HE UNDERSTOOD WHAT MR. HENDERSON HAD SAID, RHYTHM IS GOING TO PAVE FROM HWY 231 DOWN THROUGH THEIR PROPERTY AND THEN DO SOME OTHER THINGS. HE IS NOT SURE ALL THE DRI GETS TO DO THAT HE WOULD NOT GET TO DO IF HE WAS GOING TO DEVELOP A 40 OR 100 LOT SUBDIVISION. BUT, PART OF THE COUNTY'S PLANNING IN THE PAST WAS THAT ROADS HAD TO BE BUILT, INCLUDING PAVING. HE DIDN'T HERE THEM SAY THEY WERE GOING TO PAVE INSIDE THE SUBDIVISION; THEY WERE GOING TO DO SOMETHING AFTER THE 500 UNITS AND THEN SOMETHING AFTER 500 MORE UNITS. BUT, HE THINKS BEFORE THEY PLAT IT, THE ROADS HAVE TO BE PAVED AND THEY HAVE TO PLAT BEFORE THEY CAN SALE. HE THOUGHT THEY NEEDED TO GET PAVING ADDRESSED INSIDE THE UNIT ITSELF. ON THE RIGHT-OF-WAY, HE DON'T THINK THE BOARD WILL NEED IT IN THEIR ADMINISTRATIONS OR HIS. WHETHER THEY GET 60', 80' GOING THROUGH THERE, HIGHWAY 77 IS ON HOLD WITH FL-DOT ABOUT BEING FOUR LANED ON THROUGH WASHINGTON COUNTY; A LOT OF EMPHASIS ON 79 AND 231 IS THEIR OTHER FOUR LANE. THOSE GET TO BEING THEIR BARE EVACUATION ROUTES. IF THEY HAD A FOUR LANE THAT WENT FROM HIGHWAY 77 TO HWY 231 AND THEY REALLY HAD A NEED TO EVACUATE, THEY COULD GET PEOPLE FROM HIGHWAY 77 AND EVEN ACROSS 77 TO HIGHWAY 231 TO A FOUR LANE EVACUATION ROUTE MUCH QUICKER THAN IF THEY HAD A FOUR LANE IN SUNNY HILLS AND IN THAT AREA. THAT IS LONG RANGE PLANNING. WHETHER YOU HAVE TO BUILD THAT FOUR LANE IN THERE NOW OR NOT, HE DOESN'T THINK THEY DO. BUT, THEY ARE NOT GOING TO BE A POPULATION OF 25,000 ALWAYS; WHEN IT IS 60,000 TO 70,000, IT IS GOING TO BE A LOT HARDER TO GET THAT OTHER 60' RIGHT OF WAY THAN IT IS TO TAKE IT WHILE RHYTHM IS WANTING TO DEAL. HE SUGGESTED THE BOARD LOOK AT THEIR PLATTING REQUIREMENTS IF THEY DO APPLY TO A DRI; IF THEY DO, THERE HAS TO BE MORE PAVING INSIDE THAT UNIT INSTEAD OF WHAT HE HEARD AWHILE AGO.

COMMISSIONER CARTER ADDRESSED THIS SHOULD BE THE RESPONSIBILITY

OF MR. DERUNTZ TO MAKE SURE RHYTHM FOLLOWS THE COUNTY'S PLAN.

COMMISSIONER BROCK, IN TALKING ABOUT WATER, IT IS PRECIOUS. THE BOARD APPROVED THE WASHINGTON PRISON AND THEY WERE ALLOTTED AT THAT TIME 5,000,000 GALLONS OF WATER A DAY. THE COUNTY HAS SOME BEAUTIFUL LAKES NEARBY; SINCE THEN, THE PRISON HAS BEEN INCREASED TO 10,000,000 GALLONS A DAY. THE HICKS LAKE, APPROXIMATELY 300 ACRES IS JUST ABOUT BONE DRY AND PROBABLY NOT 4' DEEP. THE LUCAS LAKE, WHICH IS REAL CLOSE TO THE PRISON IS ABOUT 9' DOWN AND IS BETWEEN 300 TO 400 ACRES. SOMETIMES YOU WONDER WHERE IS THE PROBLEM AT. HE SOMETIMES WONDERS IF THAT INSTITUTION IS NOT PULLING WATER THAT IS CAUSING THESE LAKES TO BE SO LOW. IT HAS BEEN SEVERAL YEARS NOW THEY HAVE BEEN SO LOW. HE WANTED TO MAKE THAT STATEMENT ON WATER.

COMMISSIONER BROCK ASKED MR. DERUNTZ ON THE PLATTING REQUIREMENTS OF THE COMPREHENSIVE PLAN WHERE YOU CAN'T BUILD ON; YOU HAVE TO HAVE 4.5 ACRES. HE ADDRESSED SEVERAL LAND OWNERS HAS CONSULTED HIM ABOUT THIS REQUIREMENT AND HE HAS PROBLEMS WITH THIS AS WELL. HE THINKS THAT IS TOO MUCH; HE THINKS PEOPLE SHOULD BE ABLE TO BUILD ON LESSER PROPERTY THAN 4.5 ACRES. IT HAS ALWAYS BEEN AN ACRE; IN FACT, HE THOUGHT THEY DID A SPECIAL EXEMPTION FOR A LADY A FEW MONTHS AGO. COMMISSIONER ABBOTT AGREED THE BOARD HAD DONE SEVERAL EXEMPTIONS.

COMMISSIONER BROCK REFERRED TO CHILDREN WANTING TO BUILD BY THEIR PARENTS AND HE DOESN'T THINK IT IS FAIR THEY HAVE TO HAVE 4.5 ACRES OF PROPERTY TO BUILD ON.

MR. DERUNTZ EXPLAINED IN THE COUNTY'S LAND DEVELOPMENT CODE UNDER AG/SILVICULTURE THERE ARE EXCEPTIONS; THERE ARE FAMILY EXCEPTIONS WHICH IS THE HOMESTEAD EXCEPTION WHICH IS PROVIDED FOR IN THE STATUTES THAT SAYS A FAMILY MEMBER CAN HAVE A SMALLER TRACT OF LAND AND A MINIMUM SIZE WITHOUT SANITARY SEWER AND WATER IS ONE ACRE. IF IT IS NOT A FAMILY MEMBER, THEY COULD HAVE 4.5 ACRES AS LONG AS IT ADJOINS A SUBDIVIDED PROPERTY IN AG/SILVICULTURE AS LONG AS IT JOINS A PUBLIC ROADWAY, MEETS MINIMUM FUNDING REQUIREMENTS,

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ETC.

COMMISSIONER CARTER THOUGHT WHAT MR. BROCK WOULD LIKE TO SEE IS AT SOME POINT IN TIME THE REQUIREMENT BE CHANGED FROM 4.5 ACRES TO 2 ACRES IN THE LAND DEVELOPMENT CODE.

COMMISSIONER BROCK EXPLAINED HIS REASONING IS THERE ARE SO MANY PEOPLE TRYING TO GET A START IN LIFE THAT DON'T HAVE MUCH MONEY AND TO GO OUT AND FINANCE A PIECE OF PROPERTY AND A HOME TO REQUIRE 4.5 ACRES IS A LITTLE BIT TOO MUCH.

CHAIRMAN PATE INSTRUCTED MR. DERUNTZ TO LOOK OVER WHAT COMMISSIONER BROCK IS REQUESTING ON CHANGING THE SIZE REQUIREMENT IN THE LDC.

THE MEETING WAS ADJOURNED.

ATTEST:

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DEPUTY CLERK

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CHAIRMAN