

BCC REGULAR MEETING  
JULY 19, 2012

- I. PROCLAMATION** - DEPUTY RANDY BROWN
- A. CALL TO ORDER - CHAIRMAN CARTER
- B. INVOCATION/PLEDGE - DAVID CORBIN/COMMISSIONER STRICKLAND
- II. ADOPT PREVIOUS MINUTES**
- June 14, 2012 Workshop
- July 21, 2012
- COMMISSIONER PATE OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO APPROVE THE ABOVE MINUTES.**
- III. CONSENT AGENDA**
- A. REQUEST APPROVAL FOR THE CLERK OF COURT TO PAY VOUCHERS FOR JUNE 2012 TOTALING \$1,470,934.62.
- B. REAPPOINTMENT OF THOMAS MEAD TO THE CHIPOLA REGIONAL WORKFORCE DEVELOPMENT BOARD
- C. RECAPITULATION OF 2011 ASSESSMENT ROLL
- D. PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM INTER-LOCAL AGREEMENT
- E. WASHINGTON COUNTY EMS AMBULANCE GRANT APPROVAL
- F. WASHINGTON COUNTY HOUSING AUTHORITY ACTION TO REDUCE VOUCHER PROGRAM COST
- G. SERENITY AT PORTER LAKE SUBDIVISION-RECORD PLAT
- COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER PATE AND CARRIED TO APPROVE THE ABOVE CONSENT AGENDA.**
- IV. PUBLIC HEARING**
- MICHAEL J. DERUNTZ, WASHINGTON COUNTY SENIOR PLANNER
- SUSAN SANDERS - POWERLINE ROAD PRESCRIPTIVE EASEMENT

CHAIRMAN CARTER CLOSED THE REGULAR MEETING AND OPENED THE PUBLIC HEARING.

MR. DERUNTZ ADDRESSED THE BOARD IN REFERENCE TO AN APPLICATION TO CLOSE A ROAD IDENTIFIED AS POWERLINE ROAD. THE APPLICANT IS MS. SANDERS, WHO RESIDES ON POWERLINE ROAD. SECTION 10.3 OF THE LAND DEVELOPMENT CODE IDENTIFIES STEPS AND PROCEDURES FOR CLOSING ROADWAYS AND EASEMENTS FOR ROADWAYS. MS. SANDERS HAS MET THE REQUIREMENTS SET FORTH IN THE LAND DEVELOPMENT CODE. IN THE STAFF REPORTS IS HER PETITION, JUSTIFICATION, STATEMENTS OF HER ACCESS AND A LIST OF THE PROPERTY OWNERS THAT ADJOIN THE ROAD WAY. LETTERS HAVE BEEN SENT TO EACH OF THEM AND PUBLIC HEARING NOTIFICATION HAS BEEN POSTED ON THE PROPERTY. THE ROAD GOES FROM BUCKHORN, QUAIL HOLLOW AND THEN RUNS PARALLELING AN EASEMENT. THERE IS A POWER LINE ON BUCKHORN PLAT WHICH IS A 100 FOOT WIDE POWER LINE FOR ALABAMA ELECTRIC COOPERATIVE. THE ROAD ACTUALLY SITS OUTSIDE OF THE 100 FOOT RIGHT-OF-WAY AND RUNS THROUGH THE LOTS OVER HERE, WHICH MS. SANDERS LOT IS LOCATED ABOUT HERE AND CONTINUES TO RUN THROUGH LOTS IN UNIT 13 OF SUNNY HILLS, THROUGH LOTS 1 THROUGH 11 AND THEN 19 AND STOPS AT LEXINGTON. LEXINGTON HAS ALSO BEEN IDENTIFIED AS

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POWERLINE ROAD BY 911 BUT THIS IS ACTUALLY LEXINGTON. LEXINGTON HAS BEEN GRADED OUT AS WELL AS THESE ROADWAYS/RIGHT-OF-WAYS THAT HAVE BEEN IDENTIFIED FOR SUNNY HILLS WHEN THIS WAS ORIGINALLY PLATTED. THESE AREN'T IMPROVED BUT ARE GRADED AND EACH OF THESE LOTS HAVE FRONTAGE ON THESE ROADWAYS THAT HAVE BEEN ESTABLISHED IN THIS PLAT. THIS ROADWAY RUNS THROUGH THESE LOTS HERE AND ALSO THROUGH THE LOTS THAT ARE FURTHER ALONG WHERE MS. SANDERS AND THE OTHER LOTS RUNNING TO THE NORTH. HER REQUEST IS TO END THIS ROADWAY; THE NORTHERN PART OF HER PROPERTY AND TO VACATE IT FROM THAT POINT, THROUGH HER PROPERTY AND CONTINUE ALL THE WAY DOWN TO LEXINGTON. SHE HAS STATED IN HER REQUEST THAT SHE WOULD BE IMMUTABLE TO ALLOWING CUL-DE-SAC AT THAT POINT WHERE IT ENDS SO THEY HAVE A WAY OF TURNING AROUND. FOR ROADWAYS THAT DEAD END THERE ARE LAND DEVELOPMENT CODE REQUIREMENTS THAT CALL A CUL-DE-SAC FOR ANYBODY ELSE TO BE ABLE TO TURN AROUND.

COMMISSIONER ABBOTT ASKED MR. DERUNTZ IF THERE WOULD BE A POSITIVE OR NEGATIVE EFFECT OF A THE VACATION ON THE 23 PROPERTY'S HE REFERENCED IN HIS PLANNING REPORT.

MR. DERUNTZ ADDRESSED COMMISSIONER ABBOTT THAT CLOSING THAT ROADWAY WITH THOSE 23 PROPERTY'S ON THE PROPERTY'S THAT ADJOURN THAT RIGHT-OF-WAY. A PART OF THOSE PROPERTIES TO THE NORTH THEY WOULD STILL HAVE INGRESS AND EGRESS THAT ARE FRONTING ON POWERLINE ROAD. THEY WOULDN'T HAVE A THROUGH ACCESS DOWN TO ORANGE HILL WHICH CONNECTS INTO LEXINGTON. ONE OF THE RESIDENTS THAT LIVES IN BUCKHORN HAS ASKED ABOUT IT AND HE SAID THAT HE HAS NO OBJECTION BECAUSE HE HAS ACCESS TO HIS PROPERTY THROUGH A ROAD WHICH IS PLATTED AND MAINTAINED. EACH OF THOSE LOTS THEY DON'T HAVE ACCESS TO THAT ROAD BUT IT DOESN'T BUTT IT. VACATING THIS RIGHT-OF-WAY WOULD HAVE A VERY POSITIVE IMPACT ON THESE 12 LOTS HERE IN SUNNY HILLS OR NOW THESE ARE OWNED BY SPRING RIDGE. WHEN SUNNY HILLS WAS DEVELOPED/IMPROVED THEY HAD A RESIDENTIAL AND COMMERCIAL LOT. THESE WERE IDENTIFIED AS RESIDENTIAL. THEY WERE DESIGNED AND LAID OUT MEETING THE MINIMUM LOT REQUIREMENT FOR RESIDENTIAL LOTS. THIS ROADWAY GOING THROUGH HERE HAS BEEN MAINTAINED BY THE COUNTY SINCE 2000 WHICH HAS BEEN DOCUMENTED BY A BOOK OF RECORDS. IT HAS BEEN IDENTIFIED AS A COUNTY ROADWAY THROUGH A DESCRIPTIVE EASEMENT. THAT 30 OR 40 FOOT WIDTH OF RIGHT-OF-WAY IN THAT DESCRIPTIVE EASEMENT IMPACTS EACH OF THESE LOTS HERE AND IT REDUCES THE LOT AREA OF USABLE BELOW WHAT THE MINIMUM STANDARDS. IT IS CREATIVE NON-CONFORMING LOTS THROUGH THERE. BESIDES THAT IT WOULD CREATE A DOUBLE FRONTAGE. WE HAVE FRONT, SIDE AND REAR SET BACKS.

THE DEVELOPMENT REVIEW COMMITTEE SENT OUT A LETTER. THIS COMMITTEE IS MADE UP OF DEPARTMENT HEADS, FIRE DISTRICT AND EMS. COMMENTS WERE RECEIVED FROM THE FIRE DISTRICT, CHIEF PELLITIER AND THE COUNTY ENGINEER, WHICH IS IN THE STAFF REPORT. CHIEF PELLITIER POINTED OUT SPECIFICALLY THAT CLOSING THIS ROADWAY WOULD INCREASE RESPONSE TIME BECAUSE BY CLOSING OFF ALTERNATIVE ACCESS IT ADDS AN ADDITIONAL MILE

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TO THE TRAVEL DISTANCE. THE COUNTY ENGINEER COMMENTED THAT HE BELIEVES THERE SHOULD BE A CUL-DE-SAC THAT IS CLOSED OFF THAT IS MEETING THE MINIMUM REQUIREMENTS. HE FELT THAT IT WOULD POTENTIALLY INCREASE MAINTENANCE COST BECAUSE OF GOING IN ONE WAY AND GOING BACK ANOTHER WAY INSTEAD OF CONTINUING THROUGH.

COMMISSIONER ABBOTT ADDRESSED MR. DERUNTZ THAT THE COUNTY ENGINEER SAID THAT THERE ISN'T ADEQUATE SPACE TO PUT A CUL-DE-SAC IN.

MR. DERUNTZ RESPONDED THAT IS WHAT IS IN THE PRESCRIPTIVE EASEMENT. HE POINTED OUT THAT MS. SANDERS MENTIONED IN HER APPLICATION THAT WOULD BE WILLING TO PUT A CUL-DE-SAC IN THAT PORTION ON HER PROPERTY WHICH IS ABOUT 80 FEET WIDE. THERE IS ALREADY A 40 FOOT KIND OF ENCROACHMENT OF THAT ROAD WAY. SO THAT WOULD MAKE THEM BUBBLE IT OUT A LITTLE. YOU CAN TILT IT BECAUSE THE ROAD WAY ISN'T RIGHT AT THE EDGE OF HER PROPERTY. IT IS 100 FEET OR SO INSIDE HER PROPERTY SO THERE IS ENOUGH TO PUT A CUL-DE-SAC IN THERE ON THAT EDGE NORTH EAST CORNER.

COMMISSIONER ABBOTT ASKED MR. DERUNTZ WHO WOULD CONSTRUCT THE CUL-DE-SAC. MR. DERUNTZ SAID HE FEELS LIKE THE COUNTY WOULD; HE ISN'T SURE BUT HE ASSUMES.

COMMISSIONER ABBOTT ASKED IF THE 6 QUESTIONS THAT WERE BROUGHT UP BY COUNTRY OAKES FIRE DEPARTMENTS BEEN ADDRESSED AND THAT HE WANTS WHAT IS BEST FOR WASHINGTON COUNTY AND READING HIS PACKET HE DIDN'T SEE WHERE THERE WAS A RESPONSE TO THE FIRE DEPARTMENTS QUESTIONS.

MR. DERUNTZ RESPONDED THAT THE QUESTIONS ABOUT ACCESS, THE ISSUES ABOUT HOMESTEAD AND OTHER ISSUES HE THINKS IS SUBORDINATE TO THE ISSUE ABOUT VACATING IT. THERE ARE OTHER VARIABLES. THEY ARE LOOKING AT THE POINT OF REASON FOR CLOSING THE ROAD WAY AND PROVIDED ACCESS TO THE PROPERTIES THAT ADJOURN/IMPACT THAT AREA.

COMMISSIONER PATE ASKED MR. DERUNTZ IF HE NOTIFIED EVERY PROPERTY OWNER ALONG THAT LINE ALL THE WAY THROUGH.

MR. DERUNTZ RESPONDED THAT WHERE THE PROPERTY WOULD BE VACATED, WHERE IT FRONTS ALONG; LOCATING/IDENTIFYING PROPERTIES ON BOTH SIDES OF LEXINGTON. HE DID FOR 19 AND THE PROPERTIES ACROSS FROM IT, YES SIR.

COMMISSIONER BROCK ASKED MR. DERUNTZ IF HE HAD ANY NEGATIVE RESPONSE.

MR. DERUNTZ SAID THAT HE HAS HAD A CALL FROM THE RESIDENTS WHEN THE NOTICE IN THE PAPER WAS PUBLISHED OF A RESIDENT THAT LIVES SOUTH ON ORANGE HILL AND HE HAD STATED THAT HE HAS USED THIS CUT THROUGH FOR YEARS AND THAT HE FELT THAT IT WOULD BE AN INCONVENIENCE FOR HIM TO

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TRAVEL THE ADDITIONAL MILE OR MILE AND A ½, GOING DOWN ORANGE HILL UP TO QUAIL HOLLOW.

ALSO, CHIEF PELLITIER HAD SOME COMMENTS AS WELL ABOUT THIS VACATION.

COMMISSIONER ABBOTT CLARIFIED WITH MR. DERUNTZ THAT THEY WERE NOT GOING AGAINST THEIR LAND DEVELOPMENT CODE IN ANY WAY.

MR. DERUNTZ SAID HE PERSONALLY DOESN'T BELIEVE SO AS LONG AS THE COUNTY PUTS A CUL-DE-SAC THERE WHERE THE ROAD WAY WOULD BE VACATED.

SUSIE SANDERS ADDRESSED THE BOARD THAT SHE IS THE ONLY PERSON OTHER THAN ONE OTHER PERSON THAT LIVES ON THE ROAD. ALL THE OTHER AFFECTED PERSONS ARE PEOPLE THAT LIVE IN SOUTH FLORIDA. THERE IS ANOTHER NEIGHBOR WHO LIVES ON CROSSVINE COURT, WHICH IS THE OTHER ACCESS THAT HAS BEEN MENTIONED. THE ROAD PLOWS THROUGH HER PROPERTY, NOT AT THE EDGE BUT TAKES ABOUT A HALF AN ACRE OF HER LAND AND CURVES THROUGH. IT ALSO GOES THROUGH THE SUB DIVISION THAT SPRING RIDGE PLOTS. AS FOR MR. PELLETIER'S CONCERNS SHE FEELS THEY ARE A LITTLE MORE INTO HER PERSONAL BUSINESS THAN THE ROAD ISSUE. SHE ADVISED THE BOARD THAT SHE HAS BEEN LIVING FULL TIME ON THE PROPERTY FOR 3 YEARS NOW FOR THE SECOND TIME. SHE HAS LIVED THERE BEFORE AND PUT \$25,000.00 INTO THE PROPERTY TO MOVE THERE PERMANENTLY AND HAD MOVED AWAY BECAUSE OF SOME OF THE PROBLEMS THAT SHE WAS HAVING ONCE ALREADY. SHE OWNS A HOME IN BAY COUNTY AND IT IS FOR SALE AND IS HOMESTEADED IN BAY COUNTY. SHE IS AWARE THAT SHE CAN'T HAVE 2 PROPERTIES WITH HOMESTEAD AND THAT IS WHY SHE DOESN'T HAVE IT IN WASHINGTON COUNTY YET. THAT IS WHY YOU WOULDN'T SEE TAXES FOR THE OTHER PROPERTY THAT IS OWNED BY HER AND HER BROTHER IS BECAUSE HER BROTHER HAS THE OTHER PIECE, WHICH HAS NOTHING TO DO WITH THIS ROAD AND HE HAS HOMESTEAD.

COMMISSIONER ABBOTT ADDRESSED MS. SANDERS THAT SHE DOES HAVE SOME PERSONAL BUSINESS IN THERE BUT HE WOULDN'T DARE BRING THAT UP TO THE PUBLIC AND HE JUST WANTED HER TO KNOW THAT AS A BOARD THEY HAVE ADDRESSED THAT. MS. SANDERS ADDRESSED THE BOARD THAT ANYTHING ON PERSONAL BUSINESS THAT HAS TO DO WITH HER NAME IS IRRELEVANT.

COMMISSIONER ABBOTT SAID THAT HIS CONCERNS IS WITH EMERGENCY RESPONSE TIMES AND WANTS TO KNOW IF THAT HAS BEEN ADDRESSED. HAS THERE BEEN A BACKUP PLAN ESTABLISHED AND IS THERE 100 FOOT TO PUT A CUL-DE-SAC THERE IS HIS CONCERN.

MS. SANDERS ADDRESSED THE BOARD THAT IF SHE GIVES 100 FOOT ON HER PROPERTY THE COUNTY WOULD HAVE THE 100 FOOT; YES OF COURSE. HER GOAL WOULD BE TO HAVE THE COUNTY VACATE IT COMPLETELY BECAUSE THE ROAD ISN'T A NECESSITY. THERE IS NO REASON FOR THAT ROAD. IF THERE WERE TO BE A FIRE THE ONLY PLACE THAT THEY WOULD BE GOING FROM COUNTRY OAKES WOULD BE TOWARD GOSHUN CREEK. THAT WOULD BE THE ONLY

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REASON THEY WOULD NEED TO USE THAT SHORTCUT AND THE ROAD IS BUILT IN SUCH A WAY THERE ARE CURVES AND VERY SHORT TURNS IN IT THAT IT MIGHT TAKE HIM MORE TIME TO NAVIGATE THAT ROAD THAN IT WOULD TO GO STRAIGHT ON AND AROUND. SHE GOES ON TO SAY THAT IT IS A DANGEROUS ROAD, AS IT SITS. SHE THINKS THAT THE MONEY THAT IS BEING SPENT AND HAS BEEN SPENT FOR MANY YEARS ON A ROAD THAT IS SIMPLY A SHORTCUT FOR THE USE OF A VERY FEW COULD BE MUCH BETTER SPENT ON OTHER ROADS IN THE COUNTY THAT ARE IN NEED OF REPAIR.

CHAIRMAN CARTER ASKED IF ANYONE ELSE HAD ANYTHING TO SAY REGARDING THIS MATTER.

WES FISCHER - 534 BUCKHORN BLVD. 32428 - ADDRESSED THE BOARD IN REFERENCE TO THINGS HE SAID WERE FACTS. MS. SANDERS BOUGHT THE PROPERTY IN 2004 UNDER A QUIT CLAIM DEED THAT SAYS THAT SHE IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

MR. FISCHER ADDRESSED MR. DERUNTZ THAT HE WAS INCORRECT ON THE ROAD AS PER JERRY BROCK HE NAMED IT IN 1996 AND IT WAS EVEN MAINTAINED BEFORE THEN BY THE COUNTY. HE ADVISED THE BOARD THAT HE HAS A PETITION OF OVER 55 PEOPLE WHO STRONGLY OBJECT TO THIS GOING FORWARD AND HE PRESENTED IT TO THE BOARD. HE WAS INSTRUCTED TO BY CHAIRMAN CARTER TO GIVE IT TO THE COUNTY ATTORNEY.

SPEAKING ON BEHALF OF JUST ABOUT EVERYONE THAT SIGNED THE PETITION HIS NEIGHBORS, AND PEOPLE IN THE COMMUNITY HAVE THE FOLLOWING CONCERNS

- 1) EMS RESPONSE TIMES ARE NOT JUST THE FIRE DEPARTMENT  
LAST NIGHT AFTER THE RAIN YOU COULDN'T HAVE GOTTEN AN AMBULANCE DOWN QUAIL HOLLOW. WATER WAS ACROSS THE ROAD ON ORANGE HILL. WHERE ELSE CAN YOU GO IF THAT ROAD IS OUT. THERE IS AN ALTERNATE ROUTE IN PLACE RIGHT NOW THAT HAS BEEN USED PRIOR TO 1997 AND HAS MAINTAINED.
- 2) MS. SANDERS HAS OWNED THE LAND SINCE 2007 AND OUT OF NO WHERE WE HAVE TO CLOSE HERS AND MOVE TO CLOSE THE ADJACENT PROPERTY'S OF SPRING RIDGE ON POWERLINE.

MR. FISCHER ADDRESSED MR. DERUNTZ IF HE ISN'T MISTAKEN HE AND JERRY BROCK HAD A CONVERSATION A FEW MONTHS AGO ABOUT THIS WHERE YOU APPROACHED HIM AND ASKED HIM ABOUT CLOSING MS. SANDERS PROPERTY AND HE THINKS IT WAS ILL ADVISED. HE BELIEVES HE ALSO CAME BACK AND ASKED IF THE CLOSING AREA COULD BE EXPANDED INCLUDING THE SPRING RIDGE LOTS LIKE HAS BEEN POINTED OUT. IT SOUNDS FISHY WHEN YOU WANT TO HAVE A DEVELOPER JOIN IN ON ONE INDIVIDUAL WHO IS PLACING A PETITION TO CLOSE THE ROAD. ONE PERSON, ONE DEVELOPER AND A WHOLE COMMUNITY THAT DOESN'T UNDERSTAND WHY THE PINE TREES IN SPRING RIDGE ARE TRYING TO GET THIS ROAD CLOSED. THE ROAD IS NEEDED IN THE COMMUNITY UNTIL SOMEONE CAN FIX QUAIL HOLLOW; IT IS A MESS, OVERLY USED, A ROUTE THAT GOES ALL THE WAY TO 231 AND PEOPLE THAT GO TO THE PRISON USE IT ON A DAILY BASIS.

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THERE WERE A FEW THINGS THAT WEREN'T FOLLOWED THAT ARE TYPICALLY FOLLOWED. MR. FISHER ADDRESSED MR. DERUNTZ THAT AT THE LAST PLANNING MEETING IT WAS DISCUSSED TO CLOSE PORTER ROAD, WHICH IS PROTOCOL. HE ASKED MR. DERUNTZ WHERE WAS THE MEETING ON THIS ROAD AND WHY WAS IT QUICKLY THROWN INTO THIS BOARD MEETING OUT OF NOWHERE.

HE WAS IN MR. JOYNER'S OFFICE JUST OVER A WEEK AGO AND HE DIDN'T KNOW ANYTHING ABOUT THIS AND 2 DAYS LATER A SIGN WAS PUT UP GIVING 1 WEEK NOTICE OF THIS HEARING, WHICH IS ALSO NOT CORRECT; IT SHOULD BE 2. THIS WHOLE THING FROM THE BEGINNING HAS BEEN A QUICK SHOT TRYING TO RAM THIS THING THROUGH BY 1 PERSON AND 1 DEVELOPER FOR IT TO IMPACT THE WHOLE COMMUNITY. HE THINKS THE PEOPLE WHO PAY TAXES AND NEED TO USE THIS ROAD CARRY MORE WEIGHT THAN PINE TREES, PLATTED LOTS AND 1 PERSON THAT DOESN'T EVEN HOMESTEAD THEIR PROPERTY AND YOU REALLY GET NO BENEFIT OFF OF.

MR. FISCHER ADDRESSED THE BOARD THAT HE WOULD STRONGLY URGE THE BOARD TO TABLE THIS AT LEAST UNTIL THE NEXT MEETING TO CONFORM TO ORDINANCES AND ACTUAL STATUTES THAT PROVIDE FOR THE COMMUNITY TO DO THIS CORRECTLY.

HE ALSO ADDRESSED THE BOARD TO BE ON THE LOOK OUT IF ANYONE REPORTS A DEGREE/HIGH SCHOOL DEGREE FROM BELFORD HIGH. IT ISN'T IN EXISTENCE AND ISN'T REGARDED BY THE DEPARTMENT OF EDUCATION.

GARY HUNTER WITH THE LAW FIRM HOPPING GREEN AND SAM'S OF TALLAHASSEE ADDRESSED THE BOARD THAT HE REPRESENTS SPRING HILL DEVELOPMENT AND HE HAS SPOKEN TO MR. DERUNTZ AND THE COUNTY ATTORNEY. MR. DERUNTZ DID A GOOD JOB OF EXPLAINING THE 11 LOTS THAT THEY OWN THROUGH WHICH POWERLINE ROAD CURRENTLY TRAVERSES. IT WOULD MAKE THOSE 11 LOTS BASICALLY UNUSABLE. THERE ALREADY SMALL LOTS AND IF YOU MOVE 30-40 FEET OF ADDITIONAL LAND THEY ARE NOT FUNCTIONAL LOTS. THEY ARE PLATTED LOTS IN YOUR COUNTY RECORDS AND HAVE BEEN THAT WAY FOR A LONG TIME; AS FAR AS THE LATE 60'S. UNLIKE MR. FISCHER SUGGESTED THEY WEREN'T A PROPONENT OF THIS BECAUSE THEY DIDN'T EVEN KNOW ABOUT IT UNTIL THEY RECEIVED THE NOTICE FROM MR. DERUNTZ THAT WAS REQUIRED TO SEND TO THE ADJACENT PROPERTY OWNERS INQUIRING WHAT THEIR POSITION WOULD BE AND FURTHER INVESTIGATION WAS DONE. THEY DIDN'T REALIZE THE ROAD RAN THROUGH 11 OF THEIR LOTS AND WHEN THEY DID REALIZE IT THEY BECAME CONCERNED. NOW THAT THEY HAVE FOUND OUT THAT A ROAD LEGALLY EXISTS THERE THEY WOULD ABSOLUTELY SUPPORT THE ABANDONMENT. HE HAS BROUGHT TO COUNTY ATTORNEY GOODMAN SOME OF HIS CONCERNS. THEIR POSITION IS THAT THEY WOULD APPRECIATE ABANDONMENT OF THE RIGHT-OF-WAY SO THAT THOSE LOTS ARE IN FACT FUNCTIONING WITHIN YOUR CODE.

COMMISSIONER BROCK ADDRESSED MR. HUNTER IN REFERENCE TO THE STATEMENT HE MADE ABOUT NOT REALIZING THE ROAD WAS THERE. HE SAID THAT IN THE ORIGINAL PLAT, WHICH HE THINKS BELONGED TO MR. PIERCE AT

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THE TIME THE PROPERTY WAS PLATTED, WAS THERE A ROAD PLATTED THROUGH THERE FOR RESIDENTS OF THOSE LOTS.

MR. HUNTER ADDRESSED COMMISSIONER BROCK THAT THERE ISN'T A ROAD DEPICTED ON THE PLAT IF THAT IS HIS QUESTION. COMMISSIONER BROCK SAID YES THAT WAS HIS QUESTION AND HE WAS WONDERING ABOUT THE CUL-DE-SAC ISSUE AT THE BEGINNING BECAUSE ALL ROADS CARRY CUL-DE-SAC'S AT THE END.

MR. HUNTER POINTED OUT ON THE SPRING RIDGE PLAT THAT THERE ARE NO ROADS DEPICTED ON THE BACK ON THE LOTS. HE SAID HE CAN'T SPEAK IN REFERENCE TO THE PLAT TO THE PROPERTY ON THE EAST. HE ISN'T AWARE OF WHETHER IN FACT IT HAS A ROAD THROUGH IT BECAUSE HE HASN'T LOOKED AT IT. THERE IS A POWER LINE THAT SEPARATES THOSE 2 SECTIONS OF LOTS. HE DOESN'T KNOW ORIGINALLY HOW THE ROAD WAS CREATED; WHETHER IT WAS A ROAD THAT WAS USED TO DRIVE UNDER THE POWER LINE AND ULTIMATELY IT WAS MOVED OUT OF THE POWER LINE EASEMENT OR RIGHT-OF-WAY INTO THOSE LOTS. THERE ARE PINE TREES, SAND AND OBVIOUSLY NO HOUSES THERE SO IT IS EASY TO MOVE THE ROAD TO WHERE THERE IS NOTHING. EVENTUALLY THE GOAL IS FOR IT TO BE SOMETHING AND THERE CAN'T BE ANYTHING WITHOUT ADEQUATE LAND UPON WHICH TO SALE AND BUILD A HOME. THEY ARE IMPACTED BY THE LOSS OF 11 LOTS THAT THEY PAY TAXES ON AS WELL AS THEIR PREDECESSORS.

COMMISSIONER PATE ASKED MR. HUNTER THAT ROAD THAT IS COMING DOWN THERE THAT YOU ARE TALKING ABOUT CLEARING, WHERE IS SPRING RIDGE'S ROAD GOING THROUGH THERE.

MR. HUNTER SAID THAT MR. DERUNTZ IS PROBABLY A BETTER PERSON TO ANSWER THAT THAN HIM.

MR. DERUNTZ POINTED OUT ON HIS DISPLAY WHERE G DRIVE IS THAT SERVICES THOSE LOTS AND THAT GOES ON TO FARLY ROAD WHICH GOES OUT TO LEXINGTON. LEXINGTON CONTINUES OUT TO ORANGE HILL. HE MENTIONED THAT JERRY BROCK LABELED LEXINGTON, POWER LINE ROAD AND HE BELIEVES THAT WAS DONE IN ERROR. IT IS PLATTED AS LEXINGTON. THESE 11 LOTS HERE FRONT ON G DRIVE, LOT 19 WHICH MAKES IT 12 LOTS FRONTS ON LEXINGTON SO ACCESS TO THOSE LOTS HAVE BEEN PROVIDED BY THEIR PLAT.

COMMISSIONER PATE SAID THAT HIS QUESTION STILL WASN'T ANSWER. IF THE ROAD IS CLOSED THERE HAS TO BE A ROAD THAT ACCESS' THEM AND WHICH ROAD IS THAT. ARE THEY BUILDING OR IS THERE ALREADY A ROAD.

MR. DERUNTZ SAID THERE IS ALREADY A ROAD GRADED OUT THERE.

NAN THOMPSON ADDRESSED THE BOARD THAT WHEN THE PROPERTY WAS ORIGINALLY DEVELOPED BY THE ORIGINAL OWNER A ROAD RAN THROUGH IT. WHEN SHE BOUGHT THE PROPERTY THE ROAD WAS ALREADY THERE; IS THERE A VIABLE SURVEY OR ANYTHING LIKE THAT SHOWING. SHE BOUGHT IT AS IS JUST LIKE WE WOULD BUY A PIECE OF PROPERTY. SHE JUST SPOKE WITH MR. RANDY TRUETTE AND EXPLAINED TO HIM THAT IF THEY DO NEED SOMEONE IN

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THERE, THERE ISN'T A WAY IN UNLESS YOU GO THROUGH JACKSON COUNTY, DOWN ALFORD HIGHWAY, DOWN 231 AND UP COUNTY LINE ROAD. SHE REFERENCED THAT THEIR ROAD IS A PROBLEM AND IT GOES UNDER WATER ALL THE TIME. THEY HAD TO CALL DALLAS CARTER OUT LAST NIGHT TO PUT UP BARRICADES THAT WERE NOT UP. SHE ASKED IF MS. SANDERS BOUGHT THE PROPERTY WITH THE ROAD RUNNING THROUGH IT AND IF SHE DID THEN IT IS HER PROBLEM AND NOT A COUNTY PROBLEM. SHE DOES SEE A PROBLEM THAT IF THEY CAN'T GET EMERGENCY SERVICES BECAUSE THE COUNTY HAS CLOSED THE ROAD SHE SEES THE COUNTY BEING SUED.

JOHN PHOENIX LIVES AT 3316 CROSS PINE COURT WHICH IS RIGHT NEXT TO THE ROAD IN QUESTION AND TO THE EAST OF SUSAN SANDERS. HE WISHES THAT THE ROAD WAS CLOSED. IF QUAIL HOLLOW BOULEVARD ISN'T PASSABLE THEN POWER LINE ROAD ISN'T PASSABLE EITHER BECAUSE THERE IS A 3-4 FOOT DEEP MUD PUDDLE THAT TAKES UP THE WHOLE ROAD AND THEN SOME RIGHT OUTSIDE OF HIS FRONT DOOR ON THE SOUTHWEST CORNER OF HIS PROPERTY. ALSO THERE WAS TALK ABOUT MOVING THE ROAD CLOSER TO HIM AND HE DOESN'T WANT THAT. IF THE ROAD WAS CLOSED HE BELIEVES IT WOULD SOLVE A LOT OF OTHER PROBLEMS THAT ARE GOING ON IN THAT AREA. WHEN PEOPLE GET ON THAT ROAD THEY THINK THEY ARE FAR ENOUGH OFF THE BEATEN PATH TO ACT HOW THEY WANT TO.

COUNTY ATTORNEY JEFF GOODMAN ADDRESSED THE BOARD THAT HE CERTAINLY DOESN'T HAVE THE PERSPECTIVE OF THE ADJOINING PROPERTY OWNERS THAT LIVE THERE AND CAN'T SAY THAT HE HAS KNOWINGLY DRIVEN THE ROAD. HE ADDRESSED THE BOARD FROM A LEGAL STANDPOINT. THERE ARE SOME GOOD ARGUMENTS ON BOTH SIDES OF WHY THE ROAD SHOULD STAY OPEN OR BE CLOSED. BASED ON WHAT HE HAS HEARD FROM EVERYONE IT IS A ROAD THAT HAS BEEN GRADED ARGUABLY ROUTINELY SINCE THE MID 90'S. THUS IT HAS BEEN WHAT IS CALLED DEDICATED TO THE PUBLIC AND HE REFERENCED STATUTE 95.361.2 IS THE APPLICABLE STATUTE. THE BOARD HAS THE RIGHT BECAUSE IT IS A COUNTY ROAD TO VACATE IT. HE ADVISED THE BOARD THAT MR. DERUNTZ HANDLED THE NOTICE THROUGH HIS OFFICE AND HE HASN'T BEEN RESPONSIBLE FOR NOTICING IT. HE ASSUMES THAT IT HAS BEEN DONE CORRECTLY. THERE IS A PETITION SIGNED FROM SEVERAL LAND OWNERS OR JOINT LAND OWNERS ABOUT THE ROAD CLOSURE. THERE IS AN ARGUMENT ON THE OTHER SIDE FROM THE PROPERTY OWNERS THAT IT DIRECTLY AFFECTS, ONE OF WHICH IS (1) SHE DIDN'T KNOW ABOUT THE ROAD WHEN SHE BOUGHT THE PROPERTY. THE ROAD WAS THERE WHEN SHE BOUGHT THE PROPERTY. JUST BECAUSE A ROAD WAS THERE WHEN YOU BOUGHT PROPERTY DOESN'T MEAN YOU CAN'T PETITION THE COUNTY TO ABANDON IT. THAT IS A COMPLETELY DIFFERENT ISSUE. HE DOESN'T THINK THE ARGUMENT REALLY IS NOTICE, HE THINKS IT IS FROM A COUNTY POLICY STANDPOINT AND THE EXPENDITURE TO GRADE IT. IS IT WORTH CONTINUING TO GRADE IT ESPECIALLY IN LIGHT OF THE AFFECTED PROPERTY OWNERS THAT ADJOIN IT IS THE QUESTION THE BOARD IS GOING TO HAVE TO ANSWER. WITH RESPECT TO SPRING RIDGE, IT IS HIS UNDERSTANDING BY TALKING TO MR. DERUNTZ AND THE ATTORNEY FROM SPRING RIDGE, WHICH THE FIRST TIME HE SPOKE WITH HIM WAS ABOUT 4:00 7/18/12 AND HAD A GOOD CONVERSATION WITH HIM ABOUT THEIR CONCERNS



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THAT HE HAS EXPRESSED TO THE BOARD. OBVIOUSLY WHEN THE SUBDIVISION WAS PLATTED THERE WERE ROADS THAT WERE PLATTED TO GIVE ALL PROPERTY OWNERS ACCESS. EFFECTIVELY WHAT HAS BEEN DONE IN CREATION OF MAINTENANCE OF THIS ROAD IS TO CUT IN HALF APPROXIMATELY 10-11 LOTS THERE IN SPRING RIDGE. THERE ARE PROPERTY OWNERS THAT ARE AFFECTED VIA THE WAY THAT ROAD GOES. REALLY THE QUESTION BEFORE THE BOARD IS DO YOU WANT TO ABANDON THE ROAD AND THE BOARD HAS THE RIGHT TO DO SO. THE FACTS SHOW THAT 95361 IS A ROAD THAT HAS BEEN DEDICATED TO THE PUBLIC. THERE IS GOOD ARGUMENT ON BOTH SIDES. IF IT ISN'T VACATED THEN SPRING RIDGE AND THE COUNTY ARE GOING TO HAVE TO GET TOGETHER AND WORK TO TRY AND FIGURE OUT ANOTHER WAY TO AGREE.

CHAIRMAN CARTER ASKED WHEN THE PLAT WAS ADOPTED DID IT APPROVE EVERYTHING AS IT IS SHOWN PER THE DISPLAY THAT MR. DERUNTZ PROVIDED. ATTORNEY GOODMAN SAID THAT HE BELIEVES THAT IS CORRECT FROM HIS UNDERSTANDING THE SITUATION.

CHAIRMAN CARTER SAID THAT IF THERE IS ANY EXISTING ROADS, THE ONES THAT ARE SHOWN ON THAT PLAT ARE THE ONES THAT WOULD TAKE PLACE OF ANYTHING THAT MAY OR MAY NOT HAVE BEEN IN THAT AREA OF THE TIME OF THE PLAT APPROVAL BY THE BOARD IN THE 60'S OR 70'S.

ATTORNEY GOODMAN SAID THAT IS CORRECT AND THE ONE THAT HE WOULD SAY IS BASED ON THE HISTORY OF THE MAINTENANCE OF THE ROAD THE BOARD HAS ESSENTIALLY TAKEN VIA PRESCRIPTION A PORTION OR MANY OF THESE LOTS WHETHER IT WAS INTENTIONAL OR UNINTENTIONAL BUT IT HAS HAPPENED. THE PROPERTY OWNER NOW IS LEFT WITH SEVERAL LOTS THAT HAVE BEEN CUT THROUGH BY THIS POWER LINE ROAD BASED ON THE COUNTY'S CONTINUED MAINTENANCE FROM A PERIOD OF 7 YEARS.

COMMISSIONER BROCK ASKED COUNTY ATTORNEY GOODMAN WHAT IS HIS RECOMMENDATION.

COUNTY ATTORNEY GOODMAN MADE THE RECOMMENDATION THAT THE BOARD HAS THE ABILITY TO DO IT. HE HAS NEVER DRIVEN THE ROAD AND HE SAYS THAT THE EMS AND CONCERNS OF EMERGENCY MANAGEMENT SERVICES; THIS ISN'T SOMETHING THAT HE CAN GIVE A LEGAL OPINION ON. IT IS THE COUNTY'S ROAD, WE TOOK IT AND IT'S THE BOARD CHOICE WHETHER TO ABANDON IT OR NOT.

CHAIRMAN CARTER ASKED IF THE BOARD HAS A RIGHT TO OPEN IT NOW BUT THAT DOESN'T MEAN SOMEONE ELSE LIKE THE SPRING RIDGE CAN'T COME BACK IN AND NEGOTIATE SOMETHING WITH THIS COUNTY ON THOSE LOTS.

COUNTY ATTORNEY GOODMAN ADVISED THE BOARD THAT IF THE ROAD ISN'T ABANDONED TODAY THAT HE EXPECTS TO RECEIVE A LETTER IN THE MAIL FROM SPRING RIDGE IN THE NEXT 60 DAYS OF HOW THE ISSUE IS GOING TO BE RESOLVED. THEY ARE PROBABLY GOING TO TAKE A DIFFERENT LEGAL POSITION WITH RESPECT TO THE PROPRIETY OR IN PROPRIETY OF THE PLACING OF THE ROAD THERE ESPECIALLY IN LIGHT OF THEIR PLATS. HE UNDERSTANDS THAT POSITION OF WHAT THEY ARE GOING TO BE TAKING. HE

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ADVISED THE BOARD THAT HE IS CONFIDENT BASED DOING A LOT OF THESE LAWSUITS OF ROAD ISSUES THAT UNDER 953612 IT IS A COUNTY MAINTAINED ROAD AND HAS BEEN DEDICATED TO THE COUNTY. IT WILL BE UP TO SPRING RIDGE AND THE COUNTY TO SEE IF THEY CAN FIGURE OUT A RESOLUTION THAT WORKS FOR EVERYBODY, SHOULD THIS NOT BE ABANDONED TODAY.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT HE THINKS THIS WAS DONE IN A BIT OF A HURRY AND HE DOESN'T HAVE ENOUGH RESEARCH ON THIS. HE THINKS THE COUNTY CAN GET WITH SPRING RIDGE AND WORK SOMETHING OUT FOR THE LADY'S PROBLEM. HE THINKS THAT THE BOARD NEEDS MORE TIME AND BOTH PROBLEMS CAN BE SOLVED.

CHAIRMAN CARTER CLOSED THE PUBLIC HEARING AND CALLED FOR A 5 MINUTE RECESS.

CHAIRMAN CARTER RECONVENED THE REGULAR MEETING.

**V. AGENDA ITEMS**

**ADOPTION OF 2012-2013 MILLAGE RATE**

DEPUTY CLERK RISHA BRANTLEY ASKED THE BOARD TO SET THE MILLAGE RATE FOR 2012-2013. THE CURRENT MILLAGE RATE IS 8.9195. IT CAN BE INCREASED TO 10.2876 OR DECREASED TO 8.7963.

COMMISSIONER PATE STATED THAT THE MILLAGE RATE OF LAST YEAR OF 8.9195 WOULD BRING IN 7,624,767.00 AND THE ROLL BACK RATE WHICH IS A LOWER MILLAGE RATE ONLY BRINGS IN 7,519,459.00. HE DOESN'T SEE ANY REASON TO CHANGE FROM WHAT THE BOARD APPROVED LAST YEAR.

**COMMISSIONER PATE OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT TO SET THE MILLAGE RATE AT 8.9195 AND CARRIED TO APPROVAL. THE MOTION CARRIED UNANIMOUSLY.**

DEPUTY CLERK RISHA BRANTLEY ASKED THE BOARD TO APPROVE OF THE 1<sup>ST</sup> BUDGET HEARING AS OF SEPTEMBER 6, 2012 AT 5:05 P.M. COMMISSIONER PATE MADE THE MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED.

DEPUTY CLERK RISHA BRANTLEY ALSO ASKED THE BOARD TO SET A BUDGET WORKSHOP FOR AUGUST 13, 2012 AT 9:00 A.M. THE BOARD APPROVED TO SET THE MEETING.

**WASHINGTON COUNTY PARK COMMITTEE - PARK FEES**

CHAIRMAN CARTER ADDRESSED THE BOARD THAT AT THE LAST MEETING THE BOARD CHARGED MR. CORBIN AND COUNTY MANAGER JOYNER WITH BRINGING THIS INFORMATION BACK TO THE BOARD SO HE IS FOLLOWING WHAT THE BOARD REQUESTED HIM TO DO.

MR. CORBIN ADDRESSED THE BOARD AND CLERK WITH GOOD MORNING. AT THE LAST MEETING THE BOARD SET A COMMITTEE WITH 2 COUNTY EMPLOYEES AND 2 PRIVATE INDIVIDUALS FROM THE PUBLIC; MR. H.L. BROWN AND MR. RICKY

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CARTER UNDER MY RECOMMENDATION THEY APPOINTED THE COMMITTEE. THIS WAS TO CONSIDER WAYS TO HELP OFFSET THE IMPACT ON THE BOAT RAMPS AND REPAIR AND MAINTENANCE. OUR BUDGET IS BEING CUT EVERY YEAR AND WE ARE HAVING TO BE FRUGAL ON DIFFERENT WAYS TO BETTER PERFORM A USE TO BETTER THE PUBLIC. MR. CORBIN SAID HE DOESN'T LIKE TO CALL IT PARK FEES BUT FACILITY USE; THAT IS WHAT THE COMMITTEE TALKS ABOUT. COMMISSIONER PATE AND COMMISSIONER BROCK WASN'T PRESENT AT THE LAST BOARD MEETING BUT HE WAS ADVISED TO COME BACK AFTER A COUPLE OF MEETINGS. MR. CORBIN ASKED WHAT IS THE PLEASURE OF THE BOARD AND HOW MUCH DO THEY WANT TO HEAR.

CHAIRMAN CARTER ASKED MR. CORBIN WHAT HE MEANS ABOUT HOW MUCH THEY WANT TO HEAR.

MR. CORBIN ADDRESSED THE BOARD THAT THEY HAD 2 MEETINGS AND 2 OPTIONS.

COMMISSIONER PATE ADDRESSED MR. CORBIN THAT HE THINKS HE SHOULD GIVE THE BOARD A PRESENTATION ON THAT.

COMMISSIONER BROCK ASKED MR. CORBIN WHAT WAS THE RECOMMENDATION OF THE COMMITTEE FOR YOU TO BRING BACK. MR. CORBIN ASKED HIM IF HE WAS TALKING ABOUT THIS MORNING. COMMISSIONER BROCK SAID YES. MR. CORBIN SAID BOTH OF THEM AREN'T HERE; 1 CALLED YESTERDAY MORNING. COMMISSIONER BROCK SAID WHAT HE IS ASKING IS WHAT THEIR RECOMMENDATIONS WAS; WHAT DID THEY TELL YOU.

CHAIRMAN CARTER ADDRESSED MR. CORBIN THEY SET THE FEE, DID THEY NOT MR. CORBIN. THEY DISCUSSED FEES IN THE MEETING AND YOU HAD A SET FEE. MR. CORBIN SAID THAT IS CORRECT. CHAIRMAN CARTER SAID WE NEED TO GET THAT MR. CORBIN AND THEN YOU CAN ADDRESS WHAT THE OTHER PEOPLE ASKED LATER. GIVE THE BOARD YOUR REPORT; THAT IS WHAT THE BOARD ASKED FOR. MR. CORBIN SAID OKAY.

MR. CORBIN SAID THEY DISCUSSED AN OPTION OF IN COUNTY, OUT OF COUNTY AND OUT OF STATE. MR. JOYNER WAS PRESENT AT ALL MEETINGS; HE IS 1 OF THE MEMBERS. WE HAVE A CURRENT ORDINANCE THAT IS ALREADY IN EFFECT. IT WAS DONE IN 2007 AND IT IS ON CAMPING. IT GIVES THE PARK AND RECREATION DIRECTOR A LOT OF AUTHORITY ON THE BOAT RAMPS. EVERYBODY DOESN'T RECEIVE THE CALLS THAT HE GETS. HE CHASES VANDALISM CALLS, I CAN'T GET MY BOAT IN, I HAVE A BOAT RAMP THAT I CAN'T USE AND HE HAS TO GO FIX THEM AND DO HIS BEST AND MAKE THEM OPERABLE FOR THE COUNTY. HE CALLED STACY WEBB THAT WORKS IN HIS OFFICE AND ASKED HER TO STAND UP AND ADVISE THE BOARD OF WHAT FRDAP SAID. ALL OF THE COUNTIES RAMPS ARE CONSTRUCTED AND TIED TO GRANTS, WHETHER IT'S FBIP, FRDAP OR GAME AND FISH. IT IS FEDERAL OR STATE MONEY INVOLVED IN THESE RAMPS AND MRS. WEBB CAN TELL YOU WHAT THEY SAID ABOUT IN COUNTY, OUT OF COUNTY AND OUT OF STATE.

MRS. STACY WEBB ADDRESSED THE BOARD THAT DAVID HAD ASKED HER TO DO A LITTLE RESEARCH AS FAR AS THE FEES THE COUNTY IS LOOKING AT POSSIBLY

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CHARGING. SINCE ALL OF OUR BOAT RAMPS AND PARKS ARE TIED TO GRANT MONEY IN SOME WAY OR ANOTHER. IF THE COUNTY WANTS TO CHARGE IT WOULD HAVE TO BE A BLANKET CHARGE; THE SAME PRICE FOR WHETHER YOU ARE IN STATE, OUT OF STATE, IN COUNTY OR OUT OF COUNTY. THE BOARD CAN'T DISCRIMINATE; WHATEVER PRICE IF THERE IS ONE THAT IS DECIDED UPON IT WILL HAVE TO BE THE SAME ACROSS THE BOARD.

MR. CORBIN ADDRESSED THE BOARD THAT THEY WOULD COME BACK AT THE NEXT MEETING TO DISCUSS FEES FOR BLANKET COVERAGE AND THAT IS WHAT THE LAST MEETING CONSISTED OF. IT WAS TALKED ABOUT AND NATURALLY THEY WANTED TO TAKE CARE OF THEIR RESIDENTS OVER OUT OF STATE RESIDENTS BUT THEY COULDN'T DO IT SO THAT IS WHERE THEIR LAST MEETING ENDED.

COMMISSIONER STRICKLAND ASKED MR. CORBIN HOW MUCH WAS THE FEES. MR. CORBIN ADDRESSED THE BOARD THAT THE FIRST PACKAGE, IT WAS \$20.00, \$30.00 AND \$50.00 OUT OF STATE. THEN THEY CAME BACK AFTER THAT WAS NO GOOD AND TRIED TO EVEN IT UP FOR A FAMILY OF 4, \$40.00 WAS THE LAST TALK WAS TALKED ABOUT.

CHAIRMAN CARTER ADDRESSED THE BOARD THAT \$40.00 GIVES YOU A YEAR FEE TO USE THE RAMPS ANYWHERE IN THE COUNTY; BLANKET POLICY.

COMMISSIONER ABBOTT ADDRESSED MR. CORBIN THAT HE ISN'T A FISHERMAN BUT HE RESPECTS AND ADMIRES THOSE THAT DO FISH BUT HIS PERSONALITY JUST DOESN'T ALLOW HIM TO FISH; HIS PATIENCE. WHAT HE IS HEARING HIM SAY IS THAT THE COUNTY PICKS UP GARBAGE, MOWS GRASS ON THE EDGES OF THE PARKS AND THESE BOAT LANDINGS. WHAT YOU ARE SAYING IS YOU ARE ASKING THE PEOPLE THAT USE THE BOAT RAMPS PAY THEIR OWN WAY; THAT IS ALL YOU ARE ASKING.

MR. CORBIN ADDRESSED THE BOARD THAT HE HAS FURNISHED \$7,000.00 WORTH OF PORTABLE TOILETS.

COMMISSIONER ABBOTT ADDRESSED MR. CORBIN THAT HIS PATIENCE DOES ALLOW HIM TO GOLF. MR. CORBIN SAID RECREATION IS RECREATION. COMMISSIONER ABBOTT SAID THAT IS KIND OF THE WAY HE LOOKS AT IT. HE DOESN'T LOOK FOR THE COUNTY TO PAY FOR HIS GOLF. MAYBE HE SHOULD, MAYBE THEY'RE DISCRIMINATING AGAINST ME BY NOT ALLOWING ME A PLACE TO GO GOLF AT THE RECREATION CENTER AND PAYING MY WAY MAYBE. EVERY TIME HE GOLFS ON MINIMUM IT IS \$25.00 AND HE DOESN'T THINK ASKING ANYBODY THAT USES A BOAT RAMP, \$40.00 PER YEAR IS ASKING TOO MUCH.

MR. CORBIN ADDRESSED THE BOARD THAT WAS A FAMILY OF 4 AND HE THINKS THAT IS WHERE EVERYONE GOT CROSSED. THEY WERE ALLOWING AND ALSO SEVERAL OTHER THINGS WERE TALKED ABOUT; DISABILITY WAS 1. YOU HAVE YOUR FLORIDA LAW REQUIRES 65, THAT IS WHAT GAME AND FISH DOES. THERE HAS TO BE MORE TALK AND THEY DIDN'T GET THAT IN DEPTH WITH IT.

COMMISSIONER ABBOTT ADDRESSED THE CHAIRMAN THAT HE WOULD LIKE TO MAKE A MOTION AT THIS TIME, IF HE MAY. CHAIRMAN CARTER ASKED HIM TO HOLD ON A MINUTE AND LET SOME OTHER QUESTIONS BE ASKED.

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COMMISSIONER PATE ASKED MR. CORBIN TO TELL THEM ON A MONDAY MORNING AFTER THE WEEKEND ABOUT HOW MANY LOADS COMES OUT OF EACH ONE OF THESE PLACES WHERE YOU HAVE PORTABLE TOILETS AND CAMPING. FOLKS WE AREN'T TALKING ABOUT FOLKS THAT ARE SITTING HERE THAT GO DOWN THERE DURING THE WEEK AND ITS NICE AND CLEAN. WE ARE TALKING ABOUT FOLKS THAT BRING THEIR GARBAGE AND PUT IT OUT THERE.

MR. CORBIN ADDRESSED COMMISSIONER PATE THAT IT ISN'T OUT OF THE RIM TO PICK UP A 150 BAGS OF GARBAGE THROUGHOUT THE COUNTY AT ALL THE BOAT RAMPS. COMMISSIONER BROCK HAS BEEN THERE, HE HAS SEEN IT. MR. CORBIN ASKED COMMISSIONER BROCK IF THAT WAS CORRECT AND COMMISSIONER BROCK AGREED IT IS.

CHAIRMAN CARTER ADDRESSED THE BOARD THAT WE ARE IN TIGHT BUDGET RESTRAINTS. HE WANTS TO LET EVERYONE KNOW THAT WE ARE WORKING ON THE BUDGET RIGHT NOW, SO THERE ARE GOING TO HAVE TO BE SOME RESTRAINTS PUT ON IT OR PEOPLE ARE GOING TO HAVE TO HELP OUT OR SERVICES WILL MORE THAN LIKELY HAVE TO BE CUT ANYWAY. HE SAID HE IS JUST PUTTING IT OUT THERE JUST LIKE IT IS. THEY HAVE BEEN DEALING WITH IT FOR A WEEK AND A HALF NOW; THE MONEY IS TIGHT. EVERYBODY HERE KNOWS THAT IT IS TIGHT EVERYWHERE, WE ARE EXPERIENCING IT AND INTERIM COUNTY MANAGER JOYNER CAN BACK IT UP. CHAIRMAN CARTER ADVISED COMMISSIONER BROCK TO GO AHEAD.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT THROUGH THE YEARS HE HAS BEEN VERY HEAVILY RECREATIONAL COMMISSIONER AND DAVID KNOWS THIS. HE HAS GOTTEN SEVERAL NEW PARKS BUILT IN THIS COUNTY. ALRIGHT, HE SAID IN GENERAL THE STATE INMATE CREW DOES THE COUNTY PARKS. MR. CORBIN SAID THAT IS TRUE. COMMISSIONER BROCK SAID PAYS IT'S SALARY'S, EXPENSE OF A VEHICLES AND WE COME UP AND HAVE THE EXPENSE OF FURNISHING WEED EATERS OR PAYING FOR THE PORTABLE TOILETS, IN GENERAL FOR THE PARKS. HE IS TALKING ABOUT PARKS AND HE SAID THERE NEEDS TO BE A DEFINITION IN THIS COUNTY FOR PARKS. FOR SEVERAL YEARS, AND HE HAS BEEN AGAINST THIS, REALLY, THE BOARD HAS FUNDED ROAD AND BRIDGE EMPLOYEES CORRECTIONAL COUNTY CREWS, PAY THEIR SALARIES AND VANS TO CUT ALL THE SECONDARY ROADS OVER 300 MILES IN THIS COUNTY COMES OUT OF HIS BUDGET, PROBABLY AD VALOREM TAX MONEY THAT SHOULD BE COMING OUT OF GASOLINE FROM ROAD AND BRIDGE. THEY ARE CUTTING COUNTY ROADS TODAY; THEY CUT THEM EVERY DAY AND DAVID KNOWS IT.

CHAIRMAN CARTER ADDRESSED COMMISSIONER BROCK THAT DOESN'T HAVE ANYTHING TO DO WITH WHAT IS BEING DISCUSSED TODAY. COMMISSIONER BROCK SAID THAT IT DOES HAVE TO DO WITH THE MONEY; IT TAKES MONEY FROM HIS BUDGET. CHAIRMAN CARTER SAID THE MONEY IS GOING TO BE THE SAME, TRUST ME. THAT IS ALL HE IS SAYING AND THAT IT ISN'T GOING TO RELIEVE ANY MONEY. IT ISN'T GOING TO TURN ANY MONEY LOOSE WHERE THOSE PEOPLE GO. COMMISSIONER BROCK SAID THOSE FUNDING SHOULD BE COMING FROM ROAD AND BRIDGE BUDGET NOT PARKS AND RECREATION BUDGET. CHAIRMAN CARTER ASKED WHY IT HADN'T BEEN DONE THE LAST 4/5 YEARS.

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COMMISSIONER BROCK SAID IT WAS BUDGET. IT SHOULD HAVE BEEN DONE IN BUDGET. COMING BACK TO SOMETHING THIS ORDINANCE THAT WAS MADE BY THE BOARD OF COUNTY COMMISSIONERS IN 2007, WHICH IS THE LAW IN THIS COUNTY AND THE FIRST PARAGRAPH SAYS BOARD OF COUNTY COMMISSIONERS WILL PICK 5 MEMBERS FOR A COMMITTEE FROM EACH DISTRICT TO DRAW UP THE GUIDELINES AND THE BY LAWS FOR THE RECREATION PART. COMMISSIONER BROCK ASKED COMMISSIONER PATE IF HE WAS CORRECT.

COMMISSIONER ABBOTT SAID THAT WAS DONE IN 2007.

COMMISSIONER PATE ADDRESSED COMMISSIONER BROCK THAT IF HE REMEMBERS HE SERVED ON THAT AND WAS PROBABLY THE 1<sup>ST</sup> CHAIRMAN. COMMISSIONER BROCK ASKED IF THAT WAS DONE THE LAST BOARD MEETING. COMMISSIONER BROCK SAID THAT HE THINKS 2 PEOPLE OUT OF THE COUNTY SERVED AND THIS IS A VERY CRUCIAL ISSUE FOR THE PEOPLE OF WASHINGTON COUNTY. THERE ARE A LOT OF PEOPLE THAT USE RECREATION AND WHEN HE WAS TOLD THIS THAT IT INCLUDES ALL PARKS; HE HAS KIDS PLAYING BASKETBALL IN THE EVENINGS, PEOPLE WALKING TRACKS AND THIS AFFECTS ALL PHASES OF LIFE OUT HERE. IF YOU ARE GOING TO CHARGE PEOPLE \$40.00 TO WALK THE TRACK OR A KID TO PLAY BASKETBALL IN THE EVENINGS; HE WOULD LIKE TO SEE THIS REALLY SET DOWN WITH PROBABLY A 7 COMMITTEE APPOINTED AND THOROUGHLY ORGANIZE THIS OUT. THE BIGGEST PROBLEM IN THIS IS WHEN IT IS DONE THE KEY IS ENFORCEMENT. THIS IS SOMETHING THAT HE WISHES THE BOARD WOULD THOROUGHLY DO THIS BECAUSE WHEN IT IS SET IN PLACE IT NEEDS TO BE DONE RIGHT AND NOT THROWN TOGETHER. HE IS AWARE THAT THE COMMITTEE RECOMMENDED THAT THE BOARD TABLE THIS. HE JUST DOESN'T WANT THIS TO BE A HURRY PUSH THROUGH DEAL. HE WISHES THAT THE BOARD WOULD HAVE WAITED UNTIL THE NEW BOARD WAS SEATED TO HAVE DONE THIS INSTEAD OF JUST BEFORE OR PRIOR TO AN ELECTION. THIS IS A VERY HEATED ISSUE IN THIS COUNTY. IT COULD WIND UP LIKE THE GARBAGE ISSUE WAS IN 1993. COMMISSIONER BROCK OFFERED A MOTION FOR THIS TO BE TABLED. MOTION DIED FOR LACK OF SECOND.

COMMISSIONER PATE ADDRESSED THE BOARD THAT HE SERVED ON THE VERY 1<sup>ST</sup> PARK AND RECREATION COMMITTEE. AT THAT TIME, SOMEWHERE AROUND 12-14 YEARS AGO HE WARNED THIS COUNTY AND THE COMMISSIONERS AT THAT TIME TO QUIT GOING OUT AND BUILDING BALL PARKS ESPECIALLY. COMMISSIONER PATE SAID TO COMMISSIONER BROCK THAT THEY WERE REFERRING TO CAMPING FACILITIES ON THE PATH OF THE RIVER, NOT AT CAMPBELL PARK OR SOMETHING LIKE THAT.

CHAIRMAN CARTER ADDRESSED THE BOARD THAT THE ORDINANCE APPLIES TO CAMPING ONLY. COMMISSIONER PATE AGREED. COMMISSIONER ABBOTT SAID THAT IT ISN'T BASKETBALL PLAYING AND WALKING TRACK. COMMISSIONER BROCK ADDRESSED THE BOARD THAT IN THE 1<sup>ST</sup> PARAGRAPH THE ORDINANCE SAYS 5 MEMBERS AND IT WASN'T DONE.

CHAIRMAN CARTER SAID THAT ORDINANCE DOESN'T HAVE ANYTHING TO DO WITH PARKS IT IS FOR CAMPING COMMISSIONER BROCK. THAT ORDINANCE WOULD HAVE TO BE OVERRIDDEN IF THE BOARD SELECTS TO DO SOMETHING ELSE.

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THAT WAS JUST TO COVER CAMPING AND NOTHING ELSE. WHAT THEY ARE DOING IS TOTALLY DIFFERENT. THEY ARE REFERRING TO A USER FEE FOR ALL FACILITY'S IN THE COUNTY RECREATIONAL WISE.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT THE PROBLEM IS YOU HAVE COUNTY PARKS, COUNTY BOAT LANDING, WATER MANAGEMENT BOAT LANDING AND THEY ARE ALL STAGGERED IN BETWEEN. YOU ARE GOING TO PUT SOMETHING ON 1 AND NOTHING ON THE OTHER 1. HE FEELS LIKE THE BOARD IS PUSHING THIS AND HE IS THE ONLY INCUMBENT RUNNING IN THIS COUNTY AND IT SEEMS LIKE EVERYTHING HERE IN THE LAST 2-3 MONTHS HAS BEEN AIMED AT, WHETHER IT IS CHANGING PERSONNEL POLICIES, DOING CODE ENFORCEMENT AND NOW RECREATION. EVERYTHING HERE MAKES HIM FEEL LIKE HE IS THE ONLY LONELY ONE ON THE END HAVING TO WORK WITH YOU ALL. HE JUST WANTS SOMETHING DONE RIGHT FOR THE CITIZENS OF THE COUNTY AND NOT JUST SHOVED THROUGH LIKE THE GUY SAID EARLIER.

COMMISSIONER ABBOTT EXPRESSED LAUGHTER. COMMISSIONER BROCK ADVISED COMMISSIONER ABBOTT THAT IT WASN'T FUNNY AND IT IS VERY IMPORTANT TO THE PEOPLE OF THIS COUNTY AND YOU CAN LAUGH ABOUT IT IF YOU WANT TO.

COMMISSIONER ABBOTT ADDRESSED COMMISSIONER BROCK THAT IT IS FUNNY TO HIM AND HE DOESN'T MEAN IT DISRESPECTFUL BUT FOR ANYBODY TO HAVE TO SUPPORT THEIR ACTIVITIES IF THEY ARE GOING CAMPING HE DOESN'T THINK THAT IT IS TOO MUCH TO ASK \$40.00 1 TIME FEE PER YEAR FOR THEM TO PAY FOR US. IT ISN'T GOING TO FULLY FUND IT BUT SUPPLEMENT US TAKING CARE OF THESE PARKS; TAKING DOWN THE DISPENSERS AND FILLING IT UP WITH PAPER. THEY ARE CAMPING THERE COMMISSIONER BROCK.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT THERE ARE 100'S AND 100'S OF PEOPLE SWIMMING COMMISSIONER ABBOTT. THEY SWIM AND EAT; LITTLE KIDS.

COMMISSIONER ABBOTT SAID THAT HE IS TALKING ABOUT CAMPING AND NOT TALKING ABOUT THE CHILDREN.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT THIS WAS CAMPING IN 207, YOU AREN'T TALKING ABOUT CAMPING NOW.

COMMISSIONER PATE ADDRESSED COMMISSIONER BROCK YES THEY ARE.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT THEY WERE TALKING ABOUT ANYBODY THAT IS GOING TO THE PARK. COMMISSIONER BROCK ASKED DAVID IF HE WAS CORRECT. DAVID CORBIN SAID THAT HE UNDERSTOOD THE WAY HE TOOK IT IS THAT THEY WERE DOING FACILITIES, IF YOU WERE LAUNCHING A BOAT, FISH OR SWIM.

COMMISSIONER BROCK FINISHED THE SENTENCE BY SAYING OR ANYTHING, YOU HAVE TO PAY. IF A KID GOES SWIMMING THAT KID HAS TO PAY. DAVID CORBIN ASKED ARE THEY GOING TO PUT GARBAGE OUT THERE BUT WENT ON TO SAY NOW IF THEY ARE A KID IT DOESN'T FALL UNDER IT. THERE IS AN AGE LIMIT THAT THE GAME AND FISH GOES BY OF 16 YEARS OF AGE.

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COMMISSIONER BROCK ADDRESSED MR. CORBIN THAT IF THEY ARE GOING TO PUT GARBAGE OUT THERE THE STATE PICKS IT UP. DAVID KNOWS THAT MARSHALL DOES THE PARKS AND THE GARBAGE.

COMMISSIONER BROCK WAS ASKED WHO HE THINKS IS PAYING THEM.

MR. CORBIN ADDRESSED THE BOARD THAT THE VAN, TRAILER AND ALL THE EQUIPMENT ARE FURNISHED BY THE COUNTY.

CHAIRMAN CARTER SAID THE COUNTY FURNISHES THE VEHICLES AND THE GAS. COMMISSIONER BROCK SAID THE COUNTY DOESN'T FURNISH THE STATE VEHICLES. COMMISSIONER PATE SAID THAT IT HAS A STATE STICKER ON IT BUT IT ISN'T STATE.

MR. CORBIN ADDRESSED THE BOARD THAT MARSHALL'S PARTICULAR VAN IS A CHEVROLET COUNTY VEHICLE THAT HE GOT FROM TRI-COUNTY. IT BELONGS TO THE COUNTY. SOME OF IT IS FURNISHED AND GASSED BY THE STATE. COMMISSIONER BROCK SAID EXACTLY.

CHAIRMAN CARTER SAID THEY AREN'T JUST DESIGNATED FOR THAT. IT IS JUST WHEREVER YOU SEND THEM.

MR. CORBIN SAID THAT HE USES WHOEVER HE CAN WITH AS MUCH WORK AS HE HAS. HE IS DOWN TO 3 PEOPLE AND HE IS DOING THE BEST HE CAN DO. HE FIXES THE BOAT LANDINGS WHENEVER HE HAS THE MONEY. THEY ARE ALLOWED \$6,000.00 A YEAR FROM FBIP AND WHEN YOU GO BUY A TAG FOR YOUR BOAT HE GETS \$1.00. WHO ALL REQUEST TO HAVE BOAT LANDINGS FIXED. WHEN THE PUBLIC IS OUT THERE USING IT THEY IMPACT IT AND HE HAS TO DO WHAT HE CAN DO AND HE HAS DONE WHAT THE BOARD HAS INSTRUCTED HIM TO DO AND WILL BE GLAD TO DO ANYTHING ANY FURTHER.

COMMISSIONER BROCK TOLD MR. CORBIN THAT HE APPRECIATED IT AND HE KNOWS THAT THEY NEED THAT BUT HE DOESN'T WANT IT SHOVED THROUGH IN A MEETING OR 2. HE DOES KNOW THAT THE COMMITTEE THAT WAS PICKED SAID NO. HE DOES KNOW THAT.

CHAIRMAN CARTER ADVISED COMMISSIONER BROCK THAT HE ATTENDED THE LAST MEETING THAT THEY HAD RIGHT BACK HERE AND THE COMMITTEE MEMBER READ OUT WHAT HE WAS GOING TO COME UP HERE AND SAY AND HE RECOMMENDED IT. THEY CAN COME IN AND RECOMMEND IT; THEY DID NOT RECOMMEND IT AT A MEETING. THEY DID NOT.

COMMISSIONER BROCK SAID THAT HE WAS TOLD \$20.00 AND SOMEBODY SAID NO WE ARE GOING TO \$40.00. HE WAS TOLD THAT BY THE COMMITTEE AND THEY DISAGREED WITH THAT.

CHAIRMAN CARTER SAID THAT HE JUST KNOWS WHAT WAS READ. MR. JOYNER WAS THERE TOO.

CHAIRMAN CARTER ASKED FOR THE BOARDS PLEASURE IN REFERENCE TO ADDRESSING THE PARK ISSUE; THE PARK AND FACILITIES OF THE COUNTY.



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COMMISSIONER BROCK ASKED FOR CLARIFICATION ON WHO IT AFFECTS. YOU ALL SAID CAMPING ONLY.

CHAIRMAN CARTER SAID THE ORDINANCE THAT COMMISSIONER BROCK HAS BEEN REFERRING TO RELATES TO CAMPING ONLY. THIS WOULD HAVE TO BE A TOTALLY NEW ORDINANCE TO INCLUDE WHATEVER MR. JOYNER AND MR. CORBIN COME UP WITH IN FULFILLING WHAT THE BOARDS WANTS THEM TO DO. THEIR DIRECTION IS WHATEVER THE MOTION IS TO GIVE MR. CORBIN AND COUNTY MANAGER JOYNER THE DIRECTION WITH THE ATTORNEY TO FOLLOW THROUGH AND DIRECT WHAT THE MOTION IS.

CHAIRMAN CARTER SAID THE FLOOR IS OPEN FOR THE PLEASURE OF THE BOARD.

COMMISSIONER STRICKLAND ADDRESSED THE BOARD THAT BACK IN 2007 HE WAS 1 OF THE ONES THAT WAS ON THAT COMMITTEE; HIMSELF AND DAVID AND HE WANTS TO SAY AT THAT TIME IT COULD HAVE BEEN PETE AND THERE IS A GUY IN THE AUDIENCE THAT WAS OUT THERE WITH THEM. THEY HAD IT GOING AND SOMEWHERE DOWN THE LINE THEY GOT OUT OF IT. HE SAID THAT HE DOESN'T HAVE A PROBLEM CHARGING \$40.00, IF YOU USE IT YOU NEED TO PAY FOR IT. HE REFERENCED THAT HIM AND HIS BOYS LIKE TO FISH.

**COMMISSIONER STRICKLAND OFFERED MOTION THAT THE BOARD GO WITH THE NEW ORDINANCE AND IF THE BOARD PUTS A PRICE ON IT, IT SHOULD BE \$40.00. THE MOTION CARRIED, SECONDED BY COMMISSIONER ABBOTT. COMMISSIONERS CARTER, PATE STRICKLAND AND ABBOTT VOTED YES. COMMISSIONER BROCK VOTED NO.**

COMMISSIONER BROCK ASKED WHAT PARKS WERE TO BE DONE, IF IT WOULD BE ANYTHING CONTAINING BOAT LANDINGS.

CHAIRMAN CARTER ADVISED COMMISSIONER STRICKLAND TO SPECIFY WHAT FACILITIES ARE INCLUDED.

COMMISSIONER STRICKLAND SAID THAT IT INCLUDES THE BOAT RAMPS AND THE PARKS WHERE YOU CAMP AT.

COMMISSIONER BROCK ASKED IF IT MEANT PARKS LIKE HUNTER PARK. COMMISSIONER STRICKLAND SAID NO SIR IT IS WHERE YOU CAMP AND LAUNCH YOUR BOAT.

ATTORNEY GOODMAN ADDRESSED THE BOARD THAT HE WOULD GO AHEAD AND ASSIST COUNTY MANAGER JOYNER IN ANY WAY HE COULD DRAFTING THE ORDINANCE. IT WILL HAVE TO COME BACK TO THE BOARD FOR THE TYPICAL ORDINANCE PROCEDURE.

**ECONOMIC DEVELOPMENT**

TED EVERETT ADDRESSED THE BOARD IN REFERENCE TO THE WASHINGTON COUNTY ECONOMIC DEVELOPMENT COUNCIL 2012-2013 ANNUAL REPORT. HE MENTIONED THAT HE DIDN'T THINK THE BOARD HAD ENOUGH TIME TO LOOK AT

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THE REPORT YET SO HE REQUESTED THE BOARD TAKE THE NEXT COUPLE OF WEEKS TO REVIEW IT AND THEN HE WOULD ADDRESS IT WITH THE BOARD AND ANSWER ANY QUESTIONS AT THE NEXT BOARD WORKSHOP.

**SINGLE LOT SUBDIVISION EXCEPTION AND VARIANCE FOR MINIMUM LOT AREA REQUIREMENT**

MICHAEL DERUNTZ, WASHINGTON COUNTY SENIOR PLANNER ADDRESSED THE BOARD IN REFERENCE TO AN APPLICATION FOR VARIANCE FOR THE PROPERTY AT 3893 CRYSTAL LAKE DRIVE. THE OWNERS OF THE PROPERTY AND THE APPLICANT ARE MIKE AND TAMMIE SWEARINGTON. THE VARIANCE WAS FOR AN EXISTING ILLEGAL STRUCTURE TO MEET THE 10 FOOT SIDE YARD SET BACK REQUIREMENT. IF IT WAS APPROVED BUILDING PERMIT COULD BE ISSUED AND THEN THE APPLICANT COULD COMPLETE THE STRUCTURE AND MAKE IT A LEGAL STRUCTURE OF RECORD. THE PLANNING COMMISSIONER HELD A MEETING THIS MONTH AND COMMENTS WERE HEARD FROM THE FLOOR, APPLICANT AND ADJOINING PROPERTY OWNERS. THEY RECOMMENDED THAT THE VARIANCE BE DENIED BASED UPON THE CONDITION THAT IT DIDN'T MEET THE CRITERIA IN THE LAND DEVELOPMENT CODE AS IT PERTAINED TO ITEM#4. THERE WAS DIMINISHING OF PROPERTY VALUES AND ESSENTIAL CHARACTER TO THE SURROUNDING AREA AS A CONDITION UNDER A LAND DEVELOPMENT CODE 8.02.00. MR. DERUNTZ ADVISED THE BOARD THAT IT WAS UP TO THEM TO APPROVE OR DENY THE PLANNING COMMISSIONS RECOMMENDATION AND HE OFFERED TO ANSWER ANY QUESTIONS.

COMMISSIONER ABBOTT ASKED MR. DERUNTZ IS THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR CRYSTAL LAKE LOTS 1 - 24. IT SAYS 7 FEET OF SIDE LOT LINE OR WITHIN 100 FEET OF THE AVERAGE LAKE SHORELINE, IS THAT THEIR RESTRICTION. MR. DERUNTZ SAID THAT IS THEIR DESCRIPTION.

COMMISSIONER ABBOTT ASKED MR. DERUNTZ IF THAT MET OUR LAND DEVELOPMENT CODE; OUR LAND DEVELOPMENT CODE DICTATES THE 10 FEET. SO WHAT THEIR 7 FOOT SAYS DOESN'T MATTER. MR. DERUNTZ AGREED.

BONNIE BATTER, 3911 CRYSTAL LAKE DRIVE OF 7 YEARS ADDRESSED THE BOARD THAT WHEN MR. SWEARINGTON BOUGHT THE PROPERTY THERE WASN'T AN EXISTING POLE BARN ON THAT PROPERTY AND HE DID PUT IT THERE EVEN THOUGH HE IS SAYING THAT HE DIDN'T. AT THE BEGINNING OF MAY, WORK WAS CONTINUED ON TEARING DOWN THE BARN SIDEWALLS FOR RAILINGS AND PUTTING UP WALLS. 2 WEEKS LATER SHE CALLED THE BUILDING DEPARTMENT AND THAT DAY THEY PUT A STOP WORK ORDER ON IT BECAUSE HE DIDN'T HAVE A BUILDING PERMIT. 2 WEEKS LATER HE CONTINUED CONSTRUCTION ON THE EXISTING SIDE AND HE HAS SINCE CLOSED IT IN. IT INCLUDES A RESTROOM, AIR CONDITIONING AND A PATIO UP FRONT. IT ISN'T A SHED BUT A 550 SQUARE FOOT LITTLE APARTMENT. ON JUNE 12 HE PUT A SEPTIC TANK DOWN AND ON THAT DAY SHE CALLED MR. JOYNER, MR. DOYLE AND THE HEALTH DEPARTMENT AND SHE SAYS THERE WAS NO SEPTIC TANK PERMIT ISSUED. SOMEHOW THAT AFTERNOON THERE WAS ONE ISSUED SUPPOSEDLY ON

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MAY 21, BUT THERE WAS A STOP WORK ORDER ON THAT ALSO. SHE OFFERED PICTURES TO THE BOARD.

**COMMISSIONER PATE OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO DENY THE SWEARINGTON'S APPLICATION FOR VARIANCE BASED UPON THE PLANNING COMMISSIONS RECOMMENDATION.**

COUNTY MANAGER JOYNER ADDRESSED THE BOARD THAT HE HAS SPOKEN WITH MR. SWEARINGTON AND HE IS IN AGREEMENT TO MOVE THE BUILDING OR TEAR IT DOWN IN 60 DAYS.

A MEMBER OF THE AUDIENCE ASKED THE BOARD IF HE DOES MOVE THE BUILDING IS HE GOING TO PUT A FOUNDATION UNDER IT OR BRING IT UP TO CODE OR IS IT STILL GOING TO BE A POLE BARN WITH A FLOOR IN IT THAT IS SUPPORTED BY 4X4'S.

CHAIRMAN CARTER SAID THAT IT IS GOING TO HAVE TO MEET CODE AND HE HAS NEGOTIATED TO TAKE THE SIDES DOWN AND ALL OF THOSE KINDS OF THINGS. THERE IS A LOT OF OTHER POLE BARNs AROUND THAT LAKE.

ALLEN RILEY ADDRESSED THE BOARD AND ASKED IF MR. SWEARINGTON WOULD BE REQUIRED TO HAVE A SURVEY DONE BECAUSE HE HASN'T HAD ONE DONE COMPLETELY ON THE PROPERTY SINCE THE BUILDING HAS BEEN THERE.

CHAIRMAN CARTER SAID THAT HE WOULD THINK THAT HE WOULD. COUNTY MANAGER JOYNER IS GOING TO FOLLOW THROUGH WITH MR. SWEARINGTON. HE ALSO MENTIONED THAT THERE ARE MANY VIOLATIONS AROUND THAT LAKE.

**POWERLINE ROAD PRESCRIPTIVE EASEMENT**

MR. DERUNTZ, WASHINGTON COUNTY SENIOR PLANNER ADDRESSED THE BOARD IN REFERENCE TO POWERLINE ROAD EASEMENT FROM MS. SANDERS PROPERTY RUNNING THROUGH THE LOTS ON SUNNY HILLS UNIT 13. THE STAFF HAS RECOMMENDED THAT THE PETITION BE APPROVED BASED UPON THE SITUATION OF THE ENCUMBRANCE UPON THE LOTS IN SUNNY HILLS AND THAT THE CUL-DE-SAC BE CONSTRUCTED AT THE NORTHERN PART OF MS. SANDERS PROPERTY ON POWERLINE ROAD.

ATTORNEY GOODMAN ASKED FOR CLARIFICATION THE HISTORY OF THAT ROAD RUNNING THROUGH CERTAIN LOTS AND SPRING RIDGE; THAT HAS GOTTEN AN EFFECT ON SOME OF HIS ANALYSIS ON HOW THIS WILL PLAY OUT WITH SPRING RIDGE. HE ASKED THE BOARD TO GIVE HIM THE PLEASURE OF TABLING, ACCEPTING OR DENYING UNTIL THE NEXT MEETING FOR HIM TO GATHER MORE INFORMATION ON THAT ISSUE.

**COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER STRICKLAND AND CARRIED TO TABLE THE POWERLINE ROAD PRESCRIPTIVE EASEMENT. THE VOTE WAS UNANIMOUS.**

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**VI. COUNTY ENGINEER**

COUNTY ENGINEER, CLIFF KNAUER ADVISED THE BOARD THAT HE RECEIVED THE CLAYTON ROAD CONTRACT FROM ANDERSON COLUMBIA YESTERDAY AND HE WILL BRING IT TO THE COUNTY TO GET READY TO ISSUE A NOTICE TO PROCEED. ALSO HE MET WITH GULF POWER A COUPLE OF DAYS AGO AND THEY ARE ABLE TO MOVE SOME OF THE POWER POLES THAT WERE AN ISSUE WITH CERTAIN LAND OWNERS ON THE OPPOSITE SIDE OF THE ROAD TO RESOLVE SOME OF THE COMPLAINTS THAT WERE HAD WHERE SOME OF THE POWER POLES WERE GOING AND THAT HAS BEEN RESOLVED.

THE FBIP GRANT THAT HE PREVIOUSLY BROUGHT UP; THERE WAS A DISCUSSION ABOUT TRYING TO DO SOMETHING AT LIVE OAK LANDING WITH THE BOAT RAMP. IT IS A WATER MANAGEMENT DISTRICT BOAT RAMP AND WITHOUT THE COUNTY OWNING THE COUNTY CAN'T APPLY ON THAT. THE DEADLINE IS 7/20/2012. IF THE BOARD HAS ANYTHING TO TURN IN HE CAN CERTAINLY TRY AND GET SOMETHING TOGETHER TO TURN IN BUT LIVE OAK IS CERTAINLY NOT GOING TO WORK.

COMMISSIONER BROCK ASKED MR. KNAUER ON CLAYTON ROAD IF HE KNEW IF THE PROJECT WOULD BE ANOTHER 2 YEAR PROJECT. MR. KNAUER SAID THAT HE DOESN'T BELIEVE SO. THEY ARE DOWN TO JUST A FEW LAND OWNERS THAT HAVEN'T SIGNED AND THEY ARE TRYING TO MAKE EVERY EFFORT TO HAVE ALL THE SIGNATURES IN PLACE.

COMMISSIONER BROCK SAID THE REASON HE IS ASKING BECAUSE TALK OF THIS STARTED IN MARCH AND IT IS AUGUST NOW AND THERE HASN'T BEEN MUCH MOVEMENT. A LOT OF TIMES THEY WILL BRING A PIECE OF EQUIPMENT OUT AND THEY WILL SET THERE AND SET THERE. HE WISHES WHENEVER THEY GOT THE CONTRACT THEY WOULD COME ON AND BUILD THE ROADS AND HE DOES RECOGNIZE THEY HAVE A LOT OF WORK GOING ON.

COUNTY ENGINEER KNAUER SAID THAT THE RIGHT-OF-WAY HAS REALLY BEEN THE HANG UP ON THIS AND NOT THE CONTRACTOR. HE EXPECTS WHEN ANDERSON COMES IN THEY ARE GOING TO BE ANXIOUS TO GET OUT BECAUSE HE CAN'T SEE HOW THEY CAN POSSIBLY MAKE MONEY ON THIS JOB IF THEY DON'T. THE ONLY EXTENSION THEY CAN RECEIVE IS IF THIS BOARD APPROVES OF ONE.

THE RURAL WORKS PROGRAM HAD 2 ISSUES ON IT THE LAST TIME AND HE HAS TALKED TO THE CHAIRMAN AND COUNTY MANAGER. THE KANE MILL ROAD IS ACTUALLY 2.4 MILES; SOMEHOW IT WAS LISTED AS 1000 FEET. THAT IS BEING PULLED OFF THE LIST BECAUSE THAT WOULD BE ABOUT A \$700,000 JOB. THE OTHER ONE WAS RAY'S PLACE, WHICH HAD A RAILROAD CROSSING AND THAT HAS BEEN PULLED OFF THE LIST AS WELL. OTHER THAN THOSE 2 BEING PULLED OFF THE LIST THE OTHER ROADS REMAIN.

**COUNTY MANAGER**

COUNTY MANAGER STEVE JOYNER ADVISED THE BOARD THAT AN MSBU MEMBER CHUCK BAHR SUBMITTED HIS RESIGNATION FROM THE MSBU BOARD.

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**COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO ACCEPT MR. CHUCK BAHR'S RESIGNATION FROM THE MSBU BOARD.**

COUNTY MANAGER STEVE JOYNER ADVISED THE BOARD MS. ALEXANDRA KENISKI WILL TAKE CHUCK BAHR'S PLACE ON THE MSBU BOARD.

COMMISSIONER ABBOTT ASKED COUNTY MANAGER JOYNER IF THAT WAS HIS RECOMMENDATION. MR. JOYNER SAID YES.

**COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER BROCK AND CARRIED TO ADD MS. ALEXANDRA KENISKI TO THE MSBU BOARD.**

COUNTY MANAGER STEVE JOYNER REFERENCED THE LIST THAT HE PROVIDED THE BOARD WITH OF SURPLUS VEHICLES AND EQUIPMENT. HE ASKED THE BOARDS PERMISSION DISPOSE OF THE VEHICLES AND EQUIPMENT.

**COMMISSIONER STRICKLAND OFFERED A MOTION, SECONDED BY COMMISSIONER PATE AND CARRIED TO DISPOSE OF THE SURPLUS VEHICLES AND EQUIPMENT.**

CHAIRMAN CARTER ADDRESSED THE BOARD THAT IF COUNTY MANAGER JOYNER DISCOVERS ANYTHING MORE THAT HE NEEDS TO DISPOSE OF TO FOR THE BOARD TO GO AHEAD AND APPROVE THAT ACTION NOW.

**COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER PATE AND CARRIED FOR COUNTY MANAGER JOYNER TO BE ABLE TO DISPOSE OF ANYTHING NOT ON THE LIST THAT HE FINDS IS SURPLUS.**

**COMMISSIONERS**

COMMISSIONER BROCK ADDRESSED THE BOARD THAT HE TALKED WITH COUNTY ATTORNEY GOODMAN A COUPLE OF MONTHS AGO AND WAS PROVIDED SOME INFORMATION ON THE SEPTIC TANK ISSUE. FOR THE BENEFIT OF THE PEOPLE IN WASHINGTON COUNTY HE WOULD LIKE FOR THIS COUNTY TO DRAW UP AN ORDINANCE OPTING OUT LIKE OTHER COUNTY'S DID AND SEND A COPY OF THIS ORDINANCE TO THE SECRETARY OF STATE SO THAT IT WILL BE OFFICIAL WASHINGTON COUNTY OPTED OUT OF THE LAW THE LEGISLATURE PASSED.

CHAIRMAN CARTER ASKED ATTORNEY GOODMAN IF AN ORDINANCE WAS REQUIRED ON THIS ISSUE.

COUNTY ATTORNEY JEFF GOODMAN SAID THAT HE DRAFTED A RESOLUTION INSTEAD OF AN ORDINANCE FOR HOLMES COUNTY IN APRIL OR MAY.

COMMISSIONER BROCK SAID THERE IS A QUESTION MARK IN THIS ACCORDING TO THE CERTAIN TYPE OF SPRINGS THAT HAS REGULATED THIS. HE ISN'T SURE IF SPRING RUN THAT ENTERS INTO THE MOUTH; HE WOULD RATHER BE SAFE AND DO AN ORDINANCE BECAUSE THAT IS WHAT IT CALLS FOR AND SEND A COPY TO THE SECRETARY OF STATE. THAT IS A STATUTE AND HE WANTS TO GO BY THIS STATUTE.

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ATTORNEY GOODMAN SAID THAT HE DOESN'T MIND DRAFTING AN ORDINANCE VERSUS A RESOLUTION. IT IS A LITTLE BIT MORE TIME CONSUMING REGARDING THE PROCESS, THE NOTICE TO THE PUBLIC AND PUBLIC HEARING. HE ISN'T AWARE THAT WASHINGTON COUNTY QUALIFIES TO HAVE TO OPT OUT BUT IF THE BOARD WANTS TO OPT OUT TO COVER BASIS HE WILL DRAFT ONE FOR THE NEXT MEETING.

**COMMISSIONER BROCK OFFERED A MOTION, SECONDED BY COMMISSIONER STRICKLAND AND CARRIED FOR ATTORNEY GOODMAN TO DRAFT AN ORDINANCE FOR WASHINGTON COUNTY OPTING OUT OF THE SEPTIC TANK LAW AND IT BE LOOKED AT EVERY 5 YEARS.**

COMMISSIONER PATE ADVISED THE BOARD THE LAW SAYS MAGNITUDE OF ONE SPRING AND WASHINGTON COUNTY HAS NONE. JACKSON COUNTY AND BAY DO SO THEY HAD TO OPT OUT. IF THE BOARD DOES THIS IT'S JUST A FEEL GOOD THING BECAUSE THIS COUNTY ISN'T AFFECTED AT ALL. HE WAS THERE WHEN THE MEETING WAS DISCUSSED AS WELL AS THE COUNTY ATTORNEY AND THEY WERE THERE FOR ONE REASON. HE WAS ON THE BOARD AND ATTORNEY GOODMAN WAS THERE TO ADDRESS A COUPLE OF ISSUES. HE SAW THE MAPS AND IT WAS JACKSON COUNTY DOWN TO BAY COUNTY AND THE NEXT BUNCH WAS OVER IN WALTON COUNTY. IT SHOULD BE A RESOLUTION.

COMMISSIONER BROCK SAID THAT WHAT BOTHERS HIM IS THAT IT SAYS MAGNITUDE OF SPRINGS UNDER CERTAIN CIRCUMSTANCES. HE DOESN'T KNOW WHAT THAT EXACTLY MEANS BUT JUST TO COVER THIS HE WOULD LIKE FOR AN ORDINANCE TO BE DONE AND WASHINGTON COUNTY BE SAFE.

COMMISSIONER ABBOTT ADDRESSED THE BOARD THAT HE DOESN'T THINK THERE IS ANY BOARD MEMBER OR ANYBODY IN THIS ROOM THAT WOULD SUPPORT HAVING THE SEPTIC PERMIT. THEY HAVE ALL FOUGHT THAT. HE LIKES THE FACT THAT COMMISSIONER BROCK BROUGHT IT UP AND THAT IT IS A FANTASTIC IDEA EVEN THOUGH HE DOESN'T THINK IT'S NECESSARY. IF HE WANTS IT DONE HE WILL SUPPORT IT AND WOULDN'T LIKE FOR ANYTHING TO COME BACK ON THE BOARD.

COMMISSIONER PATE ADDRESSED THE BOARD THAT ON THE 16<sup>TH</sup>/17<sup>TH</sup> SOME OF THE MEMBERS ARE GOING TO BE GONE BUT HE WILL BE THERE THAT MORNING BUT HE HAS A BOARD MEETING IN PANAMA CITY WITH THE FLORIDA ASSOCIATION OF COUNTIES AND THE LEGISLATIVE COMMITTEES.

COMMISSIONER ABBOTT - NONE

COMMISSIONER CARTER ADDRESSED THE BOARD THAT THE BUDGET IS CURRENTLY BEING WORKED ON AND IT IS A LITTLE STRESSFUL.

COMMISSIONER STRICKLAND ADDRESSED THE BOARD THAT INTERIM COUNTY MANAGER JOYNER HAS BEEN HERE OVER A YEAR AND HAS DONE A GOOD JOB SINCE HE HAS BEEN HERE. HE WOULD LIKE TO SEE HIM STAY ON.

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**COMMISSIONER STRICKLAND OFFERED A MOTION, SECONDED BY COMMISSIONER ABBOTT AND CARRIED TO MAKE INTERIM COUNTY MANAGER STEVE JOYNER THE COUNTY MANAGER.**

COMMISSIONER BROCK SAID THAT STEVE IS DOING A GOOD JOB BUT WHAT IS THE STATUTE/LAW.

COUNTY ATTORNEY GOODMAN SAID THAT THERE IS A STATUTE THAT TALKS ABOUT THE APPOINTMENT OF THE COUNTY MANAGER. THE COUNTY MANAGER ALONG WITH THE COUNTY ATTORNEY DISCUSSED IN THE STATUTE ABOUT BEING APPOINTED DIRECTLY BY THE BOARD OF COUNTY COMMISSIONERS. DEPARTMENT HEADS HAVE TO BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS. THE COUNTY ATTORNEY AND THE COUNTY MANAGER ARE 2 PEOPLE THAT WORK DIRECTLY UNDERNEATH THE BOARD OF COUNTY COMMISSIONERS. WHAT THE STATUTE TALKS ABOUT IS QUALIFIED BY EXPERIENCE AND IT ALSO HAS A CLAUSE TO BE AWARE OF IF THERE IS A VACANCY IT SHALL BE FILLED IN THE SAME MANNER THAT IT WAS INITIALLY FILLED. WHAT HAPPENED IS THERE IS REALLY NO CASE LAW DISCUSSING THAT BUT MR. PITTS THE PRIOR COUNTY MANAGER WAS INTERIM AND THE INTERIM TITLE WAS TAKEN OFF OF HIM AND HE DOESN'T THINK IT WAS ADVERTISED. THE ONE THING THAT WILL NOT BE HAPPENING HERE IS THE ADVERTISEMENT OF WHETHER INTERNALLY OR EXTERNALLY FOR THAT JOB OPENING. HE DOESN'T SEE ANYTHING IN THE STATUTE THAT WILL PROHIBIT; THERE IS NO MANDATED QUALIFICATIONS IN THE STATUTE REGARDING ADVERTISEMENTS OUTSIDE OR INSIDE FOR THE JOB. HE THINKS THE BOARD HAS THE DISCRETION TO NAME HIM PERMANENT COUNTY MANAGER BASED ON THE STATUTE. FROM A POLICY PERSPECTIVE THAT IS THE BOARD'S DECISION IF THAT IS THE MANNER THAT THEY WANT TO DO IT IN BUT FROM A LEGAL STANDPOINT THE WAY THE STATUTE READS THE BOARD HAS MORE THAN THE AUTHORITY TO TAKE THE INTERIM TAG OFF OF HIM AND PUT HIM IN THE PLACE OF PERMANENT.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT HE HAS ALWAYS BEEN THOUGHT THAT FOR SOME REASON THAT THE STATUTE REQUIRED A DEGREE AND HE WAS TOLD THAT BY AN ATTORNEY.

ATTORNEY GOODMAN ADDRESSED THE BOARD IN SAYING THAT HE HASN'T LOOKED AT MR. JOYNER'S DEGREES AND HE HASN'T LOOKED AT THAT ISSUE AS FAR AS THE STATUTE IN REFERENCE TO THE NECESSITY OF A DEGREE. HE CAN LOOK AT THAT ISSUE IF THE BOARD WOULD LIKE HIM TO BUT HE KNOWS OF NO CASE LAW, ATTORNEY GENERAL OPINION OR SPECIFIC LANGUAGE IN THE STATUTE WHERE IT TALKS ABOUT HAVING A COLLEGE, DEGREE, MASTERS DEGREE OR DEGREE IN ANY SPECIFIC FIELD.

COMMISSIONER BROCK ADDRESSED ATTORNEY GOODMAN HIS REASON FOR ASKING IS THIS WAS A HEATED DISCUSSION WHEN MR. HERBERT WAS HIRED AND THE QUALIFICATIONS CALLED FOR A DEGREE AT THAT TIME BUT WHEN MR. PITTS CAME ON AND HE TALKED TO AN ATTORNEY THEY GAVE HIM A STATUTE ON THAT.

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ATTORNEY GOODMAN OFFERED TO PULL THE STATUTE. HE HAS READ THE STATUTE ON SEVERAL OCCASIONS BUT KNOWS NOTHING IN THE STATUTE THAT DICTATES A SPECIFIC DEGREE OR REQUIREMENT. WITH RESPECT TO MR. HERBERT AND EMORY THAT WAS BEFORE HIS TIME. HE DOESN'T KNOW IF THE INTERNAL PERIMETERS, JOB SPECIFICS OR JOB QUALIFICATIONS THAT WERE SET BY THE COUNTY INTERNALLY THEY MAY HAVE HAD SOME PLAY IN WHAT DEGREE YOU DID OR DIDN'T HAVE.

COMMISSIONER BROCK ADDRESSED THE BOARD THAT IN HONESTY HE THOUGHT THAT IS WHY THE WORD INTERIM WAS USED BEFORE WAS TO GET BY. HE SAID WHATEVER THE WISHES OF THE BOARD ARE.

ATTORNEY GOODMAN ADDRESSED THE BOARD THAT HE KNOWS OF NO 4 YEAR COLLEGE DEGREE REQUIREMENT, MASTERS DEGREE OR SPECIFIC DEGREE IN THAT STATUTE THAT DICTATES SOMEBODY HAS TO HAVE A LAW DEGREE OR PHD, ETC. TO SERVE AS COUNTY MANAGER. HE DOES KNOW THAT THE STATUTE REFERS TO QUALIFICATIONS AND EXPERIENCE BUT IF THAT IS INCORRECT HE OFFERED TO BRING IT BACK TO THE BOARD.

CHAIRMAN CARTER CALLED QUESTIONS.

**PREVIOUS MOTION UNANIMOUSLY PASSED.**

**COMMISSIONER ABBOTT OFFERED A MOTION, SECONDED BY COMMISSIONER PATE AND CARRIED TO ADJOURN.**

ATTEST: \_\_\_\_\_

DEPUTY CLERK, RISHA BRANTLEY

\_\_\_\_\_

CHAIRMAN, HULAN CARTER