

**Town of Shalimar**  
Town Commission Meeting Minutes  
April 8, 2008

**CALL TO ORDER** – Mayor Pro-Tem Ricardo Garcia called the meeting to order at 5:58 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

**ROLL CALL FOR THE RECORD**

Mayor Gary Combs - absent  
Mayor Pro-Tem Ricardo Garcia - present  
Commissioner Jerry McCallister - present  
Commissioner Ursel Behnken - present  
Commissioner Glenn Wagner - absent

**Others in attendance:** Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Chief John Cash, Pete Pappas, Jon Sheperd, Residents Veronica Woody and Joseph Ray, and Planning and Zoning member Johann Behnken.

**PLANNING AND ZONING BUSINESS** - The Planning and Zoning Board did not have a meeting at the end of March.

**TOWN RESIDENTS' TIME** - Resident Joseph Ray explained that he and his neighbors are interested in purchasing the property that abuts their property (between their lots and Meigs Executive Park). Manager Burns stated that the original plans waived the need for a buffer zone because of this easement. Attorney Chesser outlined several options for the homeowner to obtain this property but feels an agreement between the town and homeowners would be best. In the agreement, the town should outline all possible future usages. Manager Burns will look at the drainage plan and this issue will be tabled until the May Commission Meeting.

**TOWN ATTORNEY'S REPORT** - Attorney Chesser had nothing to report. Manager Burns asked if the town could file a quiet title action for the property on Richbourg. The town still has not received all quit claim deeds from the homeowners. Attorney Chesser responded that it would cost the town more money but it can be done. Mayor Combs has all of the phone numbers for the homeowners who haven't returned their quit claim deeds but the status of the phone calls is unsure as Mayor Combs is out of town.

**OLD BUSINESS:**

- I. APPROVE MINUTES FROM THE MARCH 11, 2008 TOWN COMMISSION MEETING - Commissioner Behnken moved to approve the minutes from the March 11, 2008 Town Commission Meeting as written. The motion was seconded by Commissioner McCallister and passed unanimously.**
- II. MAINTENANCE BUILDING UPDATE** - Manager Burns reported that the forms for pouring the slab are in place and the steel is being delivered tomorrow. The plumbing rough-in should happen soon but the permit is on hold because Okaloosa County is

charging the town a \$4000 tap-in/new construction fee.

- III. RUSSELL ARNEY PROPERTY - 14 CHEROKEE ROAD** - Manager Burns reported that Mr. Arney came in and stated that he is still planning on building his home on the lot. Manager Burns asked Attorney Chesser what the town should do if Mr. Arney doesn't remove the items from the lot or start building his home. Attorney Chesser stated that he would have to review the ordinances but that Manager Burns should send another certified letter before any action is taken.

#### **NEW BUSINESS:**

- I. BAL HARBOUR RESIDENT REQUEST** - County resident, Jon Sheppard approached the Commission with a request to redo his subdivision's island entrance area. The area in question is on a town road. **Commissioner McCallister moved to grant approval for the town to enter into a right-of-way agreement and the homeowners may change their island entrance area as depicted in the picture. Also, if any of this area lies within an easement, the homeowners will have to pay to repair it if it ever needs to be torn up. The motion was seconded by Commissioner Behnken and passed unanimously.** The Commission asked Manager Burns to draft up an agreement and Attorney Chesser asked that it be forwarded to him for review before it is reviewed and signed by the parties.

**MAYOR COMBS' REPORT** - Mayor Combs was not present.

**COMMISSIONER GARCIA'S REPORT** - Commissioner Garcia had nothing to report.

**COMMISSIONER MCCALLISTER'S REPORT** - Commissioner McCallister had nothing to report but he will give a 6-month budget look back report at the next meeting.

**COMMISSIONER BEHNKEN'S REPORT** - Commissioner Behnken just returned from vacation and will have a Tidbits article for the June "Yard of the Quarter" section.

**COMMISSIONER WAGNER'S REPORT** - Commissioner Wagner was not present.

#### **POLICE REPORT:**

- The department has been busy with only 3 officers
- Chief Cash will have knee surgery on April 23
- Detective Roberts had surgery on his wrist and is prepared to do shoulder surgery soon. He is no longer on light duty; he is taking leave without pay and being paid by Worker's Compensation
- The department has been spending a lot of time on Richbourg, trying to slow the school buses down.

#### **TOWN MANAGER UPDATE:**

Manager Burns asked Attorney Chesser if there is anything that can be done about the old gravel pit lot next to Snug Harbor townhomes. The current property owner has made several changes to the property and sea wall and the town has contacted Okaloosa County and the West Florida Water

Management District but, according to them, no permits were required. Attorney Chesser stated that the Snug Harbor residents and other adjacent homeowners may have a civil case. Manager Burns was asked to write a letter to Mr. Maxon, the current owner of the property.

Manager Burns also asked if Okaloosa County can create a new enclave and if the town could force some sort of agreement with them. Attorney Chesser believes that there already is an agreement.


**ANNOUNCEMENTS:**

APRIL 24, 2008 - OCLOC QUARTERLY DINNER MEETING

APRIL 30, 2008 - PLANNING AND ZONING MEETING

MAY 12, 2008 - NEXT TOWN COMMISSION MEETING

**ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:04 p.m. The motion was seconded by Commissioner Behnken and it passed unanimously.**

  
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Tina Smith, Secretary

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May 13, 2008  
Date approved