

**Town of Shalimar**  
**Town Commission Meeting Minutes**  
**May 13, 2008**

**CALL TO ORDER** – Mayor Combs called the meeting to order at 6:02 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

**ROLL CALL FOR THE RECORD**

Mayor Gary Combs - present  
Mayor Pro-Tem Ricardo Garcia - present  
Commissioner Jerry McCallister - present  
Commissioner Ursel Behnken - present (left at 6:45)  
Commissioner Glenn Wagner - absent

**Others in attendance:** Town Manager Tom Burns, Deputy Clerk Tina Smith, Town Attorney Mike Chesser, Police Chief John Cash, Police Lieutenant John Spohn, and residents Veronica Woody, Scott Wooley, Kenneth Holt and Arthur Johanson.

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

**TOWN RESIDENTS' TIME** - Resident Art Johanson announced that he just purchased a money saving geothermal heating and cooling unit and, if anyone is interested, the name of the dealer in the local area is Toni Randall out of Niceville.

**TOWN ATTORNEY'S REPORT** - Attorney Chesser had nothing to report but there are several items on the agenda that the Commission may need legal advice on.

**OLD BUSINESS:**

- I. APPROVE MINUTES FROM THE APRIL 8, 2008 COMMISSION MEETING - Commissioner Garcia moved to approve the minutes of the April 8, 2008 meeting as written. The motion was seconded by Commissioner Behnken and passed unanimously.**
- II. MAINTENANCE BUILDING UPDATE** - Manager Burns reported that the slab will be poured on Thursday (weather permitting). The permit was picked up from Okaloosa County this morning. Also, the Fire Department refunded a portion of their impact fee and the \$4,000 tap in fee from Okaloosa County should be refunded in full because, according to our interlocal agreement with them, we shouldn't have been charged. Manager Burns then stated that he believes the amount of money originally approved for this project should still be enough to cover everything.
- III. RUSSELL ARNEY PROPERTY - 14 CHEROKEE ROAD** - Mayor Combs conveyed that he doesn't believe construction has begun on the lot at 14 Cherokee Road. Manager Burns previously called the contractor and was told that the property owner has a loan application in at a bank and is awaiting the appraisal. After reviewing pictures of the lot

(taken at approximately 5:00 p.m.), the commission agreed that the construction has not been started and that much of the debris is a health and safety hazard.

**Commissioner Garcia moved to authorize Manager Burns to draft up another letter to Mr. Arney. The motion was seconded by Commissioner Behnken and passed unanimously.**

- IV. SHALIMAR COMMONS EASEMENT PURCHASE REQUEST** - Attorney Chesser stated that the town could convey their interest in the property to the Shalimar Commons Homeowner's Association. Commissioner McCallister, who is also the president of the Shalimar Commons Homeowner's Association, was informed that if the Homeowner's Association asked the town to convey their interest, the association would then be responsible for maintaining the easement. Mr. McCallister stated that he would like to table this discussion and talk to the association before proceeding.
- V. RICHBOURG STORAGE LOT UPDATE** - Mayor Combs asked Attorney Chesser if the town could process a quiet title action against the property owners who haven't yet submitted their quit claim deeds. **Commissioner Garcia moved to authorize Manager Burns to send a letter to those remaining property owners to inform them of the impending civil action and to authorize Attorney Chesser to file a quiet title action against all property owners who haven't submitted their signed quit claim deeds within 2 weeks. The motion was seconded by Commissioner Garcia and passed unanimously.**
- VI. SNUG HARBOUR/SYB LOT DISCUSSION** - Mayor Combs stated that the owner of the lot between Shalimar Yacht Basin and Snug Harbour has come down to \$250,000 for the lot. Mayor Combs would like to buy this property at this time. **Commissioner McCallister moved to pursue the purchase of the lot between Snug Harbour and Shalimar Yacht Basin for \$250,000 plus all closing costs minus property taxes. The motion was seconded by Commissioner Garcia and passed unanimously.**

#### **NEW BUSINESS:**

- I. WASTE MANAGEMENT/GARBAGE CONTRACT DISCUSSION** - Manager Burns reported that there is a 5% increase in residential and commercial waste fees for 2008. The only other option is to go without a contract because several other contractors failed to beat the contract extension prices. **Commissioner Garcia moved to approve the contract extension. Commissioner McCallister seconded the motion and it passed unanimously.**
- II. ORDINANCE 2008-04 - GOLF CART USE - FIRST READING** - Mayor Combs read Ordinance 2008-04 and asked the board to send all changes to Manager Burns for the second reading at the June 10 meeting. **Commissioner Garcia moved to approve Ordinance 2008-04 as read (changes will be approved at the second reading). The motion was seconded by Commissioner McCallister and passed unanimously.**

**MAYOR COMBS' REPORT** - Mayor Combs had nothing to report.

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

**COMMISSIONER MCCALLISTER'S REPORT** - Commissioner McCallister

**COMMISSIONER BEHNKEN'S REPORT** - Commissioner Behnken left the meeting early.

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

**POLICE REPORT** - The police had nothing to report but Mayor Combs reported that he really liked reading the police WARs.

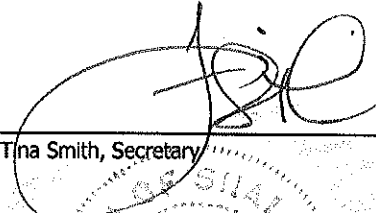
**TOWN MANAGER UPDATE** - Manager Burns reported that Mr. Ferdon and his neighbors have been maintaining the grass on the north side of Clifford Drive but the task of carrying the hose over is getting difficult for them. Mr. Ferdon has asked the town if he can use the town's right-of-way to run some irrigation from his pump. **Commissioner Garcia moved to authorize Manager Burns to draft up an agreement with Mr. Ferdon whereas Mr. Ferdon will be responsible for the road and right-of-way during the pipe installation. He also moved to allow Mr. Ferdon to use the town right-of-way to run the irrigation pipe from his pump to the north side of Clifford. The motion was seconded by Commissioner McCallister and passed unanimously.**

**ANNOUNCEMENTS:**

MAY 28, 2008 - PLANNING AND ZONING MEETING

JUNE 10, 2008 - NEXT TOWN COMMISSION MEETING

**ADJOURNMENT: Commissioner McCallister moved to adjourn the meeting at 7:37 p.m. The motion was seconded by Commissioner Garcia and it passed unanimously.**

  
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Tina Smith, Secretary

June 10, 2008  
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Date approved