

PENSACOLA BEACH
SANTA ROSA ISLAND AUTHORITY

Board Members:

Thom Blas
Chairman

William Griffith
Vice-Chairman

McGuire Martin
Secretary/Treasurer

Jimmie Perkins
Thomas Campanella
Vernon Prather

W A "Buck" Lee
General Manager

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1-3. A regularly scheduled meeting of the Authority was held on Wednesday, April 5, 2006, beginning at 7:25 p.m. Members in attendance were: Mr. Thom Blas, Mr. Bill Griffith, Mr. McGuire Martin, Mr. Jimmie Perkins, Dr. Thomas Campanella, and Mr. Vernon Prather. Mr. Blas, Chairman, called the meeting to order and led the Pledge of Allegiance followed by a moment of meditation.

4. **Upon motion of Mr. Griffith, seconded by Mr. Martin, the board unanimously approved the minutes of the special board meeting of February 8, 2006. (6-0)**

Upon motion of Mr. Griffith, seconded by Mr. Perkins, the board unanimously approved the minutes of the regular board meeting of March 1, 2006. (6-0)

5-6. **ADOPTION OF THE AGENDA**

Upon motion of Mr. Martin, seconded by Mr. Perkins, the agenda was unanimously adopted with the following change: Moved Item #11(A)(2), regarding the Circle K on Via de Luna, to the regular agenda. (6-0)

7. **CHAIRMAN'S COMMENTS**

Mr. Blas reviewed guidelines for speakers. Mr. Griffith asked that the vote on Items A(3)(b) and A(4) on the Development & Leasing Committee meeting that immediately preceded the board meeting be revised to reflect that he was recusing himself from the vote due to his son's interest in properties owned by the Guerras.

Upon motion of Mr. Martin, seconded by Mr. Perkins, the board unanimously voted to approve Mr. Griffith's recusal and note that the Development & Leasing Committee votes on Items A(2)(b) and A(3) regarding Jubilee Restaurant and Captain Fun's & The Celebration Room were unanimous on a vote of 2-0 with Mr. Griffith recusing himself from the vote. (6-0)

8. **RESOLUTION OF RECOGNITION – KREWE OF WRECKS**

Upon motion of Mr. Martin, seconded by Dr. Campanella, the board unanimously

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voted to hold the Resolution of Recognition for the Krewe of Wrecks for presentation on May 10, 2006. (6-0)

9. PENSACOLA BEACH RESIDENTS & LEASEHOLDERS ASSOCIATION
REPORT

Ms. Tona DeMers, President of the Pensacola Beach Residents & Leaseholders Association, reported that the Association elected new officers in April, as follows:

Ms. Tona DeMers, President
Ms. Fran Summerlin Histed, Vice President
Ms. Victoria Clarkin, Secretary
Mr. Gary Smith, Treasurer

Ms. DeMers said the association planned to continue the sea oat project for sale of sea oats, and to call her at (850) 932-2190 for more information or to volunteer assistance with the program. She said the association was going to begin offering more support for the surfing community on Pensacola Beach and noted that she was looking for a surfer who lives on Pensacola Beach to chair the committee. Ms. DeMers said the association planned to support the Matt Martin Memorial Surf Contest. She then said the association planned to join forces with Community Organizations Active in Disaster (COAD), an association formed to connect and streamline the various organizations and services involved in disaster response. Ms. DeMers asked that interested parties contact Ms. Brenda Mihalik with the United Way at (850) 444-7046 for more information. She encouraged support of the surfing contest and involvement in COAD.

10. PENSACOLA BEACH CHAMBER OF COMMERCE REPORT

Ms. Sandy Johnston, Manager of the Pensacola Beach Visitor's Information Center, reported that the chamber will be distributing forms to the businesses to gather information regarding the mail out pieces they distribute in response to telephone calls requesting information on Pensacola Beach. She said she was scheduled to meet with the advertising agency to discuss points of interest on the beach. Ms. Johnston said that nearly all dates were filled with bands for the 2006 Blues on the Beach. She said that the only hearing for drilling in the Gulf of Mexico was scheduled for the following day in Tallahassee. She said that the MMS (Minerals Management Service) web site has a place to enter your opinion on off-shore drilling.

Upon request by the chairman, the Manager reviewed the process through which the governor and cabinet move their meeting recommendations through the approval process by stating that they "move the recommendation without objection." He said that if no objection is entered, the action passes. He noted that the "without objection" process was

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being used by the chairman now and could be used by any committee chairmen if they so desired.

CONSENT AGENDA

11. COMMITTEE REPORTS

A. DEVELOPMENT & LEASING COMMITTEE (3-8-06) – Mr. Bill Griffith,
Chairman

The committee unanimously recommends approval of the following items:

Item #1 – Mr. Gary Powell, Pensacola Beach Holdings d/b/a Quietwater Boardwalk, 400 Quietwater Beach Road – Request for approval to sublease to Mr. Gary Brown d/b/a The Fancy Flamingo, a retail shop in unit 6a and Mr. Mike McLaughlin d/b/a Lee Tracy, a retail shop in unit 8a

The following item was for information only:

Item #3 – Mr. M. J. Menge on behalf of Mike and June Guerra d/b/a Captain Fun's and the Celebration Room – Report on pending lease issues

Upon motion of Mr. Griffith, seconded by Mr. Martin, the board unanimously approved the recommendation of the committee. (6-0)

B. ARCHITECTURAL & ENVIRONMENTAL COMMITTEE (3-8-06) – Mr. Thom Blas,
Chairman

Item #1 – Portside Villas Homeowners Association – 1299 Ft. Pickens Road, Units 1-26 – Adjacent to the Gulf of Mexico – Request for conceptual approval to construct 36 new condo units, replacing units destroyed by Hurricane Ivan, subject to complying with the request by Escambia County Access Management to revise the driveway alignment and relocate the dumpsters

Item #5 – Mr. & Mrs. Dale McCarthy – 1722 Ensenado Uno, E ½ of Lot 1, Block 3, Santa Rosa Villas – Request for after-the-fact approval of an extension to the existing deck, extending into the west side yard building setback, subject to reducing the deck extension to three feet to meet the requirements, payment of the \$500 after-the-fact fee, and obtaining a building permit from Escambia County.

The following item was for AEC approval only (no board action necessary):

Item #3 – Dr Richard Sjolander – 310 Ariola Drive, Lot 7, Block 17, Villa Primera –

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adjacent to the Gulf of Mexico – Construction of a three foot high stucco break-away wall in the front yard and a four foot high wooden fence on the side yards, subject to all fencing being contained on leasehold property and subject to receipt of a permit from the DEP

The following item was withdrawn:

Item #4 – Mr. Jack Abrams for Circle K – 711 Quietwater Beach Road – Request to place a 12' x 24' storage building (accessory structure), on the north side of the existing leasehold property

The following item was held in committee:

Item #6 – Beachside Resorts and Conference Center – A Planned Unit Development – 14 Via de Luna – Approval of final construction plans (Also recommended for approval by the committee on a vote of 2-1 with Mr. Prather voting in the negative)

Upon motion of Mr. Perkins, seconded by Mr. Griffith, the board unanimously approved the recommendations of the committee. (6-0)

C. ADMINISTRATIVE COMMITTEE (3-8-06) – Mr. Jimmie Perkins, Chairman

The committee unanimously recommends approval of the following items:

Item #2 – Adoption of a Consideration Fee Policy, based on \$3,030 per additional hotel/motel room above that permitted under the terms of the applicant's lease and application of the consideration fees assessed for Clarion Suites and Five Flags Inn at \$100,000 for parking issues with the remaining funds earmarked for beach enhancement

Item #6 – Proposed Regulation Regarding Mooring of Boats in Little Sabine Bay

Item #8 – Pensacola Beach Gulf Pier – 41 Ft. Pickens Road – Applicants to work with staff to come up with a timetable to address completion of the structure

Item #9 – Proposed Revised Board Meeting Calendar

The committee unanimously recommends acceptance of the following item:

Item #4 – Report on Financial Statements and Expenditures

The committee unanimously recommends denying the following item:

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Item #5 – Proposed Regulation Amending the Definition of Hotels and Motels

The following items were for information/announcement purposes only:

Item #7 – Proposed Memorial Day Event

Item #10 – The Palace – Private attorney-client meeting regarding possible settlement of lawsuit

Upon motion of Mr. Griffith, seconded by Mr. Perkins, the board unanimously approved the recommendations of the committee. (6-0)

REGULAR AGENDA

12. COMMITTEE REPORTS

A. ARCHITECTURAL & ENVIRONMENTAL COMMITTEE (3-8-06) – Mr. Thom Blas, Chairman

Item #2 – Mr. John L. Pohlmann – 138 Siguenza Drive – Lot 22, Block “B”, Villa Sabine – adjacent to Little Sabine Bay – Request to construct a landscape wall on leasehold property, subject to compliance with the flood regulations, compliance with all other applicable rules and regulations, obtaining the required permits, and a maximum wall height of three feet, but no higher than the adjacent neighbor on the south

Ms. Sue Smith reviewed the background on the request, and stated that the request would not require a variance. She said staff recommended approval of the request to move through the county process.

Upon motion of Mr. Griffith, seconded by Mr. Perkins, the board unanimously approved of the request by Mr. John L. Pohlmann, 138 Siguenza Drive, to construct a landscape wall on leasehold property, compliance with the flood regulations, compliance with all other applicable rules and regulations, obtaining the required permits, and a maximum wall height of three feet, but no higher than the adjacent neighbor on the south. (6-0)

B. ADMINISTRATIVE COMMITTEE (3-8-06) – Mr. Jimmie Perkins, Chairman

Item #1 – Minimum Lease Fee Policy, based upon 60% of the three revenue years prior to the request initiating application of the Minimum Lease Fee Policy (recommended for approval by committee on a vote of 2-1 with Dr. Campanella voting in the negative)

The chairman presented the item.

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Upon motion of Mr. Perkins, seconded by Mr. Griffith, the board unanimously approved adopting a Minimum Lease Fee Policy based upon 60% of the three revenue years prior to the request initiating application of the Minimum Lease Fee Policy. (4-2 with Mr. Griffith and Dr. Campanella voting in the negative)

(Note: See additional action on this item following Item #3 on the Administrative Committee.)

Item #3 – Proposed Recreational Vehicle Parking Regulation (version two, including staff's recommended revisions, recommended for approval by the committee on a vote of 2-1 with Dr. Campanella voting in the negative)

The Manager presented the item, and Ms. Bolman stated that if the board chose to adopt the regulation, staff would like to move forward to Escambia County to ask that they adopt an ordinance based on the Authority's regulation. A discussion followed.

Upon motion of Mr. Griffith, seconded by Mr. Perkins, the board approved adopting Version Two of the Proposed Recreational Vehicle Parking Regulation, moving the regulation to the county for adoption as an ordinance. (5-1 with Dr. Campanella voting against the motion)

Mr. Martin asked that the chairman reopen Item #1, as there was no discussion and he had concerns as to whether he should recuse himself from the vote due to his interest in commercial leaseholds on Pensacola Beach. A discussion followed. Mr. Dannheisser clarified that due to the general application of the policy, Mr. Martin would not be required to recuse himself from the vote on the issue of a minimum annual lease fee policy.

Upon motion of Mr. Griffith, seconded by Mr. Prather, the board unanimously voted to re-open Item #1 regarding adoption of a Minimum Annual Lease Fee Policy. (6-0)

Upon motion of Mr. Griffith, seconded by Mr. Prather, the board unanimously voted to rescind the previous action of the board to adopt a Minimum Lease Fee Policy based upon 60% of the three revenue years prior to the request initiating application of the Minimum Lease Fee Policy. (6-0)

A discussion followed.

Upon amended motion of Mr. Prather, seconded by Dr. Campanella, the board unanimously approved adopting a Minimum Lease Fee Policy based upon 45% of the three revenue years prior to the request initiating application of the Minimum Lease Fee Policy, subject to each application of the policy being presented to the

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board individually, and the insertion of verbiage to identify the legal avenue for entry points. (6-0)

C. DEVELOPMENT & LEASING COMMITTEE (3-8-06) – Mr. Bill Griffith, Chairman

Item #2 – Circle K Stores – Request for termination of lease for store located at 1581 Via de Luna up to final signatures on the termination documents, pending review and clearance by the environmental consultant

Mr. Mike Stebbins reported that the environmental consultant reviewed reports previously provided on the property and saw no need for additional assessments. He said that the lessee's representatives and staff approved the suggested changes, and the lessee was ready to sign the documents. Mr. Stebbins the board could wait until the next board meeting to approve and authorize the documents or the board could authorize the chairman to approve and sign the documents, subject to legal review.

Upon motion of Mr. Griffith, seconded by Mr. Perkins, the board unanimously approved authorizing the chairman to approve and sign the documents to terminate the Circle K lease for the store at 1581 Via de Luna, subject to legal review. (6-0)

13. OLD BUSINESS

Item #1 – Approval of items from April 5, 2006 committee meetings:

Consent Agenda Items:

A. DEVELOPMENT & LEASING COMMITTEE (4-5-06) – Mr. Bill Griffith, Chairman

The committee unanimously recommends approval of the following items:

Item #1 - Mr. George Nagle, Coconut's by the Bay, 400 Pensacola Beach Boulevard – Reconstruction timeline of three months to submit plans for reconstruction; six months to commence construction; and eighteen months to complete construction and receive a certificate of occupancy to open for business; and application of the minimum annual lease fee policy

Item #2 – Beach Club Development, Inc. d/b/a The Beach Club Condominiums, 18 Via de Luna, Request for approval to sublease to Ms. Cindi Vowell d/b/a Candy Bouquet Concession to offer construction cantina services for a sixty-day trial period

Item #3 – In response to default notices, requests for additional time to reconstruct or complete repairs to structures for the following leaseholders:

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- a) Fred H. Simmons, Jr., d/b/a Baywatch Commercial Site, 1140 Ft. Pickens Road; six months to complete repairs and obtain a certificate of occupancy; investigate application of the Minimum Annual Lease Fee Policy
- b) Ms. June Guerra d/b/a Jubilee Restaurant and Entertainment Complex; legal counsel will not move forward with efforts to enforce the default until June 1, 2006 to enable the lessee to complete repairs (Mr. Griffith recused himself from the vote)

The following item was withdrawn:

Item #5 – Mr. Gary Powell, Pensacola Beach Holdings d/b/a Quietwater Boardwalk – Request for approval to enclose a portion of the public boardwalk area by connecting Units 5 and 6

B. ARCHITECTURAL & ENVIRONMENTAL COMMITTEE (4-5-06 – Mr. Thom Blas, Chairman

The committee unanimously recommends approval of the following items:

Item #1 – Beachside Resorts and Conference Center – A Planned Unit Development – 4 Via de Luna – Approval of final construction plans

Item #2 – James J. Mallett, P.E. – 4 Sabine Drive – Villa Sabine – adjacent to Ft. Pickens Road – Denial of the request to restore Authority property to pre-Ivan wetland conditions

Item #3 – Denise Abbott & Paul Murray on behalf of the Santa Rosa Dunes Condominium Association – 900 Ft. Pickens Road – Request to place two temporary port-a-lets, one hand wash station, and one shower on leasehold property during the reconstruction of the clubhouse, limited to a maximum of 12 months or completion of the clubhouse, whichever is sooner

Item #4 – Mathis Construction Group, Inc. on behalf Spanish Landing Townhouses, 290, 292, 294, 296, 298, 300, 302, 304 Ft. Pickens Road – Request to place a 12' x 60' construction/office trailer on leasehold property during the reconstruction of eight townhouse units destroyed by Hurricane Ivan

Item #5 - Island Resorts Development – 10 Portofino Drive – Spa & Lifestyle Center – Request to construct an outdoor grill adjacent to the spa & lifestyle center

Item #7 – Approval of contract with Gulf Islands National Seashore for monitoring of the 2006 marine turtle nesting season

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Item #8 – Proposed changes to the Land Development Code, Article 13

1. Limiting enclosures below the base flood
2. Covered entrance access to commercial structures

Item #8a – Sabine Yacht & Racquet Club – Construction of covered entry way, subject to compliance with proposed revisions to Land Development Code.

C. ADMINISTRATIVE COMMITTEE (4-5-06) – Mr. Jimmie Perkins, Chairman

The committee unanimously recommends approval of the following item:

Item #1 – Staff Report on Status of Temporary Living Facilities

Item #2 – Approval of Temporary Position Appointment Type for Lifeguard Positions

The committee unanimously recommends acceptance of the following item:

Item #3 – Report on Financial Statements and Expenditures

D. OPERATIONS COMMITTEE (4-5-06) – Mr. McGuire Martin, Chairman

The committee unanimously recommends approval of the following item:

Item #1 – Confirmation of the location of the trolley stop planned in front of Santa Rosa Towers Condominiums (Action taken in response to a request by Mr. Dan McGrath on behalf of Santa Rosa Towers Owners Association for reconsideration of the location of the trolley stop.)

Without objection, the board unanimously approved the consent agenda items (those having been unanimously recommended for approval by the committee) for the April 5, 2006 committee meetings. (6-0 for Items A(1), A(2), A(3)(a), B(1), B(2), B(3), B(4), B(5), B(7), B(8), C(1), C(2), C(3), D(1); 5-0 for Item A(3)(b) with Mr. Griffith recusing himself from the vote due to his son's interest in properties owned by the Guerras)

Regular Agenda Items:

A. DEVELOPMENT & LEASING COMMITTEE (4-5-06) – Mr. Bill Griffith, Chairman

Item #3 – In response to default notices, requests for additional time to reconstruct or complete repairs to structures for the following leaseholders:

c) AMFI Corporation d/b/a Holiday Inn Express, Ft. Pickens Road
Mr. Dannheisser clarified the motion before the board, and the board took action, as follows:

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Upon motion of Mr. Griffith, seconded by Mr. Perkins, the board unanimously approved the timeline for repairs as submission of plans within six months, commencement of construction within twelve months and completion of construction and receipt of a Certificate of Occupancy within thirty-six months; the board further approved that the default remains pending, and legal counsel does not take any action until the next meeting at which the board has an opportunity to consider the minimum lease fee aspects of this matter. (6-0)

Item #4 – Mike and June Guerra – Pending lease issues regarding Captain Fun's and the Celebration Room (no committee action taken)

B. ARCHITECTURAL & ENVIRONMENTAL COMMITTEE (4-5-06 – Mr. Thom Blas, Chairman

Item #6 – Mrs. June Guerra – Celebration Room – 400 Quietwater Beach Road – Request to make hurricane repairs to the existing Celebration Room subject to payment of the \$500 after-the-fact fee, a letter of approval provided by the current master leaseholder, Pensacola Beach Holdings or execution of the pending lease agreement for Captain Fun's and The Celebration Room prior to final approval of the construction application and plans (Unanimously recommended for approval by committee; placed on agenda to allow Mr. Griffith to recuse himself from the vote due to his son's interest properties owned by the Guerras.)

Note: The following recommendation and actions address both Item #4 on the Development and Leasing Committee and Item #6 on the Architectural & Environmental Committee.

Ms. Bolman said that staff recommended that the board approve the proposed lease prepared by legal counsel and staff. A discussion followed during which the board heard comments by Mr. M. J. Menge. Mr. Griffith recused himself from the vote due to his son's interest in properties owned by the Guerras. Mr. Martin recused himself from the vote due to his interest in competing restaurants on Pensacola Beach.

Dr. Campanella made a motion to review a comparison between the 1984 master lease and the standard commercial lease form adopted as a board policy. Mr. Prather seconded the motion. The motion failed on a vote of 3-1 with Mr. Blas voting in the negative, Mr. Griffith and Mr. Martin recusing themselves from the vote.

Further discussion followed during which the board heard comments by Mr. M. J. Menge, Ms. June Guerra, and Mr. Tom Carmichael.

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Upon motion of Mr. Prather, seconded by Mr. Perkins, the board unanimously voted to allow the leaseholder to take the repair plans for Captain Fun's and the Celebration Room to Escambia County for review, withholding final approval of the plans until after the lease issue is resolved, subject to scheduling a special board meeting on Thursday, April 13, 2006 at 4:00 p.m. to further consider the pending lease issues. (4-0 with Mr. Griffith and Mr. Martin recusing themselves from the vote)

(Mr. Perkins left the meeting at 8:40 p.m.)

14. NEW BUSINESS

Item #1 – Awarding of bids:

- a) Sand Fencing
- b) Dune Vegetation

Mr. Hemphill presented the bids for sand and dune fencing. Ms. Smith said staff recommended awarding the bid for the sand and dune fencing to Beech Construction at an apparent low bid of \$229,239.75.

Upon motion of Mr. Griffith, seconded by Mr. Prather, the board unanimously awarded the bid for sand fencing to Beech Construction at an apparent low bid of \$229,239.75. (5-0)

Ms. Smith said staff recommended awarding the contract for installation of dune vegetation to Aquatic Plants of Florida at an apparent low bid of \$288,316.50.

With no objection, the board unanimously awarded the bid for dune vegetation to Aquatic Plants of Florida at an apparent low bid of \$288,316.50. (5-0)

Item #2 – Grant for Presentation Equipment

Mr. Bob West called the board's attention to a report he provided on submission of a grant application package for presentation equipment, which had to be submitted prior to board action due to an abbreviated timeline and asked that the board retroactively approve the application.

With no objection, the board unanimously approved the grant application for presentation equipment, as presented by Mr. Bob West. (5-0)

15. REPORTS

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A. MANAGER'S REPORT

The Manager said that his report was published for the information of the board and gave a brief report on the pending grant for clean-up of Little Sabine Bay.

B. ATTORNEY'S REPORT

Legal counsel had nothing further to report.

C. ENGINEER'S REPORT

Mr. Dave Hemphill, SRIA engineering representative, presented and reviewed a summary of change orders for the three contracts under the road improvement project for Via de Luna, Ft. Pickens Road, and storm water improvements, stating that he would need a motion for approval of the change orders, which included overlaying all of Ft. Pickens Road; minor changes to the storm water improvement project, and changes in the materials on the Via de Luna project. A discussion followed.

Upon motion of Dr. Campanella, seconded by Mr. Prather, the board unanimously approved the change orders for the road improvement program, as presented by Mr. Hemphill. (5-0)

Mr. Hemphill presented the proposed site plan for the Casino Beach Public Restrooms and Lifeguard Facilities.

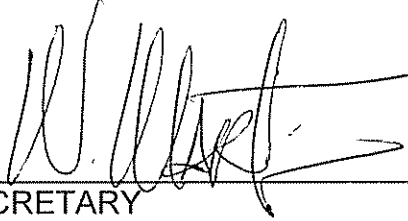
Upon motion of Mr. Griffith, seconded by Mr. Martin, the board unanimously approved the proposed site plan for the public restrooms and public safety building, as presented by Mr. Hemphill. (5-0)

16. VISITORS FORUM

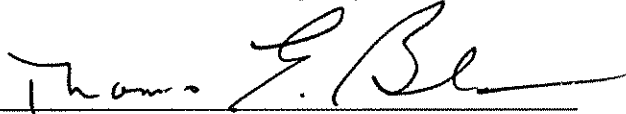
No one wished to address the board during Visitor's Forum.

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There being no further business before the board, the meeting adjourned at 8:50 p.m.



SECRETARY



CHAIRMAN

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