

August 6, 2002 – LAND USE HEARING

The Board of County Commissioners, Walton County, Florida, held a Land Use Hearing on Tuesday, August 06, 2002 at the Coastal Branch Library.

The following Board members were present: Lane Rees, Chair; Larry D. Jones, Vice-Chair; Commissioner Herman L. Walker, and Commissioner Gene Ryan. Mr. Michael Underwood, County Administrator, and Attorney Gary Vorbeck, Director of Legal Services, were also present. Commissioner Pauls was out of town and unable to attend.

Commissioner Jones led with prayer followed by the Pledge of Allegiance to the American Flag.

Chairman Rees called the meeting to order.

Mr. Tom Blackshear, County Planner, appeared before the Board to present information relating to the second adoption hearing of Large-scale amendment 02-1. The amendment has been through numerous workshops and hearings and has been reviewed by State and Regional agencies. He explained that the county could now adopt, not adopt, or adopt with modifications. After adoption the amendments will be sent back to the review agencies for compliance review. Mr. Blackshear stated that if an affected party does not agree with DCA's intent, that individual has 21 days to present a challenge through the Division of Administrative Hearings.

Mr. Blackshear read each of the following textual amendments into the record and the floor was opened for public comment on each amendment.

Motion by Commissioner Jones, second by Commissioner Ryan to approve Large-scale Amendment 02-1.A.1; Encouraging clustering of residential development in

Strategic Habitat Conservation Areas. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye.
There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Large-scale Amendment 02-1.A.2; Establishing height limitations in south Walton County North of U.S. Highway 98. Ayes 3, Nays 0. Jones Ayes, Rees Aye, Ryan Aye.
There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Large-scale Amendment 02-1.A.3; Interior lots of residential subdivisions in Mixed Use Areas. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Mr. Blackshear read each of the following map amendments into the record and the floor was opened for public comment on each amendment.

Motion by Commissioner Jones, second by Commissioner Ryan to approve Large-scale Amendment 02-1.B.1.a; The Tops'1 Campground on West C30-A near the U.S. 98 intersection. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Large-scale Amendment 02-1.B.1.b; Lot 92 in South Inlet Beach. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Motion by Commissioner Jones, second by Commissioner Ryan to approve Large-scale Amendment 02-1.B.1.c; Lots 53, 54, 0541, and 55 in South Inlet Beach. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Large-scale Amendment 02-1.B.1.d; The Cedar Beach Cove Subdivision on SR 20, west of Basin Bayou. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye.

Motion by Commissioner Jones, second by Commissioner Ryan to approve Large-scale Amendment 02-1.B.1.e; Three unplatted parcels at the entrance of Edgewood Terrace on South CR 393. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Large-scale Amendment 02-1.B.1.f; two unrecorded subdivisions covering approximately 20 acres on South CR 393 on Cypress Pond Road. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Motion by Commissioner Jones, second by Commissioner Ryan to approve Large-scale Amendment 02-1.B.1.g; Industrial area covering approximately 2.4 acres east of U.S. Highway 331, just south of the U.S. Highway 331 causeway. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Large-scale Amendment 02-1.B.1.h; Happy Hollow Subdivision on CR 3280 in Section 36, Township 1S, Range 19W. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to approve Large-scale Amendment 02-1.B.1.i; All parcels annexed into the City of DeFuniak Springs south of US 90 to the western side of the city after the Walton County FLUM

was adopted. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye. There were no public comments voiced.

These amendments are hereby adopted in their entirety by Ordinance (

Mr. Underwood explained that the Chamber of Commerce has raised questions regarding the costs for the establishment of electrical service to their facility in the GEC Center.

Mr. Van Ness Butler appeared before the Board regarding the arrangements for electrical service by the previous Board of County Commissioners. He stated that it was his understanding that the county would pay the costs to put in water, sewer, and electric throughout all of the proposed building sites. Each facility would be responsible for the costs incurred to have the utilities connected to their building. He stated that the electric has never been installed around the loop. CHELCO has advised that it would cost an additional \$17,000 to extend the electrical lines to the Chamber's building. He also stated that the Art's Center will be faced with the same situation.

Commissioner Walker arrived.

Mr. Underwood stated that in reviewing tape recordings of previous meetings it was his understanding that power would come off of Highway 331 and provide power to the section where the high school and library is located. He also spoke about a lift station that would provide an electrical loop to provide feed from both ends. He stated that the Board previously agreed to fund all the way around the loop and down through the main road. He said that the area in question was not discussed because at that time the Board was not aware of the building locations and specific buildings such as the Chamber and

the Arts Building was not discussed. No decision was made as far as putting any lines on the interior, only for those buildings that have been installed.

Mr. Butler commented that it was the intent of the previous Board to install utilities (water, sewer, and electric) to each possible building site.

Commissioner Walker recalled that electric service for the Chamber building was never discussed. The Board previously discussed a way to lessen costs to the county. He remembered that even the school board would pay a pro-rata portion for their part, in addition to the each of the other facilities being assessed for their share. However, the current Board needs to make a decision based on the current need. He stated that if the Chamber does not have funding then the Board might need to help them.

Mr. Brian Kellenberger, Watkins Engineers, explained that Watkins constructed the infrastructure for the GEC Center. At that time they put in a loop along Greenway Trail and down Coastal Center Boulevard as the initial phase for power. He stated that when the library was constructed, their scope of work called for them to install two 4" conduits and CHELCO would then install the primary power.

Motion by Commissioner Walker, second by Commissioner Ryan to approve payment in the amount of \$17,469.00 to provide power to the Chamber of Commerce Building. Commissioner Jones agreed that it is the county's responsibility to provide electric to the building. Commissioner Ryan stated that he supports providing the service, but would like clarification as to what will be provided for that amount of money. Mr. Kellenberger stated that it would take the primary power from the pole located adjacent to the courthouse annex, running underground southward along Highway 331 to the

access road to the Chamber Building. The Chamber will be responsible to pay for connection from the loop to their building.

Chairman Rees called for a vote on the motion. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Commissioner Rees recused himself from any and all discussion regarding the Dunes of Seagrove final plat and passed the Chair to Commissioner Jones, Vice-Chair. Mr. Jones stated that the Dunes of Seagrove would be deferred until September 3, 2002 at 5:00 p.m. due to a conflict.

Mrs. Jennifer Christensen, Planning Technician, advised that the Emerald Waters Beachside Condominiums final plat has also been continued until August 13, 2002 at 5:15 p.m. at the Freeport Community Center.

Commissioner Rees called to order the Quasi-judicial hearing and those members of the audience who desired to speak were sworn in.

Mrs. Christensen presented Cottages at Camp Creek, A Land Condominium final plat for recording. The project consists of 23 detached condominium units. Staff recommended approval. No public comments were voiced.

Motion by Commissioner Jones, second by Commissioner Ryan to accept staff's recommendation and approve Cottages at Camp Creek final plat for recording. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Summer Ridge, A Planned Unit Development for final plat approval. Summer Ridge is 12-lot, single-family residential subdivision. Staff recommended approval. No public comments were voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to accept Summer Ridge final plat for recording. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Watersound Bridges, Phase 3 for final plat approval. Watersound is an 11-lot, single-family residential subdivision. Staff recommended approval. No public comments were voiced.

Motion by Commissioner Jones, second by Commissioner Ryan to accept staff's recommendation and approve Watersound Bridges Phase 3 final plat for recording. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Pine Ridge At Watercolor for final plat approval. Pine Ridge is a 26-lot, single-family residential subdivision. Staff recommended approval. No public comments were voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to accept staff's recommendation and approve Pine Ridge At Watercolor final plat for recording. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Lake Forest At Watercolor for final plat approval. Lake Forest is a 39-lot, single-family residential subdivision. Staff recommended approval. No public comments were voiced.

Motion by Commissioner Jones, second by Commissioner Ryan to accept staff's recommendation and approve Lake Forest final plat for recording. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Casey Air Conditioning Expansion, a development proposal. Staff and the Planning Commission both recommended approval. She entered

Staff's and the Planning Commission's Report into the record. **(Exhibit 1)** No public comments were voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to accept the recommendation of approval for Casey Air Conditioning Expansion. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented Lakefront Commons development proposal. Both Staff and the Planning Commission recommended approval. She entered their reports into the record. **(Exhibit 2)** Mr. Dean Burgis, Emerald Coast Associates, appeared before the Board to answer questions. There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to accept the recommendation of approval for the Lakefront Commons Development Proposal. Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Mrs. Christensen presented staff's recommendation for approval, along with the Planning Commission, for San Remo Condominiums. She entered their reports into the record. **(Exhibit 3)**

Attorney David Theriaque requested an additional five minutes before presenting San Remo Condominiums. He stated that he is attempting to reach an agreement with the neighbors and their attorney.

Mrs. Christensen presented the recommendation for approval for the Café Provence Development Proposal from both staff and the Planning Commission. There were no public comments voiced.

Motion by Commissioner Ryan, second by Commissioner Jones to accept the recommendation of approval for Café Provence. Ayes 3, Nays 0. Jones Aye, Rees Aye, Ryan Aye.

Mr. Theriaque, Attorney for the applicant, appeared before the Board regarding San Remo Condominiums. He stated that he has agreed to items A-G resulting from the Planning Commission proceedings. He advised that they now have 12 new conditions that have been agreed upon by the Blue Mountain Beach Home Owners Association that he read into the record as follows.

1. The use of high-pressure sodium lighting shall be prohibited.
2. Illumination of the building from ground lighting shall be prohibited.
3. Use of lighting from the building to illuminate the surrounding areas and parking lots shall be prohibited except that lighting will be allowed on the building to illuminate the walkways immediately adjacent to the building. These lights will be down-lights.
4. The height of all freestanding lights shall not exceed a maximum of four feet.
5. BRW Development shall record a declaration of covenants and restriction, which will limit the two lots to residential uses.
6. The hours of construction activity shall be restricted to approximately 7:00 a.m. Central Time until 3:30 p.m. Central Time.
7. All construction vehicles shall be required to utilize the projects main entrance.
8. Use of Mary Street for parking by construction workers shall be prohibited.
9. Construction fencing shall be erected along the Mary Street preservation area to prevent the accidental destruction of such vegetation.
10. The finished project shall be vegetated with Oaks, various types of Palms, Hibiscus and other plants.
11. Use of exterior paint colors shall be restricted to earth tone colors.
12. The location of the construction dumpsters shall be restricted to no closer than 50' of the developer's property line adjacent to Mary Street.

Motion by Commissioner Walker, second by Commissioner Ryan to accept the recommendation to approve San Remo Condominiums with the conditions as stipulated.

Ayes 4, Nays 0. Jones Aye, Walker Aye, Rees Aye, Ryan Aye.

Attorney Vorbeck requested that Attorney Theriaque draft the Development Order and have the opposition sign off approving those stipulations stated at the Planning Commission Meeting, in addition to those listed above before the Chairman's signature is placed on the document.

The commissioners recessed briefly. (Tape 1/side 2)

Commissioner Rees reminded the audience that Commissioner Jones had motioned at the last meeting to allow Attorney Steve Hall, representing Peach Creek Alliance, and Attorney Lisa Minshew, representing the applicant, Lamar Sikes, to work with county staff on a development order.

Attorney Vorbeck stated that a development order has been drafted with the conditions from the applicant and the requested conditions from the Peach Creek homeowners. Mr. Vorbeck read each condition followed with discussion by the Commissioners. Ms. Minshew stated that Mr. Hall advised her that he would not be in attendance at today's meeting. The following is a list of the conditions:

A. Old Ferry Road is to be improved from the intersection of U.S. Highway 98 to the intersection of Coochee Road and Coochee Road is to be improved from the intersection of Old Ferry Road to the asphalt plant at the applicants expense. The applicant will have engineering construction specifications and drawings produced, which will be approved by the county. The roads will be improved with a compacted 12" base in accordance with county and Florida DOT Standards.

Mr. Barry explained how the road is to be constructed to withstand high impact from traffic and to reduce damage over the life of the road. Attorney Minshew stated that the applicant has agreed to this even though it is not a requirement of the code. Mr. Kurt

Lischka stated that the residents of Peach Creek have presented evidence that shows this project clearly violates the Comprehensive Plan and the LDC. Mr. Lischka stated that even though they do not agree with the project, they feel that there should be stipulations placed on it if it is approved.

B. Paving: Old Ferry Road is to be paved from the intersection with U.S. Highway 98 to the intersection with Coochee Road. Coochee Road is to be paved from the intersection of Old Ferry Road to the asphalt plant at the applicant's expense. The applicant will have engineering construction specification drawings produced, which will be approved by the county. Roads will be paved in accordance with county and FDOT Standards.

Mr. Vorbeck stated that S&S wants to pave Old Ferry Road from the intersection U.S. Highway 98 to the intersection of Coochee Road, but they do not want to pave Coochee Road to the asphalt plant. Ms. Minshew stated that it is because of the costs involved. She also stated that it would take some time for the engineering and coordinating the paving portion for the condition stipulated in (B). She stated that they would like the conditions on (A) to show that it will take approximately 30 days to complete the base and six months to complete the paving portion as stipulated in (B).

C. Turn Radius: Old Ferry Road and the intersection of U.S. Highway 98 will be improved to a turn radius of (60) sixty feet to meet FDOT Standards at the applicant's expense within (6) six months from the date of this final order. Mr. Russ Barry stated that he would work with DOT to determine the proper turn radius to accommodate truck traffic. Ms. Minshew stated that they would not be able to negotiate with DOT, that the county would have to, but agreed to cooperate in the negotiations to accomplish the items

in both C and D and will then pay their proportionate cost for the improvements. Ms. Minshew voiced concern with delays by DOT. Mr. Barry stated that he would coordinate the work with DOT. Ms. Minshew agreed to (C) with the understanding that their permit would not be delayed by any approval from DOT. Mr. Sikes stated that he understands and agrees to the radius. Mr. Ed Barry stated that he would like to see the turn radius built according to FDOT Standards for the safety of the neighbors. Mr. Russ Barry stated that he would get the plans to DOT as soon as he receives them.

D. Turn Lanes: The acceleration/deceleration lanes are to be added to U.S. Highway 98 at the intersection of Old Ferry Road at the applicant's expense. Mr. Vorbeck stated that the applicant suggested the following wording. The applicant shall cooperate with the county in any negotiations with the FDOT and any adjacent property owners to improve the intersection of Old Ferry Road and Highway 98. At the conclusion of the improvements the applicant will reimburse the county for S & S proportional share of its cost incurred based on S & S percentage of property off of Coochee Road owned on the date of this order. Ms. Minshew explained that all property owners on Coochee Road would benefit from the acceleration/deceleration lanes and they feel that they should only have to pay their percentage based on the amount of land they own. Commissioner Walker stated that the county couldn't force the other property owners to pay and therefore, it needs to be determined the portion that Mr. Sikes would pay. Mr. Sikes stated that he would pay 25%. Commissioner Ryan and Commissioner Jones stated that they need to consider the amount of industrial property Mr. Sikes' owns. Mr. Sikes stated that he does not currently have any truck traffic on that road and is not causing damage to the road. Commissioner Walker stated that the decision made needs to be clear. Ms.

Minshew agreed that they would pay based on a percentage or pay 25%. The Board asked Mr. Sikes to pay for one-third of the costs of the total project whether the project is bid out or the county performs the work. Mr. Sikes agreed to reimburse the county for one-third of the total costs of the project for accel/decel lanes within 30 days of being invoiced by the county. The Board agreed that Mr. Sikes could proceed with opening should any delays occur. Mr. Lischka stated that he feels the county shouldn't pay any of the costs.

E. Air Emission Permits: All required stated and federal permits related to air emissions are to be obtained prior to receiving building permits. Ms. Minshew stated that they have agreed to this condition.

F. Buffers: Will be increased to 50' on all sides of the proposed project adjacent to property with differing future land uses except along the intercoastal waterway. Ms. Minshew showed a map and explained where the buffers will be increased. The property further to the west will be 200' X 100' and the property to the southeast will be 200' X 200'. All other property lines which abut differing future land use designations currently have a natural buffer of 25' and when added to the applicant's 25' buffer will provide a 50' buffer. She stated that the applicant would provide a 50' buffer in the area of most concern, which is where the Peachcreek Neighborhood is. Mr. Mike Lane, Walton County Planning Department, was present to answer questions.

Mr. Kurt Lischka stated that most of the property has been cleared already and is not aware of any existing buffers, although he is unsure of property lines. Mr. Lischka also suggested extending the buffering requirements along the creek to help reduce noise.

Ms. Gladys Garren addressed the commissioners and showed her property's location on a map. She explained that the property has been cleared and they have not left any buffer.

Ms. Minshew explained that there is a 25' high berm in the area where the buffers are being questioned. She stated that the buffers discussed are for this particular development, not the entire site. Mr. Lane explained that parts of the property do include the buffer on the entire site and part of the buffers are for this development.

Ms. Joan Vienot, resident of Peach Creek, stated that they need the buffers for noise control. She felt that trees that have been removed should be replaced.

Commissioner Walker questioned Ms. Minshew if the property has been cleared anywhere up to the property line not leaving a buffer. Ms. Minshew stated that they have not cleared the property within the buffer. She assured the Board that there would be a 25' natural growth buffer around the perimeter of the property as shown on the site plan. She stated that they would provide the required buffer according to the code and that they would also provide a buffer in any place that they have agreed upon even if it were not required by the Code.

Attorney Vorbeck questioned Mr. Lane if a determination could be made according to paragraph F, once adopted, to determine if a violation has occurred. Mr. Lane suggested attaching a map as an exhibit or to require an as built survey denoting the existing buffer. Ms. Minshew agreed to include an as-built survey at the time of the issuance of the building permit for the asphalt plant denoting the existing buffer. The Board agreed that the as-built survey would be attached and not the map.

Ms. Vienot stated that she would like to see buffering around the particular development order area for sound control. She does not want a development to wait until the entire development is complete before adding buffers. Ms. Minshew stated that the Code does not require buffers within a property. Ms. Vienot also spoke about shoreline protection and not having any trees along the waterway to reduce the sound from carrying across the water.

Commissioner Walker stated that noise could be addressed when the noise ordinance is adopted. Ms. Minshew stated that they would comply with any noise ordinance that also applies to the adjacent property owners. She stated that she is concerned that if she agrees to language written by the county then the Sikes Asphalt Plant would be required to comply, whereas those plants operating adjacent may not be required to comply. She feels the other plants will be grandfathered under the proposed noise ordinance and by her client agreeing to the proposed wording his business would be shut down when the complaints occur. She requested the wording be changed to state that the applicant stipulates to obey any noise ordinance that is equally and legally applied. She wants her client to be treated equally and does not want the county's proposed wording in her development order. Attorney Vorbeck stated that it does not mean they would be grandfathered in because the ordinance is drafted afterwards. Ms. Minshew feels that it would be treating her client differently if the noise clause were put in her development order and further stated that she would take the issue back to Judge Vincent if it were left in the order. Ms. Minshew stated that they would comply with any noise ordinance that is equally and legally applied to all three businesses. The commissioners

agreed on language that states that the applicant stipulates to obey any noise ordinance that is equally and legally applied.

G. Hours of Operation: Ms. Minshew requested that the same hours of operation apply to her client as to Couch and Ewell who operate adjacent to the Sikes property. She explained that this type of business is heat restricted and sometimes require beginning operations at 2:00 or 3:00 a.m. Mr. Lischka stated that this project is being rushed and is incompatible with the existing neighborhood. Ms. Vienot stated that an asphalt plant stinks and they will not be able to spend enjoyable time outside with their families. Ms. Minshew stated that there is nothing in the Code that allows the hours to be restricted. Mr. Ed Barry asked to limit the hours of operation in order to protect the neighbors. The commissioners agreed to remove the section relating to the hours of operation. (Tape 2/side 2)

Ms. Vienot spoke about the berm surrounding the project and stated that it is insufficient. She also requested that stipulations be made for pollution control. Commissioner Walker stated that no competent substantial evidence was presented to show the berm is insufficient.

Commissioner Rees allowed each one to present closing statements. Mr. Ed Barry spoke about the property owner's right to live peaceably. He stated that they would not have peace with the asphalt plant operating at 2:00 and 3:00 in the morning. He stated that these issues would hinder their rights as property owners. He asked the Board to turn this project down, as it is their duty to protect the citizens.

Mr. Lischka questioned the quiet and peaceable issue and asked where he would pursue filing a complaint. Attorney Vorbeck advised that the noise ordinance has not yet

been adopted, however, each property owner has a civil right against any nuisance and could file a complaint with the Courts. The Board directed him to contact Mr. Phillip Green, Code Enforcement Officer, regarding any illegal operations of the plants currently in operation.

Ms. Vienot stated that the residents are asking for help from the county to make this a livable situation. She stated that there are no buffers between differing land uses or around the development itself, and no requirements for hours of operation.

Ms. Minshew stated that she appreciates the Board and staff for their hard work on this project. Mr. Sikes has agreed to perform significant improvements to the roads.

Commissioner Walker entered into the record the email correspondence that he received regarding this project. He stated that the communications and threats he received have not influenced his ability to make a fair decision. Commissioner's Rees, Jones, and Ryan each stated that the communications they have received has not influenced their ability to make a fair decision.

Commissioner Jones voiced concern that if an agreement is not reached that this issue would go back to Federal Court, which could result in the operation of an asphalt plant without any stipulations.

Again, Commissioner Rees read a portion from the Land Development Code regarding the general intent to foster and preserve public health, safety and welfare. To aid in the harmonious, orderly, aesthetically pleasing and socially beneficial development of the county in accordance with the Comprehensive Plan. He stated that this is the way things should be done.

Commissioner Walker stated that he has given all of his due diligence to this project and has done his best at making decisions relating to this project.

Motion by Commissioner Jones, second by Commissioner Ryan to approve the Development Order for S&S Materials with the conditions as stipulated. Ayes 3, Nays 1. Jones Aye, Walker Aye, Rees Naye, Ryan Aye.

There being no further business, the meeting was adjourned.

APPROVED: _____
Lane Rees, Chairman

ATTEST: _____
Martha Ingle, Clerk of Court