

The Ferris Wheel and Mini Putt-Putt Course – How We Got to Today

- The 2017 Settlement Agreement between SOA and Sandestin Investments required consent from the SOA prior to any additional amusement type attractions being considered throughout the community.
- In May of 2019 a presentation was made to the Board of Directors to propose a Ferris wheel be constructed in the Village of Baytowne Wharf (current location of the ropes course).
- The Board advised that this could be considered if all safety requirements were met and the surrounding condo associations felt it was acceptable.
 - After further research, it was found that this location would not be feasible due to fire safety codes and space available.
- A proposal to place it at the Marina parcel was presented to the Board of Directors in September 2019.
 - This was an item on the September 26, 2019 Board of Directors meeting agenda.
 - During the review of the project it was noted that the surrounding neighborhoods had been contacted regarding the project and had no objections.
 - The motion to support the project allowed all Board member to vote and was included on the Staff Summary sent out on September 27, 2020 and the letter of consent was sent to the County.
- This information, with a map, was presented at the October Advisory Board meeting and included on the slide show posted on the website, following the meeting. Availability of the slide show was communicated via the Weekly Update email.
- Questions regarding the Ferris Wheel were asked at the Feb. 2020 Advisory Board meeting – owners were advised to send their comments to the County as it was on their Tech Review agenda for March 18.
- In early March 2020 it was learned that the submittal to the County did not match what was presented to the Board in September (Ferris wheel location modified, parking plans, tree removal, etc.) and that there were neighborhood associations in the area of the Marina parcel that had not received any communication about the project, as noted during the September 2019 presentation.
 - Due to this, the SOA Board held a Special Meeting on March 16, 2020 and a motion was passed to send a letter to the County advising that the SOA does not consent to the project.
 - The SOA advised SDI that proper communication with the surrounding associations is needed as well as documents reflecting the exact location of the Ferris Wheel, drainage plan, parking lot details, etc.
- This communication and site visits occurred over the months of April, May and June, and in July, the project was noticed on the SOA Board Meeting agenda with the requested documents included in the meeting material to the Board members.
 - By majority vote, a motion was passed at the July meeting to withdraw the letter of non-consent that was sent in March as the requested documents were received, explanation as to why the Ferris wheel had to be relocated on the parcel, and communication as well

as site visits, amongst the parties had occurred. This left the letter of consent, sent in September of 2019 in place.

- Discussion at the July meeting included whether any Board members had a conflict of interest regarding the matter (based on the SOA's Conflict of Interest Policy) and should not be permitted to vote on the motion.
- Since all members voted in September, it was determined (during the meeting) that all should be permitted to vote on the July motion.
- Subsequently, legal counsel has advised that there actually may be members that are in conflict and therefore, a revote of the motion should be conducted.
- The SOA duly noticed a Special Board of Directors meeting for August 17, 2020 in order to allow adequate time for any communication to be sent to the County, if needed.
- At the August 17, 2020 Special Board of Directors Meeting, a revote of the July motion was conducted. The motion failed, thus the objection to the Ferris Wheel project remains in place. SOA legal counsel has sent a letter to the County to advise them accordingly.

Some rumors and statements we've heard:

Owners have stated that they had not heard of this project until March and/or July and that SOA was not being transparent. This topic was noticed on meeting agendas with the outcome included in the staff summary report emailed the day after each meeting and in the minutes that are posted on the SOA website, following approval. The details were discussed at the Board meetings and the proposed project plan is pending with the County.

Some want to know why SOA isn't sending the plans to the membership. Providing the link to the County meeting will ensure that the members are reviewing the latest documents submitted for consideration (should anything change) since approval is ultimately up to the County Planning Department. In addition, this is the reason we asked that comments be sent to the County staff, with their email address included in the Weekly Update emails over the last 3 months or so. (minimal of 10 weeks)

SOA will be liable should an incident occur at the Ferris wheel. The SOA's liability exposure would be similar to that of an incident that occurs within any neighborhood association parcel, private home, or an existing commercial activity. It is not owned by the SOA; therefore, the liability would likely fall to the owner of the home, parcel, or commercial activity. For example, the SOA approves all exterior modifications and construction projects; however, there is no liability exposure if a worker or visitor to the site gets injured. It would likely be the owners and/or builder's liability.

The Ferris Wheel is being placed on Adventure Lane in place of the playground. This location was never discussed with the SOA; therefore, we have no knowledge of this area ever being a consideration.

The Ferris Wheel will be placed on the Mini Golf site located beachside. This site, to our knowledge, has never been considered as a location for the Ferris Wheel.