

**FRANKLIN COUNTY BOARD
OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
JANUARY 17, 2006
5:00 P.M.**

MINUTES

Commissioner Present: Cheryl Sanders – Chairman, Russell Crofton – Vice Chairman, Noah Lockley, Jimmy Mosconis, Bevin Putnal

Staff Present: Hubert Chipman – Superintendent of Roads, Van Johnson – Solid Waste Director, Bill Mahan – County Extension Director, Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Moron – Board Attorney

Call to Order

Chairman Sanders called the Regular Meeting to order at 5:00 PM

Approval of Minutes

Motion by Lockley, seconded by Crofton, to approve minutes for the Special Meeting on January 10, 2006 and the Regular Meeting on January 3, 2006. Motion carried 5-0.

Approval of Bills

Motion by Crofton, seconded by Putnal, to approve the County Bills as presented, excluding the payment to G & N Painting. Motion carried 5-0.

Approval of G & N Payment

Motion by Crofton, seconded by Putnal, to approve the payment to G & N Painting. Motion carried 4-0, Lockley abstaining.

Department Supervisor Report

Hubert Chipman: Update on road paving, discussed drainage ditch at Gulf State Bank in Carrabelle, and Mosquito Control's new inmate crew

Van Johnson – Discussed his request to purchase and install a new radio communication system and naming the new County Park in Carrabelle; Informed the Board of the Arts at the Armory program; Discussed the vandalism problems at the public bathrooms on the St. George Island Park.

Motion by Lockley, seconded by Putnal, to approve Mr. Johnson's request to purchase a new radio communication system. Motion carried 5-0.

Motion by Lockley, seconded by Crofton, to name the new County Park in Carrabelle the Will S. Kendrick Sports Complex. Motion carried 4-0, Sanders abstained.

Jeff Lockley, of the Bay Aid Committee: Updated board on actions and status of the Bay Aid program. The Committee distributed \$4756.74 in Apalachicola, \$6606.97 in Eastpoint, \$1029.17 in Carrabelle; 25 families served, \$12392.88 spent County wide, remaining balance of \$588.27, total funds \$12981.15.

Board: Discussed delaying new proposed maintenance shop project until funding of Weems Memorial Hospital issue is resolved

Marcia Johnson – Informed Board of funding options for Weems Memorial Hospital, including unanticipated revenue of \$469,000.00 returned to the Board from the Clerk's office.

Board: Discussed funding options.

Motion by Mosconis, seconded by Crofton, to amend the budget to include Clerk unanticipated revenue of \$469,000.00. Motion carried 5-0.

Motion by Mosconis, seconded by Crofton, to transfer \$100,000.00 from General Fund – Reserve for Contingency, \$100,000.00 from General Fund – Ambulance Funding, and \$500,000.00 from the Paving Fund to fund Weems Memorial Hospital expenses and delay the proposed maintenance shop project. Motion failed 2-3 Putnal, Lockley, Sanders voting nay.

Motion by Mosconis, seconded by Putnal, to transfer \$100,000.00 from General Fund – Reserve for Contingency, \$100,000.00 from General Fund – Ambulance Funding, and \$500,000.00 from the Paving Fund to fund Weems Memorial Hospital expenses. Motion carried 5-0.

Open Bids – Fuel Farm @ Airport

Mr. Pierce: Opened and announced the bid amounts for the Fuel Farm at the Airport: 1) Skyway Ventures – Alternate Proposal \$108,100.00 base bid with options, 2) Southern Petroleum Systems 84,287.90 based bid with options, 3) Tank Tech Environmental Services \$244,000 base bid with options

Motion by Putnal, seconded by Crofton, to forward bids to the airport committee for a recommendation. Motion carried 5-0.

Department Supervisor Report Continued

Bill Mahan: Updated Board on Florida saltwater fishing regulations, joint reef fish Amendment 27/Shrimp 14 documents, help prevent entanglement publication, and the Non-point Education for Municipal Officials meeting.

Steve Watkins – Hanway Lot Configuration – Public Hearing

Attorney Watkins: Discussed the Hanway Lot Configuration proposal with the Board
Board: Chairman Sanders opened the floor for public comment. Nick Yonclas commented discussing a proposed easement and supported this lot configuration. There were no other comments from the floor.

Motion by Putnal, seconded by Crofton, to approve the lot configuration contingent on an easement approval by all concerned parties. Motion carried 5-0.

Steve Otwell – Seafood Task Force

Mr. Pierce: Discussed this item

Mr. Grady Leavins: introduced Dr. Otwell

Dr Otwell: Discussed the purpose and the status of the Seafood Task Force

Motion by Mosconis, seconded by Lockley, to officially recognize the Seafood Task Force, to officially cooperate with the Seafood Task Force through assignment of the “Franklin County Seafood Industrial Park Feasibility Study”, and to appoint Mr. Dave McLain as the staff consultant to the feasibility study and to represent the County at an upcoming Conference and to reimburse Mr. McLain for his expenses for up to \$2000. Motion carried 5-0.

Larry Watson – Progress Energy

Larry Watson & Kent Hedrick: Discussed lighting modifications such as physical modifications (height, shielding, fixtures, incorporate new technology, natural buffering), involving the University of Florida in this project, incorporation of new technology, and the effect of lighting on sea turtles on St. George Island.

Board: Asked Progress Energy to make contact with Bruce Hall and Bruce Drye before implementing changes to the lighting on St. George Island

Bruce Hall: Discussed the effects of lighting on turtles on St. George Island

Planning & Zoning Report

Mr. Pierce: Discussed Planning and Zoning items

Item 1 - **Approved** (unanimous) consideration of a request to construct an observation pier on Lot 18 Heron Bay Village, 2201 Egret Point Road, St. George Island, Franklin County, Florida. This application meets all state and local requirements. Request submitted by GEA, Inc, agent for Don Scott, applicant.

Motion by Crofton, seconded by Lockley, to approve Item 1. Motion carried 5-0.

Item 2 - **Approved** (7-1) consideration of a request for Preliminary Plat approval of a 37 lot subdivision named “Hidden Harbor Phase II” on a 40.93 acre parcel lying in Section 5, Township 7 South, Range 1 West, Alligator Point, Franklin County, Florida. Request submitted by GEA, Inc, agent for ALP FLA Development, applicant.

Motion by Lockley, seconded by Crofton, to approve item 2. Motion carried 5-0.

Item 3 - **Approved** (unanimous) consideration of a request for Final Plat approval of a 3 lot subdivision named “Cedar Oak Landing” a 3.32 acre parcel lying in Section 21, Township 8 South, Range 8 West, Apalachicola, Franklin County, Florida. Request submitted by GEA, Inc, agent for John Bone, applicant.

Motion by Mosconis, seconded by Crofton, to approve item 3. Motion carried 5-0.

Item 4 - **Approved** (6-2) consideration of a request for Commercial Site Plan approval of “George Town Villages” located on Lots 24, 25, 26, 27, 28, 29 & 30, Block 6 West, Unit 1, St. George Island, Franklin County, Florida. Request submitted by Moore Bass Consulting, agent.

Leslie Frye Allen, an owner: Discussed the project

Attorney Shuler: Expressed concerns with the project; recommended deferring until the next meeting

so that he could review the project

Stan Siprell, project contractor: Discussed project

Board: Expressed concerns of fill affecting storm-water runoff on neighbors property and County roads

Motion by Crofton, seconded by Mosconis, to table item 4 until next meeting which will give Attorney Shuler an opportunity to review the project plans. Motion carried 5-0.

Board of Adjustment Report

Item 1 - **Approve** a request for a variance to construct a building five feet into both side lot lines on property described as Lot 5, Block 2, Unit One East, St. George Island as requested by Galloway Construction, agent for Larry & Angela Troy, owners.

Motion by Crofton, seconded by Putnal, to approve item 1. Motion carried 5-0.

Item 2 - **Approve** a request for a variance to construct a building five feet into both side lot lines on property described as Lot 6, Block 2, Unit One East, St. George Island as requested by Galloway Construction, agent for Steve & Merrie Seger, owners.

Motion by Lockley, seconded by /Crofton, to approve Item 2. Motion carried 5-0.

Item 3 - **Deny** a request to construct a single family dwelling within the Critical Habitat Zone on property described as a 1.32 acre parcel lying in Section 18, Township 7 South, Range 4 West, 570 River Road, Carrabelle as requested by Richard Dowden, owner.

Attorney Steve Watkins: Discussed Item 3 with Board.

Attorney Shuler: Explained why Item 3 was forwarded with a recommendation to deny by the Board of Adjustment

Elva Peppers - Florida Environmental Land Services: Discussed how Item 3 affected the Critical Habitat Zone and wetlands

Dan Tonsmire: Expressed his concerns regarding the Board changing the current rules and setting precedence; also discussed the Critical Habitat Zone

Bruce Hall – Commented on filling wetlands without County approval

Motion by Putnal, seconded by Mosconis to table this item until the next meeting and also asked each Commissioner to visit the discussed location before the next regular meeting. Motion carried 4-1 Crofton voting nay.

Department Supervisor Report Continued

Marcia Johnson – Discussed proposal between Franklin County Health Department and Bayline Medical Center sharing the County's Health Building in Carrabelle. Also discussed Article V and its effect on the County Budget

Attorney Shuler: Discussed lease

Mr. Wesley Tice & Mrs. Janice Hicks - Health Department: Health Department will draft lease and forward to Shuler for approval; lease will be a "space sharing agreement" between Bayline Medical and County. Bayline Medical must have medical supervision before entering into and during time of the lease agreement. There will be a clause included that requests Bayline Medical to vacate if space is needed by Franklin County Health Department. Growth and patient information

confidentiality could be issues to consider when preparing lease.

Motion by Lockley, seconded by Putnal, to authorize Chairman's signature on the finished 1 year term in agreement between Bayline Medical and the Franklin County Health Department. Motion carried 5-0.

Motion by Crofton, seconded by Putnal, directing Mr. Pierce to send a letter to Chris Holley, of Florida Association of Clerks, explaining the effects of Article V on the County's budget. Motion carried 5-0.

Alan Pierce: Presented the following report to the Board.

Item 1 – The Franklin County application to the Agency for Health Care Administration to transfer the hospital license to Franklin County has been delivered to the Agency today.

Item 2 – Board decision on how to fund the hospital until license is transferred to third party, or until hospital revenues meet expenses.

This item was addressed earlier in the meeting.

Item 3 – There was a well attended public workshop on Alligator Point, Saturday, Jan. 14, to provide an update to the residents about the beach re-nourishment project. The following is a summary of the three hour meeting: After an exhaustive review of the sand shoal off Alligator Point it has been determined that there is good quality sand in abundant supply to re-nourish the beach. There is approximately 3.9 million cubic yards of sand in one site, and another 1.1 million cubic yards in another. Because of the abundance of sand, the scale of the project is now changing to evaluate whether it is cost effective to put only sand on the beach and not build T-groins. The community does not want the groins. The trade-off would be to use the money that would have been spent on groins to put more sand on the beach. The analysis is being done to see how much more sand can be put there and how long it will stay. This analysis should be completed in 2-3 months.

However, for a number of reasons, no beach re-nourishment will be done this hurricane season so for this summer the Alligator Point road is once again at risk. The engineers will be recommending some short term protective action for the road for this hurricane season, and that will also be done in a few months.

The residents were also advised that while the county will try to fund the initial beach re-nourishment, there will need to be a funding source created to pay for the required maintenance. Those estimated costs will also be available in 2-3 months. The residents were advised to go to a website created by the Cape San Blas community which is also facing the same dilemma. The website was highly recommended by DEP and the address is: savethecape.com.

The county does have an outstanding DEP permit request from the time before Hurricane Dennis to extend the rock revetment that was ultimately destroyed by Dennis. DEP staff are getting ready to deny the permit because of inactivity on the permit. It is a permit the county is not going to pursue. Mike Dombrowski recommends the Board withdraw the permit application rather than have the paper trail showing a denial. Board action to withdraw a pre-Dennis DEP application.

Motion by Crofton, seconded by Mosconis, to withdraw the requested pre-Dennis DEP application. Motion carried 5-0.

Item 4 – Inform Board that DCA has found the Comp Plan amendment in compliance that was approved by the Board for the project known as The Soundings.

Item 5 – Provide Board with copy of notice I signed allowing the City of Carrabelle to move forward with the sewer project on River Road as approved by the County Commission several months ago.

Item 6 - Board action to accept settlement agreement which resolves a dispute between neighbors on St. George Island. A Mr. Peters had brought fill in to his lot which caused a problem for the neighbor. Mr. Peters went to BOA to get a variance to remove part of the fill, and the neighbor objected because of concern over drainage issues the remaining fill might create. The BOA denied the variance, partly out of concern for the neighbor. The Board tabled the issue to see if the neighbors could work things out. The neighbors have now worked out their differences. Board action to accept the settlement agreement which has the effect of approving the variance.

Motion by Crofton, seconded by Mosconis, to accept the settlement agreement as discussed.
Motion carried 5-0.

Item 7 - Mr. Ted Mosteller, Airport Advisory Committee Chairman, has provided the following report. The FDOT encourage the County to apply for a Joint Participation Agreement (JPA) for the following projects. These projects either have no match requirement, or the county will request of the waiver of the county match requirements, or lessee will pay match requirements.

- A) Rehab runway 13/32, including extensive concrete work- \$537,210
- B) Construct 80 x 80 Paint Hanger- \$256,000
- C) Construct 80 x 100 (?) Corporate Hanger- \$300,000
- D) Construct Corporate Hanger Office- \$80,000

The Committee reports that they have preliminary proposals to lease the three hangers to job creating lessees. Board action to approve JPAs.

Motion by Mosconis, seconded by Crofton, to approve the Joint Participation Agreements as presented. Motion carried 5-0.

Item 8 – Board action to direct Solid Waste Department to remove deer carcasses from airport industrial site.

Board: Directed Mr. Pierce to contact Mr. Van Johnson regarding this item.

Item 9 - Provide Board with deed to two acres purchased from Mr. Sammie Simmons in Lanark Village.

Item 10 - Provide Board with copy of letter from Governor's Office re-designating Franklin County as an Enterprise Zone until Dec. 31, 2015.

Board: Discussed trucks hauling trash that are not covered; suggested contacting law enforcement agencies to enforce the Florida Statue on this issue.

Ron Smith: Stated that trucks are not covered when arriving at landfill drivers should be issued citations.

Motion by Crofton, seconded by Mosconis, to send a letter to Franklin County Sheriff's Department requesting enforcement of the Florida Statue as it applies to trucks hauling trash and speed limits on St. George Island. Motion carried 5-0.

Mr. Pierce: Discussed the new seawall located at 2142 Highway 98 constructed by Deer Partners LLC and the concerns of the Hardys, who are neighboring property owners.

Dan Garlick: Gave an update on the seawall issue

Keith Hardy: commented on rock revetment and seawall issue. Recommended that further permits to extend the seawall is denied

Board: Discussed possible resolutions to the problem

Roger Bybee: Discussed other resources for engineering and damage to neighboring properties from seawall

Dan Garlick: responded to concerns of damage to neighboring properties, discussed proposed plans with the Board

Robert Aikens – Deer Partners Project Manager: Reviewed proposed plans and discussed options to protect the Hardy's property. Discussed reclaiming of the property that was there before Hurricane Dennis.

Attorney Shuler: Commented on this issue and recommended that both parties settle their differences

RJ Matthews: Also commented on the seawall issue

Attorney Michael Shuler: Reviewed temporary employment proposal for Weems Memorial Hospital employees

Motion by Lockley, seconded by Crofton to adopt the temporary employment agreement as presented. Motion carried 5-0.

Ted Mosteller – Airport Advisory Board: Airport Advisory Board reviewed all bids for the proposed Fuel Farm at the airport and recommended Southern Petroleum.

Motion by Mosconis, seconded by Crofton, to accept the Airport Advisory Board's recommendation. Motion carried 5-0.

Other Business

Ron Smith: Inquired about the discussed one percent sales tax.

Board: Informed Mr. Smith that the one percent sales tax would be discussed in detail at the February 7, 2006 Regular Meeting.

Adjourn

There being no further business before the Board, Chairman Sanders adjourned the meeting at 8:40 P.M.

Cheryl Sanders, FCBCC Chairman

Attest:

Marcia M. Johnson, Clerk of Court