

**FRANKLIN COUNTY BOARD
OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
FEBRUARY 21, 2006
5:00 P.M.**

MINUTES

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

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

Call to Order

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

Pledge and Prayer

There was a prayer followed by the Pledge of Allegiance

Approval of Minutes

Motion by Crofton, seconded by Putnal, to approve the minutes of the Regular Meeting on February 7, 2006. Motion carried 5-0.

Payment of County Bills

Motion by Crofton, seconded by Putnal, to approve payment of the County Bills, except for payment for G & N Services, as presented. Motion carried 5-0.

Motion by Crofton, seconded by Putnal, to approve payment for G & N Services. Motion carried 4-0, Lockley abstained.

Department Supervisor Report

Hubert Chipman – Superintendent of Roads: Discussed possible auction of old equipment, current projects, and use of new road equipment.

Motion by Putnal, seconded Lockley, to authorize an auction for old equipment that is no longer in use. Motion carried 5-0.

Alan Pierce, Director of Administrative Services – presented the following item from his report

Item #2 - Inform Board that last week a Mr. Brad Martin, at 850-508-4519, representing a company in the “No Cuts” business of locating underground utilities hired off-duty Game and Fresh Water Fish Commission officers to monitor activities in Franklin County that might require “No Cuts” notification. I spoke to Mr. Martin after two off duty Game Officers confronted a county road dept. employee who was replacing a culvert in a county right-of-way and informed him that he could be liable for a \$200 fine if he, or any employee, did any excavation without providing the proper 48 hour notice to the proper authorities. Such a requirement for routine Road Dept. activity could severely slow down Road Dept. work. Board discussion.

Board: Discussed this item with Mr. Chipman; Mr. Pierce and Mrs. Johnson also commented on this issue. Concerns of Fish and Wildlife officer actions expressed.

Motion by Putnal, seconded by Crofton, to have Mr. Brad Martin, that represents the ‘No Cuts’ company, attend the next regular meeting. Motion carried 5-0.

Van Johnson – Solid Waste Director: Mr. Johnson did not attend due to an illness so Chairman Sanders informed the Board of the groundbreaking ceremony at Will S. Kendrick Sports Complex on March the 3rd at 11AM.

Bill Mahan – County Extension Director: Grouper Update, Seafood Industry Task Force meeting, and the Irish Rural Development Group visit.

Ray Tyre – Carrabelle: Discussed the practices of the National Wildlife Management and other wildlife conditions on St. Vincent Island; expressed concerns regarding the red wolf program; asked the Board to send a letter to Sam Hamilton, director of Fish and Wildlife and Congressman Allen Boyd.

Motion by Putnal, seconded by Mosconis, to send the letter, as read by Ray Tire, to Sam Hamilton, Fish and Wildlife Director, and Congressman Allen Boyd. Motion carried 5-0.

Public Hearing – Budget Amendment

Ms Marcia Johnson - Clerk of Court: update on Board o the public process required to amend the County’s budget to include excess funds she returned to the Board in the amount of \$469,000 after the 2005/2006 budget had already been approved. The Board had earlier agreed to utilize the money to help fund Weems Memorial Hospital. The budget amendment was read as follows:

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the state of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets and,

WHEREAS, Florida Statutes Chapter 129.06 provides for budget amendments and,

WHEREAS, Franklin County Board of County Commission has approved certain expenditures for operation of George E. Weems Memorial Hospital for the Fiscal Year 2005-2006 and,

WHEREAS the Board finds it necessary to amend its Fiscal Year 2005-2006 budget to incorporate additional cash balances from the prior fiscal year to fund these expenditures and,

WHEREAS, the Board has advertised the necessary amendments in the February 16, 2006, issue of the Apalachicola and Carrabelle Times and has held a Public Hearing as required by FS 129.06(f) and,

WHEREAS, the Board intends to increase the following line items in its Fiscal Year 2005-2006 budget for the General Fund and Weems Hospital Fund:

001.398.980	CASH CARRIED FORWARD	\$469,000.00
001.51.581.9100	TRANSFER TO HOSPITAL FUND	\$469,000.00
201.381.100	BDGT TRANSFER FROM GENERAL	\$469,000.00
201.51.561.1300	OTHER SALARIES & WAGES	\$100,000.00
201.51.561.2100	FICA TAXES	\$ 7,500.00
201.51.561.3100	PROFESSIONAL SERVICES	\$150,000.00
201.51.561.5200	HOSPITAL OPERATION EXPENSES	\$211,500.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners adopts the amendments to its Fiscal Year 2005-2006 budget as stated above.

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21ST day of February 2006.

CHERYL SANDERS, CHAIRMAN

ATTEST:

MARCIA M. JOHNSON, CLERK OF COURTS

Chairman: Opened the floor for public comment; there were no comments from the audience.

Motion by Mosconis, seconded by Lockley, to adopt the budget amendment resolution as read. Motion carried 5-0.

Gary Shiver: expressed concerns regarding the location of the ambulances.

Motion by Lockey, seconded by Crofton, to request Emergystat presence at the next regular meeting. Motion carried 5-0.

Randall Webster – Housing Coalition: updated the Board on the status and goals of the Franklin County Housing Coalition.

Board: Properties that are available, vacancies that can be filled on the Housing Coalition Board, and possible date of construction of first house, use of local labor.

Gary Shiver - Apalachicola: Expressed concerns of affordable housing for elderly citizens.

Mr. Webster: discussed options for elderly housing

Attorney Pat Floyd - City of Apalachicola: North West Florida Regional Housing Authority is responsible for housing in Franklin County and will send a representative, Ms. Marilyn Phillips, to share information on the Authority.

Motion by Mosconis, second by Lockley, to ask Marilyn Phillips, of the North West Florida Regional Housing Authority to attend the next regular meeting. Motion carried 5-0.

George Mahr - Apalachicola: Will donate his property at Whiskey George and Apalachicola to a community land trust

Planning and Zoning Report

CRITICAL SHORELINE APPLICATIONS

Item 1 – **Approved** - To construct a single family dock on Lot 50, St. James Island Park, 3014 US Highway 98, St. James, Franklin County, Florida. Request submitted by Garlick Environmental Associates, Inc, agent for Shaun Donahoe.

Item 2 – **Approved** - To construct an observation pier south of 873 US Highway98, Eastpoint, Franklin County, Florida. Request submitted by Garlick Environmental Associates, Inc., agent for Conrad Seascholtz (One Particular Harbor).

Item 3 – **Approved** - To construct an observation pier at 638 Highway 98, Eastpoint, Franklin County, Florida. Request submitted by Garlick Environmental Associates, Inc., agent for Lou Davis, Pelican Harbor Subdivision

Clayton – Garlick Environmental Associates: discussed items

Motion by Mosconis, seconded by Crofton, to approve Item 1 - 3 of the Critical Shoreline Applications. Motion carried 5-0.

FINAL PLATS

Item 1 – **Approved** - Hidden Harbor, Phase II, a 37 lot subdivision on 40.93 acre in Section 5, Township 7 South, Range 1 West, Alligator Point. Request submitted by Garlick Environmental Associates, Inc., agent for ALP FLA Development, LP.

Motion by Mosconis, seconded by Crofton, to approve Item 1 of the Final Plat requests . Motion carried 4-1 Sanders voting Nay

Item 2 – **Approved** - Tucker’s Landing PUD, a 60 lot PUD in Section 27, Township 8 South, Range 8 West, north of Apalachicola. Request submitted by Inovia Consulting Group.

Motion by Mosconis, seconded by Lockley, to approve Item 2 of the Final Plat requests . Motion carried 5-0.

Item 3 – **Approved** - The Soundings, a 20 lot subdivision in Section 18, Township 8 South, Range 5 West, east of Eastpoint. Request submitted by Inovia Consulting Group.

Motion by Putnal, seconded by Crofton, to approve Item 3 of the Final Plat requests. Motion carried 5-0.

Item 4 – **Approved** - The Soundings East, a 10 lot subdivision in Section 18, Township 8 South, Range 5 West, east of Eastpoint. Request submitted by Inovia Consulting Group.

Motion by Putnal, seconded by Crofton, to approve Item 4 of the Final Plat requests. Motion carried 5-0.

LOT RECONFIGURATION

Item 1 – **Denied** - Request as presented to reconfigure Lots 19 and the west ½ of Lot 18, Block 269 (unrecorded), 1 26th Avenue, Apalachicola as requested by David and Arlene Wingate. (The request was to move lot line running north and south, the Commission recommended reconfiguring lot with the lot lines running east and west).

Board: No action on this item

SCRIVENER’S ERROR

Item 1 - **Approved** - Request for Scrivener's Error to correct discrepancy between the land use map and the zoning map for McKissack Beach, Carrabelle. The land use map indicates the property is commercial and should be shown as residential.

Motion by Putnal, seconded by Crofton, to table Item 1 of the Scrivener's Error requests . Motion carried 5-0.

SMALL SCALE LAND USE CHANGES

Item 1 - **Approved** - request to schedule public hearing for small scale land use change for a 17.22 acre parcel in Section 10, Township 8 South, Range 6 West, north of Eastpoint from A-2 Forestry Agriculture to R-3 Single Family Estate Residential (1 unit per 5 acres) as requested by Charla Chason Kearse, owner.

Attorney Pat Floyd – representing Charla Chason Kearse: discussed this item

Motion by Lockley, seconded by Putnal, to schedule a public hearing on Item 1 of the Small Scale Land Use Changes . Motion carried 5-0.

Item 2 - **Approved** – (two negative votes) request to schedule public hearing for small scale land use change for a 6.94 acre parcel in Section 32, Township 6 South, Range 1 West, Alligator Point from A-2 Forestry Agriculture to R-1 Single Family Residential as requested by James Barrs Floyd.

Motion by Lockley, seconded by Putnal, to schedule a public hearing on Item 2 of the Small Scale Land Use Changes . Motion carried 5-0.

Board of Adjustment Report

Item 1 - **Approved** a request for variance to construct an open deck 16 feet into the Critical Habitat Zone on property described as South Shoal Village lying in Section 6, Township 7 South, Range 1 West, Alligator Point, Franklin County, Florida as requested by Steve Fling, agent for South Shoal Development.

Motion by Mosconis, seconded by Crofton, to approve Item 1 of the Board of Adjustment Report . Motion carried 5-0.

Item 2 - **Approved** a request for a variance to construct decks within the Critical Habitat Zone on property described as Lot 3, Block S, Unit 5, Peninsular Point, Alligator Point, Franklin County, Florida, as requested by Barney Crutchfield, owner.

Motion by Lockley, seconded by Crofton, to approve Item 2 of the Board of Adjustment Report. Motion carried 5-0.

Department Supervisor Report – Continued

Marcia Johnson – Clerk of Court: distributed FCBCC regular meeting dates list for 2006, requested a change in the Board’s policy on property in inventory, and discussed a Red Cross proclamation.

Motion by Mosconis, seconded by Putnal, to change the County’s policy on property to having a value of \$1,000 or more pursuant to F.S. 274.02 retroactive to the beginning of the fiscal year, October 1, 2005, as requested by Mrs. Johnson. Motion carried 5-0.

Motion by Lockley, seconded by Crofton, to adopt the Red Cross Proclamation as presented by Mrs. Johnson. Motion carried 5-0.

Butch Baker – Emergency Management Director: discussed request from Volusia County to assist with training and presentation on influenza pandemic

Motion by Lockley, seconded by Putnal, to approve Volusia County request for Mr. Butch Baker to travel to that county and assist with training, with Volusia County reimbursing Franklin County for all expenses. Motion carried 5-0.

Alan Pierce – Director of Administrative Services: presented the following report:

Item 9 - Board action to adopt the Franklin County Comprehensive Emergency Management Plan as approved by the State Division of Emergency Management. This plan governs the structure and function of emergency response in the county. Mr. Butch Baker, EM Director, recommends adoption.

Motion by Crofton, seconded by Putnal, to adopt the Franklin County Comprehensive Emergency Management Plan. Motion carried 5-0.

Item 1- Inform the Board that DOT has sent the county a check for \$1,520,000 and a Quit Claim Deed to the Old Bryant Patton Bridge to St. George Island. The DOT paid to have the deed recorded, so at this time there appears to be no action needed by the county. The bridge is ours whether we like it or not. The Bridge has been functioning as a fishing pier for over a year without the need for a concessionaire to run it, and I would recommend the Board continue to let the pier be open to the public, at least for the time being. I have been on the fishing piers a few times and they are fairly clean. Possible boat ramp on the St. George Island side of the bridge.

Motion by Putnal, seconded by Crofton, to start application process for a boat ramp on St. George Island. Motion carried 5-0.

Mr. Pierce: Discussed boat ramp at Bluff Road

Item 3- Board action to approve contract between Lampl Herbert Consultants and Franklin County, contingent upon Mr. Shuler’s review, for work associated with the Seafood Feasibility Study. The county received a grant of \$75,000. Mr. Dave McClain

is acting as the project manager for the county and the Seafood Task Force for \$15,000. He has negotiated with Lampl Herbert the work product that needs to be done for a fixed fee of \$60,000. He strongly recommends the Board agree to the Contract with Lampl Herbert. Board action

Motion by Crofton, seconded by Putnal, to approve the contract between Lampl Herbert Consultants and Franklin County. Motion carried 5-0.

Item 4 - Inform Board that I gave a presentation to the Northwest Florida Transportation Corridor Authority on Feb. 16, 2005 on a proposed road relocation for US 98 from Eastpoint to the Wakulla county line. I am providing the Board with a copy of the presentation. I told the Authority that while the existing road does not have congestion problems as occur in Santa Rosa and Walton counties, a relocated road should be considered for evacuation and recovery purposes, water quality issues, and economic development. The Authority seemed to be concerned that DOT was spending \$90 million dollars to stabilize the shoreline, and was not spending any money considering how the road might be moved off the coast.

Dan Tonsmeire – Apalachicola Bay and River Keepers: suggested Board send prioritized recommendations to FDOT

Item 5 - Inform Board that county received another warning letter from DEP regarding the un-permitted boat ramp now turned into sunset viewing parking lot on St. George Island. I have asked Mr. Van Johnson to see if he can hydromulch the area to encourage vegetation to grow. Board direction on any further action.

Item 6 - Provide Board with a copy of a report generated by some of the local churches regarding the assistance that has been provided to the county post hurricane Dennis. To summarize, at this point over \$265,000 have been committed to direct financial and other humanitarian assistance efforts.

Item 7 - Inform Board that the county has received a copy of the DEP permit for the filling of certain wetlands associated with building the new school. There is no action needed by the Board.

Item 8 - Board action on a letter of support and a commitment to provide in-kind services to build 4 dune walkovers and plant sea dune stabilizing vegetation for a grant being applied for by Ms. Bruce Hall and STAR- Sea Turtles At Risk. The grant is to the National Oceanic and Atmospheric Association's Community-based Restoration Program. The grant program is being supported in part by the National Association of Counties, for which Franklin County is a member. The purpose of the program is to provide funds to target marine habitat restoration in coastal counties. Since STAR is the applicant, it is their choice of habitats they would like to restore and obviously nesting sea turtle beaches is a very high priority for them. The deadline for applications is Feb. 24. The grant will seek some \$30,000 in grant funds to purchase material to be matched with \$30,000 of in-kind labor. Ms. Hall is here to answer any questions if necessary. Otherwise, Board action.

Board: Apalachicola Estuarine should be more involved with these type of projects.

Bruce Hall – STAR: discussed issue

Motion by Mosconis, seconded by Crofton, to authorize a letter of support and a commitment for a grant being applied for by Ms. Bruce Hall and STAR. Motion carried 5-0.

Motion by Mosconis, seconded by Lockley, to have a representative of the Apalachicola Natural Estuarine Reserve at the next meeting. Motion carried 5-0.

Item 10- At the Feb. Planning and Zoning Commission meeting a site plan in the St. George Island Commercial District was tabled for some additional information. The Commission clearly liked the site plan but was seeking additional information. Since this one site plan has been under review for four months I recommend the Board approve the site plan as presented to P and Z, contingent upon P and Z having the opportunity to review the additional issues of concern, being the homeowner's documents, a landscaping plan, and some architectural renderings of the total site plan. This will allow the developer the comfort of having the site plan approved, and will allow P and Z the opportunity to review those items they still had some concerns over. Board action.

Ms. Adams – Project Manager: discussed this item

Mary Lou Short – Planning and Zoning: commented on Planning and Zoning actions on this item

Gail Riegelmayr – St. George Island: commented on this issue

George Mahr – St. George Islands: commented on this issue

Stan Siprell – Project Contractor: commented on this issue

Attorney Yonclas – County Attorney: advised Board not to approve this item

Motion by Putnal, seconded by Mosconis, to approve the site plan as presented and discussed by Mr. Pierce . Motion failed 2-3 Sanders, Crofton, Lockley voting nay.

Board: This matter will go back to Planning and Zoning before Board is taken.

Item 11 - Inform Board that I met with Mr. Allan Pfeiffer and Mr. Dan Tonsmeire regarding providing protection for the 50 foot Critical Habitat Zone while a site is under development. I have agreed that the county Building Department will require silt fencing to be installed at the 50 foot mark so that silt from site prep or house construction does not get into wetlands or waters. Unless the Board has a better suggestion, the Building Department will implement this requirement starting March 1. No inspections will be made if the silt fencing has not been installed.

Item 12 - Continuation of Mr. Dowden's request for a variance.

Motion by Putnal, seconded by Crofton, to approve a 11 foot front variance for Mr. Dowden. Motion carried 5-0.

Dan Tansmire – ABARK: commented on Dowden's item

Allan Pfeiffer – Alligator Point: commented on the County's process for construction and permits; discussed conditional zoning

Mary Lou Short – Planning and Zoning: Standards for permit and applications; code enforcement is needed in the County

Item 13 - Hospital update. Mr. Ron Wolff and Mr. John Russell, Black Hawk CFO are present and prepared to give an update, but one item held over from the last Board meeting was the approval of Hospital Board by-laws and appointment of Hospital Board. Mr. Shuler has reviewed and recommends approval of the by-laws for the Hospital Board. There were many people interested in serving on the Board, but in order to get a five member board appointed that is representative of the community and has sufficient knowledge of the health care industry some difficult choices had to be made. After a thorough review of potential candidates, and having discussed the following names with Mr. Ron Wolff and with Ms. Gayle Dodd, who is the Health Care Committee representative to the Hospital, the three of us jointly recommend the following be appointed to the Hospital Board:

Dr. Stephen Miniati
Ms. Gayle Dodd
Ms. Shirley White
Mr. Curt Blair
Ms. Tammy Hardy

Board action on by-laws and members.

Marcia Johnson – Clerk of Court: Expressed opinion that advisory board should include someone with financial background, given the problems experienced with the past hospital lease holder.

Motion by Lockley, seconded by Mosconis, to approve the By-Laws and Members as presented by Mr. Pierce. Motion carried 5-0.

Ron Wolff – Interim CEO Weems Memorial: Updated Board on the status of Weems Memorial Hospital

Board: Discussed Florida Legislature decision to look at rural hospitals

Item 14 - Dr. Tamara Marsh would like to make a report to the Board. Consultant funds returned to hospital board

Motion by Mosconis, seconded by Lockley, to approve the Budget Transfer of \$3500 originally designated for a Consultant for the Health Council to the Hospital Board . Motion carried 5-0.

Board: Healthcare workshop for senior citizens in Carrabelle and doctors from Tallahassee Memorial eager to join Healthcare Council.

Motion by Lockley, seconded by Crofton, to appoint Doctors Judy Greenwall and Rob Moss to the Health Council as non- voting members. Motion carried 5-0.

Item 15 - Board action to clarify the minutes regarding the replatting of a subdivision called Doc's Seashore. The original plat was approved and recorded in January, 2003. The property was replatted in May, 2005, because of a surveyor error on one of the dimensions. There was no change in the number of lots, the configuration, or any other issue, but the Board minutes do not clearly reflect that a surveyor error occurred which required replatting. Mr. Shuler has already signed the plat, as well as the Chairman, but the minutes of May 17, 2005 do not reflect that the property was replatted. Board action to recognize the subdivision was replatted because of a surveyor error.

Motion by Putnal, seconded by Lockley, to approve the re-plat of Doc's Seashore. Motion carried 5-0.

Item 16 – Board authorization for the City of Carrabelle to place a 12” water main along River Road & Airport Road. See attached letter.

Motion by Crofton, seconded by Putnal, to authorize the City of Carrabelle's request to palace a 12” water main along River road and Airport Road. Motion carried 5-0.

Item 17 – Met with representatives of FEMA regarding Alligator Point road project. BCC must submit a request to FEMA requesting permission to relocate the road at Alligator Point in order for FEMA to be involved in case of a natural disaster.

Ken Osbourne – Alligator Point: how many changes are allowed to PUD after public hearing is held

Allan Pfeiffer – Alligator Point: discussed time table regarding installation of water lines during the Alligator Road project

T. Michael Shuler – County Attorney: Attorney Shuler was not present.

Commissioner's Comments

Commissioner Sanders: City of Carrabelle using Highway 67 without County permission; Mr. Pierce will address situation

Commissioner Lockley: Start date of new paving project

Mr. Pierce: update on funds for paving projects

Toni Taranto – Apalachicola: Discussed granting of permits for transitional renters on Bay City Road which is zoned R-4

Mr. Pierce: recommended Attorney Yonclas review this issue and return to the Board with an opinion

Bill Ellis - Apalachicola: commented on this issue and discussed restrictions on R-4 zoned areas

Motion by Crofton, seconded by Putnal, to have Attorney Yonclas review this issue and return with an opinion. Motion carried 5-0.

Adjournment

There being no more business before the Board, Chairman Sanders adjourned the Regular Meeting at 7:58 PM.

Cheryl Sanders, Chairman FCBCC

Attest:

Marcia Johnson, Clerk of Court