

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MARCH 1, 2005**

OFFICIALS IN ATTENDANCE: Cheryl Sanders, Chairman; Bevin Putnal, Noah Lockley, Jr., Russell Crofton and Jimmy Mosconis, Commissioners. Marcia M. Johnson, Clerk; Amelia Varnes, Deputy Clerk; Alan Pierce, Director of Administrative Services; and Thomas M. Shuler, County Attorney.

9:00 A.M. Chairman Sanders called the meeting to order.

(Tape 1-33) Commissioner Putnal made a **motion to approve the minutes.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-45) Commissioner Lockley made a **motion to pay the County bills.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT

(Tape 1-55) Mr. Chipman reported the Road Department cleared the fence line at the Apalachicola Airport. He still has all of his crew working at the airport.

(Tape 1-65) Chairman Sanders asked if there had been a problem with flooding in the County due to the recent rains. He replied there had been some, but not that many.

(Tape 1-72) Chairman Sanders questioned Mr. Chipman about the sewer lines and other infrastructure being installed at the end of SR 67-Lake Morality Road. She asked him to be sure culverts were not undermining the road. He assured he would keep checking on the project and he would also assist with the project if he could. Mr. Pierce said this road Lake Morality Road, was being repaired, etc. to accommodate the Department of Corrections new prison on this road.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-99) Mr. Pierce reported the culverts on Otter Slide had been inspected by David Kennedy, Preble-Rish Engineering, the County's engineering firm. He stated the area was culverts were made of metal pipes. He stated Mr. Kennedy reviewed the bid submitted by CW Roberts Contracting, Inc., in the amount of \$36,000.00 to replace the culverts. He said Mr. Kennedy thinks the culverts themselves are not collapsing any more than the rest of the road is. He stated Mr. Kennedy thinks the culverts do need to be extended, cleaned out, and headwalls built, but Mr. Kennedy does think the Road Department can do the work. The Board instructed Mr. Chipman to see if he thought the Road Department could make the necessary repairs. The Board also instructed Mr. Pierce to send a letter to Couch Concrete requesting they pay part of any repairs needed on the road because of their continued use of the road by their concrete trucks. Commissioner Putnal made a **motion instructing the Road Department to take the County Engineers recommendation by asking the Road Department to do the**

repairs and also instructing Mr. Pierce to send Couch Concrete a letter requesting they pay part of any repairs on Otter Slide Road in Eastpoint. Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-182) Mr. Pierce asked the Board if they would allow a private individual, Doug Kirtley, open up part of a County road. He said Mr. Kirtley wants to open part of TiTi Street in Gulf Terrace himself rather than paying the County for materials and having the County do it. The Board agreed to have Mr. Pierce to ask Mr. Kirtley to contact the Board with his request.

(Tape 1-207) Mr. Pierce presented Change Order #3, in the amount of \$281,359.00 to the Road Paving Contract the County has with C. W. Roberts Contracting, Inc. He said the County had budgeted \$3 million for the project. He said the current contract with C. W. Roberts Contracting, Inc. is \$3.047 million and with this change order the contract would be increased to \$3.5 million. The County has already spent approximately \$150,000.00 of the paving money to finish the Twin Lakes Road Project. The total amount of money already spent or funds approved to be spent to finish the paving project is approximately \$3.5 million. At this time the County is approximately \$500,000.00 over budget and in order to pay for the paving program without incurring finance charges the County will need to allocate \$500,000.00 in Ad Valorem Taxes in August in order to finish paying off the paving program. Commissioner Lockley had informed the Board he wanted the streets in the new subdivision in his district in Apalachicola paved. Commissioner Mosconis said he disagreed and said the developer of the subdivision should pay for the road paving. Chairman Sanders said there are roads in Carrabelle, SGI, Alligator Point, Gulf Terrace that needed to be paved too. Commissioner Mosconis asked Mr. Pierce to come back with some “finer tuned” recommendation. He asked for a motion to authorize this extra expenditure. Commissioner Putnal said he thought CW Roberts would finance the remainder of the funds. Mr. Pierce said Mr. Roberts would need to be assured they were protected with some type of agreement so they could finance these extra paving changes. Commissioner Mosconis said he was proud the County had never had to have a “Bond” issue or program implemented. He stated the Board has always just “saved” their money to have one big paving program. Commissioner Mosconis made a **motion to submit this matter to the County Engineer David Kennedy so he can bring a final recommendation back to the Board as to what roads need a “cap”, etc.** Commissioner Lockley seconded. Commissioner Putnal asked Mr. Pierce to make sure the roads that have heavy truck traffic need a better finish or top on them. He said the residential roads could get by. All for. **MOTION CARRIED.**

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-423) Mr. Johnson said he didn't have anything for the Board to address this morning. He reminded the Board of the scheduled Annual Day of Baseball at D. W. Wilson Recreational Park in Apalachicola for March. Invited all Board members and the public.

TED MOSTELLER-APALACHICOLA AIRPORT ADVISORY COMMITTEE

(Tape 1-446) Mr. Mosteller said the Apalachicola Airport was established 1933. He has been at a meeting in Tampa. Gulf County has told him they are going to cut trees in their yard at their own expense for the runway at the Gulf County Airport. He stated, because of the tree-cutting project at the Airport, people think the County is going to implement some plan or ordinance regarding the Airport Overlay. He said they would not be cutting any trees on private property. He stated all the cutting has been on airport property. Commissioner Mosconis asked if they were through cutting trees. Mr. Mosteller said the inspection is March 9th and they have cut most of the trees that need to be cut. There are some trees in dispute and the trees are not going to be cut until it can be decided whose property the trees are actually on. Mr. Pierce said this is his fault. Mr. Mosteller and Mr. Pierce knew the proposed expansion at the airport of 5,000 feet was in the Comp Plan. Mr. Mosteller agreed it is on the plan. He said the FAA would not allow them to build it without justification. Mr. Pierce stated the property owners around the airport are not willing to sell or give the property to the Airport or County. Mr. Pierce presented a plan for expansion on the surrounding privately owned property. Commissioner Mosconis said he thought this whole map or idea needed to be "taken off the table". Mr. Mosteller said there are other reason for the proposed land acquisition to protect the airport and Runway 13/31. He stated this would also protect the neighbors. He said the FAA has already implemented this plan to proposed 5,000-foot runway extension, which would give the runway a 10,000-foot runway. Commissioner Mosconis said it either needed to be put on the table or taken off. Mr. Mosteller said future expansion would require this additional footage. Commissioner Mosconis asked how long the Tallahassee runway was. Mr. Mosteller said 6,500-feet or so. Mr. Mosteller said he wants commuter airlines at the airport and they would need this additional footage on the runway. Mr. Mosteller told them the requirements needed by aircraft taking off. They need as much runway in front of them as well as behind them. He assured the Board this was just for planning purposes. He said this is the reason for the tree cutting. He stated this is to protect the aircraft and passengers. Pierce said he didn't think the County wanted anything other than a private use airport for private airplanes. He said he didn't think the County wanted a commercial airplane airport. Mr. Mosteller said they would like to see commercial commuters for the citizens of the area and surrounding counties. He said it is a long way to Tallahassee and Panama City. Mr. Pierce asked the Board to clarify the fact of the 5,000 extension being included in the plan for the airport. Commissioner Crofton said this is a 20-year plan just like the County's Comp Plan. He said he didn't have a problem with this extension since it was just a plan or in the work's in the future. He stated he would support the runway extension especially if it meant more jobs for the County. Commissioner Mosconis said the public in the neighborhood were concerned about this extension. Commissioner Crofton asked Mr. Mosteller if there was a current plan to extend the runway. Mr. Mosteller replied it was not, but it had to be in the overall plan. Commissioner Lockley said he was against the runway extension as well. He stated he didn't think there was enough information or input for the County to allow this extension. He said there are assets out there now and the airport still has not brought in a lot of jobs. Mr. Mosteller said the City of Apalachicola had 11 jobs out there, ECO, County Extension Director, and several other jobs there. Commissioner Mosconis said this was St. Joe property and they traded the property with the County to allow these

public facilities at the airport. Mr. Mosteller said he thought this was all airport property. Commissioner Mosconis said he thought this matter needed to be removed from “the table”. Joseph “Smokey” Parrish said he knew there was a lot of rumors and speculation because the public has not gotten any information on the project. He stated most of the residents in the area supported the airport, but he thought it could all be done without infringing on the private property owners at the airport. He doesn’t want his property devalued. Not been given the facts to make an unbiased decision on this project. He said he doesn’t want to have to cut any trees out of his yard on his property. He suggested the Board utilize the property already at the airport. Jon Hooper, Port St. Joe, lives near the airport in PSJ. He stated he thought the concern was the infringement of future development at the airport, not what is there now. He said the planning process is for a future expansion and the County should plan for the airport’s future. Commissioner Putnal said he didn’t want a “huge” development for the airport. He said the people in Panama City got to vote on moving and expanding their airport. Travis Stanley, Franklin County native, said he thought the overlay plan traveled through a section of property he owns. He stated he is totally against expanding the runway 5,000-feet just because it might be needed. Mike Grabarek, Chairman Gulf County Airport Advisory Committee, said it looked to him the Board is trying to make a decision “right now”. He suggested a public hearing could be scheduled to address this issue. He said he thought the Board was going to “sabotaged”. Chairman Sanders said she thought “the public” was adamant and the majority did not want this extension approved. Commissioner Lockley made a **motion to have this 5,000-foot extension removed from the Apalachicola Airport Plan and create a Airport Manager position.** Mosteller asked the Board to at least hold a public hearing for input. Commissioner Mosconis said there was a Property Survey completed by Robert Nation and Baskerville-Donovan several years ago. FAA and FDOT Aviation would pay for the new survey. Chairman Sanders called for a second and vote on the motion. Commissioner Lockley died lack of second. Commissioner Mosconis said he would make a **motion to schedule a public hearing by the Airport Advisory Committee.** Commissioner Crofton seconded. Commissioner Lockley against. 4-1. **MOTION CARRIED.** Commissioner Mosconis said he wanted it clear that the public around the airport was against any expansion. Mr. Mosteller said the zoning ordinance addressed the placement of mobile homes on this property at the airport.

PUBLIC HEARING

(Tape 2-201) Mr. Shuler presented an Ordinance to dissolve the SGI Water and Sewer District. He asked the Board to dissolve the district because of all of the state requirements. He said this has been an ongoing request by the County and since the SGI Water and Sewer District has not been a functioning district for many years. Commissioner Mosconis asked why the District could not remain active. Commissioner Putnal asked several questions. Mr. Shuler said this particular District is defunct and is no longer functional. Commissioner Mosconis made a **motion to schedule a public hearing to discuss this matter for April 19, 2005 at 6:00 p.m.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 2-447) **ZONING CHANGE** Lots 6, 7, and 8, 595 US Highway 98, Eastpoint from R-4 Single Family Home Industry to R-5 Multi-family. This property is located at the corner of 7th Street and US Highway 98. Jim Waddell, Inovia Consulting Group, representing the owners, Super-Holdings Investments, LLC. He said they do not intend to seek any variances for this project at this time. Mr. Pierce said the developer would like to have multi-family units on the frontage on US Highway 98. He said the current zoning allows one house per lot. He stated a duplex would be allowed on the front and a single-family residence on the backside of the lots. This change would allow 1-house and a duplex with service being provided by the Eastpoint W&S District. Mr. Waddell said the developers would have to make sure they could get taps from the District. Mr. Pierce said the County would need a letter from the Eastpoint W&S District assuring they could provide water and sewer services to this project. Mr. Waddell said the lots could be serviced by wells and septic tanks, but the developers wanted to have public utilities. Mr. Pierce said the Planning and Zoning Commission had a letter from the District asking the Commission to be prudent in allowing development in their District because they didn't have the utilities available. Liz Sisung, a resident in the area, said she is concerned about the introduction of multi-family units in their residential, single-family units. She said the neighbors did not want multi-family units in their residential neighborhoods. She said this might be the introduction of condo's, similar to the ones in Destin and Panama City, in the area she lives in. Commissioner Mosconis asked if the duplexes would be privately owned. Mr. Waddell replied they would be owned by private property owners. Commissioner Mosconis said he didn't think this rezoning was unreasonable since there was a need for affordable housing. Mr. Waddell said this rezoning proposal is not even related to any of the rezoning proposals in Destin or Panama City. He stated this property would not be developed like these areas Ms. Sisung mentioned. Dan Cox, Eastpoint Water & Sewer District representative, said they do have a capacity issue. He said they have 32 or so taps ready for people who have already built a house in the district. He explained the District is trying to meet all of the needs. Ms. Sisung replied the Board should consider this as waterfront property and anyone trying to rent them as affordable housing would be disappointed. Jim Sisung said he too is very concerned about this matter. He asked the Board if they would "re-do" the shotgun houses on SGI. He said if the density is increased on a per acre basis then the same situation could happen. Chairman Sanders said Mr. Sisung's opinion was that the shotgun houses were a mistake in development. She called for a vote or motion on the matter. Mr. Waddell answered some questions posed to him by the Commissioners. Commissioner Lockley made a **motion to approve the zoning request by Mr. Waddell.** Commissioner Mosconis seconded. Putnal, Sanders and Crofton against. Mosconis and Lockley for. 3-2 **MOTION FAILED.**

(Tape 2-1072) **REZONING** Lonely Sands S/D, Lots 1-16, CC Land Road in Eastpoint from R-4 Single Family Home Industry to R-1A Single Family S/D. Mr. Waddell, representing the owners, said the Sketch Plat has been approved contingent on the zoning change being approved by the FCBCC. Owner does have agreement with Eastpoint W&S District for the taps, etc. 40 units instead of 48 units. Still requires preliminary and final plat approval by Board. Gail Riegelmyer asked the Board to make sure they were

asking why this developer was going from 48 to 40 units in the development. Chairman Sanders asked Mr. Waddell if this was considered affordable housing. He said the property owner is here this morning and could answer this question. He stated the higher density would lend itself to that, Stuart White, SGI, is the property owner. Pinky Jackel, said she supported this development and felt this was an attempt to help people afford property and houses in Franklin County. Mr. Pierce said affordable housing could be defined differently and it depended on the footage, etc. Commissioner Putnal asked who was going to build these houses. Stuart White said he had considered both selling and building on the lot. He stated he would like to build some spec houses or allow the local builders to build houses on the property. Liz Sisung said Whispering Pines was another development or subdivision in Eastpoint that was considered affordable housing.

Commissioner Putnal made a **motion approving this request for rezoning Lots 1-16, Lonely Sands S/D,** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 2-1576) **REZONING** Lots 2-3, Gulf View Woods, East of Lanark R-1 Single Family Residential to R-1A Single Family Residential S/D. Dan Garlick, Garlick Environmental, representing the property owner said the LV W&S District had approved the taps needed for this project. Chairman Sanders said Steven Howells and Debbie Howells, owners of Lot 1 Gulf View Woods, and stated this property was zoned as single family lots with one dwelling per acre. He stated this property abuts a creek and the creek flows through all of the property. Drainage problems, etc. Mr. Garlick said they were aware of the wetlands and drainage. He stated they could meet the 50-foot setback on all of the wetland areas. Dan Tonsmiere, ABARK, said he was concerned about the storm water drainage problems in this area. He stated the lower density would be less problematic as far as storm water drainage was concerned. Mr. Pierce said this change would require the developers to create and maintain the roads and drainage. Chairman Sanders said the land already has a natural drainage and she feels there would be no benefit from building roads, etc. on this property. The adjacent property owners should be considered as far as water flow and drainage is concerned. Chairman Sanders called for a motion or vote. Commissioner Mosconis asked Mr. Garlick if there was anything extraordinary that was going to be required for this rezoning. Mr. Garlick replied the only thing would be the installation of swales or ponds and impervious surfaces for the roads. He stated the infrastructure was in place for this project. Mr. Pierce said most of the area around the project is still zoned as one-unit per one-acre. Chairman Sanders asked for a motion or a vote. Commissioner Mosconis said he would vote to allow this rezoning request, but he knew the other Commissioners would not vote to permit this rezoning. Commissioner Lockley made a **motion to approve request.** Commissioner Mosconis seconded. Sanders, Crofton and Putnal against. Mosconis and Lockley for. 3-2 **MOTION FAILED.**

(Tape 2-2235) **LAND-USE AND REZONING** A 6.06 acre parcel north of Eastpoint Rural Residential to Residential and rezoned from R-6 Rural Residential to R-1 Single Family Residential. Blair Morgan, owner of the property, appeared before the Board to answer any questions. Chairman Sanders asked if there was any public comment, Commissioner Putnal made a **motion to change the land use as requested by Blair Morgan from Rural Residential to Residential.** Commissioner Crofton seconded.

All for. **MOTION CARRIED.** Commissioner Putnal made a **motion to change the zoning as requested by Blair Morgan from R-6 Rural Residential to R-1 Single Family Residential.** Commissioner Crofton seconded motion. All for. **MOTION CARRIED.**

(Tape 2-2385) **LAND-USE AND REZONING.** A 10-acre parcel off of Mill Road, Carrabelle, Florida land-use change from Agricultural to Residential and rezoned from A-2 Agricultural to R-1 Single Family Residential. Commissioner Putnal made a **motion to approve the land use change for a 10-acre parcel off Mill Road in Carrabelle from Agricultural to Residential.** Commissioner Crofton seconded. All for. **MOTION CARRIED.** Commissioner Putnal **made a motion to approve the rezoning of a 10-acre parcel off Mill Road in Carrabelle from A-2 Agricultural to R-1 Single Family Residential.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 2-2433) **LAND-USE AND REZONING** Dan Cox, representing Barbara Carlson, A 1.29 acre parcel north of Eastpoint on Brickyard Road land use change from Rural Residential to Residential. Rezoned from R-6 Rural Residential to R-2 Single Family Residential/Mobile Home. Lineal descendents of the family can do this without having to go through rezoning process. Mr. Pierce said the P&Z Commission members stated they would not be put in the middle of this. Ms. Carlson said she brought the property prior to the decision made to allow Buddy Brown's daughter to put a mobile home on the property. Mr. Cox said once the property was sold then the "lineage thing" did not apply especially since the property was sold to Ms. Carlson before any of this was even discussed or the approval for Mr. Brown's daughter to place a mobile home on this adjacent or property considered "lineage" property. Mr. Tonsmiere said he didn't say anything before and felt like he should say he disagreed with Mr. Pierce and several of the statements he made during these land-use and rezoning requests. He stated he felt sometimes Mr. Pierce didn't furnish a "clear picture" of the storm water drainage, wetland problems, etc. Commissioner Mosconis said if the developer could meet all of the requirements for these requests then why couldn't they be approved. Mr. Tonsmiere said the developers needed to be aware of all of these drainage problems. Commissioner Putnal asked Mr. Shuler what the policy was regarding the "lineage" provision was. Mr. Shuler replied this is a statutory requirement on agricultural lands, especially relating to family farms. He explained this matter to the Board. He stated the decision this morning was whether to allow one unit per acre otherwise zoned one unit per ten acres. Ms. Carlson said she bought this property before Mr. Brown requested any changes. She said the Brown's called her and offered to sell the property to her. Ms. Carlson said this property was bought and paid for. Commissioner Lockley **made a motion to approve the land use change as requested by Barbara Carlson for a 1.29-acre parcel on Brickyard Road from Rural Residential to Residential.** Commissioner Mosconis seconded. All for. **MOTION CARRIED.** Sanders and Putnal against. Mosconis, Crofton and Lockley for. 3-2 **MOTION CARRIED.** Commissioner Crofton **make a motion to approve the rezoning as requested by Barbara Carlson for a 1.29-acre parcel on Brickyard Road from R-6 Rural Residential to R-2 Single Family Residential/Mobile Home.** Commissioner Lockley seconded. All for. Sanders and Putnal against. Mosconis, Crofton and Lockley for. 3-2 **MOTION CARRIED.**

(Tape 2-3094) Chair Sanders asked Mr. Pierce to stop scheduling so many PH's. Mr. Pierce said the Board needed to address the issue of night meetings. Chair Sanders said the Board would decide whether to continue the night meetings at the last scheduled night meeting on April 19, 2005.

PUBLIC HEARING

(Tape 2-3135) Christy Branch Banks, Esquire, Olivier Monod, etc. request to adopt a Resolution of abandonment of an existing alleyway located between Lots 1-7, and Lots 24-30, Block 6 East, of SGI Gulf Beaches Unit 1. No public comment or opposition. Commissioner Crofton made a **motion to approve the Chairman's signature on the Resolution of Abandonment for an existing alleyway located between Lots 1-7, and Lots 24-30, Block 6 East, of SGI Gulf Beaches Unit 1.** Commissioner Mosconis seconded. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 2-3294) The Board approved a reduction in monthly payments from the company leasing the Apalachicola Airport, AIATC between October 1st through May 1st of 2005. Does the Board want to continue the reduction and go back to the original lease payment, or increase the lease payment? Commissioner Mosconis **made a motion to send the question back to the Apalachicola Airport Advisory Committee for a recommendation.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 2-3342) Board action to sign a FAA grant application requisition \$62,700.00 for a property survey of the existing airport property. There is no County match. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the FAA Grant Application requesting \$62,700.00 for a property survey of the existing airport property.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 2-3360) Board action to sign the closeout report on runway markers and signage at the airport. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the closeout report on the runway markers and signage project at the airport.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 2-3396) Informed Board the County has received \$171,027.06 from the State of Florida for the payment-in-lieu of taxes program for this year.

(Tape 2-3410) Informed Board there is a vacancy as an alternate on the Board of Adjustment. Commissioner Crofton-Chair Sanders said someone from LV or AP needs to be appointed. Ken Osborne, AP, asked BOA name and area represented. Mr. Pierce replied as follows: Billy Granger, Eastpoint; Bonnie Segree, Eastpoint; Vance Millender, Carrabelle; Bryant Hand, Apalachicola, and Susan Howze, Apalachicola. Mr. Osborne said "enough said" his area of AP was definitely not represented. Chairman Sanders said she would furnish Mr. Pierce a name of someone, from her district, especially around AP, who would serve on the BOA at the next meeting.

(Tape 3-48) Inform Board there is a vacancy on the Construction Industry Licensing Board, but that Board usually submits a name that has been recommended. Robin Brinkley, Building Inspector, will ask the CILB for a recommendation regarding Bruce Sansom, who is interested in serving on the CILB.

(Tape 3-59) Board action to direct Preble-Rish Engineers to recommend, as a project of the FDOT under the County Incentive Grant, the paving of Lake Morality Road. FDOT will pay 35% of construction costs. The estimated construction cost is \$750,000.00 so the County's share would be approximately \$500,000.00, unless the County can get other parties who would benefit from the road paving to share in the cost. The DOC should participate because of the benefit of using Lake Morality Road to access the new prison. Board action to submit grant and to contact DOC about sharing in the cost of improving the road. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the FDOT County Incentive Grant request for the paving of Lake Morality Road and to send a letter to DOC requesting their financial help in paying for this road to be paved.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 3-107) Franklin County is eligible for \$40,000.00 in FEMA HMGP funds. The City of Apalachicola is involved in a project with 1,000 Friends of Florida to protect historic structures from hurricane damage. I have a letter from 1,000 Friends requesting the county HMGP funds be spent for shutters on the Raney House and other hurricane protective action. The funds must be spent on projects listed on the County's Local Mitigation Strategy, and this project is on the list. Butch Baker, EM Director, and Mr. Pierce feel this would be a worthwhile project considering the funds are available. Board action to ask ARPC to write the HMGP Grant to request these funds. Commissioner Mosconis **made a motion authorizing Mr. Pierce to ask ARPC to write the HMGP Grant to request these funds as requested.** Commissioner Lockley seconded. All for. **MOTION CARRIED.**

(Tape 3-126) Request Clarification from Board regarding installation of a seafood cooler on R-4 property in Eastpoint. Wade Barber wants to box and sell shelled oysters out of the cooler. He will not process on site. The addresses are 27 Shuler Street and 331 and 328 Old Ferry Dock Road in Eastpoint. Commissioner Mosconis said he thought R-4 zoning should allow this type of industry. Commissioner Lockley **made a motion authorizing this use for R-4 zoned property in Eastpoint-27 Shuler Street and 331 and 328 Old Ferry Dock Road in Eastpoint-to be used by Wade Barber to box and sell shelled oysters.** Commissioner Mosconis seconded. All for. **MOTION CARRIED.**

(Tape 3-217) Ms. Pat Bragdon would like to move and then preserve the old Forestry Building in Carrabelle. She is afraid the building will be destroyed and she believes it represents a historic part of Franklin County's past. Chairman Sanders reported she has already taken care of this matter.

(Tape 3-220) Board direction to ask the County Attorney, Mr. Shuler, to investigate and present to the Board a definition of a hotel. The County Planning Department is receiving repetitive requests for something called a resort/condominium, which, in his opinion, causes a blur in the distinction between commercial hotel rooms and residential condominiums units. Commissioner Crofton made a **motion directing the County Attorney to investigate and present to the Board a definition of a hotel.** Commissioner Lockley seconded. All for. **MOTION CARRIED.**

PUBLIC HEARING

(Tape 3-298) BOA Frozen Assets-Wayne Odom-Variance on 2nd Street East Lot 15 Block 9 Unit 1 SGI. Mr. Pierce said the landowner Dan Ruhl had signed an authorization allowing Wayne Odom to speak on his behalf at the meeting this morning. He said the initial request was for an icehouse, vending machine to allow a 13-foot variance into 2nd Street and the other variance off the other street has been withdrawn. He stated the request is for a 13-foot variance into 2nd Street and this is the only approval the Board needs to address this morning. Commissioner Crofton said these owners and representatives have met all of his requirements. Commissioner Crofton made a **motion to allow Wayne Odom a variance for the construction of an icehouse vending machine as requested.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 3-410) Board action to raise BOA variance and special exception request fees to \$250.00. The fees are set by resolution. Commissioner Mosconis made a **motion to approve the new fee of \$250.00 for a BOA variance and special exception request fees.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

(Tape 3-437) The Courthouse roof is still leaking and the roofing company has not responded to any requests for them to fix the roof. The Board needs to ask the County Attorney to send a letter to the contractor, Peach State Roofing, demanding they fix the roof. The Board asked Mr. Shuler to send a letter to Peach State Roofing demanding they fix the Courthouse roof.

(Tape 3-452) Mr. Pierce informed the Board he was going to advertise the new Building Inspector position and he was going to emphasize the need for an Electrical Licensing, etc. background.

(Tape 3-462) Chair Sanders asked about the progress of the ordinance concerning AWT's on Alligator Point. Mr. Shuler said he would inform the Board about this when he presented his report to the Board this morning.

MARCIA M. JOHNSON-CLERK

(Tape 3-511) Ms. Johnson said she didn't have anything to report to the Board this morning.

THOMAS M. SHULER-COUNTY ATTORNEY

(Tape 3-520) He discussed the street ends at Shuler Street where it intersects with US Highway 98 in Eastpoint. Mark Curenton, Assistant County Planner, can't prepare a legal description without a survey. Mr. Shuler suggested a survey be performed on this property. His family has offered to Quit Claim Deed the property to the County. He needs a legal description to prepare the deed. Commissioner Putnal made a **motion to authorizing the County Planner's office to hire a surveyor to survey this property in Eastpoint so a legal description can be created.** He said the costs should not go over \$5,000.00. Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 3-595) A public hearing is scheduled for the second meeting in April regarding ATW's Ordinance and the overnight parking problem on SGI.

(Tape 3-613) SHIP Mortgage-Roscoe Daly-directed to bid the property. Mr. Moron, SHIP, said property is not ready to be advertised for sale. Mr. Daly is in a nursing home.

(Tape 3-650) County ROW's used for sewer system drainage. Properties platted, deed restriction, roads ROW. Research issue and report back. Commissioner Crofton made a **motion authorizing Mr. Shuler to research the matter of County right-of-ways being used for sewer system drainage.** Commissioner Lockley seconded. All for. **MOTION CARRIED.**

(Tape 3-704) Discussed the BOA with Dr. Mullis attorney. Left message with Mr. Mullis' attorney that he would be bringing this issue up for discussion today. FCPHU is not going to allow any holding tanks for his property on SGI. He said the County Ordinance requires a 75-foot septic tank for the drainage fields. The plan submitted has a 30-foot encroachment into the 75-foot setback. He would like a mediation hearing between the County and Dr. Mullis's attorney with Nick Yonclas serving as mediator. A full day, 6 to 8 hours, are needed at a pay rate of \$175.00 an hour. Commissioner Mosconis said he wanted Dr. Mullis to pay the entire amount of court costs. Reduce size of house to make concession and Dr. Mullis doesn't want to do this. Chairman Sanders said she agreed with Commissioner Mosconis the County shouldn't have to pay these fees. Someone will need to appear at mediation to represent the County Commission. Met burden of proof and they are entitled to variance. BOA didn't meet their burden of proof and therefore Dr. Mullis's attorney wants this variance approved by the Board. Mr. Pierce said these were 2 platted lots in the SGI Plantation. No one has requested a building permit until Dr. Mullis. He said there are 2 platted lots and someone would have to meet the "buildable lot" definition. Shuler said Dr. Mullis has done his "due diligence" with this property and the purchase of it. He stated Dr. Mullis has done everything he needed to do and now the County is not going to allow him to build on the lots. Commissioner Mosconis made a **motion authorizing Mr. Shuler to schedule a mediation hearing in this matter and authorized the hiring of Nick Yonclas a mediator at \$175.00 an hour, but with the condition Dr. Mullis pays all of these costs.** Commissioner Lockley seconded. All for. **MOTION CARRIED.** The Board instructed Mr. Shuler to include all billable time to Dr. Mullis's attorney.

(Tape 3-1006) Informed the Board the 30-day notice has lapsed on the DasSee Hospital Lease and the payment of the taxes. He is requesting to have a meeting, as requested by Mr. Lake's attorney. Commissioner Mosconis suggested he be allowed to attend the meeting along with Mr. Shuler and Mr. Pierce. Commissioner Mosconis made a **motion to schedule a meeting between Mr. Lake's attorney, Mr. Shuler, Mr. Pierce and Commissioner Mosconis to discuss the hospital issues.** Commissioner Lockley seconded. All for. **MOTION CARRIED.** Mr. Shuler said there is an additional 10-day notice needed to meet all of the requirements of the lease. The Board advised Mr. Shuler to wait until after the meeting to give Mr. Lake a 10-day notice.

(Tape 3-1096) Chairman Sanders asked what the Board needed to do about the LV W&S District Board. Robert Millar, a member of the LV W&S District Board, who has submitted his letter of resignation to the County Commission, is present at the meeting this morning. He said he would agree to stay on this board until some remedies are made or an election held. Mike Hughes, a member of this Board has also submitted his resignation. Mr. Hughes is selling his property in the District so he can't remain on the Board. His position needs to be elected as well. Mr. Shuler said there is a qualifying process with the Supervisor of Election. LV W&S District has to cover the costs of the election. Mr. Shuler asked Mr. Millar to prepare a letter rescinding his resignation. Mr. Millar said he would be do this.

(Tape 3-1214) Chairman Sanders asked the status of the ROW easement on Lake Morality Road. She reminded the Board this property is needed to finalize the road system into the new prison. She said the Mayor of Carrabelle, Jim Brown, had called her asking the status of this ROW easement and she knew the DOC was wanting to finish the installation of their sewer lines as soon as they could. She stated this ROW easement is going to hold them up. Mr. Shuler replied he has contacted Mr. Fowler, owner of the property, and sent a copy of the easement to Mr. Fowler's attorney for signature. He said the attorney and Mr. Fowler had promised they would get the document signed and sent back to the County as soon as they could. Chairman Sanders said she knew at least 59 people would be starting to work at DOC this month. Mr. Shuler said he would check on the status of this document. (Tape 3-1246) She said regarding the Timber Island Road in Carrabelle, DEP is requesting the County prepare a adopt a Resolution reflecting the fact that Franklin County does own the Timber Island Road for the purpose of installation of sewer pipe, which should prove the County does own the land and the sewer pipes can be installed along the County ROW on Timber Island Road. Chairman Sanders asked Mr. Shuler to do finish both of these items as soon as possible. Mr. Shuler asked the Board to adopt a motion authorizing the Chairman's signature on this resolution. Commissioner Lockley made a **motion authorizing the Chairman's signature on this Resolution.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

(Tape 3-1290) Chairman Sanders said she received a letter from FWC about the boat ramp at the end of Bluff Road. She said she had a conversation with the Executive Director of FWC about the Bluff Road Boat Ramp. She stated he assured her he would get "on the stick" and he did. She said a letter from FWC has been sent to Gloria Nelson, Division of Public Land Administration, requesting approval to sublease a portion of Box

R Wildlife Management Area to accommodate a Franklin County Boat Ramp. She said this area consisted of 3-acres and FWC wants them to give this land to the County for the boat ramp. She stated the letter states “FWC recommends approval of sublease as the boat ramp would help full fill FWC’s responsibility as stated in their lease agreement to provide boat access in the County.” She said she just wanted to give the Board a copy of this letter and make sure the public knew about the status of this boat ramp.

(Tape 3-1335) She announced she had received a notice that the Franklin County Legislative Delegation would be in Apalachicola to conduct a public hearing on Thursday, March 3, 2005 at 10:00 a.m. at the Apalachicola Estuary Building. She stated the public hearing would be to discuss and receive input from the citizens of Franklin County regarding the Oyster Relay Program.

(Tape 3-1346) She informed the Board the ISSC would be held in Port Clear, Alabama August 13th thru 19th at the Marriott Grand Hotel Resort and Spa. She said the past Board practice or policy has been for the County to send 2 representatives. She said this meeting is important because the oyster industry as it relates to Franklin County will be a main topic. Commissioner Putnal asked Chairman Sanders if she could go. She replied she could go. Commissioner Mosconis asked why Bill Mahan, County Extension Director, and the person running the lab out at the Airport to this meeting. Chairman Sanders said Mr. Mahan goes to represent the State of Florida and the Extension office pays for his travel, etc. and he is on one of the Vibrio Vulnificus Committees. She stated this was just for the Board’s information.

OTHER BUSINESS FROM THE BOARD

(Tape 3-1394) Skip Chormicle, EmeryStat, Inc., the County’s ambulance Service contractor, said he would like to make sure Joe Donovan, CFO, was scheduled to be on the next meeting agenda, March 15, 2005. Chairman Sanders asked Mr. Chormicle to contact the Board Secretary, Amelia Varnes, for the date and time for Mr. Donovan to appear before the Board at the March 15th meeting. Mr. Chormicle thanked the Board.

TED MOSTELLER-CHAIRMAN-AAAC

(Tape 3-1413) Mr. Mosteller reminded the Board that 2-weeks ago, at the last Board Meeting, he presented a resolution renewing the Board’s commitment to the Airport. He said the Board, at that time, decided to review the resolution and to think about adopting it. He said, he understood, the matter would be revisited today. He stated, he would trust, the Commissioners had adequate opportunity to study and analyze the resolution. He said the AAAC instructed him to asked the Board to revisit the adoption of this resolution. He asked them if they wanted to discuss this or wait until after the public meeting the AAAC was going to have. Commissioner Mosconis said he thought the resolution was kind of a “boiler plate” and he didn’t have any problem with it. Mr. Mosteller said it was very “boiler plate”. Commissioner Mosconis explained this resolution just “reaffirms” the County has an “active airport” and the Commissioners want to do “certain things” with it. Mr. Mosteller said the resolution tells them they are not “out here just spinning our wheels”, and reaffirms the County is behind them. He stated the Commissioners have the “ultimate decision” on everything at the airport.

Commissioner Mosconis said he didn't have any problems with the resolution and made a **motion authorizing the Chairman's signature on this resolution.** Commissioner Crofton asked Mr. Mosteller if he wanted the resolution approved for signature this morning. Mr. Mosteller replied "yes and he thought this would go a long way with mending fences with Gulf County". Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 3-1471) Mr. Mosteller said the "Committee", at their meeting last night, was very adamant about that the airport should be included in the Comp Plan because of the issue they have already been through this morning. He stated it mostly affects the people in western Franklin County. Mr. Pierce said the airport is in the Comp Plan, but there is no extension of the airport runways in the Comp Plan. He stated there is no overlay in the Comp Plan either. He said there is not discussion of overlay or runway extensions anywhere in the Comp Plan. He said the Board had not even discussed this matter. Mr. Shuler said this matter should have been discussed when most of the public was here this morning. He stated Mr. Mosteller should not wait until everybody is already left the meeting to bring this type of important matter to the Board's attention.

(Tape 3-1526) Chairman Sanders mentioned to the Board she, as well as all of the Commissioners, had received a copy of a letter from Mediacom informing the Commissioners the County would be receiving a rate hike for their cable television. She said she would like the County Attorney to send a letter to them stating, even though she knew nothing could be done, the Commissioners were totally against this rate hike. Commissioner Mosconis made a **motion authorizing the County Attorney to send a letter to Mediacom opposing this rate hike in Franklin County.** Commissioner Lockley seconded. All for. **MOTION CARRIED.** She informed Mr. Shuler the letter would need to be addressed to Barbara Bonowicz, the governmental relations representative with Mediacom.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD
THE MEETING WAS ADJOURNED.**

CHERYL SANDERS, CHAIRMAN

MARCIA M. JOHNSON, CLERK