

**FRANKLIN COUNTY BOARD
OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
March 21, 2006
5:00 PM**

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

Staff Present: Van Johnson - Solid Waste Department, Hubert Chipman - Road Department, Bill Mahan - County Extension Director, Marcia Johnson - Clerk of Courts, Alan Pierce - Director of Administrative Services, Michael Schuler - County Attorney, Michael Moron - Board Secretary

Call to Order

Chairman Sanders called the meeting to order at 5:00 PM

Pledge and Prayer

There was a Prayer followed by the Pledge of Allegiance

Payment of County Bills

Motion by Crofton, seconded by Lockley to approve payment of the County Bills as presented. Motion carried 5-0.

Department Supervisor Report

Hubert Chipman - Superintendent of Public Works

Mr. Chipman discussed the Boat Ramp at Pine Log, the upcoming auction of used County equipment, and work on road at Apalachicola Airport. Bluff Road boat ramp was also discussed with comments from Alan Pierce; Board expressed appreciation for work on Lake Morality road

Van Johnson - Solid Waste Director

Mr. Johnson discussed the Board's request of the possibility of an additional amnesty day for senior citizens, including the financial impact on the department's budget; Board asked Mr. Johnson to review the request and return with a recommendation; Board asked Mr. Johnson to check on white goods on 3rd street in Carrabelle; Mr Johnson discussed his departments summer schedule and authorization for overtime; discussed meetings recently attended where bear-human conflicts were discussed and gave the Board an update on the Will S Kendrick Sports Complex.

Motion by Lockley, seconded by Putnal to authorize overtime pay for Solid Waste and Parks & Recreation employees not to exceed the budgeted amount of \$12, 075 or from April 1 to September 30, whichever comes first. Motion carried 5-0.
Bill Mahan - County Extension Director

Informed the Board of the FL Fish and Wildlife Conservation Commission meeting in Tallahassee on April 5 - 6 to discuss the Red Drum 2005 Stock Assessment Review and Discussion; updated the Board on the Seagrass Awareness Day Program and soil testing at the Will S Kendrick Sports Complex.

Motion by Putnal, seconded by Crofton to authorize Commissioner Mosconis to attend and represent the County at the FL Fish and Wildlife Conservation Commission meeting in Tallahassee on April 5-6 regarding the Red Drum. Motion carried 5-0.

Monica Harris - St. Vincent Wildlife

Discussed staffing, history and purpose of St. Vincent Refuge; Informed the Board of the Public Workshop on the Red Wolf Program on March 23, 2006 at the Community Center at 6pm; Bobby Pickles, of Alan Boyd's office, addressed Board on the Red Wolf issue; John Schineder commented on Red Wolf issue, including interbreeding and access to the mainland, asked Board to transfer the red wolf program to N. Carolina's Alligator River; Niel Carper, previous FWC employee, presented information about the Red Wolf program;

Tom Lewis, biologist at the Refuge, answered concerns regarding the Red Wolf Program; Mr. Lewis responded to the Board's comments on tracking other wildlife;

Board discussed the use of the Refuge as a lab, and the devastation of the deer and turkey population, which would affect hunting, caused by the Red Wolf project; Mr. Lewis commented on these concerns;

Board discussed a possible ending date for the Red Wolf program, coyotes negatively affecting the wildlife, red wolves swimming across the pass to the mainland, possibility of moving the Red Wolf program to another location, and if protecting red wolves can create problems for hunters, and recommended a public advisory committee to work with Refuge to resolve some hunting issues;

Mr. Lewis addressed the Board concerns;

Ms Harris recommended that all concerned parties attend the Red Wolf public workshop on March 23, 2006;

Bill Quranto, of Port St Joe, commented on Red Wolves and hunting issues;

Bobby Pickles recommended the suggested advisory council; Board commented on plight of hunters in the Country;

Tony Soriento commented on hunting and red wolf issues;

James Pernell, Location Manager at the Refuge, stated that FWC is not against hunting and commented on fresh water lakes;

Ted Ruffner, of Eastpoint, volunteered for advisory committee and commented on change of species of the Red Wolf;

Ms Harris stated that she would report to the FCBCC on a regular basis

Motion by Putnal, seconded by Mosconis to create an advisory committee that will address hunting and fishing issues and forward recommendations to the FCBCC. Motion carried 5-0.

Seth Blitch - Hunting on Little St. George Island

Mr. Pierce offered some history on this issue;
Mr. Seth Blitch, Manager of the NERR, discussed FAC 1823;
Board discussed options to allow hunting on little St. George;
Bobby Miller discussed FAC rule 1828;
Mr. Blitch discussed difference between both rules;
Bobby Miller asked County to start procedure that will allow hunting on little St George Island;
Board asked to have DEP representatives to attend the next meeting and discussed the amount of hunting permits issued in Franklin County;
Walter Armistead commented on the history of this issue.

Motion by Putnal, seconded by Lockley to direct Attorney Shuler to send a letter to DEP opposing the prohibition of consumption of alcoholic beverages, hunting of wildlife, and the use of firearms, items 1, 2, & 4 of FAC 18-23.007. Motion carried 5-0.

Clarice Powell - SADD

Clarice Powell discussed AHS SADD Chapter;
Beverly Conner, of Franklin Promise, offered data on alcohol use by students of the County and discussed other info regarding the grant;
Lindsay Kemper, Apalachicola High School student, discussed the local SADD chapter goals and events

Motion by Putnal, seconded by Mosconis to authorize the use of the property at airport road governed by the County to place SADD wreck car. Motion carried 5-0.

Motion by Lockley, seconded by Crofton to authorize Mr. Pierce to assist the local chapter of SADD if they have further requests from the County. Motion carried 5-0.

Planning and Zoning Report

CRITICAL SHORELINE APPLICATIONS:

Item 1

Approve (unanimous) to construct a Single Family Private Dock at 2376 US Highway 98 East, Lanark, Franklin County, Florida. Request submitted by GEA, Inc, agent for Sophia Kay Barnett, applicant.

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

Item 2

Approve (unanimous) to construct a Single Family Private Dock at River Road, Carrabelle, Franklin County, Florida. Request submitted by Richard Dowden, applicant.

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

Item 3

Approve (unanimous) to construct a Multi-Family Dock on Turtle Harbor, Apalachicola, Franklin County, Florida. Request submitted by GEA, Inc, agent for George Mahr, applicant.

Motion by Mosconis, seconded by Lockley to approve Item 3.. Motion carried 5-0.

Item 4

Approve (unanimous, contingent upon Alan reporting that this dock will extend over Bay Shore Drive Right-Of-Way) to construct a Single Family Private Pier at 224 East Bayshore Drive, Lots 8 & 9, Block 3, Unit 1 East, St. George Island, Franklin County, Florida. Request submitted by GEA, Inc, agent for Jeanne Bonds Dail, applicant.

Motion by Putnal, seconded by Crofton to table Item 4. Motion carried 5-0.

Item 5

Approve (unanimous) to construct a Single Family Private Dock at 661 US Highway 98 West, Eastpoint, Franklin County, Florida. Request submitted by GEA, Inc, agent for Robert & Zoe Segree, applicant.

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

Item 6

Approve (unanimous) to construct a Single Family Private Dock at 2508 US Highway 98 East, Lot 7, Block A, Unit 1, Gulf Wynn, Lanark Beach, Franklin County, Florida. Request submitted by Docks 4 Less, agent for Mike Ferrara, applicant.

Motion by Lockley, seconded by Crofton to approve Item 6. Motion carried 5-0.

Item 7

Approve (unanimous) to construction a Single Family Private Dock at 1546 Alligator Drive, Alligator Point, Franklin County, Florida. Request submitted by Barney Crutchfield, applicant.

Motion by Lockley, seconded by Mosconis to approve Item 7. Motion carried 5-0.

Item 8

Approve (unanimous) to place a 24” x 75’ re-enforced main pipe and 94.20 cubic yards of fill to be placed in man made ditch at 2846 US Highway 98 East, Lot 10, Block C, Unit 1, St. James Island Park, St. James, Franklin County, Florida. Request submitted by GEA, Inc, agent for Marshall Cohn, applicant.

Motion by Putnal, seconded by Crofton to approve Item 8. Motion carried 5-0.

SITE PLAN APPROVAL:

Item 9

Approve (unanimous) for commercial site plan approval to construct a business at 312 US Highway 98, Eastpoint, Franklin County, Florida. Request submitted by Moore Bass Consulting, agent for Jamie Crum, applicant.

Motion by Putnal, seconded by Crofton to approve Item 9. Motion carried 5-0.

Item 10

Approve (unanimous) for commercial site plan approval to construct “George Town Villages” located on lots 24, 25, 26, 27, 28, 29 & 30, Block 6West, Unit 1, St. George Island, Franklin County, Florida. Request submitted by Moore Bass Consulting Group, agent for Leslie Allen, part owner.

Motion by Crofton, seconded by Lockley to approve item 10. Motion carried 5-0.

RE-ZONINGS:

Item 11

Approve (unanimous) consideration of a request to re-zone lots 6, 7, 8, 9 & 10, Block 5, Unit 1 West, St. George Island, Franklin County, Florida from C-2 Commercial Business to C-4 Commercial Mixed Use/Residential. Request submitted by Nita Molsbee, agent for Water Management Services, Inc, applicant.

Motion by Putnal, seconded by Crofton to authorize the scheduling of a public hearing for Item 11. Motion carried 5-0.

LAND USE CHANGES:

Item 12

Denied (unanimous) consideration of a request to re-zone a 10 acre parcel lying in Section 11, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida from A-2 Forestry Agriculture to R-1 Single Family Residential and Small Scale Land Use Change from Agriculture to Residential. Request submitted by Bobby Cresap, applicant.

Motion by Putnal, seconded by Crofton to Table and have Attorney Shuler review Item 12 and forward recommendation to the Board at the next meeting. Motion carried 5-0.

SKETCH PLAT APPROVAL:

Item 13

Denied (unanimous) consideration of a request for Sketch Plat approval of a 10 lot subdivision named "New River Pines" on a 18.77 acre parcel lying in Section 11, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. Request submitted by Bobby Cresap, applicant.

Motion by Putnal, seconded by Crofton to table and have Attorney Shuler review Item 13 and forward recommendation to the Board at the next meeting. Motion carried 5-0.

FINAL PLAT APPROVAL:

Item 14

Approve (unanimous) consideration of a request for Final Plat approval of a 9 lots subdivision named "Rio Nuevo Estates" a 10 acre parcel lying in Section 13, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. Request submitted by Alvin Morris, applicant.

Motion by Putnal, seconded by Crofton to to approve Item 14. Motion carried 5-0.

Board of Adjustment Report

Item 1

Approve a request for a variance to construct an addition to an existing dwelling 10 feet into the Critical Habitat Zone and 5 feet into the side setback line on property described as Lot 81, Holiday Beach, Unit 1, Alligator Point as requested by Eugene and Rebekah Rivers, owners.

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

Item 2

Deny a request for a variance to construct a single family dwelling 1 ½ feet into both side lot lines on property described as Lot 67, Holiday Beach, Unit One, Alligator Point as requested by Edwin and Lydia Lott, owner.

Motion by Mosconis, seconded by Crofton to approval the denial. Motion carried 5-0.

Department Supervisor Report - Continued

Marcia Johnson - Clerk of Court

Informed the Board that at a meeting that included herself, the Sheriff and his staff, and Attorney Shuler, it was decided that the Sheriff would continue with the current inmate medical program and continue to explore other options; requested Board approval to renew the inmate catastrophic medical insurance which has increased from \$.81 per day per inmate to \$.84 per day per inmate and has been reviewed by the Finance Officer. Informed the Board that it was time to send out letters to all elected officials and department supervisors to submit their tentative budget on or before June 1; discussed the format of the letter which, last year, included a request for written justification for any increases and that specific items to be purchased or expenses to be paid listed for each line item along with an explanation of the necessity for those items; Board discussed limited available funds in the next budget and agreed with Ms Johnson's request; gave an update on Weems Memorial Hospital spending; Ron Wolff, interim administrator, also updated the Board on anticipated refunds from Medicare and Medicaid; Board discussed Blackhawks start date to manage the hospital and interviewing other companies to manage the hospital on a long term basis; discussed the updates to the County's drug and alcohol testing policy and requested Board action to adopt the revised policy;

Motion by Lockley, seconded by Crofton to authorize renewal of the inmate catastrophic medical insurance with the slight increase. Motion carried 5-0.

Motion by Lockley, seconded by Putnal, to adopt the revised drug and alcohol policy. Motion carried 5-0.

Motion by Mosconis, seconded by Lockley to have a workshop with Sacred Heart regarding the management of Weems Memorial Hospital. Motion carried 5-0.

Alan Pierce - Director of Administrative Services

Item 1

Old Business from last meeting- Board action to reject the bid from C.W. Roberts to build a bike path from the city limits to D.W. Wilson sports complex. The bid was for approximately \$440,000. The grant was for \$150,000. The project will be re-bid at the same time as the Lake Morality and C-30A projects in hopes that the cost will come down. Bids for all three projects are set to be opened April 18. Board action.

Motion by Putnal, seconded by Crofton to reject the bid from CW Roberts and start the re-bid process. Motion carried 5-0.

Item 2

Inform Board that the Franklin County Tourist Development Council has informed the county that it will be accepting proposals from the county and the cities for infrastructure

improvement to serve the tourists. The Planning Office is working on a list with Parks and Recreation and it will be submitted to the Board for its review in the first meeting in April.

Item 3

Introduce Mr. Doug Hattaway, Trust for Public Land, to discuss a project in Eastpoint that he has been working on. He is seeking Board support for a grant application to the Florida Communities Trust.

Doug Hattaway addressed Board and discussed proposal.

Motion by Lockley, seconded by Crofton to support the grant application to the Florida Communities Trust for the proposed project in Eastpoint. Motion carried 5-0.

Item 4

Inform Board that Mr. Terry Jangula, USACOE, has informed me that the Corps cost estimate for dredging the Eastpoint Channel has risen to \$4 million from \$2.5 million. I have passed on the cost increase to Mr. Bobby Pickels, Congressman Boyd's office

Item 5

Board action to sign the deeds for giving two lots in Carrabelle to the City of Carrabelle for their assistance in getting the deeds cleared up on Lake Morality Road. The city will use the two lots for public purposes.

Motion by Putnal, seconded by Crofton to authorize the Chairman to sign the deeds for the two lots that will be transferred to Carrabelle. Motion carried 5-0.

Item 6

Provide Board with copy of letter provided to the Gulf County Economic Development Council requesting Franklin County join in a USDA grant application for a HUB Zone/Veterans Technical Assistance.

Item 7

Board action to direct County Attorney to release letters of credit for two subdivisions that have passed road construction inspections by Preble-Rish. The subdivisions are: Riverside Phase I, and Grammercy Plantation Phase II.

Motion by Crofton, seconded by Putnal to authorize the release of the letters of credit as requested by Mr. Pierce. Motion carried 5-0.

Item 8

The Board has received notification of \$250,000 of Hurricane Dennis CDBG funds being available to Franklin County. The purpose of funds is to meet serious, urgent, community needs which pose an immediate and direct threat to the health, safety, and welfare of residents of low and moderate income. The County must submit a statement of interest by March 31, and then an application is due by April 20, 2006. I have

contacted Mr. Dave McClain and he is interested in applying on behalf of the Franklin County Seafood Industry Task Force. Board action to allow the Task Force to prepare an application on behalf of the county.

Motion by Putnal, seconded by Crofton to authorize the Task Force to prepare the application for the CDBG funds on behalf of the County. Motion carried 5-0.

Item 9

Board direction to allow Garlick Environmental to move forward with the process to abandon part of unopened Live Oak Street in Eastpoint. The portion to be abandoned is one block long and is bounded on three sides by existing residential lots. The right of way can not be extended and is not water access and all the lots touching on the Live Oak have access directly on other paved roads. Show map.

The Board took no action on this item.

Item 10

Board action to direct Mr. Shuler to contact Jason White Contractors regarding the improper use of property in Eastpoint if Mr. White has not solved the problem by the end of the week.; Rex Phipps, neighbor, discussed issue;

Motion by Mosconis, seconded by Crofton to have Attorney Shuler contact Mr. White and resolve this issue. Motion carried 5-0.

Item 11

Update on Alligator Point. I will be attending an Alligator Point Taxpayer's Assoc. meeting in April to discuss the beach renourishment project. At this time there is a known cost the Board needs to deal with, and a future unknown cost it needs to consider. A) Known cost- Board action to approve a DEP grant for the sharing of costs for the remaining engineering and design work on the beach renourishment. The total grant is \$275,000 and the county's share will not exceed \$158,895. Before the county signs the grant the Board needs to decide where its share will come from. The most likely source is the Bald Point Trust Fund. The Trust Fund has approximately \$500,000. Board discussion and action.

B)Future unknown costs- The Board should be aware that preliminary construction costs for the beach renourishment is approximately \$4 million dollars. The state is prepared to pay its share of \$2 Million. The county is thus left looking for its \$2 Million. The remaining Bald Point funds could be allocated towards this project. FEMA funds that have been received as part of reimbursement for county efforts on Hurricane Dennis could also be allocated. In order to maximize the county's FEMA reimbursement effort I recommend the Board initiate the following discussion with Mr. Steve Fling and South Shoal Development:

The Board should consider using FEMA funds to buy from Mr. Fling that part of the relocated Alligator Point road that the county does not currently own. The Board should then use FEMA funds to construct the whole road, including that part going through

South Shoal that was originally going to be built by South Shoal. The Board should then negotiate with Mr. Fling to donate back to the county all funds received from the county for the new right of way, and those funds that South Shoal would have used building the relocated Alligator Point road. The funds should be put into an Alligator Point Beach Renourishment Fund to be used only for that purpose. FEMA does not care what happens to the existing Alligator Point Right-of-Way.

The total of these three pots of money is somewhat unknown but should be around \$1 Million to \$1.25 Million. If the preliminary construction costs are accurate, the Board will be \$750,000 to \$1 Million short. The Board needs to begin to find an answer for where the shortfall will be collected. Construction funds will not be needed until after Jan. 2007, and maybe not until after the 2007 hurricane season.

Board discussion with Mr. Fling.

Ken Osborne, of Alligator Point, asked for legal opinion on use of trust fund before next Alligator Point meeting; Steve Fling addressed Mr. Pierce's recommendation; Alan Feifer asked if water resources district is included with proposed agreement with Steve Fling and also discussed lack of fire protection and possibility of water supply running out; Ken Osborne commented on water supply; Mr. Steve Fling stated to the Board that he was "open" to negotiations

Item 12

Review of the final version of the South Shoal PUD. There has been such a time delay between Board approval of the amended PUD and the county staff and South Shoal actually working out all the details that I am prepared to review the document with the Board and the public. Using the Exhibit "A" as a guide, the following changes have been agreed to by the Board and South Shoal:

A) 12 lots will be created on the western end of South Shoal. Of those 12, 8 will be for single family residential structures, and the other 4 will be built as public parking and dedicated to the public. (The property is currently zoned C-2 and could currently contain a variety of commercial uses.)

B) Addition of the Alligator Point Volunteer Fire Dept. property. The property currently contains 2 lots and will still contain 2 lots upon any necessary re-configuration due to road abandonment.

C) On the Alligator Harbor side, addition of property adjacent to the Phase II commercial area for parking and common area. Clarify where pavement will end.

D) Addition of 14 multi-family units above Phase II commercial structures. (10 above the restaurant and 4 above the general store).

E) Addition of property east of South Shoal for the construction of the second public parking lot, which upon construction will be dedicated to the county. Total number of public parking to be created is 150 spaces.

F) Initially, the developer was bound to build and dedicate to the public the relocated Alligator Point Drive, and that general language will remain, but we have inserted language in Section I that states: This ordinance is subject to modification and/or amendment if an alternative FEMA proposal for the replacement road is mutually agreeable to the county and the developer. This will allow the county to develop alternative plans as has been discussed earlier.

Ken Osborne verified that the discussed PUD was the most current copy.

Item 13

Inform the Board that the North Florida Medical Center in Eastpoint has employed a new MD, Dr. Lionel Caitlin, and the Clinic is also participating in a federally authorized prescription drug pricing program that serves people with or without insurance.

T. Michael Shuler - County Attorney

Interlocal Agreement

Attorney Shuler discussed the Interlocal agreement between Eastpoint Water and Sewer and the County

Motion by Putnal, seconded by Crofton to authorize the Chairman to sign on the Interlocal agreement. Motion carried 5-0.

Tim Turner Settlement Agreement

Attorney Shuler discussed and recommended that the Board accept the settlement agreement

Motion by Lockley, seconded by Crofton to to accept the settlement agreement regarding the Tim Turner litigation based on Attorney Shuler's recommendation. Motion carried 5-0.

Commissioner's Comments

Commissioner Sanders circulated a thank you card from Mayor Mel Kelly; discussed Legislative Day in Tallahassee; discussed the National organization of Counties discount drug program; Board asked Attorney Shuler to check on Ordinances or Florida Statutes that apply to fireworks on St. George Island

Motion by Putnal, seconded by Crofton to approve payment of expenses and mileage for Commissioners Sanders and Lockley for attending Legislative Day on March 29, 2006. Motion carried 5-0.

Toni Taranto

Mrs. Taranto stated that Item 10 on Mr. Pierce's report was almost the same as the issue she has brought before the Board recently

Keith Hardy - Deer Partner Seawall

Mr. Keith Hardy discussed the current situation of the seawall constructed by Deer Partners; Attorney Barbra Sanders, representing Deer Partners, asked the Board to schedule this issue on the agenda at the next regular meeting so that both sides of this issue could be heard

Motion by Mosconis, seconded by Putnal to table issue and place on the agenda at 9:30 AM at the next regular meeting on April 4, 2006, Motion carried 5-0.

Adjournment

There being no further business Chairman Sanders adjourned the meeting at 9:07 PM

Cheryl Sanders, Chairman FCBCC

Attest:

Marcia Johnson, Clerk of Court