

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
AUGUST 15, 2006  
5:00 PM**

**MINUTES**

**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 P.M.

**Pledge and Prayer**

There was a Prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

July 18, 2006 Special Meeting and August 1, 2006 Regular Meeting

**Motion by Crofton, seconded by Putnal, to approve the July 18, 2006 and August 1, 2006 minutes; Motion carried 5-0.**

**Payment on County Bills**

**Motion by Putnal, seconded by Crofton, to approve payment of the County Bills except for the payment to G & N Painters; Motion carried 5-0.**

**Motion by Putnal, seconded by Crofton, to approve payment for G & N Painters; Motion carried 4-0, Lockley abstained due to his interest in G & N Painters.**

**Department Supervisor Report**

**Hubert Chipman – Superintendent of Public Works**

Mr. Chipman presented the following items for discussion and/or approval:

Item 1 – Update on the boat ramps

Item 2 – Request to transfer leave time

**Motion by Putnal, seconded by Lockley, to allow voluntary transfer of leave time from department employees to department secretary; Motion carried 5-0.**

Commissioner Mosconis stated that the Board should look into the matter that there was approximately \$500,000 extra in the Road Department budget.

Commissioner Crofton and Mr. Chipman discussed the Lighthouse Point Estate Road.

**Motion by Crofton, seconded by Mosconis, to abandon the Lighthouse Road as soon as the County received the title; Motion carried 3-2, Sanders and Putnal voting Nay.**

**Van Johnson – Solid Waste Director**

Ms. Nikki Barracks presented the following items for discussion and/or approval:

Item 1 – Request to Reserve St. George Island Pavilion

**Motion by Mosconis, seconded by Crofton, approving the request of Pastor Patronis of the First United Methodist Church To reserve both pavilions on St. George Island for a summer beach party; Motion carried 5-0.**

Item 2 – Update on the Kendrick Sport Complex Lighting Project

Item 3 – Update on Franklin County Little League Football Season

Dan Tonsmeire stated that September 16 is coastal cleanup day.

**Bill Mahan**

Mr. Mahan presented the following items for discussion and/or approval:

Item 1 – FWC Red Tide Workshop Update

Item 2 – Seafood Industry Taskforce Meeting Update

**Dan Rothwell**

Mr. Rothwell presented the following items for discussion and/or approval:

**Item 1 - Carrabelle Sports Complex:**

County Engineer has staked the location of Sports Complex concession stand. Survey data has been plotted on CADD drawing for verification of stake locations.

**Item 2 - Alligator Point road patching, paving re-construction:**

Bids opened on 8/1/2006 according to Preble-Rish states the apparent low bidder is C.W. Roberts for both contracts. The patching was \$207,880.00 and the road re-construction was \$471,757.00.

**Item 3 - CR 30A beach stabilization and road shoulder protection:**

Two areas of beach and road shoulder to be designed for stabilization to meet Florida Department of Environmental Protection guidelines.

**Item 4 - Alligator Point Beach Re-nourishment:**

Have met with Florida Department of Environmental Protection (Bureau of Beaches and Coastal Systems), MRD Associates, and Alan Pierce in the field to discuss the project extents

**Item 5 - Carrabelle Sports Complex Irrigation System:**

County Engineer will request Rain Bird Corp. design sports complex irrigation system.

**Item 6 - St. George Island public parking lot:**

County Engineer to design drawing, and permit, and inspect construction of the public parking lot at St. George Island.

**Item 7 - Additional Parking at Bluff Road boat ramp:**

Work has been completed by the Road Department for the additional vehicle & trailer parking.

**Item 8 - Lighthouse Estates road acceptance:**

As directed by the BOCC, the roads to be accepted will be itemized and information from the builder will be acquired for the project.

**Sheriff Mike Mock - Discuss Inmate Medical**

Michelle Moore requested additional funds for inmate medical.

**Motion by Mosconis, seconded by Putnal, to approve \$40,000 of additional funds for inmate medical; Motion carried 5-0.**

**Commissioners' & Public Comments**

Commissioner Lockley stated that he would like District 3, the district he represents, to remain as a single member voting district. Mr. Mark Browne, a resident of District 3, expressed his objections to Commissioner Lockley's request. Attorney Shuler stated that there is a deadline to get this matter on the ballot and that he would look into the legality of this issue further.

**Motion by Lockley to keep District 3 as a single member voting district; Motion was not seconded and failed.**

**Department Supervisor Report (Continued)**

**Dewitt Polous – Mosquito Control**

Mr. Polous presented the following item for discussion and/or approval:

Item 1 – Request to transfer fulltime to Mosquito Control

**Motion by Lockley, seconded by Crofton, to transfer Mr. Polous to the Mosquito Control Department fulltime; Motion carried 5-0.**

**Public Hearing – EAR (FCBCC as Planning Agency)**

Mary Lou Short, of Planning and Zoning, stated that P&Z approved the Evaluation Appraisal Report (EAR) but also recommended 2 annual meeting dates in the future. Mr. Pierce stated the Commission will hold a 2<sup>nd</sup> Public Hearing on this matter on August 29, 2006.

Chairman Sanders opened the floor for public comments.

Jim Lycett, of the Citizens Advisory Committee, distributed copies of, and discussed a proposed draft resolution that included a timetable.

Gail Rigelmayer expressed her support for the CAC's resolution and asked the Board to adopt it.

Dan Tonsmeire, of the Riverkeepers, also supported the resolution and stated that it offered a means to an end and encouraged adoption.

Mr. Pierce stated that another forum being involved with the EAR would be a good idea because some of the issues are beyond P&Z's scope of expertise.

Westi Jo Mchaven also asked the Board to adopt the proposal.

Mr. Pierce read the proposed resolution.

**Motion by Crofton, seconded by Putnal, to adopt the resolution as read by Mr. Pierce; Motion carried 5-0.**

**Joyce Estes – Property Issue**

Ms. Estes, President of the Magnolia Bluff Homeowners Association, inquired about a request to change a single family dock to a multi-family dock. Ms. Estes stated that the lot in question was purchased for commercial use which is against the association's rules and is advertised less than an acre. Mr. Pierce stated that he is aware that "Lakes on the Bluff" is trying to develop in that location but there is no dock request before the County as this time.

**Paul Parker – Tourist Development Council**

Mr. Parker stated that the TDC found approximately \$200,000 that could be used for funding for land acquisition at 2 mile but would not be able to use these funds in future years. Mr. Parker also stated that the TDC would like a workshop with the Commission on September 19 to discuss their policies and to also discuss the need to promote Franklin County in the off-season.

**Motion by Putnal, seconded by Crofton, to hold a workshop with the TDC on September 19, at 4 PM; Motion carried 5-0.**

**Motion by Lockley, seconded by Crofton, to allocate TDC funds for the “Visit Florida” campaign; Motion carried 5-0.**

**Rex Phipps – Zoning Issue**

Mr. Rex Phipps expressed his concerns of Jason White’s continued commercial use of his residential property which is in violation of the County’s zoning code. Attorney Shuler stated that he was currently working on an agreement with Mr. White but recently received a rezoning request from Mr. White. Attorney Shuler recommended that the Commission move forward with enforcing its’ zoning code; The Board agreed. Ms Selena Phipps stated that the Board had already agreed to do this back in May.

**Bobby Miller – Dove Hunting**

Mr. Miller asked the Board to have Attorney Shuler challenge the administrative rule that prohibited hunting on Little St. George Island.

**Motion by Lockley, seconded by Crofton, directing Attorney Shuler to investigate the administrative rule from the State that prohibits hunting on Little St. George and seek some sort of possible relief; Motion carried 5-0.**

**Hospital Update**

Ms. Gayle Dodds, of the Hospital Board, Mr. Ron Wolfe, acting CEO, and John Russell, of Blackhawk, discussed recent activities at the Hospital. The 1.6 million dollars of Medicare billing and payment which should be received in about 2 weeks, and the starting of constant cash flow was discussed.

**Planning and Zoning Report (Attached to Agenda)**

Mr. Pierce presented the following items for discussion and/or approval:

**CRITICAL SHORELINE APPLICATIONS:**

Item 1 – Approved by P & Z (unanimous) – Consideration of a request to construct a Single Family Pier on Lot 23, Carrabelle River Subdivision, 352 River Road, Carrabelle, Franklin County, Florida. Has been reviewed by Franklin County and has State and Federal Permits. Request submitted by GEA, Inc, agent for Chester Krawczuk, applicant.

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

Item 2 – Approved with a Recommendation by P & Z - (6-2 Vote) – Consideration of a request to construct a Single Family Dock on Lots 2-3 Block 84, Unit 5, 423 North Sawyer Street, St. George Island, Franklin County, Florida. Has been reviewed by Franklin County and has State and Federal Permits. Request submitted by GEA, Inc, agent for Jimmy Meeks, applicant. **Recommendation was to send to the Board of**

**County Commissioners to have Michael Shuler, County Attorney, review it for legal concerns about whether the property would be considered contiguous or not and concerns about the 400 foot issue for the restroom facility.**

Dan Hartman, attorney for Jimmy Meeks, and Mr. Dan Garlick discussed this request.

Mary Lou Short, of Planning and Zoning, stated that P&Z did not think that these properties were contiguous and did not want to set a precedent.

Mr. Garlick stated that this request had met all of DEP requirements.

Jay Abbott stated that he is an adjacent property owner, did not receive any notice of this request, thinks that a restroom is required, and is opposed to this request.

Angela Troy also an adjacent property owner, expressed her opposition to this request, read a DEP rule that stated a restroom would be required, and stated that some of Mr. Meeks property was recently bought for uplands. Mason Bean, a local realtor, stated that the property Ms. Troy referred to is being taxed.

Attorney Shuler stated that the Commission has approved docks after DEP approval in the past, and a condition could be set tying the 2 properties together with approval.

Bruce Hall stated that the County was not compelled to approve a request just because it was approved by the State, and there should be a paper trial if the County was going to approve with the condition previously discussed. Attorney Shuler recommended a deed with a covenant included.

**Motion by Putnal, seconded by Crofton, to accept P&Z's recommendation to have Attorney Shuler review this request for legal concerns and forward his opinion to P&Z for their review on this request; Motion carried 5-0.**

**COMMUNICATION TOWER APPLICATION:**

Item 3 – Approved by P & Z (7-1 Vote) – Consideration of a request of a Special Exception to place a communication tower at 1903 U.S. Highway 98 West, Lots 10 and 10B, Soundings, Eastpoint, Franklin County, Florida. Request submitted by SBA Towers, Inc, agent for William and Patricia Libby, applicant.

**There was no action from the Board on this matter.**

**EVALUATION APPRAISAL REPORT (E.A.R.):**

Item 4 – Approved by P&Z (unanimous) – To submit the E.A.R. to the Board of County Commissioners as reported to the Planning and Zoning Commission by Alan Pierce for a September 1, 2006 submittal to DCA.

Item 5 – Approved by P&Z (unanimous) – Recommendation to the Board of County Commission by the Planning and Zoning Commission to have two regularly scheduled review dates for the Bi-Annual Comprehensive Plan amendments and to give advance notice to have public input.

**Item 4 and 5 were addressed during the EAR Public Hearing earlier in the meeting.**

**Advisory Board of Adjustment (Attached to Agenda)**

Mr. Pierce presented the following items for discussion and/or approval:

Item 1 – Denied by BOA - A request for a variance to construct a house five feet above the nine ft. height limit on property described as Lot 5, Block C, Unit 1, Peninsular Point, Alligator Point. Request submitted by Jim Cummins, owner.  
Richard Harper, of BOA, discussed BOA position on this matter.  
Jim Cummings, applicant, explained why this request was submitted.

**Motion by Putnal, seconded by Mosconis, to approve Item 1, contingent on the height not exceeding 46 feet; Motion carried 5-0.**

Item 2 – Denied by BOA - A request for a variance to construct a house 3.5 feet above the nine ft. height limit on property described as Lot 37, Alligator Harbor, Unit 3, Alligator Point. Request submitted by John B. Cooler, owner.

**Motion by Putnal, seconded by Crofton, to approve Item 2, contingent on the height not exceeding 46 feet; Motion carried 5-0.**

Item 3 – Approved by BOA - A request for a Special Exception to cluster 19 lots on 19.8 acres on property described as lying in Section 35, Township 7 South, Range 5 West, between Eastpoint and Carrabelle. Request submitted by Garlick Environmental Associates, Inc., agent for Shell Bay Development Corp., owner.  
Uta Hardy voiced her opposition on this request.

**Motion by Putnal, seconded by Crofton, to approve Item 3; Motion carried 5-0.**

**Department Supervisor Report (Continued)**

**Marcia Johnson – Clerk of Court**

Mrs. Johnson presented the following items for discussion and/or approval:

Item 1 – Update on Hospital Revenues and Expenditures

**Alan Pierce – Director of Administrative Services**

Item 1 – The Florida Communities Trust Governing Board is scheduled to meet Sept. 14-15 in Tallahassee to consider grant applications. Franklin County submitted a grant application with the assistance of the Trust for Public Lands to purchase part of the Sportsman Lodge property. Doug Hattaway, executive director of the TPL, is requesting that a representative of the Board attend the Sept. meeting and make a brief presentation. It is suggested that the Chairman attend, and then if she can't, have Commissioner Crofton, whose district the project is in.

Item 2 – Board action to approve a Resolution of Appreciation to Ms. Mary Lou Short for her years of service as Planning and Zoning Commission Chairman.

**Motion by Putnal, seconded by Crofton, to approve the Resolution for Ms. Mary Lou Short; Motion carried 5-0.**

Item 3 – Board action to request Progress Energy turn off at a utility light at 448 E. Gorrie Drive and 333 E. Gorrie Drive because of continuing problems with sea turtle disorientations in this area.

**Motion by Crofton, seconded by Mosconis, to request Progress Energy to turn off the utility light as requested; Motion carried 5-0.**

Item 4 – Board action to approve the purchase of a truck for \$20,770.00 for Mr. Dan Rothwell, County Engineer, off of the state bid list, and using funds in this year's budget.

**Motion by Mosconis, seconded by Crofton, to approve purchase of the Truck for the County Engineer; Motion carried 5-0.**

Item 5 – Ms. Dianne Scholtz verbally assured me that the Governor's Office was working on the \$300,000 loan as we speak, and that the closing should take place at the end of the next week.

Item 6 – Board action to transfer the remaining funds of this fiscal year from the Health Council to the Hospital Board so that it will have funds available until the new budget year starts in October.

**Motion by Mosconis, seconded by Lockley, to transfer the funds as requested; Motion carried 5-0.**

Item 7 – Board action on sketch plat for Bobbie Cressup. The Planning and Zoning Commission approved the sketch plat in May.

**Motion by Mosconis, seconded by Putnal, to approve the sketch plat for Bobbie Cressup; Motion carried 5-0.**

Item 8 – Inform Board that the Prescription Discount Card is being prepared. An example is attached to my report. Commissioner Lockley asked Mr. Pierce to investigate the possibility of the cards being used for inmate medical.

Item 9 – Mr. Ted Mosteller has contacted me to urge the Board to sign the FAA agreement regarding the rehabilitation of Runway 13/31. The Board has agreed to the project but evidently the FAA records are not complete. The cover letter from the FAA requests the Agreement be signed by August 28. However, the Board Attorney must also sign the Agreement so I recommend approval contingent upon Mr. Shuler reviewing the document.



**Motion by Mosconis, seconded by Lockley, to authorize the Chairman's signature on the FAA agreement, contingent on Attorney Shuler's review; Motion carried 5-0.**

Item 10 – Mr. Bruce Ballister, ARPC, is requesting Board recommendations for the Small County Work Program. A suitable project the Board has already discussed is assisting the School Board in building an access road from SR 65 to the new school. The first step is to seek preliminary design and engineering funds for the project. Board action to request Planning Design & Environmental funds for school access road.

**Motion by Lockley, seconded by Crofton, to request PD&E funds for a school access road as discussed; Motion carried 5-0.**

**Michael Shuler – County Attorney**

Attorney Shuler presented the following items for discussion and/or approval:

Item 1 – Appraisal by September 10 Nash 2 mile property

Item 2 – Update on TDC funding for museums

Item 3 – Lucy Turner concerns on TDC policy and procedure

Item 4 – Update on Ballot Language

Item 5 – Update on St. George Island Water & Sewer rezoning request

Item 6 – Update on Noise Ordinance

Item 7 – Hospital – GE working on cost reports based on 9 months instead of 12 months. GE will not complete the reports; approximately \$10,000 to \$13,000 needed to complete the reports.

**Motion by Lockley, seconded by Mosconis, to approve payment to have cost reports completed; Motion carried 5-0.**

Item 8 – Litigation regarding SHIP loan; County will assert no defense.

Item 9 – Approval needed for transportation agreement with Croom's Transportation for disaster services assistance

**Motion by Lockley, seconded by Crofton, to authorize the Chairman's signature on the Transportation Agreement with Croom's Transportation; Motion carried 5-0.**

Item 10 – Sheridan's deadline is August 23<sup>rd</sup> to comply with zoning ordinance

**Commissioners' & Public Comments**

Commissioner Sanders asked staff to contact FWC and ask them to look at plant problems at Pine Log Creek. Commissioner Sanders also talked about alternate sites for boat ramps.

Delores Roux stated that she felt she has been singled out by the Planning and Zoning Department. Mr. Pierce stated that the Corp of Engineers did look at Ms. Roux's property and had expressed some concerns but did not put these concerns in writing. Ms. Roux stated that even though the COE did not find any violations, she has been denied permits from the County's Planning and Zoning Office.

Mr. Bill Ellis said he spoke with the COE who felt there might have been a wetland violation.

Toni Taranto says that the County may be faced with a lawsuit regarding the zoning issues on this property.

Gail Rigelmayer asked if the Hospital was conducting a feasibility study for long term health solutions.

**Emergystat**

A representative of Emergystat discussed funds needed to upgrade the monitors they were currently using which was required by the State. The Board discussed expending the funds to upgrade the equipment in old ambulances. Mr. Pierce and the Emergystat representative discussed grants that were in the works for new ambulances.

**Adjourn**

There being no further business Chairman Sanders adjourned the meeting at 9:06 PM.

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Cheryl Sanders, Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Courts