

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
MARCH 15, 2005  
5:00 P.M.**

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

**5:00 P.M.** Chairman Sanders called the meeting to order.

(Tape 1-39) Commissioner Putnal made a **motion to approve the minutes.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-42) Commissioner Crofton made a **motion to pay the County bills.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

(Tape 1-60) Presentation of Juvenile Justice Week Proclamation for adoption. Juvenile Justice Week is March 20, 2005 through March 26, 2005. Commissioner Mosconis made a **motion authorizing the Chairman's signature on this proclamation.** Commissioner Lockley seconded. All for. **MOTION CARRIED.**

(Tape 1-93) Presentation of AHS Resolution of Appreciation for the AHS Basketball team. Members of the team were present and introduced themselves to the Board and the audience. Commissioner Lockley said he would take the Resolution and formally present it to the rest of the team at the Sports Banquet scheduled for Saturday night. Commissioner Mosconis made a **motion authorizing the Chairman's signature on this resolution.** Commissioner Lockley seconded. All for. **MOTION CARRIED.**

**CONSENT AGENDA**

(Tape 1-198) Mosconis motion approval of Consent Agenda. Jim Waddell, representing the Waddell Family property said he and his family had some concerns regarding Item 1 on the P&Z Commission Agenda concerning the final plat of "River Crest", a 14-lot subdivision on Bay City Road, north of Apalachicola. He said their questions concerned the survey, legal descriptions, etc. He stated members of his family would like to suggest that Mr. Shuler himself satisfy all of their concerns regarding the legal descriptions before he gives the final approval to this plat. Toni Taranto, a resident near the proposed development, said she too had the same objections. She asked the Board to schedule a Public Hearing so everyone concerned could come and speak their minds. Commissioner Mosconis said he thought the property owners would have to settle the problem. He said he would make a **motion recommending the delay of approving the Final Plat for "River Crest", a 14-lot subdivision on Bay City Road, north of Apalachicola.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

**LARRY BROWN-ASSISTANT ROAD SUPERINTENDENT**

(Tape 1-399) Larry Brown, Assistant Road Superintendent, nothing to report to Board.

(Tape 1-401) Chairman Sanders informed everyone Mr. Chipman, Director of Public Works, is with his wife in Colorado. She said his wife was in a terrible accident.

(Tape 1-412) Chairman Sanders said she and the residents along CR 370 Alligator Point-Pine Street-would like the speed limit lowered from 55 MPH to 35 MPH. Mr. Brown explained the FDOT would have to conduct a study on the traffic situation there. Mr. Pierce said the County Engineer normally does these studies. Commissioner Putnal made a **motion authorizing a traffic study be conducted by FDOT along CR 370-Alligator Point-Pine Street to determine if the speed limit needs to be lowered from 55 MPH to 35 MPH.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-463) Commissioner Putnal asked Mr. Brown if the Road Department was having trouble getting lime rock. Mr. Brown replied it is hard to get lime rock because of all of the rain, but he can still get it.

(Tape 1-491) Alan Pierce, Director of Administrative Services, asked the Board for direction on letting the Alligator Point Water Resources District cut several county roads on Alligator Point to install some infrastructure. He explained the AP W&S District needs to get permission for their contractor to cut County Road 370 in 2 areas and Carousel Terrace in 5 areas. The Commissioners instructed Mr. Pierce to direct the County Engineer and a member of the Public Works Department to go to the area to look at the site. The Commissioners agreed the County did not want any roads cut, but preferred the road be "cut and bored" and instructed them to inform the AP W&S District of this fact.

(Tape 1-529) Mr. Brown said a Doug Kirtley called him about some lime rock and other work he wants done on TiTi Street in Gulf Terrace. He asked the Board what he was supposed to do about this. Mr. Pierce said this was the person he mentioned at the March 1<sup>st</sup> meeting who wants to open a part of TiTi Street himself rather than paying the County for the materials, etc. He stated the previous action regarding such matters was for the individual to purchase the materials and then have the County put them on the road. Mr. Pierce said, at the March 1<sup>st</sup> meeting, he was asked to have Mr. Kirtley to contact the Board so he could present his request to the Board. He stated he has not done this and would take care of it as soon as possible.

**VAN JOHNSON**

(Tape 1-543) Mr. Johnson presented the Annual Full Cost Solid Waste Management Report to the Board for the Chairman's signature. The report detailed the full costs incurred by Franklin County for the Solid Waste Management Services provided to the public during FY 2003-2004. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Annual Full Cost Solid Waste Management Report for Fiscal Year 2003-2004.** Commissioner Lockley seconded. All for. **MOTION CARRIED.**

(Tape 1-577) He informed the Board of the following: The Landfill Permit Renewal Application is in the process of being reviewed by DEP. Included in the application is a proposal to expand the current Class III disposal area. Should the State approve the application, the expanded area will handle 400,000 cubic yards of compacted waste, which will extend the active life of the Landfill by 22.8 years.

(Tape 1-627) He announced the Annual Day of Baseball was scheduled for April 9, 2005 at the D. W. Wilson Sports Complex in Apalachicola. He invited all of the Board members to be at the park at 8:30 a.m. that morning for dedication ceremony.

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 1-670) The following is Mr. Pierce's report-requests presented to the FCBCC on March 15, 2005:

(Tape 1-671) Presented 2 drainage Easement Deeds from Mary Lou Kathe, Drainage Easement A and Charles F. and Patricia A. Kelley, Drainage Easement B for the Lanark Village CDBG project.

(Tape 1-676) Asked the Board if they had any special instructions to be included in the new Budget Request Packages for FY 2005-2006 being sent to the Constitutional Officers and other entities being funded through the County Budget. The Board told Mr. Pierce there were not but to remember to hold to their budget requests and to remember to hold their budgets to the "bare minimum".

(Tape 1-693) Presented a letter from the City of Apalachicola requesting the County not to change any of the paving projects in the City of Apalachicola they have already listed on their paving list. The Board agreed to leave the list as is. Commissioner Lockley said he would agree to provide the paving in the City of Apalachicola as decided earlier.

(Tape 1-781) Asked the County Attorney to cancel the Letter of Credit the County required from the developers of the "Sound Breeze" Subdivision for the purpose of the County acquiring the roads in the subdivision. The County Engineer has approved the roads. Commissioner Putnal made a **motion directing the County Attorney to cancel the LOC regarding the "Sound Breeze" Subdivision.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-797) Informed Board FDOT will be advertising the bid to pave from the base of the SGI Bridge to the intersection of Franklin Blvd. FDOT called to say they would have no objection to the County paying the FDOT Contractor to pave outside the FDOT right of way on East Gulf Beach Drive while the contractor is on the Island. This will take care of the worst section of road on the island without costing the County for mobilization charges. FDOT Grants-County Incentives grant requests will be resubmitted to pave Lake Morality Road and to possibly stripe the Alligator Point road.

(Tape 1-832) Informed the Board the Sheriff has requested that a small amount of paving be done behind the County Jail located on SR 65 while C. W. Roberts Contracting, Inc. is

paving the road in front of the jail, SR 65. Commissioner Mosconis instructed the County Road Dept. to prep the area and then the Board will pave it. Commissioner Putnal made a **motion authorizing a Change Order to the County Paving Program to include the paying of this small area behind the County Jail.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-909) In consideration for developing a storm water plan for the SGI business district, it will be extremely helpful if the County had access to the retention ponds in Franklin Blvd. Board action to direct Preble-Rish Engineers to research whether the County can utilize the drainage basins if FDOT owns them, or whether it would be better for the County to acquire the basins and thus Franklin Blvd. would be given to the County from the State. Does the Board want to go ahead with acquiring the road from the State? The Board instructed Mr. Pierce to contact Preble-Rish and so they could pursue FDOT approval of this project.

(Tape 1-963) Provided Board with copy of the road tests done in St. James Bay. These roads are public and the tests indicate the roads meet the County Road Standards. No action is needed.

(Tape 1-970) Requested Chairman's signature on the following grants: An Emergency Management Preparedness Act Base Grant-\$22,414.00, which helps fund the EOC Office. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the EMPA Base Grant-\$22,414.00.** Commissioner Putnal seconded. All for. **MOTION CARRIED.** Butch Baker, EOC Director said he needs the County Extension Director Bill Mahan's Office at the EOC Center located beside the local airport. The Board suggested moving Mr. Mahan and his secretary back to the Courthouse up to 3<sup>rd</sup> floor. The Seafood Lab and the researcher employed there could be moved back into the trailer at the airport they were originally housed in. The Board instructed Mr. Baker to get the other 2 parties together to solve this problem. Chairman Sanders wants EOC ready for June 1<sup>st</sup>-Hurricane Season. Mr. Baker replied to do this he needs these other offices.

(Tape 1-1108) A Joint Participation Agreement with FDOT for the purchase of a brush cutter and weed killer spray unit for airport in the amount of \$16,000.00 and there is no local match. Based on last night's meeting of the Apalachicola Airport Advisory Committee, the County has an obligation to run the airport by FDOT standards if the County accepts FDOT funds, and has to pay the money back to FDOT if it is not run according to FDOT standards. This particular grant is not that significant, but the Board needs to be aware these grants for the airport do have to meet certain FDOT requirements. Commissioner Mosconis made a **motion authorizing the Chairman's signature on this FDOT JPA in the amount of \$16,000.00 to purchase a brush cutter and weed killer spraying unit for the airport.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-1153) A FDOT Joint Participation Agreement for additional security fencing at the airport. The JPA is in the amount of \$24,000.00 and there is no local match.

Commissioner Mosconis made a motion authorizing the Chairman's signature on this FDOT JPA in the amount of \$24,000.00 to purchase additional security fencing at the airport. Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-1173) A FEMA Grant to reimburse the County for the County funds already spent designing the Lanark Village Drainage Project. The grant is in the amount of \$12,940.00. There is a local match, but the County has already paid it. Commissioner Lockley made a motion authorizing the Chairman's signature on a FEMA Grant in the amount of \$12, 940.00 to reimburse the County for money already expended on the LV Drainage Project. Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-1179) Informed the Board he has received a letter from the Department of Health indicating the County was awarded a grant in the amount of \$3,782.25 for improving pre-hospital emergency medical services, which is essentially the ambulance service.

(Tape 1-1189) Informed Board the County has been given approval to work on the road to the Bluff Road Boat Ramp, although no reimbursement can occur for expenses that occur before a lease is signed. However, the County can go out with manpower and equipment and begin the work.

(Tape 1-1197) Last week he attended a meeting with Grady Leavins, Rick Marcum, and Steve Otwell regarding funding for the proposed seafood analytical lab at the airport. The meeting was interesting, but no definite funding was secured to assist in buying equipment. He recommended the Board contact Billy Buzzett-the Northwest Florida Foundation regarding their support for this lab, which is a major step in protecting the seafood produce coming out of the Apalachicola Bay and the northern Gulf of Mexico. Commissioner Mosconis made a motion authorizing Mr. Pierce to contact Billy Buzzett-the Northwest Florida Foundation regarding funding for this seafood analytical lab at the airport. Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-1234) Board action to fill one seat on the BOA as an alternate. Joe Hambrose, Alligator Point, has volunteered and Paul Rigelsmeyer, SGI, was also interested. The Chairman would like to replace her representative from Lanark Village, Edna Hancock, on the P&Z Commission with Roy McCloud. Commissioner Mosconis made a motion appointing Joe Hambrose to an alternate position on the BOA and appointing Roy McCloud to the P&Z Commission to replace Edna Hancock. Commissioner Putnal seconded. All for. **MOTION CARRIED.**

(Tape 1-1318) Approval of the final plat for Resort Village contingent on the County Attorney's review. Resort Village is now a residential development and this plat reflects the development agreed to by the developer several months ago. Commissioner Crofton made a motion approving the final plat of "Resort Village" contingent on the County Attorney's review. Commissioner Mosconis seconded. All for. **MOTION CARRIED.**

(Tape 1-1337) The Board has scheduled a comp plan adoption hearing for April 5<sup>th</sup>, but the time has not been set. Recommendation to have the hearing after the morning Board meeting at 1:00 EST. The Board agreed with this time.

(Tape 1-1401) P&Z Commission items Mr. Pierce would like to mention separately:

- A. C-5 Zoning: The P&Z Commission would like some suggestions for improving the C-5 Zoning he submitted, but no action was taken. Several of the interested parties were not at the Commission meeting. At this time, he would continue to work on things, but he has not prepared a draft recommendation the P&Z Commission would like to formally present to the Board.
- B. Cornerstone Development in Eastpoint received approval from the P&Z Commission to move forward as a PUD. While the project is not going to change in size or scale, he has since advised the developer and the Commission that another approach needs to be followed if the project is going to be approved consistent with County regulations. Instead of a PUD, the project needs to move forward as a small-scale land use change on ten acres going from commercial to residential. The remaining 2.5 acres will stay zoned commercial, C-4. The residential land will convert to R-7. Board action to allow the developer to follow this procedure, which is consistent with his advice and with the County's rules. The P&Z Commission recommends using the proper procedure. The action today would be to allow for the correct advertising of the project for a public hearing. Commissioner Lockley made a **motion authorizing Mr. Pierce to schedule a public hearing to consider this matter.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-1600) Mr. Pierce interrupted his report for the opening of bids for the Airport Security Fencing and Gates project.

#### **BIDS-FENCING & GATES-APALACHICOLA MUNICIPAL AIRPORT**

(Tape 1-1600) The following bids were opened for the advertised project-Security Fencing and Gates for the Apalachicola Municipal Airport: Bradley's Automatic Gates, Atlanta, Georgia \$96,018.00; American Imperial Fence, Inc. \$77,987.00. Commissioner Putnal made a **motion to submit these bids to the Grants Administrator, Rich Reeves, and members of the AAAC for recommendation and approval.** Commissioner Crofton seconded. All for. **MOTION CARRIED.** Rich Reeves, Grants Administrator; Ted Mosteller, and Dan Garlick, AAAC will review the bids and come back later in the meeting with a recommendation.

#### **ALAN PIERCE-CONTINUED**

(Tape 1-1609) C. At this time there is only one Urban Service Area in the County, and that is in Eastpoint. The benefits to being considered an Urban Service Area is the higher density in the comp plan can only be applied in Urban Service Areas. In 1991, when the County adopted its first comp plan, the only areas outside the city limits of Carrabelle or Apalachicola, which provided sewer and water was Eastpoint, and this is why it was the only area identified as an Urban Service Area. Since then, the City of Apalachicola is

providing sewer and water west of Apalachicola and the City of Carrabelle is providing sewer and water outside of its boundaries. Carrabelle appears to be interested in annexing most land around it that receives water and sewer so creating a County Urban Service Area around Carrabelle has no impact. However, west of Apalachicola, and specifically north of US 98 there are areas suitable for higher densities, and the designation of Urban Service Area would have meaning because these areas are not contiguous to the city limits. The P&Z Commission recommends creating an Urban Service Area west of Apalachicola on the north side of US 98 from the city limits to the new Airport Road. Any development in this area would still have to request a rezoning, but it would make this area eligible for higher densities. Commissioner Mosconis made a **motion to add this Urban Service Area designation to these areas Mr. Pierce mentioned and to make sure this is in the new comp plan.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

D. The P&Z Commission has recommended approval of all of the allotment of small-scale land use changes the County can make for 2005. By statute, the County can only consider 80-acres a year in small-scale amendments, which are amendments to the land use map for parcels 10-acres or smaller. The Board will be hearing these recommendations over the next few months at public hearings. So by June, all of the public hearings will have been held for small-scale land use proposals. The County has never used up its allotment so early in the year, and this is partly due to the fact no small-scale developer wants to get mixed up in the larger comp plan update. At this point, the Commission recommends the Planning Department time stamp the requests as they come in, fully acknowledging no more can be heard until January, 2006.

(Tape 1-1822) Board discussion of citizen initiatives for changes to the proposed Comp Plan. He has received from Dave McClain, representing the Citizens Initiative Group, a packet of proposals for additional changes to the proposed Comp Plan. Mr. Pierce would like to discuss several that he feels are significant as they relate to land development regulations. Mr. McClain has several that he would like to discuss. These are wetland setbacks, density issues, and the St. James Island Overlay, as he needed direction on policy included in Comp Plan. The County requires the setback requirement of 50-feet. They want it increased to 150-feet. There is no State law requiring any size in setbacks. Commissioner Mosconis said the County has already exceeded State requirements. He asked for Board direction on whether to include any of these policies in the proposed plan, but all of them require the Board's understanding if they are going to be included in the new comp plan. Commissioner Mosconis said he thought these changes should not be included in the new comp plan.

(Tape 1-1868) Mr. Pierce interrupted his report for Steve Watkins' scheduled time on the agenda.

**STEVE WATKINS-REQUEST FOR PH ON ROAD ABANDONMENT-CGJ**

(Tape 1-1870) Mr. Watkins presented his request for the Board to authorize the scheduling of a public hearing regarding the abandonment of Club Court in Lanark Village. Mr. Watkins is representing "Ocean Mist LLC". Chairman Sanders asked Mr. Watkins to get with the adjoining property owners to settle any issues they might have before the public hearing. Commissioner Lockley **motion authorizing Mr. Pierce to schedule a public hearing to consider the abandonment of Club Court in Lanark Village as requested by Attorney Steve Watkins, Ocean Mist LLC.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

**ALAN PIERCE-CONTINUED**

(Tape 1-1950) Pierce continued with his discussion about the Citizens Initiative Group's requests they would like to see made part of the new comp plan. They want a 150-foot set back requirement in the new comp plan. Mr. Pierce recommends no change. The County Attorney, Michael Shuler, recommends the Board not adopt 150-foot setback rule. Commissioner Lockley made a **motion to keep the 50-foot setback requirement in the Comp Plan and not increase it to 150-feet.** Commissioner Mosconis seconded. **THE FOLLOWING DISCUSSION WAS HELD AND THE FOLLOWING NOTES WERE MADE:** Dan Tonsmiere says the 150-foot is only for new development and unplatted land that will have to come to the Board for land use change, and it will have no effect on current platted lands. Tonsmiere said that on new developments of unplatted land, if someone comes in for a land use change from, example Agricultural to Residential, then the Board could decide when the public hearings are held. He said 50-foot is not enough for storm water needs. Mosconis asked how many counties in the state have 85% of the property in it owned by the State. George Mahr, resident of Franklin County, is against changing the 50-foot buffer. Roger Bybee, Carrabelle, commented that 50-foot is good, and there has been routine issuance of variances changing the 50-foot. Mosconis said there are special areas with special site-specific cases. Mr. Bybee agreed. The Chairman called for a vote. Dave McClain, Citizen's Initiative, stated he had individual concerns regarding future and current policy. The input provided by this group was delivered March 4<sup>th</sup> to Mr. Pierce. He feels these all need to be in one document or one package for submission. Vote on 50-foot setback. All for. **MOTION CARRIED.** #2- The matter of clustering came up. County policy on density allocation is if a person has 10-acres, of which 5 is uplands and 5 is wetlands, the development has to be on the 5-acres of uplands, and can be no more than 10 houses on 10-acres. Mosconis said they still have to go through the health department to get proper sewage disposal regardless of clustering, and the County has no way to stop the State and what it allows. Per the Citizen's Initiative request, a 1-acre lot would have 1 house. To them, it would be net acreage on development versus gross acreage after wetlands, variance, and setbacks. Mr. Pierce said he would continue this discussion after Mr. Mosteller, AAAC Chairman of the Airport, finishes his discussion with the Board. He said he would continue with Item #3 on the Citizens Initiative Group's list-the St. James Island Overlay as an appendix or part of the plan.



**TED MOSTELLER-AAAC CHAIRMAN-AIRPORT ISSUES**

(Tape 1-2888) Commissioner Mosconis brought up the resolution from the last meeting on the 5,000-foot extension of the runway. He mentioned rescinding the resolution and allowing the attorney and Mr. Mosteller to prepare a new one. Chairman Sanders said she asked Mr. Mosteller if Mr. Shuler had seen it and he told her the attorney did review the resolution, but after asking Mr. Shuler, she was told he had not reviewed the document. Commissioner Mosconis said he made the motion at the March 1<sup>st</sup> meeting adopting the resolution and he would make a **motion to rescind his motion made on March 1<sup>st</sup> authorizing the Chairman's signature on the Airport Resolution.**

Commissioner Lockley seconded. All for. **MOTION CARRIED.** The resolution is no longer applicable and it is not to be used by Mr. Mosteller. Commissioner Mosconis directed Mosteller to get with the County Attorney on approving any type of proposal, resolution, etc. he brings to the Board concerning the airport. Commissioner Mosconis made a **motion instructing Mr. Mosteller to have anything concerning airport business the Board would need to take any action on be reviewed and approved by the County Attorney.** Commissioner Lockley seconded. All for. **MOTION CARRIED.** Commissioner Lockley said he would make a **motion, to clear the record, that the FCBCC has not approved a 5,000-foot runway extension at the airport.** Commissioner Mosconis seconded. Chairman Sanders, Commissioners Lockley, Mosconis and Putnal for. Commissioner Crofton against. 4-1 **MOTION CARRIED.** Commissioner Mosconis said he wanted to make it very clear the 5,000 foot runway extension is "off of table".

(Tape 1-3144) Mr. Mosteller updated the Board on the 3/14/05 workshop held at this annex regarding Airport issues. The consensus was to take the runway extension out of the plans. Billy Padgett, Airport area resident, said they took a vote as to who wanted the extension or not and it was 100% against extension. Mr. Mosteller said he thought this statement was incorrect. Ms. Padgett became upset at Mr. Mosteller, and Chairman Sanders informed Mr. Mosteller he was not to be confrontational or argumentative with the public in the audience.

(Tape 1-3349) Mr. Mosteller said he would like to inform the Board the bids for the fencing and gate at the airport had been reviewed. American Imperial Fence, Inc. had the lowest and best bid. The recommendation was to accept this bid contingent on some negotiations with American Imperial Fence, Inc. representatives about reducing the bid amount. The bid of \$77,987.00 was still over budget. Commissioner Putnal made a **motion to accept the recommendation to accept American Imperial Fence, Inc.'s bid for the Security Fencing and Gate Project at the Apalachicola Municipal Airport in the amount of \$77,987.00 contingent on negotiations with the company to reduce the costs of the project.** Crofton seconded. All for. **MOTION CARRIED.**

(Tape 1-3436 Continued on Tape 2) James Stokes, a resident of Franklin County, spoke to the Board regarding airport issues. He said he was impressed with the presentation given by Mr. Mosteller. However, after purchasing a copy of the County's Budget for FY 2004-2005 and discovering the budget for the airport totaled \$800,000.00, plus or minus, from grants-expenditures and receiving \$15,700.00 rental and interest not

including the grant from FDOT. He cautioned the Board there was no such thing as free money. He said that from every dollar the County accepts from these grants, they lose \$10.00 worth of control and rights of Commission votes. He personally thinks the best thing to happen to this airport would be for the license to be revoked and to join in with Gulf County or have St. Joe donate land to build a regional airport. He felt this would benefit both counties and cause less problems and lessen costs. He reported Bay County is doing this now with land donated by St. Joe. He was told if the license were revoked, the County would have to pay back these grants. He questioned this. He thanked the Board again for their time and for having a meeting at night.

(Tape 2-53) Earl Creamer, Apalachicola resident, owns property on Bluff Road. He said he doesn't want or need airplanes flying over his house.

(Tape 2-79) Bobby Miller asked if anything else is coming up in this meeting or any subsequent meetings about this airport. He stated he, as well as the other members of the audience who live around the airport, did not want to leave if anything else about the airport or it's expansion was going to be decided after they left the meeting. The Board assured Mr. Miller they would not.

(Tape 2-102) Mosconis said the Board didn't have any initiative going on at the airport. He assured everyone this issue was a "dead" issue. The runway extension and the development was "off the table".

(Tape 2-128) William Scott asked if the extension and the proposed ordinance was going to be discussed ever again. The Board said they would instruct Mr. Pierce to monitor the airport. Mr. Pierce said he tried not to influence any decision made by the Apalachicola Airport Advisory Committee. Mr. Scott said the general consensus wanted the airport kept a "little" airport and there will be no complaints. Crofton agreed this was the consensus. He said the AAAC inherited this extension. Mosconis said the adjacent property owners were not interested in selling their property for the airport. He said again this is a "dead issue".

(Tape 2-218) Mr. Stokes again asked about the Airport Budget-\$900,000.00, and who would be monitoring the expenditures of this budget. Commissioner Lockley said he would make a **motion directing Alan Pierce as the person "in control" of monitoring the airport and any future development there.** Commissioner Mosconis seconded. All for. **MOTION CARRIED.** Mr. Stokes asked about the Industrial Park at the airport and when it was going to create jobs. He suggested the Board utilize the airport as it is.

(Tape 2-300) Commissioner Mosconis assured everyone he, along with the County Attorney and Mr. Pierce would continue to monitor the airport situation.

(Tape 2-370) Chairman Sanders announced that the Clerk of Courts, Marcia Johnson, was in a mandatory training class in Orlando. She said Amelia Varnes would present Mrs. Johnson's report at this time.

**AMELIA VARNES-DEPUTY CLERK**

(Tape 2-374) Presentation of a Resolution regarding the Tax Collector continuing as a County Funded office and not a fee Office. Commissioner Lockley made a **motion authorizing the Chairman's signature on this resolution.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 2-404) Presentation of the Annual Contract between Franklin County and the State of Florida DOR-CSE for the service of process in Title IV Cases. The County Attorney recommended the Board authorize the Chairman's signature on the contract subject to his approval as to the final form of the contract. Commissioner Mosconis **made a motion authorizing the Chairman to sign the Annual Contract between Franklin County and the State of Florida DOR-CSE for the service of process in Title IV Cases in Franklin County.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

(Tape 2-457) Commissioner Putnal instructed Mr. Pierce to contact the County Engineer David Kennedy regarding the construction of a Canopy type of cover for the area between the side of the Courthouse and to the Courthouse Annex. He said he felt this covering was needed especially for use by the Courthouse and Courthouse Annex employees who have to go between both buildings. Chairman Sanders said she was just thinking about this as she watched the flood of rain that was coming down at this moment. She agreed with Commissioner Putnal about the need for a covering between the two buildings. Commissioner Putnal instructed Mr. Pierce to see if he and the County Engineer could come up with a cost for this covering so the Board could consider putting the cover up. He suggested the Courthouse Maintenance Budget could be utilized. He said even if it can't be done now it could be included in the new FY Budget request. Mr. Pierce said he would try to meet with Mr. Kennedy tomorrow to discuss this matter and to see what he thought it would cost.

**THOMAS M. SHULER-COUNTY ATTORNEY**

(Tape 2-514) The County Attorney submitted a letter from Janice Hicks, Business Manager at the Franklin County Public Health Unit, regarding the use of one of the rooms at the FCPHU in Apalachicola by the Division of Children and Family Services. The contract provides the use of the room on Wednesday's of each week. They will provide their own staff. Recommended approval of the contract and permission to allow the Chairman's signature on the contract. Commissioner Lockley made a **motion authorizing the Chairman's signature on the Contract as submitted.** Commissioner Crofton seconded. All for. **MOTION CARRIED.**

(Tape 2-590) Emergency Operations Center Director Butch Baker has asked him about allowing him, representing Franklin County, to participate with Dixie County or "piggy-back" with Dixie County to use DSI Enterprises to provide grant services specifically for the EOC. The contract allows Franklin County the option to terminate the contract with a 30-day notice if the County chooses to do so for any reason. Commissioner Crofton made a **motion authorizing the Chairman's signature on this document or contract**

**allowing Franklin County EOC to participate with Dixie County in securing the services of DSI Enterprises to specifically pursue EOC Grants.** Commissioner Putnal seconded. All for. **MOTION CARRIED.**

(Tape 2-600) Informed the Board he is still working with the Fowler's family attorney, J. William Veatch, III, on the Warranty Deed the County is pursuing for the property needed to finish the DOC Project on Lake Morality Road. The deed should contain the conveyance of 800 feet, plus or minus, needed to finish the road and other projects to the new prison in Carrabelle. He is continuing to work on this deed process.

(Tape 2-643) Provided a copy of a letter he sent to Mediacom opposing the rate hike they are going to impose for cablevision in Franklin County.

(Tape 2-652) Informed the Board William Poloronis, a property owner near Melanie Lane in Apalachicola, is asking the Board to permit him to run a water line across the road. He would, at his expense, cut the pavement, place the water line down, and then fix the cut in the pavement. Commissioner Crofton said he thought any infrastructure that had to cross a paved County road should be placed underneath the road. Mr. Shuler said Mr. Poloronis agreed and, if he were allowed, he would put the line under the road. Commissioner Lockley made a **motion authorizing Mr. Shuler to inform Mr. Poloronis he could place his water line under Melanie Lane, but he shouldn't cut the road in any way.** Commissioner Mosconis seconded. All for. **MOTION CARRIED.**

(Tape 2-735) Mr. Shuler introduced the subject of Condo-Tel's, which is the condominium style ownership of hotels and motels. One appealing aspect to lenders regarding Condo-Tel's is there are multiple lenders to spread out the loan. He said the range of options is most restrictive or a much more liberal view. It is a residential use-a defacto conversion from Commercial use to Residential. The builder constructs condos with kitchens and laundry facilities, and the owners occupy them a certain amount of time each year. Mr. Shuler reported there are ways the Board could possibly put limitations on the development, and said it's a matter of commercial density versus residential density. (Tape 2-941) Pierce said he had received phone calls regarding condo usage on commercial areas versus residential areas. Pierce said hotel parking requires one parking place per room and condos require two parking places per room. Freda Moore, Carrabelle, said she thought they are talking about a zoning decision-not a usage because it is zoned for motel-hotel that would be monitored by the Hotel-Motel Association and used several times a year. Ms. Moore felt this issue goes to the basic issue of ownership, and the use is what concerns zoning and not ownership. To her, property rights are at the crux of this issue, and the number of owners shouldn't matter. She reported that on August 17, 2004, the project was approved. Mr. Shuler felt this was not ownership use of commercially zoned property. He said the Zoning Code prohibits residential use of the land, causes problems on how to finance or own, and he wants guidance from the Board. A Resort Hotel is not a condo per Ms. Moore. Pierce said there is no definition in the County rules on hotel-motel, and he needs the ability to describe the use. Commissioner Mosconis said any development Ms. Moore has been involved with in our County has been done with class, and if they want to build the

motel-hotel units like they want to, they should meet the building code, etc. Alan Pfeifer, APTPA, said this is something he ran into in Atlanta. These are short stay apartments to him. They are apartments even if they are short stay, the form of ownership is not the concern of the County, land-use is. He felt apartments and hospitality clash and before anything is finalized, the pros and cons of this form of land use needs to be researched. He said Ms. Moore might build a higher class of building, but when a new form of housing is introduced to this County, it needs to be considered very seriously. Commissioner Mosconis said Atlanta is nothing like this area. He said these people are vacationers and not people wanting to live in these apartments for a prolonged period of time. He said in Atlanta these people live in these apartments and work for Delta, etc., but these visitors would not be wanting or could afford to stay in this type of apartment. Chairman Sanders said this project would have to be monitored by the State of Florida Motel and Hotel. Commissioner Putnal said there is a "No Vacancy" on everything in Franklin County during the summer or around July 4<sup>th</sup>. Ms. Moore said she didn't have a problem with the County requiring each room to have a minimum square footage of 1,000. Mr. Pfeifer wants 2-parking spaces per unit. Ms. Moore said this was not unreasonable and she didn't have a problem with any of these requirements. She said she would provide the 1,000 square foot requirement and the 2-parking spaces per unit requirement. Ronald Smith, agrees with Mr. Pfeifer by calling them Short term apartments-motel or hotel, but time-shares to him. He said if these places were going to have multiple owners then it was a time-share unit to him. Mr. Shuler said the issue is not the ownership, but he is trying to get from the Board some guidance as to some policy as to this project. He wants the Board to decide if they want him to lean more toward the "liberal" description of this matter. He said he wouldn't recommend the Board adopt any requirements for square footage of each room or unit. He said the question was whether this was actually a commercial hotel-motel use or do they want to put in place the prohibition of a residential conversion. The units at St. James Bay are very small. They have a kitchen, etc., but they are very small-300 square feet. It would take a minimum of 500-feet-to allow 2 bedrooms, kitchen, etc. Pierce recommends 2-parking places per unit and a minimum of 500-feet square footage per unit. Chairman Sanders said she was in agreement with this development of a hotel-motel in the St. James Bay area. Mr. Shuler asked about the collection of the Tourist Tax. Commissioner Mosconis said the owners could handle that. Ms. Moore said this area was already in her land use category. Mr. Shuler said he would draft the ordinance in a more "liberal" way. He said he didn't think there should be a minimum or parking space requirements. Mr. Shuler said he would prepare the paperwork as the Board has reflected tonight. Cliff Butler, Gulf State Bank, said he realized a minimum square footage should be a requirement, and he would encourage the Board to keep the requirements so a standard hotel-motel could be built. Mr. Shuler said this matter decided tonight would govern every hotel-motel ever built in Franklin County. He suggested no minimum square footage should be included in this decision. He said the market would probably drive these developments. Commissioner Mosconis asked Mr. Shuler to "craft" this definition.

**CHAIRMAN SANDERS**

(Tape 2-2444) Chairman Sanders asked Mr. Shuler if he had sent a letter to the LV Water and Sewer District regarding Mr. Millar rescinding his resignation. Mr. Shuler replied he had and he would get a copy of the letter for the Board record.

(Tape 2-2464) She said the Board had received a copy of a letter from Colleen Castille, FDEP Secretary, regarding the Eastpoint Channel Dredging Project. The letter is dated May 6, 2003 and was sent to Mr. Pierce from Jamie Christoff, FDEP Environmental Specialist, Bureau of Beaches and Wetland Resources. She asked Mr. Pierce if he had heard anything about the Federal appropriation Congress had allotted for this project. She said she knew the US Corps of Engineers had received approximately 1.5 million dollars to complete this dredging project. She expressed her concerns that the USCOE has spent the money on another project. Mr. Pierce said he had written a letter several months ago to USCOE and sent a copy to Congressman Boyd asking the status of this project and where the funds were. He has not received any kind of reply. The Board instructed Mr. Pierce to send another letter to the USCOE, Congressman Boyd, and Senator Nelson requesting someone report to the County the status of this project; where the funding is or if it has been spent on another project, etc. Mr. Pierce said he would get right on this matter.

(Tape 2-2628) Chairman Sanders reported the Apalachicola Estuarine Reserve is having a stakeholders meeting on March 29, 2005 at 10:00 a.m. and they are requesting a representative from the Board be there at the meeting. Commissioner Mosconis has always been the representative. He said he would attend this meeting. Mr. Pierce is to notify Seth Blich and let him know Commissioner Mosconis will be at this meeting to represent the County. Mr. Pierce said he would do that.

(Tape 2-2674) Presentation of a Notice of Public Hearing from FWC scheduled for April 7, 2005 at 7:00 p.m. at the Courthouse Annex. The meeting is to discuss the Box R Wildlife Management Area and Boat Ramp, etc.

Continued discussion about Comp Plan (Tape 2-2728) Toni Taranto appeared before the board and said she was here as a spokesperson of the residences of Bay City Road. She said that in December, the board voted to allow commercial boat storage in the Commercial Zoning District as requested by Rachel Ward, P&Z Department, who asked for the approval of this allowable use of this property. She said this type of use was never intended in this type of property zoned in the R-4 District. She said she felt commercial boat storage was a nuisance in the residential areas of Franklin County. She has a petition that most of the neighbors in this area has signed stating they are totally against this boat storage area. She asked the Board to rescind the motion made on December 21, 2004 allowing this type of use in the R-4 District. She asked Mr. Pierce if he had received any telephone calls asking him to have this matter reconsidered. Mr. Pierce replied he personally had not. Travis Stanley, a resident of Franklin County, said there is no boat storage built there right now. He said that storage units were a use allowed in the R-4 Zoning District. Mrs. Taranto responded there has been paperwork submitted for approval of 33 or more boat storage units on this property. Mr. Pierce said

he did think there was a site plan for this project, but it was just in the planning process and had not been reviewed. Bill Ellis, 350 Bay City Road, across the road from this proposed project, appeared. He said his problem with this project was this was a residential area and the boat storage facility did not need to be constructed there. He said there will be a lot of lights and noise caused by this facility. He asked from what location they were going to launch the boats into the River. He said this was going to cause a lot of problems with all of these lights, noises, etc. especially at 4:00 a.m. in the morning when they get their boats from the facility to go fishing. Commissioner Mosconis said this is a family feud, and he doesn't want the County Board of Commissioners to get involved in this matter. Mrs. Taranto said this was not a family feud, and she was just a spokesperson for these people in the area. She asked Commissioner Mosconis if he had a vested interest in this project. Commissioner Mosconis replied he did not have anything of the sort with this project. Chairman Sanders said the matter would come before the Board for a final decision. She stated she was not going to allow this matter to get out of hand this night. She stated the Board was going to move forward with the meeting. No action was taken regarding her request to rescind this motion. Commissioner Mosconis said the P&Z Staff advised the Board this was an allowable use in the R-4 District. Ralph Richards, who lives across the street from the area proposed for the construction of the boat storage project, said he is adamantly against the project. Mr. Ellis suggested the people wanting to build the boat storage units should build this business next to one of the Commissioners. Chairman Sanders said this project was going to be vehemently opposed. Mr. Pierce said he didn't think a site plan was presented. He stated this type of development was allowed in the R-4 District in other areas of the County. He said there is some legitimate concerns especially about the boat launching issue. He stated he works for the Commissioners and he said the P&Z Department has not received a proper site plan for this project. He assured the public he would bring the matter to the Board's attention before anything was approved or a permit was issued to the property owners.

(Tape 3-5) Dave McClain appeared before the Board at this time. He presented his concerns about the Comp Plan and the document presented to the Board by the Citizen's Initiative Group. He encouraged the Commissioners to read this document or blue print they submitted. He said there is a two-week time period until the final adoption hearing of the Comp Plan. Mr. Pierce said he wanted to discuss these concepts in a public meeting. He stated he felt the discussion to be held on April 5<sup>th</sup> at the final adoption hearing might be confusing. Mr. Pierce asked if this document, with the integration of the Citizen's Initiative paperwork, should be disseminated after this meeting. He said the Board needs to direct him to allow this document be given out to the Commissioners and the Public. (Tape 3-240) Billy Buzzett, St. Joe, asked where the County was on the 49 objections on the ORC Report submitted to the County by the DCA. He said he knew the County was close to answering all of the objections for the State of Florida to finally accept this new Comp Plan. He asked the Board to just go ahead and "cut to the chase" and finish this Comp Plan. He said this is a huge public policy discussion that does not need to be included in an 80-page document. He stated the Citizen's Initiative Document would cause discrimination against a lot of property owners in the County. He said he felt this was a great departure from the original proposed Comp Plan. Mr. McClain said the ordinance approved for the Summer Camp Development Policy 11.13 assessment of

the general area needs to be discussed. Ken Osborne, Alligator Point Taxpayers Association President, presented a letter from the APTPA regarding alternate road access to the villages being proposed by the St. Joe Company for the Summer Camp Development as well as other requests. Commissioner Putnal said he read this report submitted to him this morning. "The County shall not put or place chemicals for Mosquito Control in this area" was in this language in the document. Ms. Freda Moore said the County has been working on this Comp Plan "forever and a day". She stated it was sent to DCA and they returned it to the County with only 49 objections. She said this was great because it was hard to get the State to agree to a Comp Plan with only 49 objections. She asked the Board to take this Comp Plan and send it back to the State. Don Ashley, St. James Island, stated the opportunity for the public to participate in these types of discussions was a "good thing". He said the public has participated in all of this Comp Plan decisions. He suggested the Board consider the input of all of the people of the County and encourage the Commissioners to make sure these suggestions are included in the revised Comp Plan document. Discussion on the proposed Comp Plan continued.

(Tape 3-2062) Mr. Shuler expressed his legal concerns with the Citizen's Initiative Document his document. He said there are broad and sweeping new policies in this document. He stated at the April 5<sup>th</sup> meeting this could probably be discussed further. Mr. Tonsmiere asked if this matter could be discussed again before April 5<sup>th</sup> at 1:00 p.m. Mr. Shuler stated he felt this document contained new information and felt if a lot of these new policies were included in the submission of the Comp Plan, DCA might send it back with even more complaints or recommendations. He said he didn't think this new document should even be included in the Comp Plan being discussed for the final adoption because it might create new language. Mr. Tonsmiere asked the County to allow some discussion between him and County staff to alleviate some of these questions. Ms. Moore said the Board was elected to represent the people of the County and the Commissioners should do what the citizens want. She said most people come to these meetings to complain, not when they are for a project. She stated there weren't a lot of people here to complain, it was just the same people over and over again. Mr. Osborne said he agreed and he did know the St. Joe Company did work with the County with their Summer Camp Development. He stated he agreed with the way the County had handled this huge development. He thanked the Board for their attention tonight.

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



**CHERYL SANDERS, CHAIRMAN**



**AMELIA VARNES, DEPUTY CLERK**