

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
TUESDAY JUNE 21, 2005
9:00 AM**

MINUTES

Commissioners Present: Cheryl Sanders – Chairman, Russell Crofton, Noah Lockley, Jimmy Mosconis

Commissioner Absent: Bevin Putnal –Vice-Chairman

Also Present: Marcia Johnson – Clerk of Courts, Mark Curenton – Assistant County Planner, T. Michael Shuler – County Attorney, Michael Morón – Deputy Clerk

Call to Order

Chairman Sanders called the meeting to order at 9:00 AM.

APPROVAL OF MINUTES

Motion by Crofton, seconded by Lockley, to approve the minutes for the May 17, 2005 Regular Meeting and the June 14, 2005 Emergency Meeting; Motion carried 4-0.

PAYMENT OF COUNTY BILLS

Motion by Crofton, seconded by Lockley, to approve the payment of the County bills as presented; Motion carried 4-0.

SHERIFF MIKE MOCK

Sheriff Mock informed the Board that his department is over budget for inmate medical care. The Board discussed this matter and Sheriff Mock stated he needed approval for \$18,500 immediately to cover current outstanding bills and at least \$40,000 more for the balance of the 2004-2005 budget year. The Board and Sheriff Mock discussed moving funds from another area in the Sheriff's budget. Ms. Ginger Coulter, Sheriff Department Finance Officer, stated that spending for the department has come to a halt. The Board asked Mrs. Johnson, Clerk of Courts, to check on the available balance in the contingency account, and asked the Sheriff to get with Mrs. Johnson after he has made adjustments to his current budget and report to the Board at the next meeting.

Motion by Mosconis, seconded by Crofton, to approve the budget amendment request of an additional \$18,500 for inmate medical care for the Sheriff Department; Motion carried 4-0.

DOROTHY INMAN-JOHNSON – COMMUNITY ACTION AGENCY OFFICE

Ms. Inman-Johnson was not in attendance.

DEPARTMENT SUPERVISOR REPORT

Mr. Hubert Chipman – Superintendent of Public Works

Mr. Chipman updated the Board on the Alligator Point Road project.

The Board directed Sheriff Mock, who was still in attendance, to make sure his department is aware of the procedures that allow the County to be reimbursed from FEMA for any storm expenses. The Sheriff stated that he is aware.

Mr. Van Johnson – Solid Waste Director

Mr. Johnson had no matters to report on.

The Board discussed having the contractor working at the airport moving the fence to allow parking at Wilson Sport Complex.

Motion by Mosconis, seconded by Lockley, to direct Mr. Curenton, Assistant County Planner, to contact the contractor working at the airport and have him move the fence to provide parking for D. W. Wilson Sport Complex; Motion carried 4-0.

Mr. Mark Curenton – Assistant County Planner

Mr. Mark Curenton reviewed his report with the Board.

Mr. Curenton discussed the letter that was sent to Tony McNeil at DEP after the special Board meeting last Tuesday informing him of what the County was doing. Mr. Curenton stated that he sent letters to all of the neighboring property owners telling them of the County's action and advising them that this emergency order covers them as well and they can construct projects to protect their property without having a DEP permit first but they do have to apply for a DEP permit after the fact, and, if DEP will not issue the permit, they will have to remove whatever they have built. Mr. Curenton also stated that he did inform the property owners that they must obtain a County permit prior to beginning construction, P & Z and BOA approval will not be required, but the applications must be clear and specific and all fees must be paid before the permit can be issued. Mr. Curenton also discussed funding sources for the project with the Board. Mr. Curenton continued his discussion and stated that he spoke to Mike Dombrowski about the next steps for the County to take to protect Alligator Drive, sent him photographs of what the Road Department has done, which according to Mr. Dombrowski, has done a good job. Mr. Dombrowski recommended that the County advertise for bids to construct the revetment and should have the plans and specifications completed and back to us by tomorrow. Mr.

Dombrowski has estimated that the revetment will cost between \$400,000 and \$500,000, which also includes repairing the existing revetment. The Board inquired about a starting date which was discussed further with Mr. Curenton.

Motion by Mosconis, seconded by Crofton, to authorize advertising for “Notice to Receive Sealed Bids” for the Alligator Point Road project; Motion carried 4-0.

Ms. Atkinson, of Alligator Point, supported the Board’s efforts to expedite the Alligator Point Road project.

Mr. Keith Sumner, of Alligator Point, expressed concerns of the actual plans of the Alligator Point Road project negatively affecting his property and seawall. The Board and Mr. Curenton discussed this issue and informed Mr. Sumner that after the plans were received and reviewed, he would receive a call from the County’s Planning and Zoning office. The Board directed Mr. Curenton to have the selected Contractor ready to mobilize within seven days.

Mr. Bill Mahan – County Extension Director

Mr. Mahan discussed the following items.

4-H/Youth Programs

4-H County Camp: Franklin County camped with 4-H’ers from Holmes, Walton, and Covington County, Alabama the week of June 6-11. We had four Councilors-In-Training and one junior camper this year. I helped teach marine science programs science programs and crafts. A total 85 five youth attended.

4-H Mock Deployment Weekend Planning – Tyndall Air Force Base: I am currently working with 4-H agents to finalize plans for a “Mock Deployment Weekend” for senior 4-H’ers at Tyndall Air Force Base on September 9-11, 2005. In addition to helping plan the program, I have been invited to help teach some of the natural resource classes. The weekend will cost \$50 and we hope to have about 200 youth from throughout the District. We hope to have the entire registration packet ready by mid-July.

Seafood Industry Programs

Leatherback TEDs: Approximately three-weeks ago I gave the last of the 30 – Leatherback TEDs away to area shrimp fishermen that I received from Dale Stephens with the NOAA Fisheries. The TEDs are valued at \$350 each. To date all of the feedback from the boat captains has been very positive, they like the new TEDs design and they work well on the “trashy bottom” in our area.

Oyster PHP Validations: The Post-Harvest-Processing Research/Extension Team has been busy running PHP validation studies on both the nitrogen immersion tunnel and blast freezing methods for oysters. The summer validation schedule includes conducting three validation trials from now through August; the tentative schedule is June 10 – July 12, July 15 – August 8 and July 15 – August 16. The samples are being run both at the Oyster Industry Lab and in Gainesville so that the different laboratory results can be compared. Plans are being made to present some of the early validation test results at the ISSC Meeting in August.

2004 Raw Oyster Consumer Survey, Draft Report: As a member of the ISSC's Vv Education Subcommittee, I received a draft copy to the 2004 Raw Oyster Consumer for review and comments. The 2004 Raw Oyster Consumer Survey was conducted for comparison with the baseline survey measures of consumers' beliefs, consumption patterns and knowledge of risks collected in 2002, before states intensified the *Vibrio vulnificus* education activities. The final report and findings will be presented at the ISSC Meeting in August.

ISSC Proposal Review: I have begun reviewing 89 proposals (328 pp.) submitted to the ISSC that will be considered during the Biennial Meeting in Point Clear, AL, August 13-19 for changes that may have significant impacts on FL's shellfish industry.

TED Workshop Planning: I am currently helping Dale Stephens (NOAA Fisheries), to plan for a new series on TED workshops for area shrimpers sometime in September or October to update the fishermen on TED regulations.

Adult Environmental Programs

Oyster Industry Lab: Charlene Burke and I are making plans to present an educational program about the Allen Boyd/Franklin County Oyster Industry Laboratory in September or October as part of the Apalachicola NERR's Guest Lecture Series.

Apalachicola NERR FL Master Naturalist Training: I have been invited as a guest speaker to teach a fisheries program as part of the FL master Naturalist (Coastal Systems) Training Program coordinated by Rosalyn Kilcolins, a the ANERR from August 5 – October 14. The program will be taught on Fridays and Saturdays. The training will focus on the plants and animals of coastal uplands, estuarine, and near shore marine habitats.

The Board asked Mr. Mahan to check on any rule changes that would affect fishing for grouper in the County.

Marcia Johnson – Clerk of Courts

Mrs. Johnson presented the following items.

Item 1 – At the last meeting the Board approved funding of \$14,374 to the Office of the State Court Administrator to install a security system in the courthouse. They now request the funds for installation be awarded to Sonitrol who has installed the system in other counties within our circuit. I need Board approval to waive the bid process since the amount exceeds \$5,000 and approval of the allocation of funding to Sonitrol at OSCA's request.

Motion by Mosconis, seconded by Crofton, to waive the bid process and authorize Sonitrol to install the security system in the Courthouse; Motion carried 4-0.

Item 2 – The State Attorney's office has requested approval to transfer funds in the amount of \$4,356 in their budget to purchase 3 computers and 4 printers. There are no new monies, just a transfer within their existing budget.

Motion by Lockley, seconded by Crofton, to approve the transfer of funds for the State Attorney's Office; Motion carried 4-0.

Item 3 – The Tax Collector has requested Board approval of his recapitulation which lists errors, insolvencies, double assessments, and discounts which are changes to the property assessment rolls as reported by the Property Appraiser. These can come about from such things as parcels being left off the rolls or homestead exemptions being challenged as well as state property being assessed in error.

Motion by Mosconis, seconded by Crofton, to approve the Tax Collector's recapitulation; Motion carried 4-0.

Item 4 – I received an inquiry about paving Beacon Street in Carrabelle Beach past the first intersection. I reported the County's paving project for this year have already been decided upon, but I would bring it to the Board's attention. There were some questions on ownership of the road; however, I was told the County does maintain the road. Does Commissioner Putnal have some information on this road? I just wanted to bring the matter to his attention since this is in his district.

The Board discussed this matter.

Mr. Mark Curenton – Assistant County Planner - Continued

Mr. Curenton stated that Mr. Steve Fling has offered to dredge out the approaches to the two County Boat ramps at Alligator Point; the one at the S-curve on Alligator Drive and the one at Sun-N-Sand Boulevard. Since these are existing public boat ramps, maintenance dredging of less than a certain amount of cubic yards is exempt from DEP permitting.

The Board discussed issuing Mr. Fling a tax credit.

Motion by Mosconis, seconded by Crofton, to authorize the County Attorney to issue Mr. Fling a tax credit; Motion carried 4-0.

Mr. Curt Blair, of the TDC, was recognized and updated the Board regarding the tourist tax. Mr. Blair's discussion included the approximately \$100,000 receipts from the tourist tax, the intent of the Tax Ordinance, the use of the funds, limitations of spending, and reimbursement plans.

The Board discussed derelict vessels in the County waters. Mr. Mahan commented on this issue and stated that he would look into this matter and report back to the Board at the next meeting.

Advisory Board of Adjustment Consent Agenda

Mr. Curenton reviewed the Consent Agenda with the Board. Attorney Shuler recommended that the Board remove items 5, 6, & 7 from the consent agenda and review those separately.

Item 1 – Approved by the ABOA – A request for a variance to construct a deck 24 feet into the Critical Habitat Zone on Lot 41A, Alligator Point Subdivision, Alligator Point, as submitted by Stephen Sheldon.

Item 2 – Denied by the ABOA – A request for a variance to construct stairs 9’6” into the setback line on Lot 46, Block 10, Unit One, St. George Island, as submitted by Daryl Odom, agent for Steve Maccharella.

Item 3 – Approved by the ABOA – A request for a variance to construct a carport 3 feet into the side setback line on Lot 5, Golden Acres, Phase II, Eastpoint as submitted by Larry Hatfield, agent for Robert Carroll.

Item 4 – Approved by the ABOA – A request for a variance to construct a swimming pool 19 feet into the front setback line on Lot 2, Block 61, Unit 5, St. George Island as submitted by Blue Water Pools, agent for Doyle and Sue Matthews.

Motion by Mosconis, seconded by Crofton, to accept the recommendation of the ABOA on Items 1-4 of the consent agenda; Motion carried 4-0.

Item 5 – Denied by the ABOA – A request for a variance to construct a building 17 feet into the front setback line on Lot 8, Block 3, Unit One East, St. George Island as submitted by Steve Talley, agent for Jeannie Wray. **Motion to approve failed on a tie vote.**

Mr. Curenton discussed Item 5 of the consent agenda with the Board. The Board asked if this item was consistent with the policy of the County. Mr. Curenton recommended approval of this item.

Motion by Mosconis, seconded by Crofton, not to accept the recommendation of the ABOA and approve Item 5 on the consent agenda; Motion carried 4-0.

Item 6 – Denied by the ABOA – A request for a variance to construct a building 7 feet into the front setback line on Lot 9 Block 3, Unit One East, St. George Island as submitted by Steve Talley, agent for Jeannie Wray. **Motion to approve failed on a tie vote.**

Mr. Curenton discussed Item 6 with the Board.

Motion by Lockley, seconded by Mosconis, not to accept the recommendation of the ABOA and Approve Item 6 on the consent agenda; Motion carried 4-0.

Item 7 - Denied by the ABOA – A request for a variance to construct a condominium unit 15 feet into the front setback line off of US Highway 98 at 83 US Highway 98 (old Seabreeze Motel site) Eastpoint as submitted by Adams Jones, agent for Diversified Executive Crestview, LLC. **Motion to approve failed on a tie vote.**

Mr. Curenton discussed Item 7 with the Board. The Board expressed concerns of this request affecting traffic on Highway 98. Mr. Curenton addressed those concerns.

Motion by Lockley, seconded by Mosconis, not to accept the recommendation of the ABOA and approve Item 7 on the consent agenda; Motion carried 4-0.

Public Hearing – Request for Lot Reconfiguration – Perkins Beach

Mr. Curenton discussed the lot configuration request at Perkins Beach.

Chairman Sanders opened the floor for public comments on the Public Hearing for a lot configuration request at Perkins Beach at 10:00 A.M. Mr. Curenton explained the request to the Board. Attorney Nicolas Yonclas was recognized and addressed the Board on this matter. The Board asked if any neighbors objected, if all legal advertising requirements were met, and discussed linear descent. Attorney Shuler addressed the Board's questions and commented on this request. There were no further comments on this matter.

Motion by Crofton, seconded by Lockley, to approve the lot configuration request at Perkins Beach; Motion carried 4-0.

Department Supervisor Report - Continued

Attorney Michael Shuler – County Attorney

Attorney Shuler discussed Dassee's recent proposed efforts to bring their account with Emergystat current with the Board.

Mrs. Gail Dodds, of the Franklin County Health Committee, informed the Board that the Health Committee met recently and decided on their top three initiatives, which are a new hospital or local health delivery system guided by a Board of Directors, increased accessibility to healthcare for the uninsured, and stabilization for the ambulance service. Ms. Dodds discussed these priorities with the Board, especially the ambulance service, which should be either bidded out or converted into a County run department. The Board discussed the Committee's recommendations.

Mrs. Johnson, the Clerk of Courts, stated that besides owing Emergystat, Dassee also owes the County. Board discussed this matter.

Attorney Shuler asked the Board to defer the discussion regarding the code enforcement draft ordinance to the next meeting since Commissioner Putnal was not at this meeting. Chairman Sanders agreed.

Attorney Shuler discussed a provision in Florida statute Chapter 20 that deals with affordable housing, that will sunset in June 30, 2005, that deals with a tax credit for affordable housing. Attorney Shuler presented a Resolution that would allow the County Commission to continue this provision for one year and recommended that the Board approve this Resolution. Mr. Billy Buzzett of the St. Joe Land Company commented on this matter, stating that approving this Resolution would encourage large property owners to donate to a local land trust and encouraged the Board to approve this Resolution.

Motion by Mosconis, seconded by Crofton, to approve and authorize the Chairman's signature on the Resolution; Motion carried 4-0.

Public Hearing – Application for Vacation of Plat – Lonely Sands

Mr. Curenton discussed this request. The Board discussed this request.

Chairman Sanders opened the floor for public comment.

There were no public comments on this matter.

Attorney Yonclas commented on this request.

Motion by Lockley, seconded by Mosconis, to approve the application for Vacation of Plat at Lonely Sands; Motion carried 4-0.

Attorney Michael Shuler – County Attorney – Continued

Attorney Shuler stated that 2 challenges were filed, with DCA, against the County's Comprehensive Plan, but Eastpoint Water and Sewer District and St. Joe Company will assist the County in defending the challenges. Board discussed this matter with Attorney Shuler further. Attorney Dan Cox, representing 'The Soundings' development project, stated that because of the challenge to the Comp Plan, he needs the Board to schedule a Public Hearing that will address certain concerns that affects his project. Attorney Shuler recommended that the Board schedule this public hearing.

Motion by Mosconis, seconded by Crofton, to authorize the scheduling of the Public Hearing for 'The Soundings' project; Motion carried 5-0.

Attorney Shuler discussed the Southland zoning issue, as he was requested to at the last meeting, stating that Mr. Maxwell thought the problem that was brought before the Board was a neighborhood issue and was not going to seek a zoning change. Attorney Shuler stated that he didn't think that the Board should get involved with this matter. The Board discussed this matter further and Attorney Shuler stated what options the Board has if they decided to take any action. Commissioner Crofton stated that he felt that corrective action should be taken against both neighbors.

Motion by Crofton, to have the County seek legal remedies against both of the neighbors so that they conform to the County's zoning laws; Motion failed due to a lack of a second.

Commissioner Mosconis suggested that the staff arrange a meeting of the neighbors where some type of compromise can be reached.

Toni Taranto supported Commissioner Crofton on his action to try and resolve this problem.

Dr. Charles Lewis – Citizens Advocate Committee

Dr. Lewis asked the Board if they would be interested in a 'dark skies' proposal on St. George Island with the assistance of Progress Energy and discussed what the 'dark skies' proposal would actually entail. The Board discussed the effect of this proposal on crime and safety.

Commissioner Mosconis suggested that more specific information on this proposal is submitted before the Board addresses it.

Dr. Lewis also asked the Board to consider restrictions on Highway Billboards and have the County purchasing abandoned properties with outstanding tax deeds for water access.

Commissioner Sanders stated that the Scenic Byway, which the County is part of, controls billboard placement.

Commissioner Crofton stated that the Board is totally supportive of additional water access but had legal concerns of purchasing properties with outstanding tax deeds. Attorney Shuler also commented on this matter.

Mr. Buzzett stated that the St. Joe Company had identified two locations, one on St. Vincent Sound and the other on Alligator Harbor, for boat ramps and would like County permission to proceed with pursuing the development of these areas, and presented a proposal for approval.

Motion by Lockley, seconded by Mosconis, to accept and authorize this proposal; Motion carried 4-0.

Commissioners and Public Comments

Commissioner Sanders stated that she was contacted by DEP who stated that there are funds available for boat ramps.

Attorney Shuler stated the process and the current status of another boat ramp project he is working on.

Commissioner Sanders asked that a letter be sent to all of the utilities to move a light pole on Keith Sumner's property that is leaning and is dangerous.

Motion by Mosconis, seconded by Crofton, to send a letter to all of the utilities regarding a light pole on Mr. Keith Sumner's property; Motion carried 4-0.

Commissioner Sanders asked Mr. Curenton to find out if the County owns West Drive in Carrabelle because adequate ditches are needed on that road.

Commissioner Crofton stated that Eastpoint Water and Sewer did a cut on School Road and did not repair it to County standards and wanted it repaired. Attorney Cox, representing the Eastpoint Water and Sewer District, stated that he would have someone from the district repair the road.

Gene Edwards, Director of Plant Operations for Weems Hospital, stated that the Hospital has received a grant which allowed the hospital employees to be trained on dealing with hazardous materials and invited the Commission to come and observe an exercise in this training on the front lawn of the Hospital at 9:00 am next Wednesday.

Adjourn

Chairman Sanders adjourned the meeting at 11 AM.

Cheryl Sanders, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts