

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
APRIL 15, 2003**

OFFICIALS IN ATTENDANCE: Cheryl Sanders, Chairman; Bevin Putnal, Clarence Williams and Jimmy Mosconis, Commissioners; Kendall Wade, Clerk; Amelia Varnes, Deputy Clerk; Thomas M. Shuler, County Attorney.

ABSENT: Commissioner Eddie Creamer

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

(Tape 1-71) Commissioner Putnal made a **motion approving the minutes of the meeting held on April 1, 2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-76) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

CAPTAIN PAT MCWHINNIE-FCSO

(Tape 1-88) Captain McWhinnie appeared before the Board at this time. She asked the Board to allow Link Carroll, FCSO Finance Officer, to address the Board. Ms. Carroll thanked the Board for allowing her to speak to them this morning. She said she had the annual FDLE Narcotic Task Force Grant and needed the Chairman to sign the "Certificate of Participation" for Federal Fiscal Year 2003. She said this grant allows the City of Apalachicola to employ one officer and the Franklin County Sheriff's Office to employ two officers. Commissioner Putnal made a **motion authorizing the Chairman's signature on the "Certificate of Participation" for Federal Fiscal Year 2003-FDLE Narcotic Task Force Grant.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-111) Ms. Carroll and Captain McWhinnie presented a letter to the Board from the Sheriff's Office requesting the use of the \$12.50 surcharge for each traffic moving violation to purchase the following communication equipment, which would be purchased in accordance with the local purchasing guidelines by bid invitation. She said she had received the following estimates so she could inform the Board of the approximate amount of each item. She announced the following items needed to be purchased with this fund: 2-Nine Radio Channel Communication Control Console \$38,400.00; a NEC NEAX 2000IVS Telephone System \$23,254.00; and a UHF 100 Watt Repeater Channel 4 \$8,780.00. She informed the Board the total estimated amount for this equipment was \$70,434.00. She explained, as stated in the letter, Section 318.21(9) of the Florida Statutes reflects the \$12.50 surcharge must be used by the County to fund local Law Enforcement Automation Communication Programs. Commissioner Putnal asked Captain McWhinnie if this would be paid for from the grant mentioned earlier in the meeting. Ms. Carroll replied it would not since this was an entirely different request. Kendall Wade, Clerk, asked Ms. Carroll if she had checked to see how much money was

in this fund. Ms. Carroll replied she had, and Ruth Williams, the County Finance Officer, had told her there was approximately \$110,000.00 at this time. Commissioner Mosconis asked Ms. Carroll if this had anything to do with the information given the Board several weeks ago about GT COM ceasing the 911 Operation in Franklin County. Captain McWhinnie said GT COM had informed the Sheriff's Office they would no longer manage the 911 System for Franklin County. Commissioner Mosconis asked if the Sheriff's Office was preparing for replacing GT COM. Captain McWhinnie replied she is currently working on this matter and any equipment, etc. needed for the 911 System should be paid for from the 911 surcharge paid on each telephone bill in Franklin County. She stated the 911 funds should be used to pay for anything regarding the 911 System. She said the County had been preparing for this situation for several years. She stated she has not been able to find a company that would provide an estimate as to exactly what this is going to cost the County. She stated Gulf County and several surrounding Counties are facing the same situation. She informed the Board GT COM has to provide some services regarding a twenty-digit telephone number for the wireless communication users in Franklin County. She assured the Board she is keeping on top of the situation and the 911 funds was completely different from this surcharge fund. Commissioner Mosconis said he would make a **motion authorizing the purchase of the following: 2-Nine Radio Channel Communication Control Console; a NEC NEAX 2000IVS Telephone System; and a UHF 100-Watt Repeater Channel 4 using the local purchasing guidelines by bid invitation by the Franklin County Sheriff's Office.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

DORIS SHIVER-GIBBS-SUPERVISOR OF ELECTIONS

(Tape 1-202) Ms. Gibbs said she appreciated the Chairman allowing her to address the Board this morning. She stated she realized the Budget Workshops were going to begin soon. She reminded the Board that in 2001 the County had to purchase new voting equipment. She said Franklin County was very fortunate since the State of Florida provided most of the funding to purchase this equipment. She stated her office was able to purchase all of the needed voting equipment with State funds. She said the County did purchase some computers, etc. compatible with the voting equipment from her SOE Budget. She informed the Board the County would be required to purchase a few additional voting machines due to the "Early Voting Act". She said the County would have to establish some areas within the County to allow people to vote "early". She said these areas would be the Carrabelle Courthouse Annex and in her office here at the Courthouse. She informed this would allow the people in the Eastern end of the County to vote closer to their home. She said, under this act, people would be allowed to vote at least ten-days or three weeks, the Legislature hasn't decided, before the election date. She informed the Board the County has eleven machines so this would mean the County has to purchase three new voting machines. She asked the Board if they wanted her to place this request, for approximately \$15,825.00 (\$5,275.00 each), and which does not include shipping and handling, in her SOE Budget as a separate item or place the request in the Board's Budget. She said the County Commission is responsible for purchasing this equipment. She asked the Board if they wanted her to submit the request to Ms. Williams as part of the Board's total budget request. She said the State of Florida, after the previous election problems, is trying to open-up the voting process. She stated she

hopes this does make voting more accessible to voters within the County. She informed the Board the State of Florida would not assist the County with any more funding. Commissioner Mosconis asked Ms. Gibbs if she had talked to Ms. Williams. Ms. Gibbs replied she had not because she had just received the final instructions from the Legislature. Mr. Wade stated he felt it would be advisable for Ms. Gibbs to include this request in her SOE Budget as a separate item so the Board can review it when the Budget Workshops are conducted. He informed the Board the funds would then already be in her budget and she would not be required to have a Budget Amendment. Commissioner Mosconis said if there was some money left over at the end of this budget year then the County could go ahead and purchase this equipment under this year's budget. Mr. Wade said he would inform the Finance Officer of this. Ms. Gibbs said she just wanted some guidance this morning. She stated then, as instructed by Mr. Wade and the Board, she would include this request in her SOE Budget as a separate budget item, not included in her budget, but as a separate budget altogether. Ms. Gibbs said the new "Help America Vote Act" adopted by the Federal Government would require the County to have a touch-screen voting machine in each precinct. She stated she had already informed the Board of this matter as well. She said she really wasn't sure whether this would be required by the 2004 elections or the 2006 elections, but the State is going to check into assisting the Counties with purchasing this particular equipment. She said, in any case, the County was going to have to purchase these touch screen machines if the State of Florida didn't. She thanked the Board for their time and instructions this morning.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-375) Mr. Chipman said he didn't have anything that needed Board attention this morning. He stated he did want to inform the Board the backhoe, belonging to his Department, was being repaired in Tallahassee at Ring Power Corporation.

(Tape 1-380) He stated the culvert pipes in Eastpoint are being installed. He said they have completed most of Wilderness and Ridge Road. He said he had to install one culvert pipe on Kendrick Road, several culvert pipes on McKamey Way, and one culvert pipe on Avenue H in Carrabelle to complete with this project. He said he would get to them as quick as possible since he only has one backhoe operating in the County.

(Tape 1-405) Commissioner Putnal said he appreciated Mr. Chipman and his Department helping Van Johnson, Solid Waste Director, with the situation on Monday. He stated it was a mess with all the ball fields messed up and they had all these games scheduled. He said he didn't think Mr. Johnson could have done it by himself. He thanked Mr. Chipman for his assistance.

(Tape 1-416) Alan Pierce, Director of Administrative Services, said he would like to let the Board and Mr. Chipman know the County's Labor Attorney, Leonard Carson, Carson & Adkins, is ready to make his recommendation to the Board regarding the grievances filed by Oscar Sanders and Howard Nabors. He said Mr. Carson would like to come down on Thursday, April 17, 2003, at 1:30 p.m. to address the Board. He stated this would have to be a Special Board Meeting to discuss these issues. He said Mr. Carson informed him that if the Road Department Employees involved in the matter wanted to

attend the meeting then they could, but the Board did not demand or force them to be at the meeting. He said Mr. Carson told him they are not to be excluded either. He asked the Board if they wanted to schedule or make a motion approving the Special Meeting. Commissioner Mosconis said this is what the Board had agreed to do when they "went down this path". He stated this matter was to be scheduled at Mr. Carson's convenience. Commissioner Mosconis made a **motion to schedule a Special Meeting on April 17, 2003 at 1:30 p.m. to allow Leonard Carson, Carson & Adkins, the County's Labor Attorneys, to make his report and recommendation to the Board regarding the grievances filed by Oscar Sanders and Howard Nabors.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis asked Mr. Pierce what Mr. Carson said about the employees attending the meeting. Mr. Pierce replied Mr. Carson informed him it would be up to the employees discretion as to whether they want to attend the meeting or not. He said Mr. Carson did not think the Board should exclude them from the meeting; it would be totally up to the employee. He said this was a meeting between the Board and their "specialty" attorney; it was not a public hearing for the public to speak.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-473) Mr. Johnson said at the last Board Meeting the Board approved the rate increase for Household Waste delivered to the Landfill for disposal based on the Waste Disposal Agreement between the County and Waste Management, Inc. He explained the action the Board took, approving the rate increase, requires a Resolution for imposing the fees. He asked the Board to approve the Chairman's signature on the final Resolution imposing the following tipping fees. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Resolution imposing a rate increase for Household Waste delivered to the Landfill for disposal based on the Waste Disposal Agreement between the County and Waste Management, Inc.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-490) He informed the Board he had, for the Board's approval and the Chairman's signature, the Annual Full Cost of Solid Waste Management Report and Public Notice. He said this annual report details the full costs incurred by Franklin County for the Solid Waste Management Services provided to the public during fiscal year 2001-2002. He stated the report identifies all costs, both direct and indirect, whether budgeted or not, and also allocates indirect cost to the Board, Clerk's Office, Legal Counsel, and the Road Department. He said the report does take into account the offsetting factor of Tipping Fee Revenue, Solid Waste Grants or inmate labor used in the production of services. He reported the Full Cost of Solid Waste Management service for Franklin County during fiscal year 2001-2002 was \$1,048,600.00, which was a \$328,990.00 increase from last fiscal year. He informed the Board the Public Notice of this report must be published in a newspaper of general circulation and a copy of the report sent to the Florida Department of Environmental Protection. Commissioner Mosconis made a **motion approving and authorizing the Chairman's signature on the Annual Full Cost of Solid Waste Management Report and Public Notice detailing the full costs incurred by Franklin County for the Solid Waste**

Management Services provided to the public during fiscal year 2001-2002.
Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-536) Mr. Johnson said he had also included a current Comp Time Report for his employees as directed by the Board.

(Tape 1-540) He asked the Board to recognize the members of the Apalachicola Dixie Youth League. He said these members would like to address the Board regarding the renaming of the Ned Porter Sports Complex, located on Bluff Road in Apalachicola, to the D. W. "Donny" Wilson Sports Complex. He reminded the Board this matter had been discussed at the last Board Meeting. Chairman Sanders said she wanted to make sure anybody addressing the Board this morning completed a "Speaker's Card" for the Board File. Ashley Teat, Dixie Youth Baseball Coach, said he thought it would be an honor for the complex to be renamed since "Donny" had put his "blood, sweat, and tears" into that complex. He stated the League didn't have anything against the Porter Family, but they all agreed the complex should be renamed. He told the Board on the Monday before Mr. Wilson died he took his tractor to the complex to seed the fields. He said he didn't even know who Ned Porter was, but he did personally know how much work Donny Wilson had done for and on the complex. He stated he did know Mr. Porter played professional baseball. He said Mr. Wilson built the complex, the batting cages, concession stands, the bullpens, etc. He stated he spent countless hours at the complex working on it. He introduced several of the league players to the Board who supported the renaming of the complex as follows: Wesley Wilson, Donny's son, Hayes Philyaw, and then asked the Board to allow Mr. Wilson's widow, Amanda, to address the Board at this time. Ms. Wilson said she knew the complex was "Donny's heart" and he had vowed he would continue to work on and at the complex even when his son, Wesley, wasn't playing baseball anymore. Ms. Wilson stated he told her he would never let that complex go to waste. She said he said he would work on the complex so all of the children could use the complex. Ms. Wilson stated he, along with several other people, worked to make sure the park was always in shape and properly prepared. She said it would be such an honor to her, her family, and the whole league to have the complex renamed. Mr. Teat presented a petition signed by several hundred people supporting the renaming of the complex. He said this was a community effort and the community supported the effort. Ms. Wilson informed the Board members of the Porter Family signed the petition as well. Commissioner Mosconis told Ms. Wilson that at the last Board Meeting this matter was discussed. He said the idea was for the Parks and Recreation Committee to get together and decide on how they wanted the fields and the complex named. He asked Mr. Johnson if something had been worked out. Mr. Johnson replied he felt the consensus was that the complex be renamed in honor of Donny Wilson. He said the complex would, with Board approval, be renamed the D. W. "Donny" Wilson Sports Complex and then name the individual fields after other people who supported the youth leagues in Franklin County. He said one of the fields probably should be named "Ned Porter Field". Commissioner Mosconis stated Carl Petteway's name and Clinton Bankster's name had also been mentioned for one of the fields. Commissioner Putnal said he has worked with Mr. Wilson; been to meetings with Mr. Wilson and knows his whole heart was in this sports complex. He said something needed to be done to honor

Mr. Wilson. Mr. Wade said he had picked up the plaque the league had made to honor Mr. Wilson at the "Annual Day of Baseball" last Saturday. He informed the Board the salesperson showed him a 16 x 20 plaque, which could be purchased for the complex. He suggested to Mr. Johnson that he and some representatives from the committee go up to the "Sumatra Cemetery" to see the plaque there. He said some of the County inmates had done the block and brick work on the monument at the cemetery. He said this could probably be done at the complex as well. Commissioner Mosconis said he wanted Carl Petteway honored for his service to the league. He stated there are a lot of people, along with Mr. Wilson, that did a lot of work for the baseball leagues in Franklin County. He said there were a lot of people who did some type of service at the complex.

Commissioner Mosconis said he would make a **motion to change the name of "Ned Porter Sports Complex" on Bluff Road in Apalachicola to "D. W. "Donny" Wilson Sports Complex" and to name one of the individual fields after Ned Porter and Carl Petteway, at the Park and Recreation Committees direction.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he was talking about people who were deceased. He stated the fields need to be named after people who committed a lot of time and effort with the little leagues. He said Clinton Bankster was another person who put a lot of time in with the leagues. Commissioner Mosconis said for now his motion would stand as is. The Board Secretary, Amelia Varnes, asked what the official name on the complex would be so the record would be clear. Mr. Johnson said the complex would be renamed "D. W. "Donny" Wilson Sports Complex". Mr. Pierce said, at some point, there needed to be a dedication ceremony.

(Tape 1-778) Commissioner Mosconis asked Mr. Pierce about the status of the FRDAP Grant, which would fund the tennis courts at the complex. Mr. Pierce stated the FRDAP Grant should be approved or denied during this current Legislative Session. He said the County should know something soon.

(Tape 1-790) Commissioner Mosconis said he wanted to discuss the public restroom situation on SGI at the County Park. He stated he had received numerous complaints about the restrooms being dirty. He said he knew they had Spring Break on the Island, but the restrooms needed to be cleaned. He asked Mr. Johnson if he could get someone over to the Island to clean them up. Mr. Johnson replied the main problem happened this past weekend. He said he had already talked to Commissioner Mosconis about this matter on the telephone yesterday. He stated he asked Commissioner Mosconis if the Board wanted to schedule an employee to work that weekend he would do so. Commissioner Mosconis asked Mr. Johnson if he could let somebody off during the week some time and let them work on the weekend. He said Mr. Johnson could just "flip flop" them. Mr. Johnson replied he is already doing this with employees who work on weekends during the summer and on Amnesty Days. He said he is also doing this type thing to reduce the amount of Comp Time the employees have accrued. He stated soon he won't have anybody working at the Landfill. Mr. Johnson said he would try to perform a "miracle" though. Jessie Doyle, SGI, said she would like to make a statement regarding this situation. Ms. Doyle stated several people on the Island who were complaining about the condition of the restrooms have contacted her. She presented a notice "PARENTS PLEASE SUPERVISE YOUR CHILDREN-HELP US KEEP THE

RESTROOMS CLEAN FOR EVERYONE TO ENJOY" she had been placing on the areas in and around the public restrooms at the SGI County Park. She suggested the Board hire someone to charge for parking the cars at least a couple of dollars. She stated this person could also maintain the restrooms. She said this could probably been done by someone on holidays, spring break, weekends, etc. She stated the restrooms were "horrible" this past weekend. Commissioner Mosconis said he didn't want to get into this type of situation. He instructed Mr. Johnson to see if he couldn't work on this situation. He said Mr. Johnson could provide someone to clean the restrooms. Mr. Johnson again told the Board he would perform a "miracle".

(Tape 1-864) Chairman Sanders said she did want to compliment Mr. Johnson on reducing the Comp Time in his Department. She stated she knew he had worked hard to accomplish this.

(Tape 1-877) Commissioner Mosconis said he also wanted to personally compliment Mr. Johnson for the maintenance his crew performed on the baseball fields throughout Franklin County for the County's Annual Day of Baseball.

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-900) He said he had attached the new January issue of Florida Fish and Wildlife Conservation Commission's Florida Recreational Saltwater Fishing Regulations. He said in addition to the basic recreational fishing regulations the newsletter has a feature article on hooks.

(Tape 1-920) He informed the Board that he was working with Cherry Rankin and Karen Stribling on the 2003-2004 Family Nutrition Program Grant Proposal to continue the County's FNP Programs. He said the proposal is due at USDA by May 1st.

(Tape 1-933) He stated last week he met with Suzanne Wilson, 4-H Agent in Holmes County, to do some final planning for the Franklin/Holmes County 4-H Camp scheduled for June 16-20, 2003 at Camp Timpooshee. He said the theme for this year's camp will be "Blasting Off with 4-H". He explained the main project for the week would involve building a bottle rocket, which will be test launched at the camp. He said he had attached a flier to the Commissioner's packet this morning, which furnishes additional information about the camp.

(Tape 1-960) Commissioner Putnal asked Mr. Mahan if there was any new information about the Clam Aquaculture Project at Alligator Harbor. Mr. Mahan replied there should be some clams harvested within this year. He said he and Leslie Sturmer, UF IFAS, were working on some additional signage to educate the boaters in the area about the aquaculture area. Commissioner Putnal asked Mr. Mahan where the closed processing plant was for the clams. Mr. Mahan replied most of the shellfish dealers could handle the clam processing. He said all anyone needs is a regular Certified Shellfish Dealer license.

PUBLIC HEARING-ST. GEORGE PLAT PARTIAL ABANDONMENT

(Tape 1-1030) Mr. Pierce said this first public hearing was to consider the abandonment of a portion of the plat "St. George" recorded in Plat Book 1, Page 1, Public Records of Franklin County, Florida. He stated Nick Yonclas, attorney, was representing the property owner Karen Tuerk. He said the plat was completed in 1926 and is in the area between Eastpoint and Carrabelle. He stated the configuration of the plat does not, at this time, due to all of the changes after this time, met current County standards. He asked Mr. Yonclas if he was ready to address the Board. Mr. Yonclas announced he was representing a client, Karen Tuerk, who had applied for a vacation in part of the plat of the "City of Saint George", Recorded in Plat Book 1, Page 1, Public Records, Franklin County, Florida. He said Ms. Tuerk owns two parcels of property on Highway 98 between Eastpoint and Carrabelle that consists of about eight acres on one parcel and twenty-five acres on another parcel. He explained the property sits within an old map or plat entitled the "City of Saint George". He said this was one of the very first plats in Franklin County. He stated for reasons unknown to him nothing has ever been done within the subdivision. He said the property has been sold by metes and bounds descriptions and not lots, etc., which also never referred to the plat itself although the sales have been subject to the plat. He said his client has followed all of the necessary steps in having this property abandoned. He stated the final requirement was this public hearing this morning. He informed the Board he was not aware of any opposition to this request by his client Ms. Tuerk. Commissioner Putnal asked Mr. Pierce if this wouldn't benefit the County since a lot of this platted land is owned by the State of Florida. Mr. Pierce replied the County has already abandoned a portion of the plat. He stated this happened about six or seven years ago and the County abandoned right-of-ways of the platted streets the State bought. He said the Board did this around 1991. He stated the County has already abandoned any property they had control over in the area the State of Florida bought. The County Attorney, Mr. Shuler, said he has looked at the application, which meets all statutory requirements, and in his opinion this makes good public policy to abandon this particular plat since it has never been used for its intended purpose. He stated this does not change the zoning of the property only returning the property back into "acreage", which then means the property owner would have to comply with current zoning and building requirements before anything can be built on the property. He stated this applies to the subdivision ordinances as well. He again stated he thought this was a good public policy decision for the Board to approve this abandonment. Chairman Sanders asked if anyone in the audience would like to speak regarding this request. She asked anyone if they were opposed to the request. After no one publicly opposed the request Commissioner Mosconis made a **motion approving the request submitted by Karen Tuerk, property owner, to vacate a portion, as stated in the metes and bounds description "Exhibit A" and "Exhibit B", of the "Plat of St. George", also known as the "Plat of the City of Saint George", recorded in Plat Book 1, Page 1, Public Records of Franklin County, Florida and authorizing the Chairman's signature on the Resolution supporting the vacation.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-1408) Mr. Pierce said he would begin his report at this time and then stops when it was time for one of the several public hearings scheduled this morning.

(Tape 1-1433) He informed the Board, after considering the amount of time the County Attorney is spending reviewing plats, he was going to recommend the fee for final plat review be increased to \$250.00 plus \$2.00 per lot. He said unfortunately the current fee, \$100.00 plus \$2.00 per lot, is a part of the Subdivision Ordinance so in order to amend the fee schedule the ordinance has to be amended. He said he would need the Board to authorize him to begin this procedure by authorizing him to schedule a public hearing to amend this ordinance. Commissioner Williams made a **motion authorizing Mr. Pierce to begin the process of amending the Subdivision Ordinance to increase the fee for final plat review from \$100.00 plus \$2.00 per lot to \$250.00 plus \$2.00 per lot by scheduling a public hearing to consider the amendment to the ordinance.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1488) Mr. Pierce said he interrupt his report at this time for another public hearing.

PUBLIC HEARING-LU AND REZONING 9.88 ACRES-MEEKS PROPERTY

(Tape 1-1496 Continued Tape 2) Mr. Pierce said this is the second public hearing to address this request submitted by Jimmy Meeks for a land use and rezoning of 9.88 acres in Section 8, T7S, R4W located in Carrabelle. He said the land use would be changed from Agricultural to Residential and the rezoning would be rezoned from A-2 Forestry Agriculture to R-1 Single Family Residential. He said this property was considered the old "Alligator Farm". Chairman Sanders said she would abstain from this discussion and would not vote on this matter since she owned adjacent property to this and was a party to litigation with this property owner. She announced she would be completing a Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers. Mr. Pierce said the concerns of the people who live in this area were discussed at a previous public hearing. He stated some of those concerns were due to the access to the property involving "Skipper Lane", which did not meet the County's standard for access. He said "Skipper Lane" accessed the property off of "Kendrick Road", which was a County maintained road. He stated there was some litigation between the adjacent property owners initiated by the new owner of the "Alligator Farm" Jimmy Meeks. He said Mr. Meeks has purchased a parcel of property to use as an access road from the gas company. He stated Mr. Meeks would have to build a road to County standards, however the road would be considered a private road. He said the County would not accept the road for maintenance unless it was paved to meet the County standards. Mr. Pierce said the Planning and Zoning Commission, by a split vote, recommended the land use and rezoning be approved. He stated if this land use and rezoning is approved he is going to ask the Board to consider a sketch plat as well since it was tabled too. Chairman Sanders said she was going to take public comment now. Jamie Crum, Navigator Realty, said Mr. Meeks is one of his clients. He said this project has been reviewed before and he felt it was a "good project". He stated Mr. Meeks has over one hundred acres in this parcel and is only asking for eight home sites on this property. He said this would be very low impact to the area based on the past history of the property. He stated he didn't think Mr.

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Meeks is asking for anything unreasonable and encouraged the Board to approve the request for the land use and zoning changes. Commissioner Mosconis asked about the access or easement road going into the property. Mr. Crum replied there was an issue about the actual ownership of the access road. He said Mr. Meeks purchased an additional piece of property from the gas company adjacent to this property to allow him access to the property. He stated this would mean he would not have to use "Skipper Lane" or "Skipper Road" to access his property. Commissioner Mosconis asked Mr. Crum if that issue was taken care of. Mr. Crum replied, "yes it was". Aaron Wray, Navigator Realty, said he thought Mr. Meeks had done everything he was asked to do by the County. He said he also thought Mr. Meeks should be granted his land use and rezoning request. He stated overall Mr. Meeks had a good plan. Dan Garlick, Garlick Environmental, stated he was Mr. Meeks agent. He presented each Commissioner with a letter reflecting the history of the property and how the previous public hearings had progressed. He said the Planning and Zoning Commission had approved the land use, rezoning, and the sketch plat for this project. He said Mr. Meeks had stipulated to some items at the beginning of this process including: Insuring that any roads constructed will not discharge runoff on to neighbor's lands. The assurance this will not occur will be addressed by the State's requirement of a storm water permit for the road by swales or other devices containing reasonable runoff on to the property. At this point, they are designing the road by first obtaining a topographic survey to determine the existing direction of flow and will later engineer the road drainage system to be in compliance. A general permit will be required by the State; another item offered would be only aerobic systems installed for wastewater treatment. No use of septic tanks in the project. He stated he felt Mr. Meeks had made a lot of concessions and done a lot to have this project move forward. Mr. Garlick reminded the Board Mr. Meeks and his partner Sid Gray owned one hundred one acres in this project, but are only asking for eight home sites in the project. David Dale, SGI, said he was a contractor on the Island. He said he approved of the project too. He stated Mr. Meeks has always gone beyond what was required of him and this would be an improvement to the County. Marion Millender, an adjoining property owner, said she didn't have any problem with Mr. Meeks developing his nine acres. She stated her problem or concern was the lowland part of the property. She said the other part of Mr. Meeks property is extremely low and most of it is wetland. She stated if this road he proposes to build is not built correctly it would flood the rest of the property owners. She said she is low enough now she has crawfish in her yard most of the summer months. Ms. Millender said he should build the road before anything else is done to make sure it is done correctly. She stated then, if the road is built correctly, the Board could approve the land use and zoning changes. She encouraged the Board to take one problem at a time and see that it is resolved before moving on to the next request to make sure everything is done exactly like it should be. Chris Cross, owner of property at the end of Kendrick Road, said she cared about Franklin County. She stated she was opposed to the land use and zoning changes. She said since Mr. Meeks bought the property several years ago he has harassed, annoyed, aggravated, and even sued people trying to get the land rezoned. Ms. Cross listed her numerous reasons for asking the Board to deny his request this morning. Alma Jean Brown, an adjoining property owner, said she is not opposed to development. She stated she knew Mr. Meeks was interested in purchasing this property so he asked everyone who lived on or near the

property to have a meeting. She said everyone who lived on Kendrick Road met with him a couple of times at least. She stated he realized everyone was against him purchasing this property mostly due to the drainage problems they have. She said there has always been a problem in this area with their septic tanks. She stated the property owners were against him developing this property. She said his attitude was he was going to purchase the property anyway and force this down their throats. She stated he told her he would move his hog and chicken farm from Georgia. She said they told him this would be fine they could deal with hogs and chickens better than can put up with any more drainage problems. Ms. Brown said this development is going to cause more problems with drainage problems and encouraged the Board to deny this request by Mr. Meeks. She said she bought her "little scrape of dirt" twenty-five years ago by making payments on it for five years. She said it took her five years to pay for it before she could move on the property. She stated it means a lot to her. She asked the Board to make a proper decision and go look at the property personally. She said if the Board can't make a decision then let the State step in and do something. Commissioner Mosconis asked Mr. Garlick if he delineated the wetlands on these lots. Mr. Garlick replied he did. He said one of the requirements for this process is to have a delineation of wetlands completed by USCOE and DEP. He stated this is done so the developer can see where he cannot build or develop. He said basically the developer has to "stay out of" these delineated areas. He stated no one has touched the delineated wetlands on this property. He stated he is concerned about the wetlands being filled throughout the County. He said when he does a project he makes sure the wetlands are delineated because this was his profession. He stated the County does not require the wetlands be delineated on the projects or developments. He said he knew before any road could be built a permit had to be granted by DEP. He stated they have an engineer for this project and a topography survey will be completed before any road is build. He said he looks at soil, wetlands, etc. on any project. Mr. Garlick said Mr. Meeks is willing to put the remainder of the land he doesn't develop into a Conservation Easement for the County. Commissioner Williams asked Mr. Garlick, in response to Ms. Brown's statement of water coming down on them if the road isn't built correctly, if he had addressed this problem. Mr. Garlick replied they haven't done anything to the property to start with so they did not create the flooding problem in the first place. He said it is probably going to happen again since drainage is a problem near the river anyway. He stated he has talked to Lucretia Bloodworth, Kendrick Road, about the problem too. He said he has seen a lot of photographs of the area during the rainy season or during a flood. He stated the developer has to be able to divert any water problems to a suitable area when the road is being built. He said DEP does keep an eye on the project and would issue a "Stop Work" citation if there were a problem. He stated the water had to be collected, if possible, and filtered before it is diverted back to Crooked River. Lucretia Bloodworth, an adjoining property owner and resident of Kendrick Road, presented a petition from the adjoining property owner's request the Board deny Mr. Meeks land use and zoning change request this morning. She said this petition also included the names of several people who live in this little community known as "Kendrick Road". She presented the photographs Mr. Garlick mentioned that were presented at the Planning and Zoning Commission Meeting. She said the photographs reflected the property after the recent rains. She said each photograph had a description on the back and exactly where the property was located.

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She said the only thing being addressed today was the land use and rezoning issue and not the plat approval. Mr. Pierce said the Planning and Zoning Commission had approved a sketch plat. He stated he had asked the Board to table the sketch plat as well. He said the sketch plat needed to be addressed by the Board after the land use and zoning change if they were approved. Ms. Bloodworth questioned the members of the Planning and Zoning Commission and whether their vote on this matter was appropriate since they are directly involved with Mr. Meeks personally. She said these members voted in favor of the land use and rezoning. She stated she felt this was a conflict of interest and for monetary gain. She said this was the Board's problem. She informed the Board she wanted to know if the Planning and Zoning Commission members served terms. Mr. Pierce answered they are supposed to, but the County has admittedly been lax in this case and have not reappointed them or appointing new members to the Commission. He stated he was going to bring this matter to the Board's attention during his report when he was able to finish it this morning. Ms. Bloodworth explained "Skipper Lane" being designated as an emergency-utility vehicle use only settled the road issue. She stated Mr. Meeks has purchased property to build another road to his development. She said she would like to see the road completed before the Board further grants anything. She stated she really didn't know what impact the road itself would have on all of them. She said it the road is "built up" the homes directly along the property line would definitely be flooded worse than they already are. She stated if he builds houses and clears the land it is going to cause a lot of water runoff. She said Mr. Meeks intends to fill up a few ponds on the property. She stated these ponds have been there since she was a child and she is fifty-three years old. She said if these ponds are filled or altered any further then there would also be a flooding problem. She stated she didn't think the State would allow them to fill these ponds. She said Mr. Meeks knew from the beginning, February, the resident's in this area was totally against any development on the property. She stated he knew the residents were against this project so he knew ahead of time what he was buying and what zoning and land use the property was currently under. She said Mr. Meeks bought the property zoned Agricultural and she encouraged the Board to leave it zoned Agricultural since it was zoned Agricultural for a reason. She said she didn't think it was fair for him to just develop this property and not live on the property. She stated he is going to develop this property and leave the actual residents of the adjoining property "holding the bag" or "holding the bail bucket". She again asked the Commissioners to please, please deny the rezoning and land use of this property. She stated the matter could be tabled until the road is in place. Commissioner Mosconis asked Mr. Shuler if the Board could approve this request contingent on the road being built before any activity occurs on the development. Mr. Shuler said a different alternative to the Board if storm water runoff is a concern then the Board could require the developer to provide a storm water runoff plan, but he understood that particular phase would occur during the subdivision process. Commissioner Mosconis said a lot of these plans are not implemented exactly like they are presented on paper sometimes. He stated he understood these people's fears about the road and the runoff it might cause. He said his question was can the Board approve this rezoning and land use change contingent on the developer presenting the plan, but building the road to demonstrate to the "world" it's not going to hurt them. Mr. Pierce said there is a way this can be accomplished. He stated he issued Mr. Meeks a permit for a driveway. He said the

driveway could be built to standards the subdivision process would require, which is a twelve-foot wide driveway with service swales. He said then the driveway, if built properly, could be turned into "the road". He explained Mr. Meeks does have the ability without a rezoning change to build a driveway on his property the same configuration as a road leading to his property. He said if the Board wants to see this road done, then they could wait until Mr. Meeks finishes the road. Commissioner Mosconis said this still didn't answer his question. Mr. Shuler said he would not recommend an approval with a contingency that Mr. Meeks be mandated to build a road. He stated if the Board wanted to table this matter as is without a decision to make him build the road then the request could be considered at a later time. Commissioner Mosconis said, in all due fairness to the landowner, it wouldn't be fair to him because then it might be six months from now and after the road is built the Board could refuse him a rezoning or land use change. He stated he did sense the fear presented today, but he was trying to see if there was a legal way the Board could work around this matter since the Board is flexible and not "stone creatures". Mr. Garlick said he wanted to make sure the developer had a project to build a road too. He stated a road could be built in an Agricultural zoning all day long, but it is not going to be a road for a subdivision, but more like a forest road. He asked why should Mr. Meeks have to do this. He said if the Board could just live with tabling the sketch plat and approving the land use and zoning changes then he would agree to the contingency about the road. He stated Mr. Meeks might not agree to this, but he was offering it. He said the Board could hold off approving the sketch plat. Ms. Bloodworth added Mr. Meeks is going to have to build a road anyway because the only access now is "Skipper Lane" and this road is only an easement to be used for emergency-utility vehicles only. She stated this did not mean Mr. Meeks' work trucks, etc. Mr. Meeks addressed the Board at this time. He stated he wanted to clear up one thing about "Skipper Lane". He said "Skipper Lane" was his access to the property and his legal access to the property. He stated it is not for use only by emergency-utility vehicles only. He explained he really didn't have to build a road due to this. He said he didn't know where this information came from, but he was allowed to use "Skipper Lane". He stated he wanted the record set straight; "Skipper Lane" was his legal access to his property forever. He said he did promise the homeowners if the project was approved then he would build a proper road approved by DEP and the County. He stated he told them he would have a problem with then allowing "Skipper Lane" to be used by emergency-utility vehicles only. He said if he has the opportunity to build a new road he will and would leave "Skipper Lane" alone. He stated at this time the road is open to him or anybody that buys property or lives in that particular community. He said he has done nothing but hire professionals to address the storm water runoff and the road would be done professionally and done better than required. Commissioner Mosconis said to be clear "so we do the rezoning and then before any permits are issued you got to come back and get a plat approval and in the meantime the road has got to be built." Mr. Pierce agreed. Commissioner Mosconis said no houses would be built until the road is built. Mr. Pierce agreed. Mr. Garlick agreed too. Mr. Pierce said this could be done however, there is some risk the road is built based on the sketch plat, but the Board has not yet approved the sketch plat. He stated the road could be built so the Board can then approve the sketch plat. Commissioner Putnal interrupted this discussion to make a **motion to deny Mr. Meeks' request for a rezoning and land use change on 9.88 acres in**

Section 8, T7S, R4W located in Carrabelle from Agricultural to Residential due to the drainage problems in this particular area. Commissioner Putnal said these people were like his family. He said he has talked to the whole group involved including Mr. Meeks. He stated everyone knew how he felt about the matter. Commissioner Mosconis said if somebody comes to the Board with a plan to use their property within the laws of the State of Florida, Franklin County, and they are denied then the County Commission is setting themselves up for a legal suit. He said this has happened before. He stated, in his mind, if the developer is going to reduce density then it is a plus for the County. He stated Mr. Meeks has almost one hundred acres of land and he only wants to put a total of ten houses on it. Mr. Pierce said Mr. Meeks only wanted to put eight additional houses on the property since there were already two on the property containing a total of one hundred acres. Mr. Garlick stated there was approximately twenty-four acres of uplands on the site and Mr. Meeks could possibly build one unit per acre, which would be twenty-four houses. He said they are taking 9.10 acres or so out of one hundred acres to build the houses on. He stated the rest of the property would remain zoned agricultural for agricultural use allowing one unit per forty-acres. He said the County would get a better situation out of this situation. He said drainage ditches do not treat water they only move water out faster. He stated this water goes into the Crooked River without being treated. He said the idea of getting a permit from DEP is that the developer would have to make sure the storm water is treated before it goes into the River. He said obviously there are a lot of people living there now and if ditches are dug then the water would run off even faster, but would go to the River untreated, which could create problems. He stated, when it comes to actual drainage, the rezoning and land use would be the best way to go. Chairman Sanders called for a second on Commissioner Putnal's motion. After no second to the motion the **MOTION DIED FOR LACK OF A SECOND.**

Commissioner Mosconis said he would offer a **motion to approve the land-use for a 9.88 acre parcel in Section 8, T7S, R4W located in Carrabelle from Agricultural to Residential as submitted by Jimmy Meeks contingent on the Road Construction and DEP Storm water Permit being submitted to the Board when received.** He said this would allow the developer to construct the road, which seems to be a concern of everybody. He stated then when the road is completed the Board could address the plat approval. Commissioner Williams seconded the motion. Commissioners Mosconis and Williams for. Commissioner Putnal opposed. **MOTION CARRIED 2-1** Commissioner Mosconis then made a **motion to approve the rezoning for a 9.88 parcel in Section 8, T7S, R4W located in Carrabelle from A-2 Forestry Agriculture to R-1 Single Family Residential as submitted by Jimmy Meeks contingent on the Road Construction and DEP Storm water permit being submitted to the Board when received.** Commissioner Williams seconded the motion. Commissioners Mosconis and Williams for. Commissioner Putnal opposed. **MOTION CARRIED 2-1.**

PH-ZONING CHANGE-LOTS 5, 6, AND 7-BLK 4 WEST-SGI-C-2 TO C-4
(Tape 2-88) Mr. Pierce said this was a public hearing to consider a zoning change for Lots 5, 6 and 7, Block 4 West, Unit 1, SGI from C-2 Commercial Business District to C-4 Mixed Use Commercial/Residential. He explained this was the old medical plaza on Gulf Beach Drive. He said there is one structure on the site and the owners are proposing to keep the structure. He stated they are going to put an apartments upstairs of the

existing structure. He informed the Board the structure would not be torn down. He said the developers would use the existing building. Chairman Sanders asked for public comment. Commissioner Putnal stated he felt the Board needed to wait until Commissioner Creamer was here to allow him to voice his opinion on the request. He said this was in Commissioner Creamer's District and suggested the Board table the issue. Mr. Pierce replied this would be a Board decision. Mary Lou Short, SGI, said he did not have a problem with the request. She stated she was just here this morning to listen and maybe comment on some of the items on Mr. Pierce's report. She said she did mention the issue of a "true mixed use", which means commercial downstairs and apartments upstairs. She stated, in her opinion, this was not considered a rezoning to residential. Commissioner Putnal asked if this allows the owner of the business downstairs to live upstairs. Mr. Pierce replied they could or they could rent or lease the apartments upstairs. Commissioner Mosconis made a **motion to table the request to rezone Lots 5, 6 and 7, Block 4 West, Unit 1, St. George Island from C-2 Commercial Business District to C-4 Mixed-Use Commercial/Residential until May 6, 2003 at 10:00 a.m.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

PH-LAND USE AND ZONING CHANGE-EASTPOINT-C-4 TO R-7

(Tape 2-181) Mr. Pierce said this was a proposed change in Eastpoint to property known as the "Old Hollenbeck Trailer Park" on the corner of 4th Street and US Highway 98 and consists of 1.60 acres. He said the currently the property is described as a 1.60 parcel in Section 29, T8S, R6W, located in Eastpoint from Commercial to Residential and rezoned from C-4 Commercial Mixed Use Residential to R-7 Multi-Family High Density. He said this would allow for apartments or multi-family units such as condominiums on sewer and water. He told the Board the P&Z Commission received a letter from Eastpoint Water and Sewer District stating that water and sewer would be available for this project. Chairman Sanders asked if there was any public comment and if the adjacent property owners had been notified. Mr. Pierce assured the Board the adjacent property owners had been notified by certified letter. Gail M. Rieglmayer, SGI, asked the Board to wait until the Comp Plan Update and the Visioning Process was complete. Ms. Rieglmayer said she was a new permanent resident to SGI. She stated she has visited the area for over twenty years. She said she really did not know a lot about this particular request, but she did want to ask the Board to wait to make a decision until the visioning process was complete. She stated her concern about this issue was the words "high density". Brandt Ruzinski, the developer or developer's representative, said they had reviewed a number of options for this particular piece of property. He stated they thought about everything from a motel, restaurant, or bar, but these type of businesses did not seem to be very conforming to that particular side of Eastpoint. He said the property is currently residential or primarily residential. He stated, after reviewing their options, they felt a residential use would be more conforming. He said they are considered Town Homes with various size bedroom units. He stated they felt this was the highest and best use for this property considering the value of the property. He explained the access to the property would not have any influence on the traffic on US Highway 98 since the entrance to the project would be from 4th Street. He said they would not develop the south side of the property zoned C-1. He stated they might put a dock or a pier there. He

said currently the property is considered high density since there were nine trailers there previously. He stated most of the trailers have been moved off the property. Chairman Sanders said she was concerned about the area mainly being used by the seafood oriented type businesses. Mr. Pierce said this property was in this corridor in Eastpoint, but C-4 is a mixed-use area. He stated C-1 is primarily for seafood or seafood businesses. He said however this property was already zoned C-4 Commercial Mixed-Use Residential. David Dale, an adjoining property owner, said he would like to see the plans for this development so he could compare it to what was previously there. Commissioner Putnal said he would make a **motion to approve the Land Use Change for 1.60 acres in Section 29, T8S, R6W located in Eastpoint from Commercial to Residential.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal made a **motion to approve the Zoning Change for 1.60 acres in Section 29, T8S, R6W located in Eastpoint C-4 Commercial Mixed Use Residential to R-7 Multi Family High Density.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

PH-LAND USE AND ZONING CHANGE-CARRABELLE-9.9 ACRES

(Tape 2-502) Mr. Pierce said this was the last scheduled public hearing this morning. He said this request was to consider a land use and zoning change a 9.9-acre parcel in Section 25, T7S, R5W located in Carrabelle. He said the land use would change from Forestry Agriculture to Industrial and the zoning change would be from A-2 Forestry Agriculture to I-1 Industrial. He stated there might be a problem with this request because the required Notice of Land Use Change that was published in the local newspaper reflected a public hearing date of April 3, 2003 at 10:30 a.m., but the Notice of Zoning Change was correct and reflected the correct public hearing date of April 15, 2003 at 10:30 a.m. He said these advertisements run simultaneously and are placed side-by-side each other in the newspaper. He said this might have been confusing to people. He stated the notices sent out to the adjoining property owners did reflect the correct date and time for the public hearing. He stated the property is located on Airport Road in Carrabelle and the proposed change would allow the construction of a concrete batch plant. He said there are some people who would like to make a public comment about the changes. He informed the Board the P&Z Commission did recommend approval of this request. A. D. Folks, an adjoining property owner, said he has sold some of his property to other people too. He stated he would ask the Board to table this issue until the next meeting so he could get these other landowners so they could have an adequate response to this request. Gene Langston, representing the proposed buyer of the property, Jim Maples, said Mr. Maples has been in the concrete business for approximately twenty-seven years. He stated they have looked at all of the sites in the area available for purchase. He said this was absolutely the best site for a batch plant. He explained the property is surrounded by the Forestry Service and is the site of the "Old Buckeye Plant" when it first was moved to Franklin County. He said the office and maintenance site was previously on this site. He informed the Board this should be zoned industrial since the Forestry Service surrounds it on all three sides and they move heavy equipment by tractor-trailer up and down the road. He stated he understood the neighbors were concerned about traffic, but said he felt the traffic wouldn't be any worse than it already is. He said the Forestry Service Office is at the very end of Airport Road, approximately

one-half mile away from this proposed plant. He stated Mr. Maples indicates the truck traffic would amount to about seven truckloads. He also informed the Board this new plant would create five to six jobs for Franklin County. He said when the St. Joe Development Project begins the job availability should increase since the concrete plant would probably be a lot busier. He said the industry is clean and can only benefit the County. He stated everybody wants industry in Franklin County, but they don't want it in their backyard. Commissioner Putnal asked Mr. Maples if he would hire local people for these jobs. Jim Maples assured the Board he would hire local people. Commissioner Mosconis asked Mr. Folks about his request to table this matter until the next meeting so he could have time to decide his and other property owner's position on the matter. Mr. Folks replied this was correct. Commissioner Mosconis asked Mr. Folks if he could shed any light on the exact reasons why he might be against this project. He said these people might want to move forward with this project. He stated there would be three weeks until the next Board Meeting. Mr. Folks informed the Board he had been ill and had not had time to prepare for this public hearing. Mr. Langston said he wanted to point out to the Board the P&Z Commission approved this request and the notice of the public hearing was in the local newspaper. He stated the notices, although he agrees there was an error in the newspaper advertisement, went to the adjoining property owners by Certified Mail and did reflect the correct public hearing date and time. He said he thought this was similar to a Scriveners Error on a plat or something similar to this. He stated this error didn't change the subject or anything else. He said this date, April 3, 2003, was before this meeting being held today so if anyone came to the Courthouse Annex for the meeting on the 3rd would have certainly inquired with the one of the offices in the Annex. He said any one in any of the offices would have known there wasn't a hearing on the 3rd and could have directed them to the Planning and Zoning Office, located in the annex, so they could tell them the meeting was the 15th and not on the 3rd. He said anyone interested in the matter could have called and verified the information if they were that interested in the public hearing. Jim Maples, Tallahassee, the president of A Materials Group, the company that would like to construct a concrete plant on this property. He said his group builds clean concrete plants, the trucks are maintained and kept clean, the plants are landscaped, the surface areas are paved, and they leave whatever natural areas as they can around the plants for buffers. He said he they do comply with all of the State of Florida DEP requirements and would comply with any requirements of Franklin County. He informed the Board the plant would be a self-contained plant, which is a modular type plant that would be brought in and erected. He presented some photographs of a plant they recently built in Midway, Florida. He said the plant in Franklin County would look very similar to this plant. He stated he had an engineer lay the building on the plat. He explained the plant itself would be situated on the backside of the property and would allow a minimum of fifty-feet for an undisturbed area in the front of the building. He stated the employee parking and a small office building would be located at the front of the property. Commissioner Putnal said he had some people call him and ask him about the drainage from this project going into the small lake on the north side of the road. He stated the people who live in this area do not want this lake ruined. Mr. Maples stated this plant would have all of the water treated, the water runoff from the trucks being cleaned would run off into impervious ponds and the storm water would be diverted into a storm water treatment pond, which would stay on the property. He said he had the

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company's environmental officer here to address the Board this morning. Elva Peppers, A Materials Group environmental officer, said she had a copy of the soil survey map of this area if the Board was interested in looking at it. She stated she has done soil tests in the area, which reflects there is a pond in the area, but there is also drainage running to the south away from the pond. Ms. Peppers presented a copy of the soils map to each Commissioner. Mr. Pierce said there is a culvert underneath the road. Ms. Peppers said there is a culvert, but further to the east of the property. She stated there were a lot of uplands in that area. She said she was sure the water traveled south to run off the property. Mr. Langston said the area they are talking about does drain to the south of the property and not into the lake. Scott Cleveland, A Materials Group, said he would like to reiterate the storm water on this site would have to have approved DEP plans. He stated there are Type 1 Water, contact water, and Type 2 Water, water used to clean the back of the trucks. He said this Type 2 Water is containerized and is not released to the environment. He said the Type 1 Water is treated and allowed to run off the property. He said any plans the company has must be submitted to DEP for approval before any construction, etc. can begin. Ace Haddock, Carrabelle, said he was here to speak on behalf of his parents who are in the process of purchasing two lots on this road. He said they are concerned about the increased traffic and the noise caused by the trucks. He stated they are also concerned about dust from the road when it is very dry. Mr. Langston reminded the Board they approved and there is now a concrete batch plant in Eastpoint. He said this plant is directly across from the cemetery and is in a residential area. He stated, as far as he knew, there has not been a problem with the traffic. He said these trucks are going in and out of this plant at a greater pace than what this plant would have. He stated this plant is in a very populated area. Tammy Summers, SGI, said she has had a hard time finding property in Franklin County that she can afford. She stated she is going to purchase a lot on the lake, but has not closed on the property yet. She said she is concerned about the noise, air and water pollution not just the traffic going in and out of the plant. She stated she is familiar with the plant across from the Courthouse in Gulf County. She said this is a dusty and noisy business. She said she wanted the property around these two lakes to remain unpolluted. She stated she is concerned about the drainage ditch, which drains into the lake. Tommy Luster, Coastal Connections Realty, stated he has a client that owns two-acres of property on Airport Road. He said he contacted the client and informed him of this public hearing. He stated the property owner asked him to come to the meeting to represent him. He said the owner was unaware of any zoning or land use change, but has mixed emotions about it. He said the owner is opposed to a batch plant for cement due to his concern about the noise, air and water pollution. Mr. Luster said he lived on Bluff Road in Apalachicola where there was a batch plant located by his property for several years. He stated he agrees there is a lot of noise pollution. He said the trucks came into the plant at 3:00 or 4:00 a.m. in the morning to dump their loads and leave with the tail gate slamming open and shut, which causes too much noise for a residential area. He stated the conveyor belts are running; the diesel engines are running, cause noise. He said his client, when he purchased the property, was told by a real estate agent the area was industrial, light industrial. He said the people bought the property understanding this property was zoned light industrial and he wants it industrial, but light industrial. He stated he doesn't want anything going to pollute and destroy the area. Chairman Sanders asked if there was any more public

comment. Commissioner Putnal said he thought the Board had to consider the jobs, the permanent jobs this plant would bring to Franklin County. He stated this would mean five or six people with a permanent job, which is needed in the community. He said most of the property around this plant has not been sold or developed yet. He stated the County also needed a concrete batch plant in that area due to all of the new development in the area. He said he does have mixed emotions about this project, but he didn't want to stop everything or every sign of progress. He stated a certain amount of development had to be approved. Mr. Shuler said the issue he wanted to point out to the Board was the issue of the misprint of the Notice stating the public hearing was going to be held on April 3rd and not April 15th. He stated this might be a potential problem since one notice was listed the correct date and one notice that listed the incorrect date. He said is certainly someone could use for litigation with the County. He stated he thought the notice was probably considered a minor thing, but he did want the Board to be aware of this situation. Commissioner Putnal said because of what Mr. Shuler just said he would make a **motion to follow the recommendation of the County Attorney and table this request for a land use and zoning change for 9.9 acres in Section 25, T7S, R5W located in Carrabelle from A-2 Forestry Agriculture to I-1 Industrial until May 6, 2003 at 9:45 a.m.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal asked Mr. Langston if he could set up a meeting with these citizens who are concerned about this request. He said maybe they could come up with a solution to these problems or questions. Mr. Langston assured Commissioner Putnal he would try to work with these people, but a batch plant is a batch plant and if they want a batch plant out there he didn't think there was anything he could do. He said he didn't want to further pursue this matter if the Board was going to turn his request down. Mr. Shuler said he wanted to be sure the Board understood he was not making a recommendation since he could not tell them what a Judge would decide in a case where a situation like this came about. He stated he felt this notice was an adequate notice and that is all that is required by the law. He said this was an apparent discrepancy in the advertisement the County prepared and published in the newspaper. He stated this was nothing the developer did, but he would be wrong in not pointing this matter out for the Board. He said if someone did file a suit he was not sure this would be anything they could actually win a lawsuit over. Mr. Langston asked how would someone who read the advertisement have been harmed by the April 3rd date since it was before not after the hearing today. He stated both advertisements were run in the newspaper side-by-side and anyone who had a question about the dates could have checked with the County. He said someone might have been inconvenienced, but certainly not harmed in any way. He stated the public notice sent to the adjoining landowners was correct so everyone involved should have known the public hearing was today. He stated Scrivener's Errors occur all the time on plats being recorded in the Clerk's Office. He said when an engineer puts the wrong date or something on a plat that doesn't change substance of the plat. He stated all it does is cause the engineer to have to correct the problem. Mr. Shuler stated he does agree with Mr. Langston so this is why he is telling the Board the notice is probably okay, but he is not in the position not to tell the Board or point out to the Board this discrepancy. Mr. Langston said he did have some time constraints, but wanted the matter resolved at the next meeting. Chairman Sanders said the Forestry Service has a plant at the end of Airport Road, which brings in dump trucks, bulldozers,

etc. all times of the day. She said to her noise pollution was already there on the road and nobody had complained to her about it. She stated this was not to say she was for or against this request, but just to point out this is already going on that road. She asked Tony Millender, Forestry Service Supervisor, if he had gotten any complaints about the noise or equipment traveling up and down Airport Road. Mr. Millender replied he had not gotten any yet. Commissioner Mosconis asked Mr. Pierce how much of the property around the site is zoned industrial. Mr. Pierce said a lot of the property was owned by the State of Florida and zoned Agricultural. He stated there is a parcel owned by a private person. Mr. Langston said the whole piece of property was owned by Buckeye at one time. Chairman Sanders said she too wanted to inform the Board and members of the audience the area north of the Carrabelle Airport was a garbage dump at one time and is presently being used by the City of Carrabelle as a sewer plant and/or a spray field. She stated she was going to move on the agenda at this time.

ALAN PIERCE-CONTINUED

(Tape 2-1717) Mr. Pierce said Gary and Marcy Fritz was here this morning to revisit their discussion about the construction of their house, pilings being set in place, on County right-of-way on Bald Point. He said Mr. and Mrs. Fritz are asking the Board to approve the use of County right-of-way on Marlin Street since he has already put down the pilings for his house in the County right-of-way. Mr. Fritz presented a survey of his lot on Bald Point he had done a few days ago. He said the survey reflects where his foundation is located on his property. He admitted his house is going to be ten-feet into the County right-of-way at the farthest point, angling back to the boundary line, and according to the survey the fourth piling is within their lot leaving three pilings in the right-of-way of Marlin Street. He said the total area is 208 square feet. He said he was sorry they had done this, but would ask the Board to allow his pilings to stay where they were and not direct him to move them. He stated he didn't think they could have positioned their house on the lot in any other way. He said it's really a hardship on their part because of the storm water control ditch. Chairman Sanders asked if the County owned the storm water control ditch. Mr. Pierce said the County did not own the ditch. Commissioner Mosconis wanted to know if it was considered DEP jurisdictional. Mr. Pierce replied he did not know if it was or not. Mr. Fritz said it is a storm water control ditch and has been there about fifty years. He stated it is approximately 18-feet wide and 10-feet deep. He said there is a County maintained culverts that go underneath the road. He said someone had to put the culverts in to control the water run off. Mr. Pierce stated there is no question to the County put the culverts in, but the County does not maintain or control or own the ditch. Chairman Sanders informed Mr. Fritz he did not have a "bargaining chip" there. Mr. Fritz said he understood that. Chairman Sanders said she had a big problem with this whole situation. She asked Mr. Fritz what his occupation was. Mr. Fritz replied he was a remodeling contractor. Chairman Sanders said the problem is she is looking at ten and thirty years down the road when beach access or water access is a problem for the citizens of the County. She stated the County's water accesses are limited now as they are. Mr. Fritz said the State Park surrounds this area. Chairman Sanders stated she knew this. Mr. Pierce stated he understood the Fritz's dilemma, but this was their mistake and they would have to pay for the cost of correcting their mistake. He told the Board on September 11, 2000 the Fritz's was granted a

variance for this particular lot. He said he wasn't sure if the Fritz's attended the BOA Meeting when they were granted a 36' X 48' house, which is smaller than the house they are placing on the lot at this time. He stated that was a problem too. He said the records of the BOA reflect this size house, but the Fritz's are actually constructing a larger house. Mr. Fritz said he had never seen any of this information. Mr. Pierce stated Mr. Fritz's name is on the files and stated: "as requested by Gary Fritz, agent for Gary and Marcy Thorenson. Ms. Fritz said this was a mistake and they were never at this meeting. Ms. Fritz said she bought the property from "them" they were never "their" agent. Mr. Pierce said this was what was on the file and in any case the BOA granted the construction of a 36' X 48' house. He explained in 2002 the Fritz's were the owners and the County renewed the variance in any case. He said the dimensions for the house were not changed in any way; a 36' X 48' house is what should be built on the lot. Mr. Pierce said they are constructing a 51' X 40'. Mr. Fritz said they had a building permit for a 51' X 40' house from the County. Mr. Pierce stated the County Building Department did not notice the discrepancy between what the BOA had approved when the building permit was issued for the house. He explained the variance was for a smaller house. He said actually for a smaller house turned a different direction than what the Fritz's are building today. He stated the County has issued a "Stop Work Order" on the house and will not release it until the Fritz's have moved their pilings off of the County right-of-way on Marlin Street. Chairman Sanders asked Mr. Pierce if the variance approved was only supposed to go twenty-feet into the setback area. Mr. Pierce agreed. He said this was the problem the variance approved was for a smaller house and configured a different way. He stated it is true the County did not notice this when the building permit was submitted. Ms. Fritz said this was never mentioned to them when they applied for a variance or bought the lot. Mr. Fritz stated they have admitted they made a mistake by putting the pilings into the right-of-way, but they are trying to rectify the mistake. He asked the Board to help them since they already have this foundation in and it is not blocking the road in any way. He said they are a good twenty-feet from the road. Chairman Sanders said it didn't matter to her since this was public right-of-way and the people of Franklin County owned the right-of-way. Mr. Fritz asked Mr. Pierce what would stop them from filling in the storm water ditch so they could have enough lot to build on. Mr. Pierce said if this was not a jurisdictional ditch then, unless the USCOE stopped them, the Fritz's could apply for a permit to fill the ditch in. He said the County couldn't stop them from filling in the ditch. Mr. Fritz stated they wouldn't do that, but they were or should be considered a hardship case. Chairman Sanders said the Fritz's were in a hardship because somebody "boo-booed" and got onto the County right-of-way. She stated this is what the hardship was. Rachel Ward, Building Official, said she had the file from the Planning Office, which reflected the variance was actually-addressed twice. She stated both times Mr. Fritz acted as the agent and/or owner. She said the site plan reflects a 36' X 48' house on the lot. She stated DEP, when the permit came in, approved the site plan the County used reflecting the approved variance. She said the house was actually turned, which caused the corner of the house to stick out into the right-of-way. She asked the Fritz's where they planned to put their septic tank on the lot. She said one of the conditions of the permit issued was the house be staked and the septic tank be laid out before the actual construction of the house began. Mr. Fritz stated he had the septic tank examiner come to the site and was informed by him they would work it out. She asked

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Mr. Fritz where on the lot is was going to be installed. She said she didn't see anywhere there was room on the property to put a septic tank in. Mr. Fritz stated it could be put on the side setback line on the 10-feet there. Ms. Ward asked Mr. Fritz how he was going to keep the septic tank 75-feet back. Mr. Fritz replied they didn't have to have it 75-feet back. Mr. Pierce said the septic tank must be at least 75-feet back. Ms. Ward said this was part of the permit unless the Fritz's planned to install an aerobic system. Mr. Fritz said they have a permit, from the County, to build a 51' X 40' house and a permit from HRS to put a septic tank in. Ms. Ward said she was reading from the Health Department Permit for the septic tank, which actually expires this month, "the location and set-up of septic system and foot print of house must be laid out and staked prior to any construction or excavation and the Health Department must inspect it". He stated he had the Health Inspector over and asked him if he wanted "to go look at this lot down here". He said he told him "they would work it out". Chairman Sanders asked Ms. Ward if she had anything else to say. Ms. Ward stated the problem is the size of the house the Fritz's are building on the lot now is too large for the lot. Mr. Fritz said it was a fifteen hundred square foot house, but it was not a huge house. Chairman Sanders asked the County Attorney if he had any comments on this issue. Mr. Shuler replied there are two different issues before the Board this morning. He said the only new issue the Fritz's are discussing is the size as opposed to what they have a building permit for and what they got a variance for. He said the issue the Board addressed at the last meeting was about the piles or the footprint, whatever size it is, is encroaching on County right-of-way. He stated there were two separate issues one about the encroachment and one about the permit. He said he didn't want to comment on the issue about the size. He stated the issue of the pilings has the same range of options the Board discussed before. He said the County option is to have the pilings removed from the County right-of-way either by written demand or by lawsuit. He stated the County has forced other individuals to remove their pilings if they put them if they are placed in the County right-of-way. He said there is no provision under the statutes that would allow the County to just simply deed the Fritz's a portion of the County right-of-way. He said there is a provision under the statutes, which deal with partial abandonment of County right-of-way that could potentially impact the access of the people living at the end of this road. He stated there would also be a requirement for the County to, even if the Board wanted to, auction the property off if the County decided to do so. He said his recommendation, which is probably hard for the Fritz's, is to make them remove the pilings they have placed in the County right-of-way. He stated, it seemed to him, the piling company should share in some of the responsibility for the pilings being put in the County right-of-way. Chairman Sanders asked Mr. Shuler if this was his recommendation. Mr. Shuler replied yes, but the Board did have other options, which he just mentioned. Mr. Fritz said the pilings were only ten-feet into the right-of-way and fifteen to twenty-feet from the road itself. Chairman Sanders asked Mr. Pierce if there had been instances where the pilings have to be removed or actually taken out of the ground. Mr. Pierce replied yes, in fact, not only in the County, but the Building Official's had made contractors remove pilings, mostly wooden pilings, when they have been encroaching in setbacks within the line. He said the Board doesn't even hear about these situations. He stated a neighbor might complain to the Planning Office about the way a house is laid out, etc. and then a Building Official is sent to inspect the pilings and the lay out of the house. He said when there is any type

of encroachments the Building Officials issues a "Stop Work Order" until the problem is solved. He stated pilings have been removed several times. Robin Brinkley, Building Official, told the Board the Officials have also made contractors remove pre-stressed concrete pilings with girders attached in the same situation. Ms. Fritz asked the Board, since they received a building permit for a different size house than was on the original application, which was not their mistake, who could they sue. Mr. Shuler replied neither he nor the Board could give them legal advice. Ms. Fritz asked if there was a solution since it was not their mistake to have a building permit issued for a different size house. She asked what their next move should be to get anything done about this. Mr. Shuler informed Ms. Fritz it was not the responsibility of the County to provide any legal advice to them. Ms. Ward said the site plan the County approved indicated the set backs granted through the BOA variance were correct. Ms. Fritz said they didn't receive a copy of this information. Ms. Ward stated the DEP Permit had been stamped by DEP and she would assume the Fritz's or their agent had to apply for the permit. Mr. Fritz said they received a set of plans from the County they did not have a site plan with them. He stated the set of plans he received back from DEP he brought into the County's Planning and Building Office to get a building permit. He said when he received the plans back from the County there was not site plan with them. He stated he called Ms. Ward and told her what he had done. He said the next day Ms. Ward sent someone over with a site plan he had never seen. Chairman Sanders said this should be an issue with whomever Mr. Fritz used as his agent. Ms. Ward asked Mr. Fritz who his agent, if he had one, was. Mr. Fritz responded Larry Witt. Ms. Ward asked Mr. Fritz if Mr. Witt signed his Building Permit Application. Ms. Ward said she didn't see his name on any of the information Mr. Fritz furnished the County. Mr. Fritz said he was not sure, but he didn't think DEP had a site plan either. Mr. Pierce and Ms. Ward said this was almost impossible especially since their stamp is on their permit. Mr. Pierce stated someone from DEP signed the permit showing a house within the footprint of the property. Chairman Sanders asked Mr. Pierce if proper procedure was followed. Mr. Pierce replied they saw a footprint of a house that fit the dimensions or of the site plan/house plans approved by variance. Ms. Ward agreed with this. Mr. Pierce said their actual building plans were different than the original site plan. Chairman Sanders said the Board needed to move on and ask if there was any public comment on the matter. Gary Dame, Alligator Point, said he was here this morning to comment on this issue. He thanked the Board for allowing him to speak. He said he lives on Marlin Street, the street being discussed, for twenty years. He stated his home is between where Mr. Fritz is building a home and the water. He said he wanted the Board to know this was a street and not vacant property. He told the Board he met Mr. Fritz after the contractor had placed the last piling, within the right-of-way. He said Mr. Fritz told him he was going to sell this home he was building and hoped he made a profit on it because he had to go through an awful lot of paperwork. He stated probably two weeks ago Mr. Fritz pulled into his driveway and told him and his wife about the problem he had discussed with the County Commission several weeks ago about being in the County's right-of-way. He said Mr. Fritz told him he had a contingency plan if the County doesn't allow him to keep his pilings up in the right-of-way and this is when Mr. Fritz told him the house was placed in the wrong direction on the lot too. He stated the only thing he wanted to mention was that the lots are very small in that area. He said there were always risk and he felt Mr. Fritz had taken a risk and made a big mistake.

Chairman Sanders asked Mr. Dame if this meant he was opposed to Mr. Fritz having his house where it is currently being constructed. Mr. Dame replied he is opposed to having a house being built in the center of his street. He explained what if a street here in Apalachicola suddenly had a house built on a large portion of it. He said there would be problems. He stated he did not think it would be a good idea to leave the house as it is now. He said when he drives into his home he would have to drive around, as he is currently doing, the house because it is in his street. He informed the Board his neighbor Ms. Helms couldn't be here today at the Board Meeting, but she sent word through him she is also adamantly opposed to this house in the County right-of-way on Marlin Street in Alligator Point. Chairman Sanders thanked Mr. Dame and said she was moving ahead on the agenda. Commissioner Mosconis said he felt Mr. Fritz should come into compliance. Mr. Pierce said there was nothing procedurally the Board needed to do this morning. He stated the Building Department has already issued a "Stop Work Order" until Mr. Fritz moves his pilings out of the County right-of-way. He said unless the Board instructs him and his department differently then the "Stop Work Order" remains valid until the pilings are removed from the right-of-way. Commissioner Putnal asked Mr. Pierce if any problems Mr. Fritz has caused by anything the County did. Mr. Pierce stated he believed no one from the County has done anything wrong. He said there has been a "misunderstanding" about the size of the house Mr. Fritz thought he could build on the lot. He stated, but the County had records reflecting one size then the building plans submitted reflected another size that did not reflect DEP site plan and the BOA actions. Mr. Pierce said then the "Stop Work Order" would remain effective until Mr. Fritz moves the pilings.

THOMAS M. SHULER-COUNTY ATTORNEY

(Tape 2-2664) Mr. Shuler said he would need to finish his report because he was supposed to be in Gulf County for a hearing this morning. He stated with the help of Doris Pendleton, Property Appraiser, and her staff he has the dimensions on the available space in the Sumatra Cemetery. He informed the Board there is approximately one-half acre of open space less some percentage of that amount to be used for access roads throughout the cemetery. He said he has communicated back to the attorney for the Branch's, Mr. Rudolph, his recommendation the County accept their offer to purchase the cemetery for \$10,000.00 without any contingencies. He stated he has asked Mr. Rudolph to let him know what, if anything, the Branch's decide. He said he has not received any communication from him as of this morning. He stated he would recommend to the Board the property is easily worth \$10,000.00, especially in lieu of litigation. Commissioner Mosconis asked what would be the price per lot if the County sold the lots. Mr. Shuler said he really didn't know, but he felt the County would be able to recoup their money reasonably. Commissioner Mosconis said he felt the Board needed to know this going in to the deal. He stated the public needed to know if they were going to purchase it. Mr. Shuler replied he thought the County could probably get a couple hundred dollars per plot. Chairman Sanders asked if he thought the County would be able to recoup the money they were going to spend to purchase the property. Mr. Shuler answered he felt they would based on the amount of open spaces available. He said he has not gone to look at the site personally, but he did think one-half acre for \$10,000.00 certainly seems reasonable. He said with the Board's pleasure he would continue to

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pursue the purchase of this property for \$10,000.00 with no contingencies. Mr. Wade said he would ask the Board to give him time to look into the financing for this project. Commissioner Mosconis said if worse came to worse the money could be budgeted in next year's budget. Mr. Wade said he would look into the matter.

(Tape 2-2837) Mr. Shuler said he contacted the School Board Attorney concerning the scheduling of a public hearing to address reapportionment. He stated he has been informed this is a very busy time of year for the School Board, but they told him they would be checking into a time they could schedule a hearing with the Commissioners concerning reapportionment. He said their attorney should be contacting him soon about this matter. He stated as of this morning he did not have any communication with her.

(Tape 2-2860) He said he received a letter from the Attorney General's Office informing him of the availability of settlement funds for the County and, he would check into the matter further to see if the County does qualify for these funds.

(Tape 2-2873) He stated Mr. Pierce has already discussed the problems the County is having with plats with the Commissioners this morning.

(Tape 2-2897) He said he has delivered the final contract between the County and FDOT for the \$100,000.00 in funding the County is going to receive for the beautification project on SGI.

(Tape 2-2907) He said he has reviewed several contracts for the Bluff Road Bike Path.

(Tape 2-2913) He said the Thom Lewis Claim against the County for storm water run off damage to his land by flooding is based on his allegations that the County has reengineered a roadway on SGI, which causes his property, especially his garage to flood. He stated this claim still is not resolved. He said when he received the claim information he sent it to the Florida Association of Counties who is now conducting an investigation into the allegations. He said they have not completed their investigation at this point.

(Tape 2-2939) He said he has received a draft of a "Hold Harmless Agreement" from the City of Carrabelle for their use of the County right-of-way for sewer lines. He said he has asked them to make a few amendments. He explained the City of Carrabelle needed to provide a draft drawing reflecting where they are going to place the sewer line in the right-of-way. He said the initial drawing reflected the sewer line being placed right next to the roadbed, which might cause the pavement to fail. He said he would continue to work on this project too.

(Tape 2-2966) He received a copy of a letter from James A. Harris, Jr., Franklin County Tax Collector, informing the Board the 2002 Ad Valorem Taxes in the amount of \$24,571.81 had not been paid on Weems Memorial Hospital. He said Mr. Harris has also sent a copy of the letter to the company leasing the hospital Centennial Healthcare, as well as DasSee Healthcare. He asked the Board if they wanted him to take any action on collecting these taxes. Chairman Sanders said

Mr. Harris called her about this matter. She stated Mr. Harris informed her he would keep her updated on this matter. Commissioner Mosconis said he met recently with some people from Tennessee that are in the hospital business. He stated their biggest hospital is a 42-bed hospital. He stated they have a "niche" for small hospitals. He said they have a brand new hospital in Valdosta, Georgia. He informed the Board they are very interested in this hospital. He said he was going to continue to stay in touch with these people because the new hospital they just built in Valdosta has five operating theatres. Commissioner Putnal asked Commissioner Mosconis if he would ask these representatives to come and talk to the Board about the hospital. He asked him to ask them to come to a Board Meeting. Commissioner Mosconis said he just wanted the Board to know this to keep the County from getting "blackmailed". Chairman Sanders said he went to the Doctor's Memorial Dedication in Perry, Florida last week. She stated the hospital is a fantastic facility and Franklin County was going to be so well served by their air ambulance service.

ALAN PIERCE-CONTINUED

(Tape 2-3075) He said he needed Board direction, if so desired, on the request from Enterprise Florida to sign a Memorandum of Understanding (MOU) between Enterprise Florida and the Franklin County Planning and Zoning Office. He said no money was involved, but the proposed MOU does recognize the fact Enterprise Florida will promote Franklin County and in turn the Franklin County Planning and Zoning Office would disseminate and publicize information on Enterprise Florida programs and activities. He said Anita Grove, Apalachicola Bay Chamber of Commerce, was here this morning to inform the Board the Chamber has a similar MOU. Ms. Grove said the Board allowed her group to sign the MOU previously. She said the Enterprise Florida Group just thought the County would want to conduct this program. Mr. Pierce said he thought the Chamber was doing a good job. Commissioner Mosconis said this would be all right with him. The remainder of the Board agreed.

(Tape 2-3137) He said he wanted to update the Board regarding the erosion control efforts at Alligator Point. He said the Board needs to be aware that plans for a long term solution to erosion at Alligator Point is moving forward. He stated, at the last meeting, the Board signed an agreement with DEP to accept \$80,000.00 of State funds to use for a long-term solution for the erosion problem. He said there is a local match requirement, but the County's match can come from the Federal CIAP Funds the County received approval for over a year ago. He said the County would receive \$106,000.00 of Federal CIAP Funds to be used, as the County stated on its request, on Alligator Point. He explained the CIAP is a federal program, which will provide the County with a one-time share from a coastal impact assistant program or funds to mitigate against the effect of offshore drilling. He told the Board Linc Barnett, President APTA, agreed with him that the County should match the \$80,000.00 of DEP funds with \$80,000.00 of CIAP funds and use this money to complete the design work on Alligator Point related to a permanent solution to erosion. He said Preble-Rish, as the County

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Engineering Group, would be presenting a "Scope of Work" soon. He explained the total "Scope of Work" would be for \$195,000.00 because not only is the County going to use \$80,000.00 of new DEP, and \$80,000.00 of CIAP funds, but also there is another \$35,000.00 of DEP funds leftover Hurricane Opal DEP is also going to allow the County to put towards this project. He said when the "Scope of Work" has been reviewed and approved by DEP, it will be presented to the Board of approval. He said the erosion control solution Preble-Rish would be designing is the one recommended from the feasibility study done in 2001. He said that study recommends the building of a few T-groins to stabilize the shore and then rebuilding the beach with sand from either the Apalachicola River, the end of Alligator Point, or from offshore Alligator Point. He stated, while design funds are available, and some of the permitting funds would hopefully be available next year, the construction costs, which are going to be in the millions, have not yet been identified. He said the County is pursuing the acquisition of land on Alligator Point that will provide an opportunity to relocate the road sometime in the future.

(Tape 2-3275) He informed the Board he, Mark Curenton, and Don Ashley attended a meeting in Blountstown with a military planner from Eglin Air Force Base, and we heard a presentation from the Nature Conservancy of their analysis of open space and valuable ecological habitat. He said the connection between the military and the environment is that the military needs to protect their air space and the land surrounding the air base from intense development, and if the underlying ground around Eglin is environmentally valuable then buying land will protect the environment and Eglin's ability to continue its military role as a training center. He said because of the development south of Eglin, some of their training is being impacted, and they are looking at ways to continue their mission as one of the nation's premier training grounds. He said he told the Eglin planners that Franklin County does not see its development pattern of low density residential changing, but if Eglin wanted to impress the County, they should come to look at the Apalachicola Airport for use in certain support facilities and special military training operations.

(Tape 2-3346) He presented a copy of the letters he has sent to the various "Visioning Process" partners requesting their pledge funds for the project.

(Tape 2-3337) He present a copy of a letter he has written to DCA accepting an additional \$2,500.00 in funding for additional workshops associated with the "Visioning Process". He explained if this letter is accepted the Board would be presented with either an amendment to the DCA Contractor or a new contract in order to be able to spend the funds.

(Tape 2-3384) He stated Brenda Coulter, a resident of Eastpoint, called him yesterday to ask if the County would provide the manpower to clean off the "Papa's Pizza" burned out structure in Eastpoint. He said he informed her the County does not normally go onto private property, but he would seek direction

from the Board. He stated the County was going to put some dumpsters there for the debris removal. Chairman Sanders said this is what the Board normally does for individuals who have a burned out structure. She asked Mr. Pierce to inform Ms. Coulter the County would not provide manpower for private property owners.

(Tape 2-3417) He provided the Board with a current list of P&Z Commission members. He said the members need to elect a new Chairman and Vice-Chairman, but are holding off on these decisions because there are several openings on the Commission, which need to be filled. He said there are three vacancies; an at-large position, the real estate position since Ruth Schoelles resigned, and the science position because Jack Prophater is resigning. He told the Board they had not been regularly re-appointing people to these seats so Mary Lou Short, Gayle Dodd's terms are complete and Dan Rosier's term will be completed in July of this year. He informed the Board seats 4, 5, and 9 are vacant; seats 1 and 3 need to be reappointed as soon as possible and seat 11 would need to be reappointed in July. He suggested the Board think about this matter and said they could tell him on May 6th, the next Board Meeting, what they would like to do. Commissioner Mosconis said he knew he would like to appoint Rose Dryer, a real estate agent on SGI, to take Ms. Schoelles place to represent seat 5, the real estate member. Mr. Pierce suggested he agreed, but the Board could just wait and take care of this matter as soon as possible since there was going to be a P&Z Commission Meeting before long.

(Tape 2-3643 Continued on Tape 3) He said the Planning and Zoning Commission met in regular session and recommends the following: Approval for Dorothy Phillips to construct a single-family dock on Lot 1, Block A, Unit 1, Gulf Wynn Subdivision, Lanark Village. Commissioner Putnal made a **motion to approve a dock for Dorothy Phillips in Lanark Village.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for Alexander Rick to construct a single-family dock on Lot 10, Block 57, Unit 5, SGI. Commissioner Mosconis made a **motion to approve a dock for Alexander Rick on SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Recommends scheduling a public hearing to consider a land use and rezoning on a 9-acre parcel lying in Section 30, T6S, R4W, from R-6 Rural Residential to R-1 Single-Family Residential. R-6 is one house per 10-acres, and R-1 is one house per acre. This parcel is up SR 65, request submitted by Walter Armistead. P&Z has asked Ms. Ward of the Planning Office to check with the County Attorney because one-acre of this project is not contiguous with the other 8-acres. The County Attorney had left the meeting and therefore, Commissioner Mosconis made a **motion tabling this decision to authorize a public hearing as requested by Walter Armistead for a land-use and rezoning.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Recommends holding a public hearing to consider a request to re-zone Lot 34, Block 10 West, Unit 1, SGI from C-2 to C-4 as submitted by Heath Galloway, agent for Thomas Lewis. Commissioner Mosconis made a **motion authorizing the scheduling of a public hearing to consider a rezoning request for Lot 34, Block 10 West, Unit**

1. SGI as submitted by Heath Galloway, agent for Thomas Lewis.

Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** On discussion of the uses and development pattern occurring under the existing C-4, P&Z Commission Member, Mary Lou Short, discussed the need to require at least 50% of the structure to be used for commercial purposes on any further C-4 Zoning on SGI. While the P&Z minutes do not reflect that Ms. Short might have intended to exempt the Blue Parrot property from this requirement, when she spoke to the County Commission she stated the need to apply this standard to interior commercial lots. If the Board wants to require at least 50% of a building in C-4 have commercial use, the C-4 Zoning District will have to be amended, and this will require a public hearing. Ms. Short said this was exactly correct. She stated the motion at the P&Z Meeting was to recommend the County Commission send this request to Mr. Pierce or his office for the proper language. She said then it would come to the Board of County Commissioners for consideration or approval. Mr. Pierce assured the Board he would take care of this matter. Ms. Ward discussed with P&Z the need to create a Code Enforcement Board. The Florida Statutes already describes a Code Enforcement Board. The Commission unanimously supports the creation of a Code Enforcement Board. Such a Board would have to be created by ordinance, which would require a public hearing. He said this Board would consist of seven-board members. Mr. Pierce said this matter could be very controversial and suggested the Board wait until there was more information provided. He said he would get a better understanding of this and discuss it further with the Board before anything is decided.

(Tape 3-224) He reminded the Board a "Visioning Workshop" would be held tonight at 6:00 p.m. at the Courthouse Annex. He said the topic to be discussed is the protection of natural resources. He stated tonight's meeting should be more productive as the public will be presented with some of the important issues and possible approaches to protecting the issue. He explained this would help focus discussion and keep the groups on track. He said it should be a little more structured and the outcome better.

HARRY BUZZETT-SGI BRIDGE PROJECT

(Tape 3-257) Mr. Buzzett said as he sat down to compose his remarks to the Board he noticed his "Newsweek" magazine, which has the former POW Private First Class Jessica Lynch on it's cover. He stated she is a splendid young woman and it occurred to him he was coming to the Board this morning to champion people like PFC Lynch, people that fight our wars, pay our taxes, obey the laws and enjoy this grand and wonderful Franklin County that we live in. He said he is talking about people who utilize the first causeway of the current SGI Bridge. He stated the causeway is joined to Eastpoint by this bridge. He informed the Board he traverses the causeway nearly every day and is sees countless numbers of people fishing, picnicking and enjoying life out there. He said if the State destroys a portion of that old SGI Bridge then no longer will those people be able to go over there. He stated he felt they should be able to go over there. He said

rather than subtract what the common man has we should be adding to it; at least maintain the status quo. He suggested the Board communicate to the State the Franklin County Board of County Commissioner's desire to have the bridge remain intact, that the State maintain the Bridge so people like PFC Lynch and her family can continue to go over there and have a good time. Mr. Pierce said he knew the Board agreed with everything he said, but the dilemma was the State of Florida DOT has informed Franklin County repeatedly the County could keep the bridge, but they would barricade the causeway so no people could get to the causeway. He said FDOT made a promise to DEP to not allow any traffic or "foot prints" on this causeway because of the birds, etc. on the causeway. Mr. Buzzett stated this was not a "done deal" and he felt he could make a difference. He asked the Board to support him, because he is willing, in going to Tallahassee to champion the County's efforts to keep the causeway. He said he would need a letter stating the County has authorized him to lobby for saving this causeway. He said this is nonsense. Commissioner Mosconis said he knew the State would place this causeway on its inventory. Commissioner Putnal stated he put up a "battle" to do this in the first discussions about the bridge. He said he thought it was a waste to not leave the bridge intact. He said if the State would give the County the demolition money for the bridge the County wouldn't have any liability, but an access for the Board to improve on funding. He said you could put 5M or 6M dollars in a trust fund and operate on the interest. Chairman Sanders stated she understood, from the oystermen, something has happened to the oysters on "Cat Point". Commissioner Putnal stated the more you do, in a Bay like this, causes harm to the Bay. He said the oysters have been harmed and he didn't think that end of the Bay could survive the destruction of the old bridge. Mr. Pierce said he would be glad to work with Mr. Buzzett. Mr. Buzzett said he had the energy and time, but first he would like for the Commissioners to state their position, as far as supporting him with his effort. Commissioner Putnal made a **motion authorizing Mr. Buzzett to represent the Franklin County Board of County Commissioners regarding this bridge issue.** Jessie Doyle, SGI, said she thought this causeway was going to become "Bird Island" because the State was going to remove all of the asphalt and turn the causeway or island totally over to the birds that migrate there. Commissioner Mosconis said it was about time they had something for humans. He seconded Commissioner Putnal's motion. All for. **MOTION CARRIED.**

KENDALL WADE-CLERK

(Tape 3-521) He said he would like to inform the Board he, after discussing it with the Finance Officer, Ruth Williams, had made a decision regarding the Catastrophic Inmate Medical Insurance Reimbursement Quote from Hunt Insurance Group, Inc. in Tallahassee. He said it was time for the renewal of this insurance and the Hunt Insurance Group had furnished this quote listing three options for coverage. He said he and Ms. Williams agreed the best option for the County would be Option 2-\$250,000.00 total coverage per inmate; \$15,000.00 Specific Retention Per Inmate; \$235,000.00 Maximum Reimbursement Per Inmate; Current Inmate Population 65; Rate Per Inmate Per Day 70-cents;

Estimated Annual Premium \$16,608.00; Estimated Monthly Premium \$1,384.00, which specifies a \$15,000.00 deductible. He said this saved the County approximately \$3,000.00 in premiums. He stated the County hasn't had anything major happen to an inmate yet this year so they felt it would be the best option for the County.

(Tape 3-545) He said he had received a request from the Florida Bar for the County to adopt a Proclamation proclaiming the month of May as Civility Month and asks all citizens to exercise civility toward each other. He asked the Board for the Chairman's signature. He said, due to time constraints, he would not read the entire proclamation. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a Proclamation submitted by the Florida Bar designating May as Civility Month and asks all citizens to exercise civility toward each other.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-566) He said needed the Board to approve a Budget Amendment to adjust for the purchase of the Mazda truck the Building Department was authorized to purchase at one of the previous meeting. He said the Board needed to approve increasing account number 001.28.524.6400 Machinery and Equipment in the amount of \$10,000.00; decreasing account number 001.20.511.3103 Engineering Services in the amount of \$10,000.00. Commissioner Mosconis made a **motion approving a Budget Amendment increasing account number 001.28.524.6400 Machinery and Equipment \$10,000.00 and decreasing account number 001.20.522.3103 Engineering Services for the purchase of a Mazda truck for the Building Department.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-580) He stated he also needed a Resolution of Unanticipated Revenues and read the following Resolution into the record: Whereas, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets and, Whereas, FS 129.06 provides for budget amendments for unanticipated revenues, and Whereas, Franklin County has received unanticipated revenues in the amount of \$20,000.00 from James A. Harris, Sr. and George S. Harris, 580 Brownsville Road, Apalachicola, Florida 32320, for transfer of real property, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2002-2003, and Whereas, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and Whereas, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of: 001.22.581.9100 Budget Transfer Property Appraiser \$15,000.00; 001.99.584.9600 Reserve for Contingency \$5,000.00. Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$20,000.00 in the General Fund in order to comply with FS 129.06(2)(d). This Resolution adopted by the Franklin County Board of County Commissioners this 15th day of April 2003. Cheryl Sanders,

Chair; Kendall Wade, Clerk. Commissioner Putnal made a **motion authorizing the Chairman's signature on this Resolution of Unanticipated Revenues in the amount of \$20,000.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-632) He presented a letter from Buddy Ward & Son's Seafood in appreciation for the Board's swift response and help with having the Bob Sikes Cut dredged. He said he had placed a copy of the letter dated April 14, 2003 in each of the Commissioners pick-up box in his office.

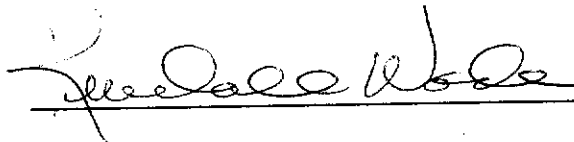
(Tape 3-650) He informed the Board on April 28, 2003 the annual "Franklin County Day" would be held at the Florida Legislature in Tallahassee. He said he would ask the County for \$1,000.00 to help assist in the costs for preparing the seafood meal that day. He said other entities the City of Carrabelle and probably the Chamber of Commerce was going to contribute. Harry Arnold, SGI, was going to take care of most of the preparation of the meal. He stated he needed the Board to approve the expenditure of \$1,000.00 from the County's Recreation Budget. Chairman Sanders said she would be attending "Franklin County Day" at the Legislature and urged the other Commissioners to join them on that day. Commissioner Mosconis said he wanted to make a **motion authorizing the expenditure of \$1,000.00 from the Recreation Budget for the annual "Franklin County Day" at the Florida Legislature in Tallahassee on April 28, 2003.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Wade said he would like to invite all of the County Commissioners to come to Tallahassee on April 28, 2003 and help serve lunch to the participants.

MATTERS FROM THE FLOOR

(Tape 3-687) Chairman Sanders said she wanted the Board to know that also on April 28, 2003 at 1:30 p.m. in Conference Room A at the DEP Office in Tallahassee a Florida Stakeholders meeting would be held. He stated this was a meeting scheduled after Governor Bush meets with Governor Perdue, Georgia and Governor Riley, Alabama on April 21, 2003 in Dothan, Alabama to discuss the Apalachicola-Chattahoochee-Flint River Compact to establish a fair and reasonable allocation formula for the water. She encouraged any Commissioner that was going to the "Franklin County Day" to also attend this very important meeting since the compact was so important to Franklin County, especially the seafood industry.



CHERYL SANDERS, CHAIRMAN



KENDALL WADE, CLERK