

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FEBRUARY 17, 2004**

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

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

**RESOLUTION OF APPRECIATION-ANTHONY "TONY" MILLENDER**

(Tape 1-35) Chairman Sanders said several months ago the Board approved the Chairman's signature on a Resolution of Appreciation for Anthony "Tony" Millender for his thirty years of service to the State of Florida and Franklin County. Chairman Sanders presented the Resolution to Mr. Millender and personally thanked him for his service to both the State of Florida Division of Forestry and the Carrabelle Volunteer Fire Department. Mr. Millender thanked the Commissioners for the Resolution of Appreciation given to him this morning.

(Tape 1-75) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-83) Commissioner Williams made a **motion to approve the minutes of the meeting held on February 3, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**WESLEY TICE-FCPHU ADMINISTRATOR**

(Tape 1-97) Mr. Tice said he was at the Board meeting to discuss and present the final route, through Franklin County, the "Step Up Florida" relay team was going to take. He said there would be a final meeting of his staff, the County staff, the Sheriff's Department, the Police Department, etc. to make sure the relay participants would not be harmed. He invited one of the Commissioners to meet the Gulf County participants at the Gulf County line and take the "symbol" from them for the relay through Franklin County. He said the participants would bicycle, walk, run, sail and kayak through Franklin County. He stated the relay would also "dove tail" with the official opening of the new SGI Bridge. Chairman Sanders said she met with Mr. Tice and his staff regarding the Primary Care dilemma in the County. She stated she was just letting the Commissioners know there is a deficit in the funding for this program in Franklin County. She said the County might have to assist in funding this program, which consisted of approximately 110 citizens needing this care this year. She said she was informed there would be no additional funding for the Primary Care Program after June 30, 2004. She stated she just wanted the Board to be aware of this shortfall in funding so if the County had to provide some funding it wouldn't be such a shock to everyone.

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 1-328) Mr. Pierce said he would like to discuss the request the FCPHU submitted to the County for additional parking at the Health Department in Apalachicola. He said, after talking with Chris Clark, County Engineering Technician, and receiving his input, one option would be to contact the neighboring property owners Apalachee Mental Health Clinic to see if they would allow the County to utilize some of their parking lot. He said this could be considered a common parking lot, which would be located on the vacant 150' X 140' area at the Clinic, for both the entities to use. He said the Clinic representatives have not responded to the letters the Health Department has sent them. He asked the Board, since the County gave the property to the Clinic, if the Board would authorize a letter, to be signed by Chairman Sanders, be sent to the Clinic representatives asking for their assistance in this matter. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a letter to the Apalachee Mental Health Clinic, located next to the FCPHU in Apalachicola, requesting they consider a common parking area on the vacant lot between the Health Department and the Clinic.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-530) Mr. Chipman said he and his staff were working very hard to fix all of the damage done by all of this rain. He stated all of the roads in the County are in bad shape and in need of repair. He informed the Board the highways are full of potholes caused by all of the rain. He stated he has purchased a load of "cold mix" and his staff is trying to repair the roads as soon as they can get to them. He said the roads are probably in the worse shape he has ever seen them. He stated because of all the new residents the roads were really being used a lot.

(Tape 1-553) Commissioner Mosconis said he wanted to discuss the Airport Access Road Project at the Apalachicola Airport. He asked Mr. Pierce to address the Board regarding this issue. Mr. Pierce said he would like to request the Board authorize the expenditure of up to two days of milling machine work by the C. W. Roberts Contracting, Inc. work crew. He stated this would take care of all of the old Airport Road and give the County some milled asphalt to use. He stated the County would pay the cost of the machine on a daily basis and then the County would receive all of the milled asphalt. He said the County would have to provide the trucks to haul the milled asphalt to the road yard on Bluff Road in Apalachicola. He said the cost would be \$4,000.00 per day, but the machine should generate 20 to 40 truckloads of milled asphalt. He explained milled asphalt would cost the County \$400.00 per truckload. He said this would save the County money by hiring the milling machine already in use on this project. He asked the Board to authorize the expenditure of up to \$8,000.00 from the Road Department Budget for milling the old Airport Road by C. W. Roberts Contracting, Inc. Commissioner Mosconis said this would certainly benefit the County by utilizing this milled asphalt for the road repairs in the County. Commissioner Mosconis made a **motion authorizing the expenditure of up to \$8,000.00 from the Road Department Budget for milling machine work done by C. W. Roberts Contracting, Inc. on the old Airport Road in Apalachicola.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he had talked to this contractor on this project

and instructed Mr. Chipman to allow the contractor to utilize three County trucks for hauling this asphalt. He stated this shouldn't take very long and should not tie up the trucks for long.

(Tape 1-657) Mr. Pierce said he wanted the Board and Mr. Chipman to know Ben Watkins was very pleased with the County staff moving the lime rock off of Timber Island for him. He stated the Road Department left the site in good shape.

(Tape 1-664) Chairman Sanders interrupted Mr. Pierce for the Solid Waste Director's report.

**VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-671) Mr. Johnson reported he had met with Solid Waste personnel involved in the discarded boat trailer, belonging to Chris Millender, along the County ROW incident. He explained the boat trailer was picked up from the County ROW in Carrabelle last December and was near the road where debris is routinely picked up. He said his staff also informed him the Knuckle Boom truck damaged the trailer during the loading process and that the compactor completely destroyed it by running over it once it reached the Landfill. He said he would recommend the Board settle this matter. He said he and the County Attorney, Michael Shuler, determined a fair value for the boat trailer would be \$750.00. Commissioner Mosconis made a **motion authorizing Mr. Johnson to pay Chris Millender \$750.00 for the boat trailer the Solid Waste Department picked up off of County ROW in Carrabelle.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Mr. Wade asked the Commissioners how they wanted to pay for this boat trailer. Commissioner Mosconis said it should be taken from the Tipping Fees Budget. He said he would add **this amount is to be paid out of the Tipping Fees Budget of the Solid Waste Department.** Commissioner Creamer seconded this addition to Commissioner Mosconis' motion. All for. **MOTION CARRIED.**

**PUBLIC HEARING-LAND-USE AND REZONING 2.35 ACRES IN EASTPOINT**

(Tape 1-1027) The Chairman announced the opening of this Public Hearing to consider a land-use change from Residential to Commercial and a rezoning from R-1 Single Family Residential to C-4 Commercial Mixed Use Residential for 2.35 acres located at 279 Patton Drive in Eastpoint. Chairman Sanders asked if there was anyone here at the meeting to address these changes. Mr. Pierce said his office had not received any letters or phone calls opposing these changes. Commissioner Creamer made a **motion approving the land-use change for 2.35 acres located at 279 Patton Drive in Eastpoint from Residential to Commercial.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Creamer then made a **motion approving the rezoning of 2.35 acres located at 279 Patton Drive in Eastpoint from R-1 Single Family Residential to C-4 Commercial Mixed Use Residential.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**BILL MAHAN-COUNTY EXTENSION DIRECTOR**

(Tape 1-1082) Mr. Mahan presented the Board with the following information: The Bivalve Bulletin; The New Post-Harvest Oyster Processing Fact Sheet; and the 2004 Gulf and South Atlantic States Shellfish Conference schedule and agenda.

**ALAN PIERCE-CONTINUED**

(Tape 1-1320) Mr. Pierce continued his report at this time. He announced the official opening of the new SGI Bridge was scheduled for January 27<sup>th</sup> at 11:00 a.m. He said there would be a "Ribbon Cutting" Ceremony with several State dignitaries attending.

(Tape 1-1396) He submitted a copy of the GT COM proposal to continue providing 911 services to Franklin County. He said the cost listed in the proposal is \$455,000.00. He informed the Board the County only had \$150,000.00 in the 911 Budget at this time. He said GT COM is the provider for Gulf, Franklin and Calhoun Counties. He explained GT COM wanted to phase their 911 services out, but because there are no other 911 Service providers interested in assuming the responsibility of these three counties they are proposing to serve the three counties. He said the total cost for Franklin County to become compliant with the cell phone technology, which the State of Florida is going to require of any 911 Service, is \$455,000.00. He stated he did not need the Board to do anything this morning since there has not been a deadline date set for complying with these new regulations. He said he did want the Commissioners to think about how the County was going to provide the additional funding, \$300,000.00, in the future. He reminded the Board the County would be receiving approximately \$200,000.00 for the payment in lieu of tax funds from the State in July or August unless the State decides not to fund the payment in lieu of taxes program.

(Tape 1-1481) Mr. Pierce presented a letter to the County from The St. Joe Community Foundation stating the Board of Trustees of this foundation was going to award a grant of \$10,000.00 to Franklin County for the placement of seven automatic external defibrillators (AED's) and for the training in their use. He said they would like these AED's need to be placed in law enforcement vehicles, the Courthouses, City Halls, Post Offices, etc.

(Tape 1-1527) Chairman Sanders interrupted Mr. Pierce so the Board could address the next public hearing scheduled on the agenda.

**PUBLIC HEARING-REZONING LOTS 10-15, BLOCK 6 WEST, SGI**

(Tape 1-1527) Mr. Pierce said this was a public hearing to receive public input as to whether the Board should approve a rezoning for Lots 10-15, Block 6 West, SGI Gulf Beaches, Unit 1 from C-2 Commercial Business to C-4 Mixed Use Residential. Kathy Shirah, the site plan agent for North Florida Development, said she would be happy to answer any questions the public or the Commissioners would like to ask about the project. Barbara Sanders, attorney, stated she representing Betty Neisler, who owns the property between this site and the Junior Food Store. She stated Ms. Neisler does not have any objections to the rezoning contingent on the County allowing her to rezone her property too. Ms. Sanders said Ms. Neisler would be requesting a zoning change for her

property to the C-4 zoning, which is the same rezoning. She stated she also understood there was a lot of concern about the traffic and how it would move onto Franklin Boulevard. She said the Planning and Zoning (P&Z) Commission had instructed the traffic flow to not come on to and off of Franklin Boulevard. After discussion Commissioner Creamer made a **motion approving the rezoning of Lots 11-15, Block 6 West, SGI Gulf Beaches, Unit 1 from C-2 Commercial Business to C-4 Mixed Use Residential.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

**ALAN PIERCE-CONTINUED**

(Tape 1-1930) Mr. Pierce said the Planning Department had a used copier, which was given them by the Clerk's Office. He said the copier still works, but cannot handle the volume of copies the Planning Department now makes. He asked the Board to designate the copy machines as a surplus item and donate it to the Franklin County Senior Citizens Center. Commissioner Mosconis made a **motion authorizing the copier being replaced in the Planning Office be given to the Franklin County Senior Citizens Center.** Kendall Wade, the Clerk, instructed Mr. Pierce to make sure and inform the Finance Office this item is going to be removed from the property records. Mr. Pierce said he would take care of informing them of this donation. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1970) He informed the Board the Franklin County Senior Citizens Center is utilizing Chris Giametta, Franklin County Building Inspector, on weekends and off-duty hours to provide inspection services for the SHIP Program. He said the SHIP Program funds are used to pay for the inspections. He asked the Board for authorization for Mr. Giametta to receive compensation from the SHIP Program for the additional work he does for them. He assured the Board Mr. Giametta only does these inspections on the weekend on when he is off work. Commissioner Creamer made a **motion authorizing Chris Giametta, Franklin County Building Inspector, to be paid for his inspection services provided for the SHIP Program on weekends and off-duty hours from the SHIP Program funds.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2020) He presented a copy of a letter from FDEP regarding the Summer Camp permitting for their Wastewater Treatment Facility and their Storm water permits.

(Tape 1-2030) He asked the Board to authorize the Chairman's signature on the contract between Franklin County and Island Home Adventures for the SGI Beautification Project contingent on the County Attorney's review and approval. Commissioner Creamer made a **motion authorizing the Chairman's signature on the contract between Franklin County and Island Home Adventures for the SGI Beautification Project contingent on review and approval by the County Attorney.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2047) Mr. Pierce said he was also going to submit additional letters he has received regarding Harbor Circle on Alligator Point and the evacuation route. He said

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some of the letters were presented at the last meeting and others have been submitted to the Planning Office afterwards.

(Tape 1-2060) He said Mr. T. Spohrer, Eastpoint, is asking for a legal easement for access to his property to gain access to Patton Drive. He explained Mr. Spohrer has purchased the culvert pipe needed to cover a ditch between his property and the County Boat Ramp. The Commissioners instructed Mr. Pierce to inform Mr. Spohrer they were not willing to grant this request.

(Tape 1-2126) Chairman Sanders again interrupted Mr. Pierce for the next Public Hearing.

**PUBLIC HEARING-REQUEST TO ABANDON A PORTION OF WADDELL RD.**

(Tape 1-2131) Chairman Sanders recognized Jan Hevier, attorney for the owners of the Breakaway Marina, Inc., to address the Board at this time. Mr. Hevier said he would like to defer his comments until after any public comment was made regarding this request. Chairman Sanders asked if anyone in the audience would like to make any public comment on this issue. Mr. Hevier said this particular portion of road is completely surrounded by Breakaway Marina properties. He stated the road doesn't serve any purpose other than to bring traffic to the Breakaway Marina. Commissioner Creamer asked if the road went all the way to the boat ramp. Mr. Hevier replied the boat ramp itself is Breakaway Marina property. He said the road ends approximately 20 or 30 feet before it even gets to the boat ramp. Commissioner Putnal said he would make a **motion approving the Chairman's signature on a "Resolution Abandoning a Portion of Waddell Road"**. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

**EMERGENCY MANAGEMENT DIRECTOR**

(Tape 1-2221) Mr. Pierce wished to advise the Board that he has been asked by the U.S. Army Corp of Engineers to provide input on the boundaries of Franklin County's Coastal High Hazard Zone (CHHA). Franklin County has three maps that do not agree, and the state and the Corps are funding a study to create one map that will be satisfactory for the COE, the state Division of Emergency Management and Franklin County. The three existing conflicting maps are: Regional Evacuation Plan, Franklin County Coastal High Hazard map for the 1991 Comp Plan, and the Hurricane Surge maps. The CHHA zone is designed as an emergency management tool. The CHHA has a statutory definition to be at least the category 1 hurricane evacuation zone. The CHHA adopted in the 1991 Comp Plan is much larger than that. The Regional Evacuation Zone is much smaller than that. The Surge Maps indicate basically what the category 1 evacuation zone should be.

The U.S. Army Corps of Engineers have created a draft CHHA map that appears to meet the requirements for a reasonable CHHA. It basically is land south of US 98, except for the city of Apalachicola and Carrabelle. This means that land south of US 98 should be evacuated during a category 1 hurricane, including Timber Island if there were ever any residences built there. This is where the true use of the CHHA as an emergency management tools runs into the issue of growth management. Development can occur in

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a CHHA, but it has to show that the increase in development is not going to put people at risk. An increase in development from what is currently allowed needs to be reviewed to make sure that such issues as evacuation clearance times, shelter space, road capacity, can handle the increased demand created by development. Increases in CHHA zones have occurred around the state of Florida but the impact of an increase in development is reviewed if and when a request for development that required a land use change was even submitted. Mr. Pierce went on to say that he has provided input to the Corps. The County Commission will be presented with a CHHA map as part of the comp plan update. The Board will develop policies for using, interpreting or improving the map. Mr. Pierce explained to the Board those areas that would be affected by this new map. He went on to say that to his knowledge, it would not affect flood insurance rates. It could affect future development within this area. Developers will be required to provide evidence that development within the CHHA zone will not put any resident at risk. He felt that Timber Island would be located within this zone. Chairman Sanders asked if the Board could adopt policies concerning evacuation rather than designate these areas as High Hazard areas. Chairman Sanders interrupted Mr. Pierce to open bids.

**BIDS-ONE (1) TYPE I GENERATOR POWERED AMBULANCE**

(Tape 1-2953) One bid has been received from Frazier Built for total price \$89,525.00 the ambulance representative asked if the cost came under what is available can two generators be purchased. The Board agreed that only one had been advertised and only one can be purchased without further advertisement. Commissioner Putnal made a **motion to have ambulance personnel review and come back to the board with a recommendation.** Commissioner Williams seconded the motion. All for **MOTION CARRIED.**

**ALAN PIERCE CONTINUED**

(Tape 1-3119) Mr. Pierce continued his presentation concerning the CHHA maps. There was discussion concerning how these maps will affect Summer Camp and Timber Island. David McClain asked that the maps be reconciled and have one authoritative map to work with. David Butler spoke and said that he hopes to keep some flexibility at the county level. There is a state statute which requires that if you approve a category 1 evacuation area it is by law considered the CHHA which has certain state restrictions which this body is bound by. He asked that this be looked at very carefully. Mr. Wade suggested that the Apalachee Regional Planning Council be consulted during this process. There was much discussion concerning evacuation requirements and development standards. No action was taken.

**PUBLIC HEARING ZONING CHANGE FOR A 2.5 ACRE PARCEL LYING IN SECTION 20, T7S, R4W, TIMBER ISLAND, CARRABELLE, FLORIDA FROM C-1 COMMERCIAL FISHING TO C-3 COMMERCIAL RECREATIONAL.**

(Tape 1-3816) Mr. Pierce told the Board this property is located on Timber Island and is a parcel that is pretty well surrounded by City of Carrabelle property, owned by Tim and Christina Saunders. It is currently zoned C-1 but is different than other areas in the county that are zoned C-1. No oysters have ever been unloaded. They have shrimp boats and a marina. They offer more in the way tourist oriented commercial facilities. Before

they can move forward they will need to have city water and sewer. He suggested that they annex into the City of Carrabelle. Mr. Pierce felt that they should pursue annexation. Commissioner Putnal told the Board that the Saunders do not want to stop unloading seafood, they want to be able to expand their tourist oriented commercial facilities. Joseph Parrish representing Buddy Ward & Sons Seafood spoke opposing the rezoning as he feels it is spot zoning. We would like to maintain the C-1 District for the seafood industry. We are afraid that this rezoning will set a precedent. Christina Saunders spoke stating they have never been a seafood processing business, we only handle shrimp and we want to continue this activity. She also asked that if she were annexed would the county High Hazards still affect her. Mr. Pierce didn't feel this would greatly affect her as it affects residential property and evacuation zones. After more discussion, Commissioner Creamer made a motion to rezone a 2.5 acre parcel lying in Section 20, T7S, R4W, Timber Island, Carrabelle, Florida from C-1 Commercial Fishing to C-3 Commercial Recreational. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

#### **AMBULANCE SERVICE**

(Tape 2-425) Patricia Shuler appeared before the Board concerning the Bid from Frazier Built. The price quoted 89,525.00 is a good price and they would like to negotiate for a second ambulance. We will have to readvertise. Commissioner Creamer made a Motion to accept Bid from Frazier Built for one (1) Type I Generator powered ambulance in the amount of \$89,525.00. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Creamer made a motion to readvertise for a second ambulance. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

#### **ALAN PIERCE – DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 2-487) Mr. Pierce told the Board that at the last meeting they heard a brief report about the \$119,000 worth of funding the county will have to create if the Legislature amends the funding of juvenile justice. The Florida Association of Counties encourage the Board to write its legislators opposing the shift in funding. Mr. Wade told the Board that this put additional funding requirements on the county and asked that the Board authorize letters be written to its legislators. Commissioner Putnal made a motion to write letters to our Legislators opposing these funding mandates. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-528) Mr. Wade told the Board that last year he returned to the Board \$97,000 in fees collected through his office, this year he will return \$108,000. As of July 1, 2004, he will no longer be giving this money to the county, it will go into the State Trust Fund. He encourages the Board to contact its legislators and petition them to continue to give counties this excess money. He felt giving this money to the State is wrong.



**ALAN PIERCE CONTINUED**

(Tape 2-590) The St. James Island Overlay meeting occurred February 12<sup>th</sup> in Carrabelle with over 120 present. Commissioners Putnal and Williams were in attendance. This meeting was held for Billy Buzzett to present the plan St. Joe has drawn up for their holdings on St. James Island and for the public to provide comment on the plan. Mr. Pierce told the audience that the Board of County Commissioners would be presented with this plan or a modification of it at a county commission meeting. The plan is not yet ready to be presented to the Board. Mr. Buzzett is still evaluating public comment from this meeting and is interested in getting some direction from the Board. The difficulty in developing this plan is in providing enough information for the plan to be complete, and at the same time recognizing that this plan is an overlay that does not change the underlying land uses. A lot of the state regulatory required studies about impact have yet not been done. Billy Buzzett addressed the board reiterating what Mr. Pierce has said. When we have the plan we will bring it to the Board. Chairman Sanders asked that one or two more public meetings be held before coming to the Board. There was more discussion stating that this plan will address long term plans for the St. James area.

(Tape 2-761) Mr. Pierce proceeded with his report from the Planning and Zoning Commission. The first items were dock applications. The Commission recommends approval for Jim Carey to construct a single family private dock at 405 River Road, Carrabelle, as requested by David Keith, Docks for Less, agent. Commissioner Putnal made a **motion to approve.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-765) The Commission recommends approval for Mark Hopkins to construct a single family private dock at 2626 Highway 98, Lanark Village, as requested by David Keith, Docks for Less, agent. Commissioner Putnal made a **motion to approve.** Commissioner Williams seconded the motion. All For. **MOTION CARRIED.**

(Tape 2-788) The Commission recommends approval for Hans and Shirly Shultz to construct a single family private dock on Lot 4, Block U, Unit 1, Lanark Beach, address is 2312 US Highway 98, Lanark, as requested by the owners. Commissioner Putnal made a **motion to approve.** Commissioner Williams seconded the motion. All for **MOTION CARRIED.**

(Tape 2-798) The Commission recommends approval for Barry and Kim Poole to construct a single family private dock on Lot 42, Alligator Point Subdivision, address is 1633 Alligator Drive, Alligator Point, as requested by Garlick Environmental Associates, Inc., agent. Commissioner Creamer made a **motion to approve.** Commissioner Williams seconded. All for. **MOTION CARRIED.**

(Tape 2-821) The Commission recommends approval for Alvin Morris to construct a boat ramp on Lot 1, New River Subdivision, address is 435 Mill Road, Carrabelle, as requested by Garlick Environmental Associates, Inc., agent. Commissioner Putnal made a **motion to approve.** Commissioner Williams seconded. All for. **MOTION CARRIED.**

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(Tape 2-834) The Commission recommends approval for Tommie and Deborah Huckeba to construct a single family private dock on Lot 1, Block D, Magnolia Bluff, 147 North Bayshore Drive in Eastpoint, requested by the owners. Commissioner Creamer made a **motion to approve.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-840) The Commission recommends approval for John and Janie Tishaw to construct a single family private dock on Tract 3, Hidden Bluff Estates, address is 1119 Durham Drive in Apalachicola, as requested by Larry Joe Colson, agent. Commissioner Mosconis made a **motion to approve.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-856) The Commission recommends a public hearing be scheduled to consider rezoning Lots 30, 31, and 32, Block 5 East, Unit 1, St. George Island, from C-2 to C-4 as requested by Mary Lou Short, owner. Commissioner Creamer made a **motion to schedule a Public Hearing.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-882) The Commission discussed at length Mr. Jim Millers' request for rezoning a 60 acre parcel in Eastpoint. At this time, Mr. Miller is still considering his options. No action taken.

(Tape 2-888) The Commission recommends a rezoning and a small scale land use change and sketch plat approval for a 5.84 acre tract of land from R-6 Rural Residential to R-1 Single Family Residential in Section 24, Township 8 South, Range 6 West. This tract is in the Emerald Point area, which has already seen some conversion to R-1. The subdivision will be known as Dolphin Watch at Emerald Point, request submitted by Pamela Prince, owner. Mr. Pierce told the Commissioners that these tracts do include property on the south side of US. Highway 98, the owner has agreed that no residential construction will take place south of the Highway. Commissioner Putnal made a **motion to schedule Public Hearings.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Mr. Pierce submitted several plats for final approval. They will be contingent upon the County Attorney's review of these plats.

(Tape 2-913) The Commission recommends final plat approval for a subdivision known as New River Run Phase II, a ten lot subdivision lying in Section 13, Township 7 South, Range 5 West, as requested by Freda White. Commissioner Mosconis made a **motion to approve Final Plat.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal questioned whether this was part of the property set aside for open space. Mr. Pierce was not sure, Mr. Shuler said that he would check this plat before recording.

(Tape 2-980) The Commission recommends final plat approval for a 20 lot subdivision known as Bay Magnolia, Section 3, Township 8 South, Range 5 West, as requested by

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Nick Saporito. Commissioner Mosconis made a **motion to approve Final Plat.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-988) The Commission recommends final plan approval contingent upon a corrected DEP wetland delineation letter and county attorney review for a subdivision known as Village Green by the Sea, Phase II, a 20 lot subdivision in Section 12, Township 7 South, Range 4 West, Lanark Village, as requested by Larry Witt, agent for Jim and Nancy Green. Commissioner Putnal made a **motion to approve Final Plat.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1004) The Commission recommends final plat approval for a subdivision known as Fairway Park, a 25 lot subdivision lying in Section 12, Township 7 South, Range 4 West, Lanark Village, as requested by Larry Witt, agent for Frances Survek. Commissioner Mosconis made a **motion to approve Final Plat.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Mr. Pierce presented several commercial site plans for approval:

(Tape 2-1018) The Commission recommends approval for a commercial seafood building at 518 US Highway 98, Apalachicola, as requested by Pete Wilson, agent for Annie Mae Wilson, owner. Commissioner Mosconis made a **motion to approve Commercial Site Plan.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1040) The Commission recommends approval for a commercial seafood building at 336 Patton Drive in Eastpoint, as requested by T. Spohrer, owner. Mr. Pierce told the commission that there is a question concerning access to the property and asked that no action be taken until this matter is resolved.

(Tape 2-1045) The Commission recommends approval for a commercial concrete batch plant lying in Section 22, Township 7 South, Range 5 West, Carrabelle. This is the property on Airport Road that was subject to litigation but has since been resolved. Request submitted by Robert Sellers, agent. There were some questions concerning how the litigation was settled. Mr. Shuler told the Board he would find out the specifics and report. He recommended they go ahead with approval. Commissioner Mosconis made a **motion to approve Commercial Site Plan.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Gene Langston told the Board he sold the property to the current owner. His understanding is that the Circuit Court case is still pending. The Administrative Case has been dropped.

(Tape 2-1153) The Commission heard a presentation about a residential development replacing the Alligator Point KOA. The development would require a zoning change as well as subdivision approval. The Commission took no formal action on either item, and did hear a number of concerns from Alligator Point residents. The Commission was supportive of the concept of residential development on this parcel.

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(Tape 2-1168. The Board has been presented with a letter of resignation by Planning Commissioner Vicki Barnett, Alligator Point. Ms. Barnett was serving as an at-large member. At this time, the Board needs to fill Ms. Barnett's at-large seat, Mr. Dan Rosier's at-large seat, the science seat left vacant by the resignation some months ago of Ms. Harriett Beech, and an alternate seat. This means of the nine member Commission, three seats are vacant, as well as one alternate. The Board of Adjustment also needs to have an alternate seat filled.

(Tape 2-1189) At the last meeting, Mr. Ted Mosteller received permission to begin advertising and seeking bids for the construction of guidance signs and remarking Runway 13-31. This is a project that needs engineering assistance. The Board needs to authorize the Chairman to sign the contract between the Board and URS for their services, contingent upon verification from the Finance Office that either there are sufficient funds to cover the costs, or that FDOT is paying all of contract costs. The cost of the contract is \$26,400. Commissioners Mosconis made a **motion to authorize contract to be signed in the amount of \$26,400.00 contingent upon funds being available in the Finance Office.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1233) Mr. Pierce told the Board that the Incinerator Renewal Permit needs to be signed. Commissioner Mosconis made a **motion to have Chairman sign the Incinerator Renewal Permit.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1254) Commission Creamer told the Board that Couch Concrete in Eastpoint is closing and he would like to pursue acquiring the property for the Eastpoint Cemetery, either by having them donate the property or the negotiate a purchase price for the property. Commissioner Creamer made a **motion to have the Chairman sign a letter requesting that the property currently being used by Couch Concrete be obtained by the Eastpoint Cemetery either by donation or negotiating a purchase price.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1276) Commissioner Putnal asked that Couch Concrete be asked to help pay for the damage to roads that their heavy trucks caused. This was agreed upon by previous board action, when they came to Eastpoint. Commissioner Mosconis suggested that the County Engineer come up with an estimated of repairs for Couch Concrete.

(Tape 2-1342) The Board asked Carrabelle Mayor, Jim Brown, to address the Board concerning the city's water & sewer extension and Lanark Water & Sewer. Mayor Brown told the Board that one week ago the City was served notice of an injunction preventing the city from laying lines in the LV District boundaries to access the prison site. Michael Shuler was asked who has leverage over the Lanark Village Water & Sewer District. Michael Shuler said he would need to talk with the City Attorney, Daniel Cox, as to what has actually taken place. Lanark Water & Sewer was established by this Board years ago and the bylaws basically say no other district can set up operation within this district. Mr. Cox explained in detail the requirements of F.S. 153. The city wants to

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go ahead with construction of their lines to service the prison site, and deal with long term problems at a later date. There was much discussion concerning this problem. The city attorney, Mr. Cox, asked that the Board call a special meeting with the Lanark Water and Sewer District as ex-officio members of the Lanark Water and Sewer District to resolve this matter quickly. Commissioner Mosconis made a **motion to write a letter to the Lanark Water & Sewer District that this Board is very interested in seeing this issue resolved today and let the project move forward.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler will meet with Mr. Cox immediately following this meeting draft the letter and fax it over to the Lanark Water & Sewer District.

(Tape 2-1906) Harriet Beach addressed the Board stating she didn't think the Lanark Village Water & Sewer District is financially able to handle some of the current issues facing the District.

(Tape 2-1959) Commissioner Mosconis said he would not be able to be present this evening at the Public Hearing because he has a previous engagement. Chairman Sanders thanked Commissioner Mosconis for representing the Board at the service honoring the servicemen returning from Iraq.

(Tape 2-2091) The Board briefly discussed uses allowed in the C-1 District. Mr. Pierce told the Board that there are special exceptions that can address some of the suggested uses in C-1. The Board of Adjustment has addressed these in the past, though not very often. The last time he remembers is Whaley Hughes asked for a special exception to operate a restaurant in the C-1 District in Eastpoint and he was approved. He went on to explain that he is going to suggest at tonight's meeting to move all special exceptions up to principal uses. Commissioner Creamer said that if this Board does not set some specific uses, someone will be coming before the Board at every meeting. We need to define some of these uses. Commissioner Mosconis felt that if it were explained what could be acceptable under "tourist oriented commercial facilities", it would answer a lot of questions.

(Tape 2-2194) Mr. Wade asked if anyone was present for the American Red Cross. Request to adopt the Annual Red Cross Disaster Resistant Neighborhood Proclamation designating February 23, through February 27, as Hazard Weather Awareness Week. Commissioner Putnal made a **motion to approve the Red Cross Disaster Resistant Neighborhood Proclamation Designating February 23, through February 27, as Hazard Weather Awareness Week.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2240) Mr. Wade reported that St. Joe is very amenable to granting an easement for the boat ramp at the end of Bluff Road for public access. There was discussion concerning public access to ramps in Eastpoint and Carrabelle for people who want to access the water for things such as cast netting.

**THOMAS M. SHULER, COUNTY ATTORNEY**

(Tape 2-2450) Mr. Shuler reported that he has two items. He has begun to dissolve two special districts, the St. George Island water and sewer district the other being the Weems Memorial Hospital District. There is a 60 day waiting period once it has been advertised and after that grants from DCA will help to dissolve those two districts.

(Tape 2-2471) Mr. Shuler received by email, the appraisals for property on Alligator Point. He delivered these to Alan Pierce for negotiation with remaining property owner for the purchase of those lands in an attempt to avoid any litigation expense. He is awaiting this negotiation. We have sent information to Tom Lewis's attorney for a low water crossing on St. George Island. We are waiting on their engineer's review to try to resolve this issue. The Sunshine law issue which was raised earlier is set at 24hours notice for public meeting. Ms. Clarice Gross with the Juvenile Justice System concerning the Title V Grant, they would not accept the addendum. The main concern was the Board did not want any pay back provision. Mr. Shuler didn't feel there was much risk as this would pay only for work as it is done. There is no risk of a repayment obligation. They are only paid for the work that they have done. Ed Iacobucci with the Department of Juvenile Justice appeared before the Board and said we purchase services on a monthly basis. He explained how the 50% match is accomplished with the Juvenile Justice Services. Mr. Shuler felt there was little risk to the county because the services are paid in arrears. Commissioner Mosconis made a **motion to accept grant without the Addendum.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2927) Chairman Sanders asked Michael Shuler if everything been finalized regarding the Sumatra Cemetery. Mr. Shuler said he has scheduled a closing for next week.

(Tape 2-2953) Chairman Sanders asked the Board to consider raising the Homestead Exemption for people meeting certain requirements. This will be addressed at the next meeting.

(Tape 2-3009) Chairman Sanders told the audience this is Library Appreciation Month and the Board has a resolution for them.

(Tape 2-3023) Major Ron Crum presented copies of a report concerning the electrical problems at the jail facility. We are facing litigation at this time on injuries concerning shocks.

(Tape 2-3093) Commissioner Creamer said he knows there are problems with the electrical plant in light of the Hurricane seasoning coming up. Major Crum said there are major problems with the generator at the jail and these need to be corrected. Perhaps these can be addressed at the next Board meeting.

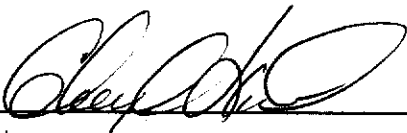
(Tape 2-3209) Commissioner Putnal asked for an update on the inmate medical situation. Major Crum said there is still a problem. We still have expensive medical treatments and

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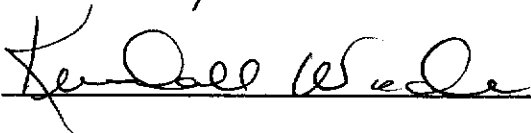
medications. Everything is being done to resolve the problem. There are still some funds to work with.

Chairman Sanders reminded those present of the public hearing to be held at 5:30 p.m., this after.

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



CHERYL SANDERS, CHAIRMAN



KENDALL WADE, CLERK