

FCBCC REGULAR MEETING MARCH 16, 2004

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
MARCH 16, 2004**

**OFFICIALS IN ATTENDANCE:** Cheryl Sanders, Chairman, Bevin Putnal, Jimmy Mosconis, Clarence Williams, and Eddie Creamer, Commissioners, Kendall Wade, Clerk, Rachel Ward, Secretary, Thomas M. Shuler, Attorney, Alan C. Pierce, Director of Administrative Services.

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

(Tape 1-35) Commissioners Putnal made a **motion to approve the minutes of the meetings held February 5, 2004, February 17, 2004, Public Hearing February 17, 2004, and March 2, 2004,** Commissioners Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-57) Commissioner Creamer made a **motion to pay the county bills.** Commissioner Williams seconded. All for. **MOTION CARRIED.**

**HUBERT CHIPMAN, SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-70) Mr. Chipman reported that he has checked into the stripping of C-30, Mill Road, Alligator Point Road, and Gulf Beach Drive that the Board requested and it is quite expensive. There was discussion concerning the need to stripe all the roads with three lines. Commissioner Mosconis said the C-30 definitely needs the three lines one in the middle and two down the sides. Commissioner Putnal asked that this be included in the paving project that the county plans. There was some discussion concerning where the money will come from. To do all 20 miles it will cost about \$75,000. Commissioner Creamer questioned the liability of not stripping all roads with three stripes. They discussed using the gas tax to do the stripping. Commissioner Mosconis made a **motion to declare a declaration of emergency and triple stripe Alligator Point Road and C-30 and single stripe Mill Road and Gulf Beach Drive.**

(Tape 1-258) The Board recognized the Apalachicola High School Basket Ball team and coaches as they reached the Division 1-A State Championship playoffs in Lakeland, Florida. Mr. Alan Pierce read a Resolution of Appreciation for their outstanding achievement.

(Tape 1-402) Mr. Pierce reported to the Board that a number of months ago the Board authorized Jimmy Meeks to construct a road leading to his subdivision north of Carrabelle. The road is under construction now. He asked Dan Garlick to update the Board on the road situation and address any questions, before construction is complete. The Board withheld approval of the subdivision until the road was completed because it wanted to make sure the road did not increase the flooding in the area. He presented photos of the property.

**FCBCC REGULAR MEETING MARCH 16, 2004**

(Tape 1-455) Dan Garlick appeared before the Board to say that road is under construction and that they have placed about 2 feet of fill and 6 inches of road base. He has not received any complaints from the construction. There was some discussion concerning the walls on the side of the road. There is approximately two weeks left to finish construction.

(Tape 1-586) Lucretia Bloodworth appeared before the Board and expressed her concern that this road was going to increase the flooding problems in the area. She did not see the retaining walls on the plan for this road. She said large trucks come through this area and she felt it was more than two feet of fill on this road. She submitted pictures of this area. She asked the Board to please make sure everything is right before they approve this plat.

(Tape 1-769) Rhonda Skipper appeared before the Board and said she is one of the adjacent property owners. She also asked that the Board make sure that once the road is in place, that this water has a place to drain to, not into her back yard.

No action was taken; this was for the Board's information.

**VAN JOHNSON – SOLID WASTER DIRECTOR**

(Tape 1-951) Mr. Johnson reported that on March 5<sup>th</sup> the Sheriff's Department arrested and charged two Eastpoint residents with baiting and fighting animals. The deputy's called Animal Control Officers to the scene where they impounded and presented both dogs to the local veterinarian for a physical examination. The veterinarian's report indicated that both animals showed clear evidence of fighting activity both recently and past. It is a violation of both County Ordinance and State Statutes to bait or fight an animal. Mr. Johnson recommended the board approve for the County Attorney to petition the court for custody and disposition of the animals.

(Tape 1-982) Commissioner Creamer made a **motion to authorize the county attorney petition the court for custody and disposition of these animals.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-993) Mr. Johnson continued his report informing the board that the Landfill has five (5) past due accounts ranging from four (4) to eight (8) years past due and the auditors have suggested that they be written off as uncollectible. Total amount written off is \$4,335.75. Commissioner Creamer made a **motion to write off these Landfill accounts as uncollectible.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1030) Mr. Johnson reported that he investigated TRG's request to reduce the tipping fee on construction and demolition debris and found that TRG is at a clear disadvantage on the eastern end of the county. Jimmie Crowder Land Clearing Company

**FCBCC REGULAR MEETING MARCH 16, 2004**

also services the eastern end of the county and frequently outbids TRG in that area because he has his own C&D Landfill. Other companies sometimes outbid TRG in other areas because they haul their waste directly out of the county to facilities with lower tipping fees. TRG has proposed an overall reduction in the tipping fees charged to dispose of C&D debris from \$45.00 per ton to \$38.00 per ton; in addition to setting a floating fee for larger jobs. Based upon Mr. Johnson's calculations the proposal is doable and will increase revenues at the Landfill because debris coming in would also increase. High volume landfills typically have lower tipping fees. However, he didn't think it is the county's role to fix the market for a single customer. When the board reduced fees on yard trash, it was in response to several haulers whom the DEP was imposing a fine for improper disposal. The benefit of that action was to several customers. There is no clear indication that the public or anyone else other than TRG will benefit from this reduction. It is Mr. Johnson's recommendation to deny this request because there is no clear benefit to the public. Commissioner Mosconis made a **motion to deny this request.** Commissioner Williams seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-1094) Tom Crum from Carrabelle has asked that the Solid Waste Department remove debris set at the right-of-way in the Lanark Village area. The debris was placed there by Mr. Crum after a property owner hired him to clear the property. There was large pile on Florida Avenue that has since been hauled to the landfill by Dingler's Trucking Co. However, there still remains two large piles on both Hinton and Putnal Street. Mr. Johnson requested direction from the board. Commissioner Putnal felt that Mr. Crum got caught during the transition period when the county is trying to draft a policy concerning debris removal. The board had asked the county attorney to have this policy ready for this meeting, however, the policy is not yet ready. The board had previously agreed to charge \$22.50 per ton. Mr. Shuler said that it wouldn't be that difficult to set a policy that after a certain date, no construction or site clearing debris would be picked up off the county right-of-way. Commissioner Putnal made a **motion to go ahead and pick up the debris.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

There was some discussion concerning the way this problem should be addressed. Mr. Shuler said if this policy is going to have any teeth, we need to adopt an ordinance.

(Tape 1-1359) Mr. Johnson told the board that Waste Management has completed the installation of the new garbage compactor at the Transfer Station. It went online on Monday.

**BILL MAHAN-COUNTY EXTENSION DIRECTOR**

(Tape 1-1376) Mr. Mahan told the board that he had attended the Interstate Shellfish Sanitation Conference' Vibrio Vulnificus Education subcommittee meeting in Orlando. The topics covered and discussed included the following topics: Education

## FCBCC REGULAR MEETING MARCH 16, 2004

subcommittee, follow-up consumer education survey, Development of on-line continuing education courses for MD's and Nurses/Dieticians, National ISSC and state education activities, subcommittee Post Harvest Treatment review, coordinating and standardizing illness data between the Food & Drug Administration (FDA) and Center for Disease Control, review draft illness data for 2003, incentives for PHT oyster processors, review of initial illness reduction data for core states, review current state monitoring efforts and adopting verification testing standards. He also presented the Florida Sea Grant Fact sheet. He briefly reviewed this fact sheet. There was some discussion concerning the number of cases of illness in Florida. Mr. Mahan said he only had cases Gulf wide. He also reported that the Apalachicola River Basin Invasives Work Group Meeting will be held March 30<sup>th</sup> at 10:00 a.m. in Bristol.

(Tape 1-1587) Mr. Mahan was asked for an update on the boat ramp. Mr. Wade reported that he has spoken to Don Poindexter and we are waiting on the grant application for the boat ramp at the end of Bluff Road. We should have the application by the end of the month. Hopefully, Mr. Wade said that we should have the application from the state by the end of the month for the funds to build the boat ramp. There was some discussion concerning the amount of money in the Improvement Fund. The money for this boat ramp will come from the state and federal government because it will be built on state lands. The Commissioners said they are anxious to get these boat ramps open for public use. The Commissioners requested that Mr. Poindexter attend the next meeting to discuss this matter.

### **NICK YONCLAS – ABANDONMENT OF PARTIAL PLAT HIDDEN COVE SUBDIVISION**

(Tape 1-1738) Mr. Nick Yonclas appeared before the Board requesting a partial abandonment of the Hidden Cove Subdivision plat in Eastpoint. This is a four lot subdivision created by Richard Spohrer a couple of years ago. Mr. Yonclas continued stating that he is representing Rick and Linda Plessinger who plan to purchase Lots 3 and 4 of the Hidden Cove Subdivision on Patton Drive in Eastpoint. They want to build a residence on these two lots, however, a drainage easement runs between these lots down the middle of the property and they are asking that the two lots in this parcel be abandoned so that they can build a house in the middle of these lots. All of the adjoining property owners have agreed and DEP has consented to allow the drainage easement to be abandoned. Mr. Shuler told the board that all property owners' accesses will remain the same. He went on to say that this has gone through the proper notification process. It has been published in the local newspaper.

(Tape 1-2060) Commissioner Creamer made a **motion to vacate the partial plat of Hidden Cove Subdivision.** Commissioner Mosconis seconded the motion. All for **MOTION CARRIED.**

**FCBCC REGULAR MEETING MARCH 16, 2004**

**JERRY LOLLEY-WOODILL ROAD - COUNTY MAINTENANCE**

(Tape 1-2191) Carlton Whaley appeared before the board representing Mr. Lolley and the other property owners of Light House Point Estates and Woodill Road located between Eastpoint and Carrabelle. The homeowners are asking that the county take over this road. Mr. Whaley

told the Board that Gene Langston is the original developer of the property. Mr. Whaley told the Board that he has a letter from Mr. Langston agreeing to deed this road to the county. There was some discussion concerning whether these roads are currently being graded by the county. The Commissioners were sympathetic, however, the county's subdivision ordinance sets certain standards for the roads the county will take and maintain. Hubert Chipman, Road Superintendent said that he has upgraded some of these roads in this area such as Frank McKamey and Woodill Roads because they had gotten so bad that the school bus could not pick up the kids.

(1-Tape-2557) Commissioner Putnal made a motion to take the roads. This was later withdrawn.

(Tape 1-2557) Mr. Shuler was asked his opinion concerning these roads. He said the standard train of thought is that the county does not take over roads that don't meet county standards. However, the county has for years been grading and maintaining these roads and might have through adverse possession acquired these roads. He would need to investigate this and report back to the Board.

Mr. Gene Langston spoke giving a brief history of the Home Owners Association in the Light House Point Estates. He said once the property had been sold, the HOA had refused to take over maintenance of this road. He is ready for someone else to take these roads.

(Tape 1-2855) Commissioner Creamer made a **motion to table this request until the next meeting.** Commissioner Putnal seconded this motion. All for. **MOTION CARRIED.**

**RONALD CRUM- UPDATE OF GENERATOR AT SHERIFF'S DEPT.**

(Tape 1-2868) Major Crum appeared before the Board stating that the existing generator at the jail has been temporarily repaired, however they would like to replace this generator with a 200 kilowatt generator. The 100 kilowatt will just serve the jail facility itself where the inmates are kept. This will not operate the sheriff's office or other administrative offices. He submitted information detailing the cost of a 100 kilowatt and a 200 kilowatt generator.

(Tape 1-3159) Michael Allen from WOYS asked if they have asked FEMA for help in funding this generator. Mr. Pierce said there may be funds through Homeland Security. Mr. Pierce agreed to check into emergency management funding for this generator.

**FCBCC REGULAR MEETING MARCH 16, 2004**

(Tape 1-3238) Bingo Crosby, the maintenance man at the jail, said that grants have been applied for through the state, but so far, we have not received funding. Mr. Crosby recommended that the board approve the 200 kilowatt generator.

(Tape 1-3385) Commissioner Creamer made a **motion to approve the purchase of a 200 kilowatt generator and look for funding to help with the cost.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

It was agreed to have this go out for bids.

(Tape 1-3470) Mr. Pierce told the board that Chris Clark has received his new truck. The old red bronco has serious mechanical problems, and he recommended that the board surplus the vehicle and let it go out for bid. Commissioner Putnal made a **motion to allow the red bronco to go out for bid.** Commissioner Williams seconded the motion. **MOTION CARRIED.**

(Tape 1-3518) Mr. Pierce reported that Rob Peterson, Habitat for Humanities requests the board provide a dumpster on Saturday, March 27, for a clean-up day on a lot on Brownsville Road that will be the location of the first Habitat house. Commissioner Mosconis made a **motion to approve a dumpster being located at this site on March 27<sup>th</sup>, 2004.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3540) Mr. Pierce continued by telling the board that Billy Buzzett wants to let the board know he will be having another St. James Island Overlay meeting on Wednesday, March 24 at 6:00 p.m. at the Senior Citizens Center in Carrabelle.

(Tape 1-3557) Mr. Pierce told the board that Mark Curenton recommends the Board adopt a Resolution inserting a City of Apalachicola project to correct stormwater flooding in the areas between 24<sup>th</sup> and 25<sup>th</sup> Avenues and between 8<sup>th</sup> and 10<sup>th</sup> Street into the Local Mitigation Strategy. This will provide the City with additional points on its next CDBG grant application request. The request has been made by Ms. Roumellis-Belcher. Commissioner Mosconis made a **motion to adopt this Resolution inserting a City of Apalachicola project to correct stormwater flooding in the areas between 24<sup>th</sup> and 25 Avenues and between 8<sup>th</sup> and 10<sup>th</sup> Street into the Local Mitigation Strategy.** Commissioner Williams seconded the motion. All for. **-MOTION CARRIED.**

Chairman Sanders commented that Mark Curenton said that the CDBG stormwater project in Lanark would not get started until this summer. She told the board that this project needs to be started before then. She was told that the county needs to go ahead with surveying and appraisals of this land to speed up the process.

## FCBCC REGULAR MEETING MARCH 16, 2004

David Kennedy told the Board that they are in the process of surveying this area, however, there have been problems with this surveying.

### BIDS - 1 AMBULANCE

(Tape 1-3665) Kendall Wade reported that one bid has been received from Frazier Bilt in the amount of \$89,525.00. This is the same price as was discussed at the last meeting. No one from the ambulance service was present. Commissioner Putnal made a **motion to accept this bid contingent upon the ambulance service personnel reviewing to make sure this is the same bid as previously received.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

### ALAN PIERCE CONTINUED

(Tape 1-3760) Mr. Pierce told the Board that he has an update of the St. George Island bridge. The demolition of the bridge is taking slightly longer than initially expected. Demolition will not end until late May or June. The county will not receive its 1.5 million until 30 days later, which will most likely be July. Since the county is looking at having to finance \$250,000 worth of improvements, specifically being lighting and a raised railing, the county should not award a bid for these improvements on the fishing piers until July or August. Mr. Soule does not want to begin a business enterprise in the down months, so he is not looking at starting his operation until September or October. Individual Commissioners have expressed concern about the length of the bridge to remain, so Mr. Pierce contacted Boh Brothers and asked for a quote on how much bridge they would remove for \$1 million dollars. Mr. Soule does not want the county to remove any more bridge, but he thought he would get a price anyway. There was some discussion concerning why there would be a need to demolish more of the bridge.

(Tape 1-3897) Mr. Scott Gros spoke to the board concerning progress on the bridge and the demolition of the old bridge. Demolition would be complete about the end of May.

(Tape 2-172) Paul Rigmeyer asked how the old bridge pilings would be dealt with. Mr. Groh said that they would be cut off at their base.

Commissioner Putnal stated a lot of the debris from the bridge demolition is going in the water. Mr. Gros told the Commission that once demolition is finished, they will have to dredge. Commissioner Putnal was concerned because this will be over the top of one of the richest oyster bars in the bay. Mr. Gros told the board that they would do everything they could by using turbidity screen to prevent contamination of these oyster bars.

(Tape 2-230) Mr. Pierce went on to report that David Wilder is requesting the Board not transmit the previously approved comp plan amendment, because Phipps Ventures and the Plantation have tentatively worked out an agreement on a different plan of development. Mr. Wilder appeared before the Board and reported that they have agreed to remove any commercial use and develop at one unit per acre. Commissioner Putnal

**FCBCC REGULAR MEETING MARCH 16, 2004**

made a **motion to accept offer not to transmit comp plan amendment for Phipps Ventures at the applicant's request.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-326) Mr. Pierce continued his report by saying that approximately 400 feet of fencing was removed or damaged during the airport road construction. It will cost approximately \$2,300 of materials to replace the fencing using county equipment and personnel. There was some discussion concerning where the money would be coming from to repair the fence. Ted Mosteller spoke stating that the original bid did not include replacing the fence. He went on to say there were other projects that the airport fund was going to be used and he felt this is a county road, the county should pay for the repairs. Mr. Pierce said there is about \$50,000 in the airport fund. Commissioner Mosconis made a **motion to repair the airport fence using airport funds.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-428) Commissioner Mosconis said that he has two other issues of concern while the board is discussing the airport. One, there is a drainage problem on the western portion of the road. David Kennedy, Prebble-Rish told the board that this is being dealt with by running a pipe to drain the water. The second item is that the airport road is very nice and what we have created is an airpark or a commercial park. Commissioner Mosconis said the would like to see the county have a dedication of this park and name the park the "Lee R.P. Rivers Airpark", after Lee R.P. Rivers, former clerk, former Navy Pilot, and a real mover behind getting this airpark off the ground. Commissioner Mosconis made a **motion to name the airpark the Lee R.P. Rivers Airpark, pending approval of the Airport Advisory Committee and to setup a dedication ceremony.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Commissioner Putnal questioned who damaged the fence. Mr. Pierce told the board that he could not say who damaged the fencing. Mr. Kennedy told the board that the fencing replacement/repair which had to be removed to add the round-a-bout, had been removed from the contract in negotiations because of excessive costs. It was agreed the county would be responsible for replacing the fence.

(Tape 2-584) Mr. Pierce continued with his report by giving an update on Alligator Point. He had a conversation with Larry Parsons, COE, regarding the beach renourishment project on Alligator Point. There is good news, bad news, and just plain news. The bad news is that the project will not begin this fiscal year. The Federal Fish and Wildlife Service has issued a statement saying the proposed project will not jeopardize the continued existence of nesting sea turtles, but they are still developing their draft biological opinion on the project itself. The Florida Fish and Wildlife Commission is holding out their approval because they want the county to take corrective action on a number of lighting violations on Alligator Point. Until the Florida Fish and Wildlife sign off on the project, DEP will not issue a state beach renourishment permit. Mr. Pierce called Ms. Robin Trindell, Fish and Wildlife to find out exactly what Fish and



**FCBCC REGULAR MEETING MARCH 16, 2004**

Wildlife expects the county to do. The problem is that these lighting infractions are on private property and the attorney is going to have to provide some legal guidance about how the county gets these things corrected. The Corps would like to have the county

resolve the issues with Fish and Wildlife by June 1, so that DEP could then issue the permit before the end of the fiscal year, which is Sept. 30.

The plain news is: the Corps has a requirement to move sand and they expect money to be put into next year's budget to continue this project. At this time, sand will be moved to a staging area along a Gulf County Canal. The sand might be then relocated to Alligator Point once a permit is issued, or the Corps might go back up the River and get more sand for Alligator Point.

The good news is that Alligator Point is still the most, and perhaps the only viable destination for the sand. The sand is not compatible with the Stump Hole area in Gulf County and so Alligator Point is the most logical place. The Corps still wants to do the project and is still actively pursuing permits. The Corps has been in contact with Mike Dombrowski, the county consultant, and he is aware of the current situation. The Corps is still planning to put 200,000 cubic yards of sand in Jan-May 2005, the county will build rock T-groins and then another 200,000 cubic yards of sand in late 2005 or 2006. Chairman Sanders asked that the county be given a letter stating that the sand will be used on Alligator Point and not in other areas. She said in the past projects that were not built but put off until a later date never happen. She does not want to see this happen to the beach renourishment project.

There was discussion concerning the mentioned lighting infractions noted by the Fish and Wildlife Commission. Chairman Sanders said the only infractions she is familiar with might be the KOA.

(Tape 2-715) Mr. Ken Osborne stated that he feels this requirement to address lighting infractions may be a way for the Game & Fish for throw a wrench into the beach renourishment project. He questioned whether the KOA has added any lights since the adoption of this lighting ordinance. He went on to say that there are other projects which have been pulled or halted by Game & Fish.

Chairman Sanders suggested that the Chairman go to Tallahassee and meet with Robin Trindell with the Game & Fish, her boss, and the DEP. Commissioner Mosconis made a **motion to have the Chairman go to Tallahassee and meet with Robin Trindell, Game and Fish and her boss, and representatives from DEP concerning the beach renourishment program.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Mr. Pierce reported to the board that Vicki Barnett, the Alligator Point Turtle Permit Holder is moving to Monticello, and her successor is Bill Wargo.

**FCBCC REGULAR MEETING MARCH 16, 2004**

(Tape 1-908) Steve Fling approached the board stating that he is going to submit a sketch plat to the Planning and Zoning Commission at their next meeting. He would like to

show the Alligator Point Road running through the campground. He showed this plan to the board. The Alligator Point road would come through the campground area on Tom Roberts and through Harbor Circle. In return for the road through the campground, Mr. Fling wants the current right-of-way on the beach. Mr. Pierce is concerned that if the road is moved the county will lose access to the area being re-nourished. Chairman Sanders told Mr. Fling that he would need to submit a site plan to the Planning and Zoning Commission before it can be presented to the Board of County Commissioners.

(Tape 2-1126) Both Ken Osborne and Joe Hambrose spoke voicing their concerns over relocating this road.

(Tape 2-1372) Mr. Pierce gave the board an update on the 911 service. He reported that Franklin, Gulf, and Calhoun counties are all served by GT COM for 911 service. The state is requiring the counties to update. GT COM has provided a price to the three counties so long as a Letter of Intent is signed before March 31, 2004. Gulf County has already signed their letter of intent. The letter of intent sets the upper limit of the 911 system improvement per county at \$432,951. Mr. Jim Cook, GT COM appeared before the board to answer questions. There were some questions concerning where the money is going to come from. Pat McWhinney spoke to the board stating that the county's 911 system has become outdated and new equipment is going to have to be purchased. Mr. Jim Cook with GT COM appeared before the board and basically said the same thing. He said the current system will not identify cellphones as it does land lines. This is the driver behind having to replace the system. In the proposed Letter of Intent the cost is listed as \$432,951, however, the fee in Franklin County is \$391,272. This figure included the mapping system. Removing the mapping function and other minor functions bottom line is \$364,014.

(Tape 2-1551) Commissioner Mosconis made a **motion to sign the Letter of Intent with GT COM concerning updating 911 equipment including mapping in the amount of \$391,272.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1679) Mr. Pierce told the board that he has received detailed comments from Joseph Parrish, a member of the Planning and Zoning Commission concerning the proposed dock ordinance. Mr. Parrish appeared before the board and went through the proposal explaining sections concerning lighting reflectors, height above water, step access and other concerns that had been addressed at the first public hearing. Mr. Parrish also went on to tell Commissioner Mosconis that he was glad Commissioner Mosconis had attended the last Planning and Zoning Commission meeting, he would like to see other commissioners at these meetings. Commissioner Creamer asked Mr. Pierce if Larry

**FCBCC REGULAR MEETING MARCH 16, 2004**

Joe Colson had been involved in this review. Mr. Pierce told him that Mr. Colson had not been involved in this review.

(Tape 2-2110) Ken Osborne was concerned with the width requirement of 85 feet on canals. He said this would affect many lots on Alligator Point.

(Tape 2-2228) Commissioner Mosconis made a **motion to schedule a public hearing to address the proposed dock ordinance.** Commissioner Williams seconded the motion. Motion passed by the following vote: Chairman Sanders, Commissioners Mosconis, Putnal, and Williams, for. Commissioner Creamer against. **MOTION CARRIED.**

**ALAN PIERCE CONTINUED**

(Tape 2-2270) Mr. Pierce recommend the board send a letter to Mr. Eringman, Corps of Engineers, stating the county will not be changing its evacuation procedures at this time because there has been no study that demonstrates a change needs to be made.

Commissioner Mosconis made a **motion to send a letter to Mr. Eringman, Corps of Engineers stating the county will not be changing it evacuation procedures at this time.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

**ALAN PIERCE CONTINUED**

(Tape 2-2299) David Kennedy presented a revised road paving cost breakdown. Mr. Pierce briefly went through the revisions. The total is 2.4 million dollars for road paving. There were questions about equality between different areas in the county, with each commissioner being allotted \$600,000 for their district. The commissioners were in agreement that this paving project needs to get started within the month. Commissioner Mosconis made a **motion to sign the road paving specs contract with Prebble-Rish Engineering.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2598) Mr. Pierce reported the following actions from the Planning and Zoning Commission: Planning & Zoning Commission recommended approval for Jim Campagna to construct a single family dock on Lot 1, Savannah Cove, 1263 East Gulf Beach Drive, St. George Island. Commissioner Mosconis made a **motion to approve.** Commission Williams seconded the motion. All for. **MOTION CARRIED.**

Planning & Zoning Commission recommended approval for Pamela White to construct a single family dock at 143 Harbor Circle, Alligator Point. Commissioner Mosconis made a **motion to approve.** Commission Williams seconded the motion. All for. **MOTION CARRIED.**

Planning & Zoning Commission recommended approval for Whitney Knoll to construct a single family dock on Lot 3, Block 61, Unit 5, St. George Island. Commissioner

**FCBCC REGULAR MEETING MARCH 16, 2004**

Creamer made a **motion to approve.** Commission Mosconis seconded the motion. All for. **MOTION CARRIED.**

Planning & Zoning Commission recommended approval for Thomas and Andrew Vann to construct a single family dock at 1626 Alligator Drive, Alligator Point. Commissioner Putnal made a **motion to approve.** Commission Williams seconded the motion. All for. **MOTION CARRIED.**

Planning & Zoning Commission recommended approval for John Patrick Cronin to construct a multi-family dock at Lots 10 and 11, Victorian Village, 2970 US Highway 98, Carrabelle. Commissioner Putnal made a **motion to approve.** Commission Williams seconded the motion. All for. **MOTION CARRIED.**

Planning & Zoning Commission recommended approval for Steve and Coleen Andrews to construct a single-family dock at 1554 Alligator Drive, Alligator Point. Commissioner Mosconis made a **motion to approve.** Commission Williams seconded the motion. All for. **MOTION CARRIED.**

Planning & Zoning Commission recommended approval for Lee Palmer to construct a single-family dock at 203 Harbor Circle, Alligator Point. Commissioner Mosconis made a **motion to approve.** Commission Williams seconded the motion. All for. **MOTION CARRIED.**

**ALAN PIERCE CONTINUED**

The Planning and Zoning Commission heard a request for a single family dock in Eastpoint, but the property was zoned C-1. The Commission staff asked the applicant to come in to the office so they could explain the restrictions for building in the C-1 District. The Commission tabled this request pending discussion with the applicant. The Board took no action.

(Tape 2-2680) The Planning and Zoning Commission recommends the following rezoning requests: The Commission recommends setting a public hearing to consider rezoning a 5+ acre parcel at the corner of South Bayshore Drive and US Highway 98 in Eastpoint from C-3 to C-2. Request submitted by Allen Goins, AG Armstrong Development, agent. Commissioner Creamer made a **motion to schedule a public hearing.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Planning and Zoning Commission recommends setting a public hearing to consider rezoning Lots 5 and 6, Block 5 East, Unit 1, St. George Island from C-2 to C-4. Request submitted by Mark Goldman, owner. Commissioner Creamer made a **motion to schedule a public hearing.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

**FCBCC REGULAR MEETING MARCH 16, 2004**

The Planning and Zoning Commission recommends setting a public hearing to consider rezoning Lots 10, 11 and 12, Block 9 West, Unit 1, St. George Island from C-2 to C-4. Request submitted by Heath Galloway, agent for John and Jean Fitzgerald.

Commissioner Creamer made a **motion to schedule a public hearing.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

The Planning and Zoning Commission recommends **against** setting a public hearing to consider rezoning property from C-1 to C-4 in Eastpoint, lying in Section 31, Township 8 South, Range 6 West, on Patton Drive. Request submitted by Nick Yonclas, agent for Larry and Jean Lane, owners. The board took no action.

The Planning and Zoning Commission recommends setting a public hearing to consider rezoning lots 22, 23, and 24, Block 4, Unit 1 West, St. George Island from C-2 to C-4. Request submitted by Harry Plumblee, agent for Dr. Curtis Branch, owner. Commissioner Creamer made a **motion to schedule a public hearing.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

The Planning and Zoning Commission recommends setting a public hearing to consider rezoning lots 22, 23, 24, 25, 26, 27, 28, 29, and 30, Block 2, Unit 1 East, St. George Island from C-2 to C-4. Request submitted by Harry Plumblee, agent for Jay Gregory Branch, owner. Commissioner Creamer made a **motion to schedule a public hearing.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2926) Mr. Pierce reported that the Planning and Zoning Commission readdressed the need for the county to establish a C-5 zoning on St. George Island, which would provide zoning guidelines for development, rather than relying upon a current owner's promise for some future time when a building permit is pulled. The Commission voted to request the Board readdress the C-5 issue. Mr. Pierce read a letter from Gayle Riegelmayr requesting this new zoning district be readdressed. The board asked that Mr. Pierce bring this matter up at the next regular meeting under his report.

(Tape 2-2984) Mr. Pierce reported the Planning and Zoning Commission recommends approval of the following land use changes: The Commission recommends scheduling a public hearing for a large scale land use change on 78 acres of land in Section 36, Township 6 South, Range 8 West from A-2 Agricultural to R-6 Rural Residential. Request submitted by Heath Galloway, agent for Thomas Lewis. Commissioner Creamer asked if this would take up one of the county's two largescale land use changes per year. Mr. Pierce said that he is going to try to incorporate this into the comp plan amendment. Commissioner Creamer made a **motion to schedule a public hearing to consider transmitting large scale landuse change to the Department of Community Affairs.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**FCBCC REGULAR MEETING MARCH 16, 2004**

The Commission recommends scheduling a public hearing of a small scale land use change and rezoning change on 9.05 acres lying in Section 13, Township 7 South, Range 5 West, Carrabelle from A-2 Agricultural to R-1 Residential. Request submitted by Bill and Maxine Wells. Commissioner Putnal made a **motion to schedule a public hearing.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** On the same property the Planning and Zoning Commission recommended approval of sketch plat for a 9 lot subdivision. Mr. Pierce recommended no action until the public hearing for rezoning has been held.

(Tape 2-3079) The Planning and Zoning Commission recommends approval of a commercial site plan for Gulf Coast Storage LLC, a mini-storage unit at 241 Patton Drive in Eastpoint. Commissioner Creamer made a **motion to approve the commercial site plan for Gulf Coast Storage, LLC.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-3105) The Planning and Zoning Commissioner recommends the following subdivision approvals: The Commission recommends sketch plat approval of Grammercy Plantation, Phase II, a 40 lot subdivision in Section 22, Township 8 South, Range 6 West, Eastpoint. Request submitted by Morris Palmer, agent for Gramermy Plantation, LLC. Commissioner Creamer made a **motion to give sketch plat approval for Gramermy Plantation, Phase II.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

The Planning and Zoning Commission recommends sketch and final plat approval for an eight lot subdivision names "Indian Oaks Subdivision", in Section 35, Township 8 South, Range 8 West, request submitted by Jimmy Mosconis, owner. Commissioner Creamer made a **motion to approve sketch and final plat of Indian Oaks Subdivision.** Commissioner Williams seconded the motion. All for. Commissioner Mosconis abstained from voting. **MOTION CARRIED.**

(Tape 2-3213) The Planning and Zoning Commission recommend preliminary plat approval for "Lakes on the Bluff", a 58 lot subdivision in Section 25, 30, and 36, Township 8 South, Range 7 West, Eastpoint. Request submitted by Core Development, agent for Lakes on the Bluff. George Allen addressed the board and said he felt there were some discrepancies with the proposed plat and what the Board of Adjustment and developers had worked out through the appeal process. Mr. Pierce explained that the developer had applied for a special exception to cluster these lots. The Board of Adjustment denied the request and the developer appealed this decision. The cluster was approved after the BOA and the developer went through the appeal process. Mr. Allen was concerned that the buffer which would go along North Bayshore Drive was not consistent with what was agreed upon. David Kennedy representing Core Development, addressed these concerns and told the Board that the terms of the settlement would be incorporated into the final plan. After some discussion, the following motion was made: Commissioner Creamer made a **motion to approve the preliminary plat of Lakes on**

**FCBCC REGULAR MEETING MARCH 16, 2004**

**the Bluff contingent upon review by the county attorney to make sure all terms of the settlement been included.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

(Tape 2-3483) The Planning and Zoning Commission recommends final plat approval for a 5 lot subdivision named Emerald Shores. Request submitted by Garlick Environmental Associates, Inc. This project is located on US Highway 98 between Eastpoint and Carrabelle. There is an existing plat known as Emerald Shores that will be abandoned before this plat can be recorded. Commission Putnal made a **motion to approve the final plat for Emerald Shores contingent upon the vacation of the original plat prior to recording of this plat.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-3617) At a previous meeting, the Planning and Zoning Commission has recommended approval of a final plat for New River Run, Phase II, however, the applicant had asked the Board not to act. The applicant, Freida White, is now ready for the Board to approve the final plat for New River Run, Phase II. Commissioner Putnal made a **motion to approve the final plat for New River Run, Phase II.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal asked if the green space set aside previously is not now being subdivided.

(Tape 2-3721) Mr. Pierce reported that the Commission recommends approval for a final plat for New River Paradise. This is a five lot subdivision requested by Aaron Wray. Commissioner Putnal made a **motion to approve the final plat for New River Paradise.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-100) Mr. Pierce reported, that for the Board's information, the following Special Exceptions have been scheduled for public hearing by the Board of Adjustment: The BOA will consider a Special Exception to construct a 25 slip marina at 518 Highway 98, west of Apalachicola. Request submitted by Garlick Environmental Associates, Inc., agent for Bruno Kolb.

The BOA will consider a Special Exception for a wet slip marina, dry stack storage facility and a restaurant on property described as the old "Lombardi Seafood" at 628 US Highway 98, west of Apalachicola. Request submitted by Garlick Environmental Associates, Inc., agent for Lombardi Seafood.

There was a request from Annie Mae Wilson for a special exception on US Highway 98, however no one was present so no action was taken to set a public hearing.

Mr. Pierce reported to the Board that the Planning and Zoning Commission is considering holding two meetings a month as their agendas have become so long, they are having

**FCBCC REGULAR MEETING MARCH 16, 2004**

difficulty addressing all items presented. The Commission is planning to have one day-time meeting and keeping the regular Tuesday evening meeting.

**MICHAEL SHULER – COUNTY ATTORNEY**

(Tape 3-136) Mr. Shuler reported that the lease agreement for the maintenance building at the Apalachicola Airport with the City of Apalachicola is ready to be finalized. Chairman Sanders stated that at the last meeting she said there was an organization interested in locating at the airport, however, this building was too small. She wants to encourage business to locate in this area and create new jobs. Commissioner Mosconis made a **motion to authorize the Chairman's signature on the lease agreement with the City of Apalachicola with the contingency that the Chairman's name be changed to reflect Sanders.** Commissioner Creamer seconded the motion. Commissioners Mosconis, Putnal, Williams and Creamer voted for. Chairman Sanders voted against. **MOTION CARRIED.**

(Tape 3-232) Mr. Shuler received two letters one from Nick Yonclas and a response from Mr. Ben Watkins concerning a complaint concerning the airport. Mr. Shuler recommended that this matter be turned over to the Airport Advisory Board. Commissioner Mosconis made a **motion to turn this complaint concerning the airport over to the Airport Advisory Board to come back to the Board with a recommendation.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-275) Mr. Shuler told the Board that the last issue he has is with the county setback requirements for septic systems and how this setback differs from state standards. The county standard is 75 feet from wetlands, the state standards, depending on the type system are measured from surface water. He is bringing this to the board's attention because the Board of Adjustment is currently dealing with a variance to this county standard. Mr. Shuler asked the Board of Adjustment to table this request until he could ask the Board of County Commissioners for their input as to whether they want to consider amending the county ordinance to reflect state standards or to continue addressing this issue through variances. Commissioner Mosconis said because there are lots that were platted years ago that cannot meet the county setback standards, the board might want to consider adopting state standards.

(Tape 3-383) Mr. Dave McClain addressed the board. He asked if this setback requirement for septic systems was created because of mediated settlement agreement that occurred with St. James. Mr. Pierce said that this setback requirement is included in the Critical Shoreline Ordinance which was adopted in the 1980's. Mr. McClain asked that the board look at the mediated settlement entered into with St. James, he feels that this was included in this settlement.

(Tape 3-466) Mr. Joe Hambrose asked that the board maintain the county setback requirement.



**FCBCC REGULAR MEETING MARCH 16, 2004**

Commissioner Mosconis asked that David Brumbaugh give a report at the next meeting concerning the state standards.

(Tape 3-522) Stan Brown, representing Dean Marshall, who is the applicant asking for a variance to the county's 75 setback for septic system, asked that the Board of Adjustment be allowed to address this variance while the board is considering going to state standards. The Board agreed that the Board of Adjustment is an independent board and can take whatever action they are inclined to.

(Tape 3-554) Mr. Shuler reported that he has received a contract from Franklin Promise Coalition concerning grant funds. He asked that this matter be tabled until the next meeting to give him time to review this contract.

**KENDALL WADE – CLERK**

(Tape 3-580) Mr. Wade asked the board to authorize him to hire partime help to fill in for Ms. Amelia Varnes the board secretary who is out indefinitely. Commissioner Putnal made a **motion to authorize Mr. Wade to hire partime help to fill in for Ms. Varnes.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-623) Mr. Wade asked the board for approval for Billy Moses to donate sick leave to Mr. William Scott, Veterans Affairs, who has undergone heart surgery and may be out for a while. Commissioner Putnal made a **motion to approve Bill Moses donating sick leave to William Scott.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 3- 660) Mr. Wade reported that at the last meeting he was asked about inmate insurance. What the county has now is \$15,000 catastrophic insurance with a \$5000 deductible. The deductible could be increased to \$10,000 and it would only save the county \$800 per year. He suggested bidding out at the next fiscal year.

(Tape 3-727) Chairman Sanders told the board that the Florida Fish and Wildlife Conservation Commission will be holding a workshop to discuss hunting areas in the county including the Box R Ranch, Thursday, March 18, 2004 from 4-7 p.m. at the Armory.

(Tape 3-750) Chairman Sanders told the board that she had gone to Tallahassee concerning House Bill 1313, which concerns penalties to commercial fisherman. This bill was amended to reduce penalties for third offenses.

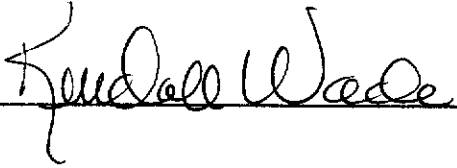
(Tape 3-781) Chairman Sanders told the board that a senate bill will be addressed on Wednesday concerning indigent care in Franklin County. This bill would allow counties to have the authority to levy additional millage to help with this indigent care.

**FCBCC REGULAR MEETING MARCH 16, 2004**

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



**CHERYL SANDERS, CHAIRMAN**



**KENDALL WADE, CLERK**