

FCBCC REGULAR MEETING MAY 18, 2004

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MAY 18, 2004**

OFFICIALS IN ATTENDANCE: Cheryl Sanders, Chairman, Bevin Putnal, Jimmy Mosconis, Clarence Williams, Eddie Creamer, Commissioners; Kendall Wade, Clerk; Rachel Ward, Secretary; Mark Curenton, County Planner; Michael Shuler, County Attorney.

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

(Tape 1-29) Commissioner Putnal made a **motion to approve the minutes of the meeting held May 4, 2004.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-40) Commissioner Putnal made a **motion to pay the county bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-47) Jimmy Gander, Chairman of the Franklin County School Board appeared before the Board with representatives from CRA Architects. Mr. John Watson and Greg Kelley appeared with Mr. Gander requesting help from the county in placing fill dirt on the site selected to build the new countywide high school. The Department of Transportation has obligated approximately 140 acres on a barrow pit site on Highway 98 between Eastpoint and Carrabelle. They are here requesting help from the county in securing fill dirt which is now located at the airport west of Apalachicola. The site for the school is going to require between 350,000 and ½ million cubic yards of fill. Mr. Wade told the Board that he spoke to Terry Jangula with the Corps of Engineers and Mr. Jangula felt there would be no problem with the county getting this dirt. Mr. Wade stated that he would contact Mr. Jangula and get written permission to get this dirt. There was some discussion concerning the county helping to haul some of this fill dirt to the new school site. The road department has limited facilities and other obligations that would prevent the county from hauling all of this fill. There was discussion concerning getting help from the state is paying for this dirt to be moved. After some discussion, the following motion was made: Commissioner Mosconis made a **motion to commit the dirt located at the airport and where possible assist in moving some of this dirt.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN – SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-239) Mr. Chipman reported that the Division of Forestry has helped to repair the damage done to Jeff Sanders and Mill Roads caused by logging trucks. Chairman Sanders stated for the record that the damage done to the end of Jeff Sanders Road was not caused by the log trucks. It was caused by trucking doing construction work on a park.

FCBCC REGULAR MEETING MAY 18, 2004

(Tape 1-292) Commissioner Creamer asked if the Twin Lakes Road paving has started. It has not yet begun. The contractor is waiting on a response from the Eastpoint Water and Sewer concerning a line being run down the road.

(Tape 1-305) Chairman Sanders said the board has received a request from Progress Energy to cut West Gorrie Drive to lay underground service. It was agreed by the Board that the developer should pay the costs to have the lines bored underneath the road. If boring can not be done, the developer needs to pay for the costs for the cut. It was agreed that the developer needs to be contacted concerning possible mitigation in helping to fix the road.

(Tape 1-388) Mr. Curenton stated he has a couple of items that need to be discussed with Mr. Chipman present. A letter has been received from the City of Apalachicola asking the Road Department to assist the city in opening up 23rd Street between Ellis VanVleet and Bobby Cato Streets. Commissioner Mosconis made a **motion to have the Road Department assist the City of Apalachicola in opening up 23rd Street between Ellis VanVleet and Bobby Cato Streets.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-434) Mr. Curenton reported that Mr. James Copeland contacted Alan Pierce a few weeks ago about donating 12 palm trees to the county for use at the D.W. Wilson Park. Mr. Johnson has identified which trees he will use, but he needs the backhoe and probably the low boy from the Road Department to move the trees. It was agreed that Mr. Johnson can take care of this.

(Tape 1-457) Commissioner Mosconis asked that Mr. Chipman check with either Mitchell Brothers or C.W. Roberts to see what it would cost to have them come and crush up some rocks and asphalt. Mr. Chipman stated that this is usually very expensive, but he will check and report at the next meeting.

VAN JOHNSON – SOLID WASTE DIRECTOR

(Tape 1-507) Mr. Johnson asked for the board's approval and the Chairman's signature on the application for the Consolidated Solid Waste Management Grant. The grant is an appropriation of the Florida Legislature and administered through the Department of Environmental Protection. This year's grant amount is a little more than \$191,000. This represents a \$73,000 plus increase over last year's allocation. The application due date is July 1, however, Mr. Johnson has the application completed and ready for the Chairman's signature. Commissioner Putnal made a **motion to approve the Chairman's signature on the application for Consolidated Solid Waste Management Grant.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-540) Mr. Johnson, as asked, reported his calculations of the annual expense Franklin County would incur to operate the Fort Coombs Armory. The cost to the county in new money would be approximately \$61,495. Approximately \$18,000 would cover

FCBCC REGULAR MEETING MAY 18, 2004

utilities with the remainder covering personal services. Personal service is the proposed Community Program Coordinator position, which would be responsible for booking the Armory, coordinating the counties' involvement with the local youth leagues and overseeing summer and after-school programs. This position will give Mr. Johnson the opportunity to promote from within his department.

Mr. Johnson went on to say that building improvements, and repair and maintenance, can be dispersed from the existing Parks & Recreation budget. Right now \$35,000 is budgeted annually toward this expense. As part of the lease agreement the Armory Board has agreed to take the lead in securing a Historic Renovation Grant to restore the facility. Property insurance and operating supplies can be dispersed from the existing Parks & Recreation budget. There is currently \$11,000 budgeted annually for this expense. Renting the Armory for \$300 per event would slightly offset the expense of operation. However, additional revenue could be collected from the City of Apalachicola and the Senior Citizens Group. In the letter received from Betty Taylor-Webb, City Administrator, she suggested that the city of Apalachicola could help with this expense.

The Board discussed the new position Mr. Johnson wants to create. The Personal Service Community Program Coordinator would be responsible for renting the Armory, coordinating after school programs among other things. This will be addressed during the budget process.

(Tape 1-657) Commissioner Putnal made a **motion to approve the lease with the National Guard Armory.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

Commissioner Putnal asked if the dumpsters at the old Carrabelle Beach area are regularly emptied. Mr. Johnson told the board that they are regularly emptied.

BILL MAHAN – COUNTY EXTENSION DIRECTOR

(Tape 1-713) Mr. Mahan presented for the Board's information, a copy of the April issue of the Florida Aquaculture produced by the Florida Department of Agriculture & Consumer Services.

Mr. Mahan reported that while Dr. Steve Otwell was in town last week, he met with the Oyster Dealers and Oyster Workers Associations to discuss the new lab facilities. Mr. Mahan told the Board that the ground breaking ceremony for the new lab will be held May 28th. Commissioner Putnal asked that, before the groundbreaking ceremony, the EOC building be painted and a deck or ramp be built on to the trailer located at the site. This work can be done by the inmates. Commissioner Putnal made a **motion to have this work done prior to the ground breaking ceremony on May 28th.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING MAY 18, 2004

(Tape 1-841) Mr. Mahan went on to report that Dr. Otwell and he had conducted a TAA training program for area fishermen on May 13th. The training workshop was attended by 25 shrimp fishermen. The next TAA workshop will be held May 27th in Panama City.

(Tape 1-882) Mr. Mahan reported that he taught a program on catch and release techniques for fish as part of the "Leave No Trace Behind Workshop" which was organized by the Apalachicola National Estuarine Research Reserve. About 30 people attended the day long workshop.

(Tape 1-902) Finally, he reported, Mr. David Kennedy has been out to the Bluff Road/Box R Fish & Wildlife Commission Boat ramp site and has been working with Alan Pierce to get the site delineated for wetland impacts. According to Mr. Kennedy, the entrance road will need to be widened to allow for two-way traffic and there are wetlands around the proposed ramp area. These need to be delineated and then added to the survey before the planning phases can continue. Mr. Mahan reported that he has not yet heard from FWC about the grant application.

(Tape 1-931) Commissioner Putnal stated that in case of an emergency such as a hurricane, the new medical facility going up in Carrabelle needs to have a backup generator to help take care of the elderly. He asked if there were funds in emergency management that could take care of the costs of this generator. The County needs a facility in Carrabelle. Other commissioners were concerned that Carrabelle would be cutoff from the rest of the county. Gathana Parmenues with the Red Cross stated that she is concerned that the county might be encouraging people to stay in the county during an emergency. This facility would be of great benefit after a storm, but do not encourage people to stay during a storm. Mr. Curenton was asked to check into this possibility.

(Tape 1-1082) Commissioner Mosconis told the board that he attended a clean marina seminar and asked Mr. Mahan to become more familiar with this clean marina information.

(Tape 1-1115) Commissioner Sanders noted that there were no applications for appointment to the Lanark Water & Sewer Board. It was agreed that this matter would be reviewed by the county attorney and would be readdressed at the next meeting. Commissioner Sanders also said that she received a letter from Lanark Water & Sewer asking that they be notified if anyone else asks for a franchise for water and sewer in this area. No action was taken.

SETH BLITCH – DEPARTMENT OF ENVIRONMENTAL PROTECTION

(Tape 1-1225) Seth Blitch, Manager of the National Estuarine Research Reserve appeared before the Board and presented the site plan for their new facility to be located at the end of Millender Street in Eastpoint. He pointed out that the State of Florida is making all three Florida NERRs regional environmental learning centers to serve statewide needs on coastal monitoring, stewardship and education. The facility will

FCBCC REGULAR MEETING MAY 18, 2004

provide outreach to many thousands more visitors than the existing facilities, including local residents, school groups as well as tourists and vacationers. The facility will consist of approximately 7000 square feet to include an Exhibit Hall, educational facilities and offices. There will be a boardwalk which will be accessible to the public. The board asked what would be done with the existing facilities already being used both in Apalachicola and Eastpoint. Mr. Blich was not sure what would happen to these facilities. The board expressed an interest in possibly leasing the buildings. It was stated that as part of the mitigation, process, it would be good if DEP could help in relocating the dirt from the airport to the new school facility previously discussed.

(Tape 1-1770) A resolution was read supporting the Franklin County Ministerial Alliance, a county organization dedicated toward improving many aspects of life in Franklin County was read. Commissioner Creamer made a **motion to approve the Resolution of Support for the Franklin County Ministerial Alliance.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

TED MOSTELLER – AIRPORT

(Tape 1-1875) Mr. Mosteller spoke concerning the auditors findings of expired rental rates at the airport. He reported that the Airport Advisory Committee, because of struggles in the aftermath of 9/11, voted unanimously to recommend the Board set the rent rate for the next year at \$500 per month retroactive from October 1, 2003, this is considering that AIATC will also be paying the bank some \$500 per month for the county's match on the maintenance hangar addition. This rate should equal the \$1,000 per month rate which expired October 1, 2003. The Committee also recommends that the rate be revisited in one year. Mr. Mosteller also reported that in addition to the maintenance hangar renovation/addition and other changes, he is entering into an agreement with Kerry Feder to handle the maintenance shop. Kerry is a licensed A & P with IA, therefore he can handle any legal maintenance. Commissioner Mosconis made a **motion to approve the rent rate of \$500 per month effective October 1, 2003 through May 1, 2005.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1962) Mr. Mosteller was advised by Kendall Wade that the finance office can no longer handle the FAA and other grant financing processes. These projects are currently underway. He went on to say the Ms. Williams has worked out final road financing and that there is \$50,000 set aside in the airport fund, \$30,000 for continuing of the Master Plan Update(\$50,000) and the Security fencing(\$100,000) projects. The Board put these two projects on hold during the road project. This DOT 80/20% FDOT/Airport-County JPA will expire June 30, 2005. Mr. Mosteller requested that the board allow the projects to proceed. URS is standing by to proceed. Commissioner Mosconis made a **motion to allow these two projects to proceed immediately.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING MAY 18, 2004

Ruth Williams stated she needs a beginning and ending date for the rent rate. It was agreed that the beginning date would be October 1, 2003, and the ending date would be May 1, 2005.(motion amended above).

(Tape 1-2138) Mr. Wade reported on the FAA Grant. This grant will need someone to administer it. All requests for disbursements from the grant have to be handled electronically. All transfers to the County' bank account will be done by EFT. The Notice to Proceed has been issued for the runway project at the airport which is funded by FDOT. The project has begun and Dames & Moore has submitted its first invoice. This project is estimated to cost \$180,000. Only \$30,000 is funded by FDOT. The balance of \$150,000 is funded by the FAA Grant. Mr. Wade told the board that they are going to have to find someone to administer this grant. His office does not have the time to do this. The board will soon be addressing the budget for the new fiscal year and this needs to be addressed. The board discussed having Mr. Curenton or his assistant administer this grant. Mr. Wade stressed that whoever administers this grant must be a county employee. It was agreed that Mr. Curenton needs to go ahead and proceed with hiring a new assistant grants writer. There was much discussion concerning the need to have someone administer these grants. Mr. Wade said it is very important to move forward with assigning these grants to someone.

PUBLIC HEARING – C-5 ST. GEORGE ISLAND MIXED USE COMMERCIAL DISTRICT.

(Tape 1-2385) Mr. Curenton told the board that this public hearing is to consider a new zoning category that will affect only St. George Island from 3rd Street East to 3rd Street West which covers the commercial district on St. George Island. If this district is approved, it will then have to be applied to areas on St. George Island. It will not affect any property until such time as a rezoning hearing takes place. There has been a lot of concern about the commercial district being taken over by residential uses. The current C-4 district allows residential uses and does not necessarily require any commercial use. The new district would require that the bottom floor of any structure in this district would have to be used for commercial purposes. He went on to say that this district could provide for 5 ft setbacks from side lots lines instead of the 10 feet required now, which would alleviate the need for variances and that impervious surfaces could be increased to 80% lot coverage.

(Tape 1-2657) Ms. Gail Riegelmeier spoke in favor of passing this new district. She stated she is concerned with the trend to put residential only in the commercial district. She wants to see the commercial district preserved.

(Tape 1-2891) Joseph Parrish, a member of the Franklin County Planning and Zoning Commission spoke urging the board to adopt this district. He said that the Planning and Zoning Commission has worked very hard in trying to come up with a proposal that would preserve the commercial district.

FCBCC REGULAR MEETING MAY 18, 1004

(Tape 1-3051) George Mahr spoke opposing this new district. He feels that, at this time, it is not economically viable to build new commercial buildings. As it is, residential would be the best use of the property. He felt it would be difficult to rent if a commercial business was required to occupy the building. He urged the board not to pass until they can investigate the ramifications of requiring commercial occupancy. Commissioner Mosconis said that he could see potential conflict if there is requirement for commercial occupancy in these buildings.

(Tape 1-3300) Barbara Sanders addressed the issue of enforcement as well as adequate parking for these commercial businesses. Who will be responsible for enforcing the occupancy of the commercial portion of a building, as the county does not have an occupational license. This needs to be addressed before adoption of this district. The county needs someone to provide code enforcement.

(Tape 1-3567) After much discussion, Commissioner Creamer made a **motion to table the proposed C-5 District until a later date.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** The board agreed that at a later date Mark Curenton can bring this back before the board.

PUBLIC HEARING – PROPOSED ORDINANCE REGULATING RESIDENTIAL DOCK AND PIER CONSTRUCTION IN FRANKLIN COUNTY, FLORIDA.

(Tape 2-60) Mr. Curenton presented to the board a proposed ordinance regulating residential docks and piers in the county. He told the Board that this proposal has been under review by the Planning and Zoning Commission for quite some time. Mr. Curenton told the board that there has been some concern about the height of docks which will be 5 feet above mean high water and pilings will be set 8 feet center to center, to allow small boats to pass underneath the docks between pilings. Most of the proposal deals with safety issues concerning lighting requirements and radar detection. The board reviewed the proposal and made the following amendments: A(4) . . . boat ramps may be allowed so long as the property contains adequate size for the parking of trailers on the property. No commercial docking or launching will be allowed.; C(5) Lights limited to one on the terminal platform and one on the landward end of the dock or pier, and one every 100 feet between the terminal platform and the landward end of the dock. C(8) Must have amber colored night time reflectors set a minimum of one at each side in the middle and one at each end of the terminal. *Docks must be equipped with a radar deflector located 8 feet above deck at the end of the dock.* This portion was removed. C(10) Existing docks are required, within ~~90~~ 180 day of enactment of this ordinance to comply with Sections © 4, 5, 6 and 8.

(Tape 2-241) George Mahr asked that the board not approve this ordinance; he is concerned with the lighting requirements and restrictions and is concerned about the liability this could place on the homeowner.

FCBCC REGULAR MEETING MAY 18, 2004

(2-509) Ms. Barbara Sanders asked that the boat ramps issue addressed in this proposed be restricted to residential and prohibit commercial docking or launching.

(Tape 2-585) Larry Joe Colson, a dock builder questioned the need for the radar deflector and the lighting requirements. He told the board that the Corps of Engineers has certain requirements for lights. If a dock is over a certain length, it must have a blinking light at the end.

(2-716) Ms. Lee Sewell spoke against the radar deflector saying they are ugly and that no boat that would be large enough to have radar would be affected by these short docks.

(2-762) Steve Davis, a member of the Planning and Zoning Commission explained that he wanted the 5 feet height above water and 8 feet between pilings to be included to allow crabbers and fishermen to be able to go underneath these docks instead of having to go out and around these docks.

(Tape 2-800) Jerry Thompson questioned the clause that requires existing docks to conform to the lighting requirements. Many docks owners have already invested money in light fixtures and they are now going to have to replace these fixtures.

(Tape 2-1302) Commissioner Creamer made a **motion to approve the proposed ordinance Regulating Residential Dock and Pier Construction in Franklin County, Florida, with the following amendments: A(4) ...No commercial docking or launching shall be allowed, C(5) ...and one light every 100 feet between the terminal and the landward end of the dock, C(8) strike out ...Docks must be equipped with a radar deflector located 8 feet above deck at the end of the dock, C(10)...required within 180 days of enactment....** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

Mr. Curenton inquired if the requirements of this ordinance would apply to the dock permits he will bring up later in the meeting. The Board agreed it would.

PUBLIC HEARING – TRANSMITTAL OF RESORT VILLAGE.

(Tape 2-1345) Alan Pierce presented to the Board the transmittal of Resort Village. This will erase something that was created in 1985. He reported that Dave Wilder, representing the Phipps Corporation, is present to answer any question. The Phipps Corporation proposes to remove all proposed commercial development and develop only residential lots at one unit per acre. The existing hotel will be converted to condos all on aerobic systems. The Plantation Homeowner Association supports this proposal. This transmittal will go to the state and come back in 60 days with their comments. There was no public comment. Commissioner Creamer made a **transmit the Resort Village proposal.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING MAY 18, 2004

(Tape 2-1461) Mr. Curenton presented a Resolution of Appreciation recognizing May as Franklin County Senior Citizens Council Donor/Volunteer Appreciation Month. Commissioner Mosconis made a **motion to approve the Resolution of Appreciation recognizing May as Franklin County Senior Citizens Council Donor/Volunteer Appreciation Month.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1514) Mr. Curenton reported that the Notice to Proceed on the Twin Lakes Road paving and water improvements to C.W. Roberts has been issued. Debbie Belcher gave the board an update on the project. She reported the Eastpoint Water & Sewer District has asked to upsize the water lines. The engineer for the project, she thinks, is going to recommend this upsizing if there is money available. She is concerned about the surveys in the Lanark area which show easements that go through the middle of lots. This would make these lots virtually unbuildable, however, it is necessary to be able to hook into existing storm sewer lines. Some of the easements have been moved forward in order that the lines will not encroach quite so much. She stated the County is currently stuck with either redesigning the Lanark lines or buy the affected property. This needs to be resolved when the abstract come in.

(Tape 2-1802) Mr. Curenton reported that the Eight Mile Point application has been submitted to the Florida Communities Trust. It was submitted on May 12th.

(Tape 2-1812) Mr. Curenton reported that he has received two applications for the Assistant Planner/Grants writer position. He hopes to do interviews soon.

(Tape 2-1822) Mr. Curenton told the board that the planting on the St. George Island entryway has been completed. Barbara Sanders is here to address the possible encroachment on to private property. Mr. Kent McCoy the landscape architect for the project is also present. Ms. Sanders told the board that at least two of the water valves appear to be located on her client, Helen Spohrer's property. There is a dispute as to whether the sign, which was removed and vandalized was on the county right-of-way or private property. Ms. Sanders asked that the final payment of \$5,000 be withheld from the contractor until this dispute can be settled. Mr. McCoy contended that they used a DOT right-of-way map when determining where the property lines were located. After more discussion, Commissioner Putnal made a **motion to withhold the final payment of \$5,000 until the county attorney can review this matter to see what if any liability the county might have.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2430) Mr. Curenton reported that the developers of Palmetto Village and Heron Village have requested a release of the bond on these subdivisions. Mr. Curenton stated he had looked at the roads and they appear to be complete. He has asked David Kennedy with Preble Rish to give his opinion concerning these roads. Mr. Curenton asked that the

FCBCC REGULAR MEETING MAY 18, 2004

board direct the county attorney to investigate the legal requirements for releasing the bond.

(Tape 2-2477) Concerning the Sheriff's Department generator, Mr. Curenton read a report from Alan Pierce stating that he consulted with Ruth Williams, the finance officer and Ms. Ginger Coulter, Sheriff's Office, and it was agreed that Ms. Coulter will place an ad in the middle of June for a generator meeting the Sheriff's specification. The bids will be received at the Sheriff's Office and brought to the July 20th board meeting. The bids will be opened July 20th at 10:00 a.m. at that meeting.

It is expected that the total cost for the generator and installation will be around \$45,000. There is approximately \$13,000 of payment-in-lieu-of-tax funds available for the generator. By the July 20th bid opening, Ms. Williams will have a better idea of how much emergency management funds will be left at the end of the fiscal year. There should be around \$25,000 that can be spent toward the generator. This then leaves around \$7,000 for the board to fund out of reserves. Again, by the middle of July, Ms. Williams will have a better idea of what sort of reserves are going to be left.

The board should open the bids at that meeting and Ms. Coulter will consult with Ms. Williams prior to awarding the bid.

(Tape 2-2561) Mr. Curenton reported that Alan Pierce received a phone call Friday from Mr. Stephen Carter, USACOE, regarding the Alligator Point revetment project. Mr. Carter wanted to know if the county wanted to move forward on the rock revetment since it appeared the beach renourishment project will be delayed until the fall. After consulting with Mr. Mike Dumbrowski, the engineer working with DEP on the county's part of the beach stabilization effort, and Mr. Larry Parsons, USACOE working on the Apalachicola River sand relocation effort, it was concluded that the beach renourishment project is still a desirable project by the Corps of Engineers, even if it has been delayed until the fall or spring.

(Tape 2-2604) Mr. Curenton reported that, at the May meeting of the Board of Adjustment, there was a great deal of discussion by the Board members concerning four issues: 1) The number of items on the agenda, 2) The types of variances being asked for, 3) The lack of guidance the county commission is providing on certain types of variances and 4) The need for additional members.

Member Millender said it best when he described the BOA meetings, in the past, as having only 3 or 4 items and the meeting would be over in 15 minutes. Now the meetings have 15 items and are lasting two hours. The types of variances make it seem as if the BOA is setting policy on issues that the county commission may not agree with. Specifically, the BOA has heard several requests for aerobic systems within the Critical Habitat Zone and the BOA feels it needs guidance from the county commission on this issue. There is an increase in the number of developments seeking to cluster, which

FCBCC REGULAR MEETING MAY 18, 2004

could be one way to get around the 100 foot wide requirement for lots. The BOA does not have a sense of what limitations the county commission would put on lot width.

The result of the meeting was that Michael Shuler, BOA attorney, felt it was best that he resign as BOA attorney, and the BOA members want some assistance from the county commission on what their role should be on some of these very controversial issues. The BOA also has had very little turn-over in members over the years which has caused a burden on the rest. Mr. Ollie Gunn, a long term member, has been unable to attend regularly for the last several years. Mr. Gary Montgomery, an appointee from a few years ago stopped showing up almost as soon as he was appointed. And for a long time, there has been a need to fill the second alternate seat.

(Tape 2-2722) There was much discussion concerning the BOA's role. The Board agreed that this matter needs to be readdressed as The Board of County Commissioners is the elected board for the county and they need to be setting board policy. It was suggested that perhaps the BOA could become an advisory board much like the Planning and Zoning Commission. It was agreed that the county attorney will review this matter and make recommendations to the Board.

(Tape 2-3013) Mr. Shuler told the Board that the BOA has received Notice of Lawsuit concerning a variance issued to the Turtle Lighting Ordinance for a property owner on St. George Island.

(Tape 2-3062) Mr. Curenton continued with his report by telling the Board that Melanie Hutchins, Interim Emergency Management Director will be at the Governor's Hurricane Conference in Tampa from May 24-28. Attendance is mandatory and the state grant pays for all expenses.

(Tape 2-3080) Mr. Curenton reported the following recommendations from the Planning and Zoning Commission meeting held May 11th. The Commission recommends approval of a single family dock for Charles T. Tiffin on Lot 27, Sandpiper Village, St. George Island, located at 1631 Gannet Trail. Commissioner Creamer made a **motion to approve the single family dock on Lot 27, Sandpiper Village, St. George Island for Charles T. Tiffin.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends approval for a single family dock for Jay Leasing, Inc. on Lot 3, Alligator Point Subdivision, Alligator Point located at 1555 Alligator Drive. Commissioner Putnal made a **motion to approve the single family dock on Lot 3, Alligator Point Subdivision, at 1555 Alligator Drive for Jay Leasing, Inc.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends approval of a single family dock for James Frost on Lot 6, Tract 50, East End, St. George Island, located at 1527 East Gulf Beach Drive.

FCBCC REGULAR MEETING MAY 18, 2004

Commissioner Creamer made a **motion to approve a single family dock for James Frost on Lot 6, Tract 50, East End, St. George Island.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

The Commissioner recommends approval of a single family dock for Jack Davidson on Lot 9, Driftwood Subdivision between Lanark and St. James at 2702 US Highway 98 East. Commissioner Putnal made a **motion to approve the single family dock for Jack Davidson on Lot 9, Driftwood Subdivision, 2702 US Highway 98, Lanark.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends approval of a single family dock for Stephen Wright at 139 Harbor Circle, Alligator Point. Commissioner Putnal made a **motion to approve a single family dock for Stephen Wright at 139 Harbor Circle, Alligator Point.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends approval of a multi-family dock for George Mahr on Lots 18 and 19, Schooner's Landing, St. George Island located at 2321 and 2325 Leisure Lane. This multi-family dock will have four boat slips. The existing dock will be removed. Commissioner Creamer made a **motion to approve the multifamily dock located at Lot 18 and 19, Schooner Landing, St. George Island, for George Mahr.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends approval of the single family dock for Colleen Castille on Lots 7 and 8, Unit 1, Sun & Sands, Alligator Point, located at 640 Mariner Circle. Commissioner Putnal made a **motion to approve the single family dock for Colleen Castille on Lots 7 and 8, Unit 1, Sun & Sands, Alligator Point, 640 Mariner Circle.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-3225) Mr. Curenton reported the following recommendation for rezoning from the Planning and Zoning Commission: The Commission recommends denial of a request for Joey Hampton to rezone 1 acre at 2532 US Highway 98 East, Lanark from R-1 Single Family Residential to R-5 Multifamily. No action was taken.

The Commissioner recommends approval of a request by the Department of Environmental Protection to change the land use and zoning on a 9.27 acre parcel at the end of Millender Street in Eastpoint from Preservation to Public Facilities. Commissioner Creamer made a **motion to hold a public hearing.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends approval of a request by Alvin Morris to change the land use and zoning on 10 acres in Section 13, Township 7 South, Range 5 West, at 435 Mill Road, Carrabelle from Agricultural to R-3 Residential Estates (1 unit per 5 acres) Commissioner Putnal made a **motion to hold a public hearing.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING MAY 18, 2004

The Commission recommends approval of a request by Steve Watkins, agent, to change the land use and zoning on Lots 7-12, Block G, and Lots 5-11, Block H, Unit 2, Alligator Harbor Subdivision, Alligator Point, from C-3 Commercial Recreational to R-1 Single

Family Residential. These are existing platted lots that are currently part of the Alligator Point Campground, but are not proposed to be part of the PUD. Commissioner Putnal made a **motion to hold a public hearing.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-3395) Mr. Curenton reported that the Planning and Zoning Commission made the following recommendations concerning plats: The Commission recommends sketch plat approval for the New River Run Phase 3, a 9 lot subdivision off of Mill Road. After the Commission meeting, it was discovered that this property is still zoned Agricultural. Commissioner Putnal made a **motion to table this sketch plat until the property is rezoned.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends final plat approval for Shell Bay, a 10 lot subdivision at Carrabelle Beach, Gene Langston is agent for Intracoastal Shell. Commissioner Putnal made a **motion to approve contingent upon the county attorney's review.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends final plat approval for The Preserve, a 15 lot subdivision at Eleven Mile, owned by Jeff Dykes. Commissioner Mosconis made a **motion to approve contingent upon the county attorney's review.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

The Commission recommends approval for final plat of Grace Bay, a 6 lot subdivision on Tract 53, East End, St. George Island, as presented by Bobby Roddenberry, agent for Kennedy Land Development Co. The Commissioner made this recommendation contingent upon one community dock being constructed. Bobby Roddenberry, representing Mr. Kennedy appeared before the Board and stated that he had discussed with the Planning and Zoning Commission using individual docks and if they have a community dock, they will have to redesign the plat. It was the general consensus of the Board that they have consistently required community docks for cluster developments. Commissioner Creamer made a **motion to approve final plat contingent upon a community dock being constructed and contingent upon the county attorney's review.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-74) Paul Riegelmeier urged the Board to uphold the requirement for community docks on subdivisions like this.

FCBCC REGULAR MEETING MAY 18, 2004

(3-102) The Commission recommends approval for final plat for Dolphin Watch at Emerald Point, a 4 lot subdivision at Emerald Point, east of Highway 65, Pamela Prince, owner. The Board agreed that there would be no construction on the south side of Highway 98 even though the lots are platted to the water. Commissioner Creamer made a **motion to approve final plat contingent upon there being no habitable structures on the south side of the Highway 98 and contingent upon the county attorney's review.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

The Commission recommended final plat approval for St. James Bay Phase II, a 164 lot subdivision at St. James. Commissioner Creamer made a **motion to approve final plat contingent upon the county attorney's review.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(3-145) The Commission recommends sketch plat approval for Phase 1 of South Shoal Village, a 33 lot subdivision at the campground at Alligator Point, Steve Watkins, agent. Since this time, Mr. Curenton reported he has been in contact with Mr. Watkins and reminded him that the PUD ordinance has not been approved by this board, and, since the PUD will dictate what size lots are allowed, you can not approve a plat prior to the PUD. Although the PUD was on the agenda and discussed at the Planning & Zoning Commission meeting, they did not make any recommendations concerning the PUD.

There are two main issues that have been raised with this project. First there is a possible public right-of-way that runs through this property. The plat of Peninsular Point, Unit One, approved in 1946, shows a road running from Alligator Drive in a northwesterly direction to the shore of Alligator Harbor. This road is dedicated to the public on the plat. The question is "Is this still a public right-of-way?"

The second question is about the type of sewer system that is going to be required. Last week, Alan Pierce composed a memo to Steve Fling and the County Commissioners outlining what type of system the Board has required on past developments in the County. Basically, the County has been requiring Advanced Wastewater Treatment for any new sewerage treatment plants being built in the County. The developers have agreed to put in an AWT system if that is what the County is going to require.

The County has received a number of letters from Alligator Point residences supporting this project.

(Tape 3-205) Mr. Steve Watkins representing the developer, Steve Fling, appeared before the board and gave a update on what is being proposed for the Alligator Point Campground site. Mr. Fling is proposing to create 23 residential home sites in Phase I of this development. He is proposing to reserve the lot where the road right-of-way is in question. He is proposing to have a home site created for a sheriff's deputy to live in, and he has agreed to install an AWT system. The developer told the Board that his PUD ordinance will be ready next week and he is asking for a public hearing to consider the

FCBCC REGULAR MEETING MAY 18, 2004

PUD Ordinance and final plat. Commissioner Putnal made a **motion to hold a public hearing on June 15th to consider the PUD ordinance and site plan for South Shoal Village.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

The board discussed the AWT system. There is a possibility that surrounding neighbors to this development could hook up to this systems if there is capacity.

(Tape 3-466) Concerning Planning and Zoning Commission appointments, Chairman Sanders told the board that she has an appointment from Lanark Village. Edna Hancock, will fill the general public seat, and Commissioner Mosconis stated that Larry Perryman will fill the science seat. Mr. Curenton told the Board that both Joyce Estes and one other person has expressed interest in serving on the Planning and Zoning Commission. Commissioner Mosconis made a **motion to appoint Larry Perryman to the science seat and Edna Hancock to the general at large seat of the Franklin County Planning and Zoning Commission.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(3-520) Ted Mosteller said that he was finished with his presentation, but someone needs to deal with the grants. It was agreed that Mr. Curenton and Ms. Williams would get together and come up with a recommendation.

(Tape 3-564) Mr. Michael Moron appeared before the board regarding the SHIP program. Mr. Moron told the board it is time to submit the 3year plan for this program. The board discussed the need to have more emergency funds available to do house repairs and less down payment assistance. They agreed the elderly need more help. Mr. Moron told the board that he is still working on the waiting list from 2000-2001. The board felt that new construction funds should be used for emergency repair.

Mr. Moron told the board that he plans to hold workshops in Eastpoint and Carrabelle concerning the SHIP program. There was also discussion concerning allowing money to be used for mobile homes. The Board asked to get a copy of the waiting list.

KENDALL WADE – CLERK

(Tape 3-779) Mr. Wade asked the board to authorize the Chairman's signature on the Sheriff's Narcotics Task Force Grant. Commissioner Creamer made a **motion to authorize the Chairman's signature on the Sheriff's Narcotics Task Force Grant.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Mr. Wade read a resolution concerning \$196,389.96 received from the State of Florida, Department of Environmental Protection for Payment in Lieu of Taxes and to spread on its minutes the expenditures for the purpose of: Principal \$175,000, Interest \$7,997.23, and Reserve for Contingency of \$13,392.73. Commissioner Williams made a **motion to approve this resolution for budget amendment for Payment in Lieu of Taxes in the**

FCBCC REGULAR MEETING MAY 18, 2004

amount of \$196,389.96. Commissioner Creamer seconded the motion. All for.
MOTION CARRIED.

(Tape 3-844) Mr. Wade reported that the county has above ground storage tanks at the Road Department and at the Airport that need to be recertified no later than January 2005 by the Department of Environmental Protection. He suggested that these be turned over to Preble-Rish Engineers, Inc. for review. Commissioner Mosconis suggested that there is a woman working at the Gulf County Health Department that can recertify these tanks for free. It was agreed that Mr. Wade would contact this woman.

MICHAEL SHULER – COUNTY ATTORNEY

(Tape 3-894) Mr. Shuler stated that the Alexis Marketing attorney contacted him yesterday stating that one week's notice is not enough notice for him to appear before the Board and he has asked for more time.

Concerning the Armory Lease, an operational report needs to be formulated before any thing can commence with the Armory. Mr. Shuler suggested that Van Johnson start working on this operational report in conjunction with the Armory Board. There is one error in the lease, the legal description included in the lease only covers about ½ of the property. Currently the lease will be for 10 years, (5) year lease and (5) year renewal.

(Tape 3-980) Mr. Shuler has reviewed the 911 contract and he has a strong objection to the reference in the contract to GT Com being held hold harmless. Mr. Shuler recommended that the county not approve the hold harmless portion of this contract. It was agreed not to approve this hold harmless clause. Another item of concern is the contract price appears not to include all of the costs. He recommends holding off on approving this until the board can receive clarification on all costs.

(Tape 3-1026) Mr. Shuler stated that, at the board's request, he has been in contact with the person who installed the 2" waterline on Bald Point Road, This person has disputed the facts in this case. There was a question as to who installed the line and whether they had the board's permission to install this line. It was agreed more research needs to be done prior to any action being taken.

(Tape 3-1063) The board, at a previous meeting, had given conditional approval for Tarpon Crossing LLC to increase the number of RV spaces in the park. Mr. Shuler does not feel that their proposal does not comply with the current C-3 zoning. He feels that if they sell the sites as they propose, it will become simply another subdivision and does not comply with the C-3 district. These are issues that need to be addressed by the developer before continuing with this project.

(Tape 3-1115) Mr. Shuler congratulated the board on their purchase of property from Ben Watkins which will provide parking for the courthouse. He stated the value of these lots has increased dramatically.

FCBCC REGULAR MEETING MAY 18, 1004

(Tape 3-1127) Mr. Shuler reported that Thom Lewis' attorney has asked that Mr. Shuler be allowed to receive Service of Process. Mr. Shuler explained that this is a suit stating the county has somehow caused flooding on Mr. Lewis' property. Commissioner Putnal made a **motion to allow the county attorney to receive Service of Process for the Thom Lewis suit.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

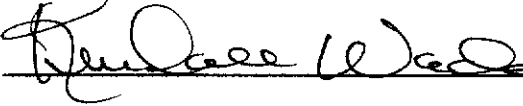
(Tape 3-1216) Mr. Shuler reported that Robin Brinkley, Building Official, has asked for a letter from the county allowing him to sell real estate on his off time. He needs to send this letter to the state. Commissioner Putnal made a **motion to authorize the Chairman's signature on letter allowing Mr. Brinkley to sell real estate on his off time.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-1245) Mr. Curenton read a Resolution of Appreciation to Alan Pierce for his 16 years dedication to the county.

(Tape 3-1307) Mr. Will Kendrick, representing the Senior Citizen's Center, asked that they be allowed to occupy the National Guard Armory on June 1st. There was some discussion concerning the sublease to the Senior Citizens Center. Mr. Kendrick stated that as of next Friday, they will have no where to go. Mr. Shuler read from the lease that the county has to prepare an operational report prior to occupancy. It was agreed that the operation report needs to be approved so that occupancy can take place. Mr. Shuler asked that a letter be submitted from the Armory Board give the county, in writing, approval for the Senior Citizen's Center to occupy the building on June 1st.

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


_____ **CHERYL SANDERS, CHAIRMAN**


_____ **KENDALL WADE, CLERK**