

FCBCC REGULAR MEETING SEPTEMBER 7, 2004

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
SEPTEMBER 7, 2004**

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

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

(Tape 1-38) Commissioner Putnal made a **motion to approve the minutes of the meeting held August 11, 2004.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-44) Commissioner Putnal made a **motion to pay the county bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-54) Mayor Brown with the City of Carrabelle appeared before the Board to discuss Lake Morality Road. Mr. Brown explained that apparently there is an out parcel of 80 acre which impacts Lake Morality Road. Mr. Shuler explained that Mr. Fowler of Marietta, Georgia owns the property. Mr. Shuler spoke to Mr. Fowler's attorney and they are not interested in making a donation but would consider a fair market sale. Mr. Shuler told the Board he thought this would affect about 1,500 feet of the road, but he could not be sure without a survey. There was also some discussion concerning running the utilities down the middle of the road bed. There were concerns with putting these utilities in the road bed. Mayor Brown told the Board he would like to go to Marietta, Georgia to discuss this matter with Mr. Fowler. He wants to tell Mr. Fowler that it would be beneficial to him to allow the city to use his property as he may want to develop his property in the future, and he may want access off of Lake Morality Road. Commissioner Putnal made a **motion to assist Mayor Brown with his discussion with Mr. Fowler concerning Lake Morality Road.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Chairman Sanders asked that Mayor Brown let the Board know the outcome of Mayor's meeting with Mr. Fowler.

HUBERT CHIPMAN SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-340) Mr. Chipman reported that they completed the Alligator Point Road, and it appears to be holding well. Commissioner Mosconis made a **motion to cancel the state of emergency declared for Hurricane Frances as well as approve any and all overtime due to Hurricane Frances or any other emergencies.** Commissioner Putnal seconded this motion. All for. **MOTION CARRIED.**

Chairman Sanders said that she was made aware that no shelters were opened in Franklin County, on this same note, she would like to send letters to the Best Western and the

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Bucanneer Inn for their help during these storms. Commissioner Putnal made a **motion to have the Clerk, Kendall Wade write letters to the Best Western and the Bucanneer Inn thanking them for their help during Hurricane Frances.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-428) Commissioner Mosconis suggested that Franklin County offer any assistance it can give to Wakulla County as they received damage from this storm. Hubert Chipman was directed to contact the Wakulla County Road Superintendent. Mr. Chipman said he wanted to thank the Sheriff's Department for all their help.

VAN JOHNSON – SOLID WASTE DIRECTOR

(Tape 1-460) Mr. Johnson reported that Gayle Dodds needs to be reappointed to Animal Adjudicatory Board, her two year term has expired and she has expressed an interest in continuing to serve. Commissioner Creamer made a **motion to reappoint Gayle Dodds to the Animal Adjudicatory Board for a two year term.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-481) Commissioner Mosconis told Mr. Johnson there is trash along the new Airport Road which needs to be picked up.

(Tape 1-490) Chairman Sanders asked Mr. Johnson if they could put some of the road equipment in different areas of the county, as it is needed in several areas.

BILL MAHAN – COUNTY EXTENSION DIRECTOR

(Tape 1-527) Mr. Mahan presented a new copy of the new Florida Aquaculture newsletter. Featured stories include Hurricane Charley's impact on clam and fish farms in South Florida. He also reported that Preble-Rish is in the final stages of preparing the grant application for the proposed boat ramp off of Bluff Road. He asked for approval of the resolution and application for these state funds. Commissioner Mosconis made a **motion to approve the Resolution authorizing the County to proceed with the submittal of an application for State funds to the Florida Fish and Wildlife Conservation Commission for the Bluff Road Project Design and Construction.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-601) Chairman Sanders asked what the Board wants to call this boat ramp, the Bluff Road boat ramp or the Box R boat ramp. The Board agreed to call it the Bluff Road boat ramp. Commissioner Mosconis asked Mr. Mahan if he has received a copy of the letter from the Florida Fish and Wildlife Conservation Commission concerning other existing boat ramps in the county. Commissioner Mosconis made a **motion to put Bill Mahan in charge of tracking these projects and to not miss any deadlines concerning these projects.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

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DORIS GIBBS – SUPERVISOR OF ELECTIONS

(Tape 1-660) Ms. Gibbs asked that the Board divert funds collected from the sale of absentee voting lists, labels, etc. which is currently being deposited into the General Revenue Fund into the Supervisor of Elections budget to offset unexpected expenditures incurred from current elections. She said currently she has about \$3,000 available, but she does not feel this is going to cover all the costs. Commissioner Mosconis made a **motion to allow the Supervisor of Election to use this money and come back to the Board at a later date if additional monies are needed.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Ms. Gibbs told the Board that early election will begin on October 18th and will be available on Saturdays. She went on to say that at some point in the future she would like to be able to put a dedicated line in the annex for her computer system.

(Tape 1-899) Chairman Sanders told the Board that the generator at the Emergency Management Office is still not operating well and the Board needs to make sure that Ms. Hutchins is pursuing buying a new generator. The EOC will need a 50-60 kw generator. Commissioner Creamer made a **motion to declare a state of emergency and advertise for bids for a new generator at the Emergency Management Office.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-994) Chairman Sanders said that she has talked with Jim Harris concerning digging out the boat ramp at Millender's boat ramp in Eastpoint, and the Ferry Dock boat ramp, they can dig out the Millender boat ramp but not the Ferry Dock boat ramp because their equipment is too large to go under the bridge. The Board agreed to go ahead and have them work on the Millender's boat ramp.

MARK CURENTON – COUNTY PLANNER

(Tape 1-1023) Mr. Curenton reported that the Board of Adjustment did not hold a meeting last Wednesday because they did not have a quorum. Their meeting has been rescheduled for tomorrow, September 8th. There are still two seats vacant on the Board of Adjustment.

(Tape 1-1055) Mr. Curenton, for the Board's information, gave them copies of the Community Rating System Progress Report. He has also given copies of this report to the local media. He went on to say that copies are available for the public in the Planning Office. At the next meeting, he will be asking the Board to authorize the county's annual recertification for the Community Rating System.

(Tape 1-1070) Mr. Curenton reported the Objections, Recommendations and Comments Report on Franklin County's Comprehensive Plan should be mailed out by DCA this Friday.

(Tape 1-1090) Mr. Curenton reported that on August 3rd this Board voted to authorize Preble-Rish to submit a Forever Florida Water Management District grant for

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improvements to Pine Street on St. George Island. In reviewing the grant requirements Preble-Rish has come to the conclusion that the County might be in a better position to receive funding from this grant if it submits the application for Sawyer Street instead of Pine Street. The project would start at or near Lot 1, Block 81, Unit 5, and go west to around Lot 2, Block 88, Unit 5. The project will tentatively consist of shoreline stabilization to reduce sedimentation, perhaps extending the existing rock breakwater put in by the Research Reserve to help slow erosion, reshaping the road and swale system so that it works properly and provides some stormwater treatment for road run-off, and placing some type of surface on the road which will also reduce sedimentation. He needs Board authorization to change this grant request from Pine Street to Sawyer Street.

Commissioner Creamer made a **motion to approve change in grant request from Pine Street to Sawyer Street on St. George Island.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-1162) Mr. Curenton reported the County has asked for bids for appraisers to do the appraisals for the Lanark Village drainage project. There have been no bids turned in. He said that he would get with Debbie Belcher to find out what the county needs to do to get appraisers to bid on the job. The county has not yet heard anything from FEMA as to whether they will accept the county's 100 year plan.

(Tape 1-1228) Mr. Curenton told the Board that Melanie Hutchins has applied for the secretarial position in the Planning Office, and she has been hired. She will remain as the interim Emergency Management Director until this position is filled.

STEVE WATKINS, III, ATTORNEY FOR TARPON CROSSING, LLC.

(Tape 1-1257) Steve Watkins appeared before the Board to readdress the Tarpon Crossing project. He stated that the developer has proposed an RV Park Model Resort. He reported that the developer has agreed to reduce the density from 50 units to 20 units. He said they have gone through commercial site plan approval and then went on to pursue the rezoning as well as create a new zoning category. He stated at the last meeting the Board did not approve the new category with two members voting against and one commissioner absent. He is again asking them to reconsider this category. He is asking that the Board reschedule a public hearing to hear these two items. Commissioner Creamer made a **motion to reschedule the public hearing to consider the new zoning category for 10:30 a.m. and the rezoning for 10:35 a.m., September 21, 2004.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

KENDALL WADE - CLERK

(Tape 1-1438) Mr. Wade reminded the Board of their first public hearing on the budget scheduled for 5:30 p.m. Commissioner Mosconis said that he would not be present as he had another meeting he had to attend.

(Tape 1-1463) Mr. Bud Evans came before the Board and stated in the past the Board had agreed to donate unit #479 to the St. James/Lanark Volunteer Fire Department, they

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are now looking for unit #478 which currently does not run. Commissioner Creamer made a **motion to donate Unit #478 to the St. James/Lanark Volunteer Fire Department.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Mr. Evans submitted a letter requesting any surplus generators be donated to this fire department. He requested the generator at the old Planning & Zoning Department. There was some discussion as to whether it still works. Commissioner Creamer made a **motion to donate this generator to the St. James/Lanark Volunteer Fire Department.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1593) Mr. Wade said that the county has received a grant application for the State Aid to Libraries which needs the Chairman's signature. Commissioner Williams made a **motion to authorize the Chairman's signature on the grant application for the State Aid to Libraries.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

MICHAEL SHULER – COUNTY ATTORNEY

(Tape 1-1630) Mr. Shuler reported that at the last meeting, the Board appointed Rich Reeves to oversee expenditures for the Title V grant and asked to see if there were administrative fees that could be used to reimburse the county for Mr. Reeves' time, there are no funds, in fact, the county's time was part of the grant match. He has also been asked to schedule a time for a hearing at the next meeting, he has done this. It is schedule for 10:15a.m. at the next board meeting.

He gave a brief report concerning the Ammons vs the County lawsuit involving the concrete plant. This is still in process.

Mr. Shuler stated he has received a letter from Nick Yonclas concerning the suit with the airport. This letter has requested a public hearing. Mr. Shuler feels this should not be handled at a regular meeting. It was agreed to schedule a half day hearing to consider this. Mr. Shuler explained that the county is being requested to consider terminating the current lease with the airport operator. Commissioner Putnal made a **motion to schedule a public hearing to consider this matter at 1:00 p.m. on September 21st.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1928) Mr. Shuler said that he has read the letter the Board received concerning the status of negotiations between Lanark Village Water & Sewer District and St. James Bay. Mr. Shuler suggested that the Board consider this matter at their next meeting.

(Tape 1-1985) Mr. Wade asked, concerning Mr. Watkins' request for public hearing, regarding Tarpon Crossing, LLC, whether Mr. Watkins is going to pay the advertisement. Mr. Watkins agreed that he would pay the advertising fee.

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(Tape 1-1989) Mr. Shuler gave the Board a status report concerning the Thom Lewis suit. He said one of the disputes in the settlement agreement is Mr. Lewis' right to sue the county for future damages. The second issue is the drawing for the low water crossing, Mr. Shuler feels we should stay within the depth described in the drawing and not adhere to what the engineers for the county are suggesting. The county has already agreed to pay \$19,000 for damages. Commissioner Mosconis stated that he is uncomfortable with using Mr. Lewis' drawing. Chairman Sanders asked the Board to think about this as they have a public hearing to consider.

PUBLIC HEARING – CONSIDERATION OF THE ELEVENTH AMENDMENT TO THE 1977 ST. GEORGE ISLAND DEVELOPMENT ORDER REVISING SPECIFIC DEVELOPMENT PLANS FOR RESORT VILLAGE.

(Tape 1-2226) Mr. Curenton told the Board that this public hearing is to consider an amendment to the St. George Island Development Order. The amendment proposes to change approximately 58 acres which is zoned commercial and adjacent to the St. George Island airport and change it to single family residential. They also plan to convert the St. George Inn to condominiums. Mr. Curenton said that he has received several letters encouraging the Board to approve this project. Mr. Curenton said there are several items that need to be addressed. One is to determine if this is a significant deviation from the DRI. In Mr. Curenton's opinion, it is not a significant deviation. He went on to say that it is his understanding that DCA does not consider this a significant deviation either. Both DCA and DEP are satisfied and have no other questions.

Ms. Rita Culbertson, a director with the St. George Island Plantation Homeowners Association, told the Board that this proposal has received 99.5 percent approval from their association. She went over the conditions of this agreement.

David Wilder spoke to the Board concerning approval of this amendment.

Commissioner Putnal made a **motion to approve the ordinance concerning the proposed Eleventh Amendment to the 1977 St. George Island Development Order.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED**

(Tape 1-2658) Commissioner Creamer made a **motion to approve the ordinance changing the land use from Residential and Resort to Resort Village.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2682) Commissioner Creamer made a **motion to approve the ordinance rezoning this property to the Resort Village Planned Unit Development and the sketch plat.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2753) The Board again discussed the Thom Lewis settlement. Several of the Commissioners had concerns regarding this settlement. Commissioner Mosconis said the

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only way he would accept Mr. Lewis' drawing of the low water crossing is if the county engineering firm would sign off on the design. Mr. Shuler was instructed to contact the engineer and see if they will sign off. He asked about the other two other concerns. The county must clarify in the document that by settling, Mr. Lewis is waiving any future damage claims. Secondly, whether the county will accept the drawing by Mr. Lewis, but this may change. Mr. Shuler said he would report back at the next board meeting.

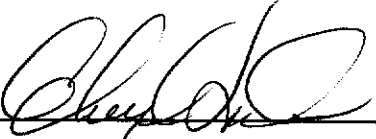
(Tape 1-2866) Chairman Sanders asked when Mr. Shuler would have the advertisement ready for the Emergency Management Director position. Mr. Shuler said that he has been working on this, but there are some legal issues that need to be addressed.

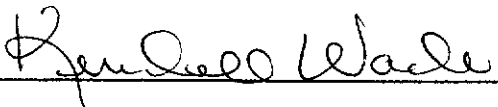
(Tape 1-2948) Commissioner Mosconis made a **motion to adopt Resolutions of Appreciation for Kendall Wade, Clerk, Clarence Williams, Commissioner and Eddie Creamer, Commissioner, as their terms are getting ready to expire.** Commissioner Putnal seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-2996) Mr. Shuler asked, for clarification, if the Board wants him to have the engineer give the board a signed, sealed set of drawing for the low water crossing. Commissioner Mosconis asked him to merely have the engineer sign off on the request.

(Tape 1-3047) Commissioner Mosconis excused himself from the Board to address an issue. The issue concerns the airport ditch and the survey of this property. When this issue comes back to the Board, he would like to be able to vacate his existing plat and file a new plat. He has people waiting to close on the property and contractors ready to build. Chairman Sanders said that she has been in contact with Lucy Turner, the attorney working on this situation, but nothing has been resolved. When the Chairman hears from Ms. Turner, she will call a special meeting.

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


_____ **CHERYL SANDERS, CHAIRMAN**


_____ **KENDALL WADE, CLERK**