

FCBCC REGULAR MEETING OCTOBER 19, 2004

FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
OCTOBER 19, 2004

OFFICIALS IN ATTENDANCE: Cheryl Sanders, Chairman, Jimmy Mosconis, Clarence Williams, Bevin Putnal, and 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 1-31) Commissioner Putnal made a **motion to pay the county bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-38) Mr. Michael Palecki, attorney for the Lanark Village Water & Sewer District appeared before Board and stated that he received notice from the Florida Secretary of State that Robert M. Millar has no opposition as a candidate for the position on the Board of Commissioners of the Lanark Village Water and Sewer District. Although Mr. Millar's new term in office does not begin until January 4, 2005, the Lanark Village Water and Sewer District Board is in need of Mr. Millar's service as a board member as soon as possible. The three member board has been operating with only two board members since the third member resigned several months ago. This is a working board that needs Mr. Millar's help especially considering Mr. Millar's considerable experience in the water and sewer industry.

Pursuant to Section 153.53(5), Florida Statutes, the Lanark Village Water and Sewer District respectfully requests that the Franklin County Board of County Commissioners appoint Mr. Millar to serve the remainder of the current unexpired term on the Board of the Lanark Village Water and Sewer District to end when Mr. Millar's new term of office begins on January 4, 2005. Mr. Shuler said that he has already given his opinion concerning this early appointment to the Board. He went on to say that the Statute referred to, in his opinion, does not apply in this case. Commissioner Mosconis made a **motion to approve Mr. Robert Millar's appoint to serve on the Lanark Village Water and Sewer District Board, the remainder of the current unexpired term which will expire on January 4th, 2005.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN – SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-162) Mr. Chipman told the Board that as of last Friday, the Road Department has picked up all the storm debris. Chairman Sanders asked Mr. Chipman if he met with FEMA to learn how to complete their forms. He assured the Board that they did know how to complete the forms.

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VAN JOHNSON – SOLID WASTE DIRECTOR

(Tape 1-186) Mr. Johnson requested Board approval to purchase the Landfill equipment approved during Fiscal Year 2004-2005 budget development, from the U.S. General Service Administration contract (G.S.A.). The equipment is as follows: 1) One new Caterpillar 826G Landfill Compactor from Ring Power Corporation of Tallahassee, Florida, at a cost of \$461,863, under GSA contract number GS-30F-1025D, and 2) One New Morbark 1500 Tub Grinder from Morbark Inc., out of Winn, Michigan, at a cost of \$421,430, under GSA contract number GS-30F-0018N. Partial funding for the equipment will come from the Florida League of Cities Master Lease Program in the amount of \$685,300 to be repaid over a period of forty-seven months. Commissioner Mosconis made a **motion to approve the purchase of One New Caterpillar 826G Landfill Compactor, from Ringer Power Corporation, out of Tallahassee, Florida, at a cost of \$461,863 under G.S.A. Contract Number GS-30F-1025D.** Commissioner Creamer seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-233) Commissioner Putnal made a **motion to approve the purchase of one New Morbark 1500 Tub Grinder, from Morbark, Inc., out of Winn, Michigan, at a cost of \$421,430, under G.S.A. Contract Number GS-30F-0018N.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-245) For the Board's information, Mr. Johnson selected Rhonda Butler from a pool of thirty applicants to fill the Secretary/Clerk position within the Solid Waste Department. Ms. Butler's qualifications and work history made her the most suitable candidate for the position.

(Tape 1-260) Commissioner Williams asked Mr. Johnson if he had locked the gates at the ballpark last Tuesday and Wednesday. Mr. Johnson said the gate was not locked, he said that he put locks of the meter boxes because he has had complaints from the surrounding neighbors about the lights being left on until late.

BILL MAHAN – COUNTY EXTENSION DIRECTOR

(Tape 1-324) Mr. Mahan gave the Board members copies of the UF/IFAS 2003-2004 Annual Report/2005 Calendar. The report/calendar summarizes Extension's expenditures and accomplishments for last year. In addition, each month highlights one of UF-IFAS's statewide programming efforts.

(Tape 1-343) Mr. Mahan gave the Board an update on the Family Nutrition Program, after eight plus years of teaching nutrition and nutrition-related education classes to the County's youth and adults, our FNP Program Assistant, Cherry Rankin, resigned her position effective October 15th. Due to continuing problems associated with the funding of US. Department of Agriculture's FNP grant which helped fund the program, and the uncertainty of future funding, Cherry decided to accept a position with the Franklin County Boy's & Girl's Club in Carrabelle. At this time, there are no plans to continue the FNP in Franklin County due to increasing difficulties trying to work with USDA.

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From a statewide prospective, it looks like most of UF-IFAS's FNP programming efforts will end by June 30, 2005.

(Tape 1-384) Commissioner Mosconis asked for an update on the Bluff Road boat ramp. Mr. Mahan said there is nothing new to report. He said that the FWC is currently ranking projects. The Board asked Mr. Mahan to contact FWC and get an update on this project, they are anxious to get started as this process has been going on over a year.

(Tape 2-411) Melanie Hutchins with Emergency Management presented the 2004/2005 EMPA Base Grant to be reviewed and approved. Commissioner Putnal made a **made a motion to approve the EMPA Base Grant for 2004/2005 contingent upon Rich Reeves, Grants Administrator and Michael Shuler, County Attorney's review.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

RACHEL WARD – BOARD OF ADJUSTMENT

(Tape 1-457) Ms. Ward reported the following recommendations from the Advisory Board of Adjustment: The Board of Adjustment met on October 6, 2004, Mr. Steve Fling, agent for South Shoal Development has requested a 13 ft. variance to the Franklin County Flood Zone Ordinance in order to build approximately 320 square feet of bathroom and storage facilities as part of the Village Pool Complex. Mr. Fling wants to build these facilities at ground level rather than elevate them. The Flood Ordinance requires that any habitable space, which would include any bathroom facilities meet the base flood elevation, and in this case, the elevation requirement is 18 feet above mean high water. Mr. Curenton recommended against granting this variance as it could set a dangerous precedent. Also, there were objections from the audience. In the past, the county has granted two similar variances both were issued to the State of Florida for state park bathrooms and gate entrance facilities. The Board of Adjustment recommends that the Board of County Commissioners grant this variance request.

(Tape 1-511) Mr. Curenton told the Board that his reason for recommending denial is that it could set a precedent. There was some discussion from the Board concerning this variance request. FEMA could, if the county grants too many of these types of variances, withdraw the county's ability to get federally funded flood insurance.

(Tape 645) Steve Watkins representing South Shoal Development appeared before the Board and stated this is unique because it is commercial and no one will be living in the facility. Commissioner Creamer made a **motion to grant this variance request.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-693) Ms. Ward reported the Board of Adjustment recommends approval of a variance to construct a seawall within the Critical Habitat Zone on Lot 7, Block 65, Unit 5, St. George Island as requested by Larry Joe Colson, agent for Rees 64, LLC. Ms. Ward reported that this proposed seawall will connect to an existing seawall.

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Commissioner Creamer made a **motion to approve this variance request.**
Commissioner Williams seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-724) The Board of Adjustment recommends approval of a variance to construct a seawall within the Critical Habitat Zone on property described as Lot 23, Holiday Beach, Unit One, Alligator Point, as requested by Docks-4-Less, agent for John Houghton and Susan Taylor. Commissioner Putnal made a **motion to approve this variance request.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-741) The Board of Adjustment recommends approval of a variance to construct a concrete boat ramp within the Critical Habitat Zone on property described as 564 River Road, Carrabelle, as requested by Ron and Pandora Schlitt. Commissioner Putnal made a **motion to approve this variance request.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-753) The Board of Adjustment recommends approval of a variance to construct a house two feet above the nine ft. height limit above grade to the bottom beam as required by the Zoning Code. Mr. Curenton told the Board that this variance request does not constitute a hardship as required by the Zoning Code. The applicants did stipulate that the overall height of the house will actually be about two feet under the overall height limit for new construction. This application was submitted by Ben and Joy Watkins, owners. Commissioner Mosconis made a **motion to grant this variance request.** Commissioner Creamer seconded this motion. All for. **MOTION CARRIED.**

(Tape 2-787) The Board of Adjustment recommends approval of a variance to construct a house four feet into the front setback line off of Jasmine Way on property described as Lot 8, Turtle Beach Village, St. George Island. This request was submitted by John Caminez. Only a corner of the house will actually encroach into this setback and this is necessary in order to build behind the Coastal Construction Control Line. Commissioner Creamer made a **motion to grant this variance request.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

RACHEL WARD – PLANNING & ZONING COMMISSION

(Tape 1-815) Ms. Ward reported that the Planning and Zoning Commission met on October 12, 2004 with the following recommendations: The Commission recommends approval for Roy McLeod to construct a private dock at 221 Rio Vista Drive on Highway 319 just west of Sopchoppy on the Ochlockonee River. The dock will be 165 feet long with a boatlift. Commissioner Putnal questioned why the dock is so long. Mr. McLeod told the Board that his draws show the dock to be 80 feet long into the water, the remainder is over marsh. Commissioner Putnal made a **motion to approve this dock construction.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

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(Tape 1-911) The Commission recommends approval of a request from Dale Anderson to construct a dock at 279 Magnolia Bay, off of North Bay Shore Drive, Eastpoint. The dock will extend 190 feet out with a boatlift. Commissioner Creamer made a **motion to approve this dock construction.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-938) The Commission recommends approval of a request from Clyde Carter to construct a private dock at 731 Mill Road, Carrabelle. The dock will extend out 32 feet with an 8x25 platform on the end. Commissioner Putnal made a **motion to approve construction of this dock.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-951) The Commission recommends approval of a request from Quentin Brown to construct a private dock at 2533 Highway 98 West, Carrabelle. The dock will be 200 feet long with a 10x20 platform at the end. Commissioner Putnal made a **motion to approve construction of this private dock.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-993) The Commission recommends approval of a request from Chip Morrison to construct a private dock on Alligator Harbor, Alligator Point. The dock will extend 209 feet out with a boatlift. Commissioner Mosconis made a **motion to approve construction of this private dock.** Commissioner Creamer seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-1003) The Commission recommends approval of a request from Gerald Judge to construct a private dock at 2492 East Highway 98, Gulf Wynn. The dock will be 210 feet long with a boatlift. Commissioner Putnal made a **motion to approve construction of this private dock.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1017) The Commission recommends approval of a request from Paul Hawker to construct a private dock at 2612 US Highway 98, Lanark. The dock will be 210 feet long with a boatlift. Commissioner Putnal made a **motion to approve construction of this private dock.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1033) The Commission recommends approval of a request from John Houghton to construct a private fixed dock at 34 Mardi Gras Way, Alligator Point. The dock will be 80x8 feet long with a 6x12 floating dock and 4 mooring pilings. Commissioner Mosconis made a **motion to approve construction of this private dock.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1046) The Commission recommends approval of a request from Ray and Beth Wiley to construct a private dock at 1242 Angus Morrison Road, Alligator Point. The

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dock will extend out 42 feet with an 8x16 platform. Commissioner Putnal made a **motion to approve construction of this dock.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1062) The Commission recommends approval of a request from William Vaughn to construct a private dock on Lot 5, Windjammer Village, St. George Island. The dock will extend out 86 feet with two boatslips. Commissioner Creamer made a **motion to approve construction of this private dock.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1071) The Commission recommends approval of a request from Frank Latham to construct a private dock at 1335 East Gulf Beach Drive, St. George Island. Commissioner Creamer made a **motion to approve the construction of this private dock.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-1086) The Commission recommends approval of a request from Kelly Rysavy to construct a private dock at 1289 East Gulf Beach Drive, St. George Island. The dock will extend out 100 feet with a 6x20 platform. Commissioner Creamer made a **motion to approve construction of this private dock.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-1096) The Commission recommends approval of a request from Ben Willis to construct a private dock on a parcel lying in Section 35, Township 7 South, Range 5 West, west of Carrabelle. The dock will extend out 300 feet with a 6x20 platform. Commissioner Putnal made a **motion to approve the construction of this private dock.** Commissioner Williams seconded the motion. Commissioners Putnal, William, Creamer and Mosconis vote for. Charman Sanders voted against. **MOTION CARRIED.**

(Tape 1-1117) Ms. Ward reported the following recommendations for rezoning: The Commission recommends approval to schedule a public hearing to consider rezoning from C-2 General Commercial to C-4 Mixed Use Residential, Lot 3, Block 4, Unit One East, St. George Island. This request was submitted by Mark and Kelly Carroll and Jenny and Linton Easton. Commissioner Creamer made a **motion to schedule a public hearing.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-1139) The Commission recommends approval to schedule a public hearing to consider rezoning, from C-2 General Commercial to C-4 Mixed Use Residential, Lot 4, Block 4, Unit One East, St. George Island. The request was submitted by John and Kristen Shelby, owners. Commissioner Creamer made a **motion to schedule a public hearing.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

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(Tape 1-1156) The Commission recommends approval to schedule a public hearing to consider rezoning and land use change, from R-1 Single Family Residential to C-4 Mixed Use Residential, a parcel described as 233 Patton Drive, Eastpoint. This request was submitted by David and Veronica Wallace, owners. Commissioner Creamer made a **motion to schedule the public hearings.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1171) Ms. Ward presented the following sketch plats: The Commission recommends approval of a sketch plat to be known as Redfish Run. The parcel is 3.82 acres in size with three lots of at least one acre in size. The lots meet all county requirements for lot dimensions. There will be no habitable structures constructed on the south side of Highway 98 and will have one common dock. The parcel is located in Sections 21 and 28, Township 8 South, Range 6 West, Eastpoint between Gulfview Campground and Highway 65, Eastpoint. The request was submitted by Garlick Environmental Associates, Inc., agent for Heath Galloway, owner. Commissioner Creamer made a **motion to approve the sketch plat for Redfish Run.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1212) The Commission recommends approval of a sketch plat to be known as St. George Bluffs, a 22 lot subdivision located on 22 acres. The applicant, Milton Hancock, represented by Preble-Rish, is also requesting a Sepcial Exception to cluster these lots. This has been scheduled for the November Board of Adjustment meeting. The applicant agreed to provide a 50 ft. vegetated buffer along Highway 98 and include a 10 ft. non-access easement along the front of the property. This will allow only one access off of Highway 98. There will also be no habitable structures on the south side of Highway 98 and one common dock. Commissioner Mosconis made a **motion to approve the sketch plat for St. George Bluffs contingent upon approval of the special exception to cluster these lots by the Board of Adjustment.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1293) The following final plats were reviewed with the following recommendations: The Commission recommends approval of the final plat for Kelly's Landing, a 4.22 acre parcel with four one acre plus lots. The parcel is located in Section 13, Township 7 South, Range 5 West, on the New River. The request was submitted by Garlick Environmental Associates, Inc., agent for Coastal Properties, LLC. Commissioner Putnal made a **motion to approve the final plat for Kelly's Landing, contingent upon the county attorney's review.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1370) The Commission recommends approval for the final plat for Riverside Plantation, a 9.05 acre parcel with nine one acre lots. The property is located in Section 13, Township 7 South, Range 5 West, on the New River. The request was submitted by Garlick Environmental Associates, Inc., agent for William and Maxine Wells. Commissioner Putnal made a **motion to approve the final plat for Riverside**

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Plantation contingent upon the county attorney's review. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1355) The Commission recommends approval for the final plat for Sound Breeze, a 5.55 acre parcel with five one acre lots. The property is located in Section 23, Township 8 South, Range 6 West, lying between Eastpoint and Carrabelle. The request was submitted by Garlick Environmental Associates, Inc, agent for Aquatic Land Development, Inc. There were some questions concerning access to this parcel. Commissioner Putnal made a **motion to approve the final plat for Sound Breeze, contingent upon the county attorney and the applicant working out the access question.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1390) The following commercial site plan was reviewed: The Commission recommends approval of the commercial site plan for South Shoal Village, Alligator Point. The approval is contingent upon the applicant apply for an receiving a variance for an encroachment of an open deck 16 feet into the Critical Habitat Zone. The request was submitted by Steve Fling, agent for South Shoal Development. Commissioner Mosconis made a **motion to approve the commercial site plan for South Shoal Development contingent upon receiving a variance from the Board of Adjustment.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape Tape 1403) Ms. Ward reported that David Brumbaugh, at the Commission's request spoke to the Planning and Zoning Commission regarding issues dealing with development in the county. The Commission is concerned about septic tank variance being proposed as well as conflicts between county ordinance and state requirements. The Board, in the past, was interested in forming a committee to review the Critical Shoreline Ordinance and requirements for septic tanks, aerobics systems, etc. The Commission is also interested in reviewing this ordinance and asked that the Board give them guidance as to what, specifically, the Board is looking for. The Commission asked the Board to give them guidance on forming this committee and who would be a part of this committee. The Board asked that Mr. Brumbaugh, Planning Staff, Chris Clark, Garlick Environmental, Dan Tonsmeire, Riverkeepers, Lee Edmiston, National Research Reserve and a septic tanks installer serve on this committee. The Committee should not exceed six people. Commissioner Mosconis made a **motion to appoint this committee.** Commissioner Putnal seconded the motion. Chairman Sanders, Commissioners Mosconis, Putnal and Williams voted for. Commissioner Creamer voted against.

(Tape 1-1711) The final item from the Planning and Zoning Commission is a request from Steve Davis to consider offering P&Z members as well as BOA members health insurance through the Board. It was agreed by the Board that they would have to address this matter during budget time.

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(Tape 1-1780) Joe Shields appeared before the Board representing the Department of Agriculture, concerning a Special Exception granted for a marina in Eastpoint. He wanted to make the Board aware that marine toilets help to contribute to contamination of water quality. Marinas are not consistent with open shellfish areas. He went on to state that by state law, a buffer zone of ½ mile needs to be maintained around this marina because it is adjacent to an shellfish harvesting area. Commissioner Mosconis asked what affect this will have on the Cat Point oyster beds. Mr. Shields said that again any marina has to maintain this buffer zone. Commissioner Mosconis also asked about the clean marina provision. There was some discussion concerning this matter. Mr. Curenton showed the Board a map indicating where this marina is proposed. He went on to tell the Board that no permit for this marina has been issued. No action was taken.

(Tape 1-2139) Michael Shuler asked the Board to approve an amendment to the agenda as to proposals for Emergency Management Director were advertised for 10:00 a.m., but placed on the agenda for 11:30 a.m. Commissioner Mosconis made a **motion to amend the agenda to reflect opening the proposals for Emergency Management Director at 11:30 a.m.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2215) Mr. Shuler recommended appointing a committee to review these applications and report back to the Board before the end of this meeting. Commissioner Mosconis made a **motion to appoint Mr. Shuler, Mr. Wade and Mr. Curenton to review these proposals and report back to the Board.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2244) Mr. Wade announced those who submitted proposals for the Emergency Management Director position. Wilburn Baker, Shanda Able, James T. Turner, Ashley Teat, Richard W. Thornberg, and James Lewis. Commissioner Putnal made a **motion to turn these applications over to the committee and come back with a recommendation.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2412) Mr. Joe Donovan with Emergystat appeared before the Board to discuss contracts with Dasee and Weems Memorial Hospital, concerning contract payments. The hospital is three to four months behind in their contract payments. He asked that the county assume the contract for ambulance service and the county assume responsibility for the entire subsidy amount. He said the ambulance can no longer work as they have been. Commissioner Mosconis asked if someone from the hospital is here today. He thought the Board had requested some one from the hospital to be present. Mr. Shuler told the Board he has talked with Mike Lake of the hospital, and was told Mr. Lake could not be presented today because of another engagement in Tallahassee.

Commissioner Creamer asked about the letter that the Board instructed to be sent to the hospital requesting they be present today. There are several issues of concern. One of

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those concerns are the ambulance payments being in arrears. There was much discussion concerning what has been paid in taxes and what has been paid to the ambulance service.

Mr. Shuler said that Mr. Lake told Mr. Shuler that he would be present at the next Board meeting. Commissioner Mosconis stated the attorney needs to take notes and send the hospital a strong letter pressuring them to pay the ambulance service within the next 14 days.

Mr. Donovan said there has also been some discussion concerning locating another ambulance in the county. Emergystat would like to do this, however this is expensive. He recommended instead of the seven day a week ambulance, look at locating one on a 40 hour a week basis, this would satisfy most non-emergency hospital transfers.

Chairman Sanders said the Board has received a letter from the Franklin County School system asking about ambulance service during sports events. Mr. Donovan said he has talk with Patricia Shuler and directed her to have ambulance service at these sports events.

Mr. Donovan said he would give the Board 30 days notice before they cease ambulance service in the county.

PUBLIC HEARINGS – 4 PARCELS

(Tape 1-3180) Mr. Curenton said the first four changes involve land use. The first parcel is a 4.66 acre parcel lying in Section 12, Township 7 South, Range 4 West, Lanark Village. This is the site of the old Lanark Village Officer's Club. He explained that the Camp Gordon Johnson Association previously asked for the property to be rezoned to Public Facilities so that a museum could be built on the site, since that time, they have decided not to build the museum and sell the property. The new owners are requesting this change to build multi-family units. Ms. Carol Anderson appeared before the Board opposing this rezoning because of the density in this area. There was some discussion concerning the current zoning of the apartments.

(Tape 1-3472) Pam Collins appeared representing the owners and told the Board they plan to build about 20 units with all necessary parking. They are also proposing to abandon part of the road that goes into this parcel. She said this would help with parking.

Mr. Curenton told the Board that the Special District requirements only apply to the existing apartments in Lanark Village, this property is not a part of the area covered under the Special District.

Chairman Sanders told the Board that when the property was originally rezoned to Public Facilities, it was agreed that if the property was ever rezoned, it would go back to the original zoning of R-1 Single Family Residential.

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(Tape 1-3865) Commissioner Creamer made a **motion to approve the landuse change of a 4.66 acre parcel in Lanark Village from Public Facilities to Residential.**

Commissioner Mosconis seconded the motion. Commissioners Mosconis, Creamer and Williams vote for. Chairman Sanders and Commissioner Putnal voted against.

MOTION CARRIED. Commissioner Creamer made a **motion to approve the rezoning of a 4.66 acre parcel in Lanark Village from P-1 Public Facilities to R-5 Multifamily Residential.** Commissioner Mosconis seconded the motion.

Commissioners Creamer, Mosconis and Williams voted for. Chairman Sanders and Commissioner Putnal voted against. **MOTION CARRIED.**

(Tape 2-46) The next parcel to be considered is Lot 6, Block 6 according to a map (1958) of an addition to Eastpoint, Franklin County, Florida. The land use change will be from Residential to Commercial. Mr. Curenton explained that Larry Hatfield has requested this change to locate his office on the site. Jim Stephanko asked the Board if this is considered spot zoning. It was noted that there have already been several parcels in this area changed from residential to commercial. Commissioner Creamer made a **motion to approve the landuse change of Lot 6, Block 6, Eastpoint from Residential to Commercial.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Commissioner Creamer made a **motion to approve the rezoning of Lot 6, Block 6, Eastpoint from R-1 Single Family Residential to C-4 Mixed Use Residential.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-161) The next parcel to be considered is a 2 acre parcel lying in Section 23, Township 6 South, Range 8 West, north of Eastpoint further described as 580 Brickyard Road, Franklin County, Florida to be changed from Rural Residential to Residential. Mr. Curenton explained this is part of the Brown family property located at Brickyard north of Eastpoint. The property is now being broken up among family members. The two acres is being requested by Casandra Kelly.

(Tape 2-292) Chairman Sanders said she has been approached from both sides of the property owners concerning this matter. Steve Watkins appeared before the Board representing Larry Brown, Neil Brown, Karen Rabinowitz and Debbie Brown. He gave the Board a little history concerning this property. This was originally owned by Admiral Brown and has since been left to the heirs of Admiral Brown. This property has been divided up based on a lawsuit filed by family members. These property owners are adamantly opposed to anything less than one unit per ten acres.

(Tape 2-431) Mr. Doug Brown appeared before the Board, he said that he received 7 acres of this property and has now given his daughter Casandra Kelly two acres to live on. He wants his daughter to be able to live on this property.

(Tape 2-456) Dan Tonsmeire with the Riverkeepers said they are concerned with this rezoning because the increase density and the stormwater runoff.

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(Tape 2-502) Karen Rabinowitz appeared before the Board and said that this property has been sold off and she does not want to see the property rezoned to one unit per acre. Larry Brown appeared before the Board and said that he is also opposed.

(Tape 2-570) Katherine Elkins, a grandchild of Admiral Brown appeared before the Board and said that her granddaddy wanted all his grandchildren to be able to live on the property. She supports this rezoning request.

Chairman Sanders asked if the family members have tried to sit down and work something out so that all family members could enjoy the property. Commissioner Putnal asked if the county could not rezone the property and give the heirs of Admiral Brown, a Special Exception, to allow the family to live on the property. Mr. Shuler said he would have to research the special exception allowance to see if this can be done. Mr. Curenton said that unless the Board wants to rewrite the ordinance, this is not allowed under the special exception clause.

Steve Watkins said the problem with the rezoning is if the property is sold outside the family and the property is zoned one unit per acre. Commissioner Williams made a **motion to table requests for parcel 3 and 4 as advertised for landuse and rezoning change until November 2, 2004 at 11:30 a.m. to give the attorney and Mr. Curenton time to research the special exception clause.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler told the Board for their information, that his family owns property in this vicinity. They have no plans to change this property, but he did want them to be aware of this.

(Tape 2-896) Mr. Curenton said the next two items are only zoning changes. The first request is for Lots 29 and 30, Block 1 West, Unit One, St. George Island to be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Richard Thornburg, the adjacent property owner appeared before the Board and asked what the property owners have in mind for the property. Tony Taranto, the owner of Lots 29 and 30, said they plan to either build a food establishment or office space with a residential unit above.

(Tape 2-921) Commissioner Creamer made a **motion to approve the rezoning of Lots 29 and 30, Block 1 West, Unit One, St. George Island from C-2 Commercial Business to C-4 Mixed Use Residential.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1007) Mr. Curenton told the Board the final rezoning request is for a 40.11 acre parcel lying in Section 22, Township 8 South, Range 6 West, Eastpoint to be rezoned from R-4 Single Family Home Industry to R-1 Single Family Residential. This property is located at the intersection of Highway 65 and CC Land Road. The zoning would be changed to allow only single family houses.

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(Tape 2-1050) Frank Segree opposed this rezoning requests because there are many home industry operations in this area. Steve Newman appeared before the Board and said that they have created deed restrictions for this property so that only single family residence per lot could be built on the property. They simply wanted the zoning to reflect this. Mr. Segree asked Mr. Newman what he plans to do with this property. Mr. Newman said they are creating one acre lots for single family residence. Minor Bloodworth spoke in opposition to this proposal. He told the Board that there are many uses located in this area including commercial uses. After more discussion, Commissioner Putnal made a **motion to deny rezoning this 40.11 acre parcel from R-4 Single Family Home Industry to R-1 Single Family Residential.** The motion died for lack of a second. No further action was taken by the Board.

MARK CURENTON – COUNTY PLANNER

(Tape 2-1534) Mr. Curenton reported to the Board that there are still two vacancies on the Board of Adjustment, one regular member and one alternate member.

He reported the Florida Fish and Wildlife Conservation Commission is proposing major regulation changes concerning hunting. He presented copies for the Board.

(Tape 2-1561) Mr. Curenton present copies of the contract with TCA Electrical Contractors to do the runway markings and signs at the Apalachicola Airport in the amount of \$123,664. It is all grant money. Mr. Shuler had questions about the contract, but they have all been answer to his satisfaction. He requested authorization for the Chairman to sign this contract. Commissioner Creamer made a **motion to authorize the Chairman's signature on the TCA Electrical Contract in the amount of \$123,664 for runway marking and signs at the Apalachicola Airport.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1590) Mr. Curenton also had change orders for the contracts with Polaronis Construction, Inc. to build the 60x60 commercial hanger and the addition to the maintenance hanger. These change orders, one for each contract, extend the time of completion for the buildings to 102 calendar days. Commissioner Putnal made a **motion to extend each of the contracts with Polaronis Construction, Inc. for airport hangers to 102 calendar days.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1612) Mr. Curenton reported that the County has received a pay request for \$288,023.42 from CW Roberts for the Twin Lakes Road work. To meet the necessary match requirements, Debbie Belcher has recommended the County pay \$16,024.54 of this request from county funds. The County can do a change order in the paving program to free up funds to pay this amount. This will be paid from the CDBG grant. Commissioner Creamer made a **motion to approve a change order and pay \$16,024.54 to CW Roberts.** Commissioner Williams seconded the motion. All for. **MOTION**

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CARRIED. Mr. Curenton explained that this money will be used as match funds to pave county roads.

(Tape 2-1735) Mr. Curenton reported that during the visioning process the two Chambers of Commerce volunteered to write an Economic Development Element for the Comprehensive Plan. They have produced an element and he presented copies for the Board. There are still some changes that need to be made in the element, such as adding goals, objectives and policies.

(Tape 2-1758) Mr. Curenton report that the Objections, Recommendations and Comments Report on the County's Comprehensive Plan update arrived yesterday from DCA. He gave the Board a copy. It is 23 pages and contains 49 objections. The Board has 120 days from yesterday to act on the Comprehensive Plan. Mr. Curenton said he has not had time to read through the report thoroughly, but he can tell the Board it is going to take a lot of time and work to resolve these issues. He went on to say that he can not do his current job and work on resolving the Comprehensive Plan also. Mr. Curenton suggested bringing back Alan Pierce because he is familiar with this job. Mr. Curenton agreed that he would step back into the Assistant County Planner position. Mr. Shuler was asked if the Board could bring Mr. Pierce back to work with the County. Mr. Shuler said that the Board needs to go out for Requests for Proposals for this position.

There was some discussion concerning this Board hiring Alan Pierce back today. The Board agreed they need to do something fast and there needs to be work done on the objections, there is a short time period to work with. Mr. Shuler stated that because this has been such a length meeting, the Board is not going to have an opportunity to review proposals for the Emergency Management position, he suggested holding a special meeting to address both positions.. There was much discussion. Commissioner Creamer made a **motion to schedule a special meeting on October 26th at 9:00 a.m. to discuss the RFP's for Emergency Management Director and address rehiring Alan Pierce.** Commissioner Mosconis suggested that the county attorney and Mr. Curenton get with Mr. Pierce concerning helping the county with the ORC report.

(Tape 2-2195) Mr. Wade introduced the new Clerk-Elect, Marcia Johnson, she will be taking over after the first of January, 2005. Mr. Wade also introduce Smokey Parrish who wished to address the Board. Mr. Parrish brought before the Board a letter from Buddy Ward requesting board support in having the Bob Sikes Cut dredged because it is getting more difficult for boats to navigate this cut. He understands that this will not be available until next year. It was suggested that this project could be combined with the Eastpoint channel. Commissioner Mosconis made a **motion to support getting the Corp of Engineers to dredge the Eastpoint Channel and the Bob Sikes Cut.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Wade said that he has spoken with Terry Jangula, USCOE as well as any body else that could help with this situation.

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(Tape 2-2371) Mr. Wade said that Gary Barber, the Blue Cross/Blue Shield representative is here to discuss retirement insurance as requested. The question is can the Board include, on their insurance, retirees who are not presently working for the Board. Mr. Barber said that October is open enrollment month and the Board can add retirees until the end of this month. Commissioner Mosconis asked when a retiree is old enough to receive Medicare, does this reduce the premium and does Medicare bill Blue Cross/Blue Shield. Mr. Barber told the Board that once the retiree reaches Medicare age, everything Medicare does not pay is subject to deductibles and copays from Blue Cross/Blue Shield. The biggest advantage to have the Blue Cross/Blue Shield is the prescription card. Mosconis asked about the premium. Mr. Barber explained that the premium is based on the risk factors of the group. Mr. Wade asked the Board if they want to include the wording for the retirees as presented. Also, whether the Board wants to offer to open enrollment for other retirees until October 31, 2004. This program the county offers is only for individual enrollment not family coverage. Commissioner Williams made a **motion to offer open enrollment for retirees until October 31, 2004 and if any further funds are needed this money will be taken from contingency.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2888) Ms. Marcia Hilty-Reinshuttle with the Guardian Ad Litem Program appeared before the Board requesting the Board pay \$2,856 to Leon County in order to meet Franklin County's state mandated requirements for Fiscal Year 2004-2005. This is to cover Franklin County's cost for this program. This money will have to come from contingency as it was not included in the budget. Commissioner Putnal made a **motion to approve payment of \$2,856 from the contingency fund to Leon County for Franklin's County's share of 2004-2005 Guardian Ad Litem Program.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Wade asked that this program give a year end report of number of cases.

(Tape 2-3243) Mr. Wade presented a budget amendment for payment of the generator for the Franklin County Jail. This amendment is for the 3/04 budget (Fiscal Year ended September 30, 2004. INCREASE 120.81.523.6401 MACHINE & EQUIP (\$5,000+) \$21,659, DECREASE 120.99.58.9600 RESERVE FOR CONTINGENCY \$21,659. Mr. Wade told the Board the total cost of the generator was \$36,390. The amount paid from the Emergency Management Grant was \$14,731. Commissioner Creamer made a **motion to approve these budget amendments for the Franklin County Jail in the amount of \$21,659.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-3310) Mr. Wade gave the Board a copy of the letter received from Progress Energy stating that because of increased costs, there will be an increase from 6-10% for commercial, industrial and governmental bills, depending on specific rates and usage patterns.

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MICHAEL SHULER – COUNTY ATTORNEY

(Tape 2-3341) Mr. Shuler told the Board that the appraisal for the Bluff Road ditch property has been forward, and he will begin the process authorized by this Board.

Mr. Shuler has notified the developer who planned to put a pier at the end of Pine Street on North Bayshore Drive, Eastpoint, discussed at an earlier meeting that the County has elected not to allow them to build the pier.

(Tape 2-3368) Mr. Shuler reported that it is clear there will be no settlement which includes Mr. Thom Lewis agreeing to waive any claim for future damages. He and Mr. Lewis' attorney are trying to resolve this problem.

(Tape 2-3428) Concerning The Soundings, Mr. Shuler said that when there is an objection from DCA, this automatically triggers an Administrative Hearing. Mr. Shuler said unless directed by the Board, he will let the developers handle this matter.

(Tape 2-3478) Concerning the Emergency Management Director position, the committee has been scheduled for 1:30 p.m. today in the Clerk's office to review these applications.

(Tape 2-3490) Concerning the Legal Aide Services Agreement, there was discussion concerning the level of service agreed upon. The contract will run for one year. Mary Dekle spoke to the Board concerning this contract. Mr. Shuler said that he has reviewed the agreement and recommends the Board approve this agreement. Commissioner Mosconis made a **motion to approve the Legal Aide Services Agreement.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-3781) Mr. Shuler reported that he met with Lee Mullis and his attorney regarding the septic tank variance that was denied, and it appears he plans to file suit against the county.

(Tape 2-3893) Concerning the Brown rezoning, Mr. Shuler's family has represented the Brown family for years, and he wants to make the Board aware of this situation. The Board asked Mr. Shuler if this would represent a problem for the Shuler family. Mr. Shuler felt it would not create a problem, he just wanted the Board to be aware of the situation.

(Tape 2-3972) Chairman Sanders stated that the State may takeover the Alligator Point Road, and she would encourage the Board to support this. The state will be considering a 5 year work program for 2005-2006 thru 2009-2010, the Board needs to let their representative in the legislature know that we support this matter. Commissioner Mosconis asked about C-30, if this is still included. The Board agreed that Board members should be considering projects that need to be presented to the county's legislative delegation. Also because the next meeting falls on election day and it will be hectic, Commissioner Creamer made a **motion to authorize Van Johnson, Hubert**

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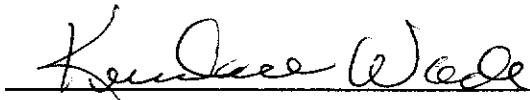
Chipman and Bill Mahan not to be at the next Board meeting, November 2, 2004, unless there is some action that needs to be taken. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-105) Ken Osborne appeared before the Board requesting the Board move forward with the beach renourishment on Alligator Point. Mr. Curenton said that the county is still trying to schedule a meeting with Colleen Castille, Secretary of DEP concerning the beach renourishment project.

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



CHERYL SANDERS, CHAIRMAN



KENDALL WADE, CLERK