

FCBCC REGULAR MEETING NOVEMBER 16, 2004

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

OFFICIALS IN ATTENDANCE: Chairman Sanders, Chairman, Commissioners Jimmy Mosconis, Bevin Putnal, Russell Crofton and Noah Lockley Jr., Amelia Varnes, Deputy Clerk, Mark Curenton, County Planner, Michael Shuler, County Attorney.

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

(Tape 1-9) Judge Van Russell swore in the new commissioners, Russell Crofton, District 1 and Noah Lockley, Jr. District 3, also returning Commissioner Bevin Putnal, District 5.

(Tape 1-100) The next item of business was the election of Chairman and Vice Chairman of the Board. Commissioner Mosconis made a **motion to retain Cheryl Sanders as Chairman of the Board.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis made a **motion to retain Bevin Putnal as Vice Chairman of the Board.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-119) Commissioner Mosconis made a **motion to pay the county bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-124) Ginger Coulter with the Franklin County Sheriff's Department appeared before the Board requesting the Chairman's signature on the Local Law Enforcement Block Grant in the amount of \$2,494. This money will be used to purchase cameras. Commissioner Putnal made a **motion to authorize the Chairman's signature on the Local Law Enforcement Block Grant in the amount of \$2,494.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-188) Mr. Robert Brooks, Manager with the Alligator Point Water Resources District appeared before the Board to request the Board adopt a resolution to approve expansion of it boundaries. Chairman Sanders stated she is concerned because there are other water and sewer districts that want to expand. She said this situation needs to be reviewed carefully.

Mr. Brooks told the Board that Alligator Point Water & Sewer is only interested in expanding to areas that they are already serving. There was some discussion concerning other water and sewer districts in the area.

Chairman Sanders asked Mr. Shuler for his recommendation. Mr. Shuler said he has recommended in the past that he look into the future of Franklin County having the franchise in the county.

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Alan Pfeifer appeared before the Board as a resident of Alligator Point, everyone who lives outside the water district and is served by this district stands the risk of being shut off and he strongly supports this resolution.

Mr. Shuler said that he feels that any future expansion needs to be handled through a franchise agreement with the county. It was agreed that this will be a county wide policy for future expansion of any of the districts.

After more discussion, Commissioner Mosconis made a **motion to authorize the Chairman's signature on the Resolution from the Alligator Point Water & Sewer District.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN – SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-729) Mr. Chipman appeared before the Board and presented pictures of a sink hole on Alligator Point. Because this was caused by storm damage, FEMA will reimburse the county for repairs to this sink hole. He asked the board to include this into the paving program. Commissioner Mosconis made a **motion to include this sink hole on County Road 370 at Alligator Point in the county paving program.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-817) Mr. Chipman told the Board that Bluewater Bay has changed the name of a county road and replaced it with their name. The road name was Infield Road. Mr. Chipman said he remembers building this road years ago. After some discussion concerning this road, it was determined that this is a county road and they instructed Mr. Chipman to contact the Bretts and replace the street sign with the name "Infield Road".

(Tape 1-961) Mr. Chipman told the Board that he is having trouble at the airport trying to keep the growth down. His equipment is just not large enough to handle the job. He suggested possibly renting some heavier equipment.

(Tape 1-1014) Ted Mosteller, with the Airport Advisory Board said that the DOT inspection sited the airport because of the heavy vegetation around the runway ends. The airport license expires November 30th and this clearing has to be done to pass the inspection for this license. The runway has to be cleared 500 feet from the runway. Mr. Chipman said his equipment is not able to do all the clearing that needs to be done. Mr. Mosteller explained to the Board what areas needed to be cleared.

Commissioner Crofton said he would be glad to meet with the airport inspector along with Mr. Mosteller. There was some discussion concerning asking the Division of Forestry to see if the county could use their equipment.

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Commissioner Putnal made a **motion to authorize the Chairman to contact the Division of Forestry and see if they can help with doing the necessary clearing at the airport.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

Mr. Mosteller suggested that the county contact Gulf County, because they have an interest in our airport.

VAN JOHNSON – SOLID WASTE DIRECTOR

(Tape 1-1424) Mr. Johnson appeared before the Board and told them that the 7-1 Tinny Mite Marlins Football team will be playing in the Big Bend Super Bowl game tonight at 6:00 EST at the Blountstown High School football field. Also, this Friday, November 19th they will be holding the Annual awards Banquet at the Armory starting at 6:30 p.m., should any of the Board members like to attend.

Mr. Johnson presented, for the Board's approval, and the Chairman's signature, an Interlocal Agreement between Franklin County and Okaloosa County. The agreement is for both counties to apply jointly for and use a Cooperative Collection Center Arrangement Grant from the Department of Environmental Protection. The Grant will be used to help manage the collection and disposal of material dropped off at the county's Household Hazardous Waste Collection Center. Right Now, material collected at the Center is stored until there is enough to ship. Because of this, the county's current storage time is approximately three (3) years. However, the Department of Environmental Protection does not want the hazardous material stored for that long.

The grant will allow Okaloosa County to assist Franklin County once a year with the collection and timely disposal of the waste. The State will pay 75% of the cost, with Franklin County bearing the remainder, which will be less than \$2,500. He recommended that the Board approve the agreement as a way to properly manage and timely dispose of this waste. Commissioner Mosconis made a **motion to approve this Interlocal Agreement between Franklin and Okaloosa County.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1508) Mr. Johnson asked that the Board approve the purchase of equipment approved during the 2004/2005 Fiscal Year budget development, from the Florida Sheriff's Association and the Association of Counties bid list #04-12-0823. The equipment is as follows:

1. One new freightliner dump truck for use within the Solid Waste Department at or under the budgeted amount of \$75,000. Payable from the Solid Waste Management Grant.
2. One new 12 passenger van to transport Inmate Work Crews within the Parks & Recreation Department at or below the budgeted amount of \$20,000. Payable from the Parks & Recreation Department capital outlay budget.

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Commissioner Mosconis made a **motion to approve these purchases.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1546) The last item Mr. Johnson presented was that last week FEMA officials finalized the collections of information related to work performed by Public Works before and after Hurricane Ivan. It is his understanding that FEMA will reimburse the County for funds spent to pay employees that worked overtime cleaning up after the storms. Both the Road Department and Solid Waste have submitted the hours worked to the Finance Office. The work performed has already been approved by the Board and he is now requesting that the Board direct the Finance Office to pay the employees for this work. Commissioner Mosconis made a **motion to turn this over to Alan Pierce to get with the Finance Office and if the money is available pay the employees, if not, pay them when the money is available.** Commissioner Putnal seconded this motion. All for. **MOTION CARRIED.**

Commissioner Lockley asked Mr. Johnson help the City of Apalachicola with some needed clean up.

BILL MAHAN – COUNTY EXTENSION DIRECTOR

(Tape 1-1735) Bill Mahan appeared before the Board and presented some handouts. He gave them a copy of Security Guidelines for Agribusiness and FAST (Fl Agricultural Security Taskforce) which includes tips for Florida Growers. The first publication provides guidelines for agrichemical users, dealers and distributors to assist them in maintaining secure operations. The FAST publication provides tips on strengthening Farm Security and hauling fertilizers and pesticides.

He also presented a copy of the latest issue of the "Bivalve Bulletin. Many of the stories discuss the clam industry's recovery efforts after the hurricanes, disaster relief legislation and disaster assistance programs.

He went on to say that he was contacted by a homeowner living off of US 98 about Cogongrass growing in the right-of-way. He would like to get help from the County and/or State to spray it. The Board said he should contact VMS, the state contractor.

Mr. Mahan told the Board that, regarding the Box R Boat Ramp Grant application, he spoke with Pat Harrell of the Fish & Wildlife Commission last week. She told Mr. Mahan that the review committee will meet on November 19th to review and rank the proposals that were received. Everyone who applied should be notified of their grant request approval or failure in early December. Commissioner Mosconis asked how much Franklin County's proposal is for. Mr. Pierce said that it was about \$300,000. It will be a regional boat ramp. Commissioner Mosconis said that the County needs to move forward, this has been dragging out too long. Mr. Mahan said that the County could build the boat ramp in phases. Commissioner Mosconis said that at the next meeting, Mr. Mahan needs to be prepared to move forward.

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There was some discussion concerning building ramps in other areas of the county such as Cat Point in Eastpoint.

PUBLIC HEARING – A .37 ACRE PARCEL IN SECTION 31, TOWNSHIP 8 SOUTH, RANGE 6 WEST, 233 PATTON DRIVE, EASTPOINT FROM R-1 RESIDENTIAL TO C-4 COMMERCIAL

(Tape 1-2031) Mr. Curenton said the applicant is asking for a land use change from Residential to Commercial. The parcel is surrounded by commercial property. Commissioner Crofton made a **motion to approve the land use change from Residential to Commercial.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

Commissioner Crofton made a **motion to approve the rezoning from R-1 Single Family Residential to C-4 Mixed Use Residential.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

PUBLIC HEARING – LOT 3, BLOCK 4 EAST, UNIT ONE, ST. GEORGE ISLAND TO REZONE FROM C-2 COMMERCIAL BUSINESS TO C-4 MIXED USE RESIDENTIAL.

(Tape 1-2131) Mr. Curenton showed the board where this property is located. It is in the commercial area of St. George Island. Gathana Parmenues asked what the density is with this zoning. Mr. Curenton explained that this does not change the density on the property. Mr. Curenton explained what uses are allowed in the C-4 district.

Angela Troy said she was under the impression that the Board was considering rezoning to C-5. Mr. Curenton said that this has not been scheduled to be readdressed. She said that she is opposed to this change.

Mark Carrell said that the property located on both sides of this parcel is already zoned C-4 and he plans to locate a residence above a business.

(Tape 1-2643) Commissioner Crofton made a **motion to approve this rezoning from C-2 Commercial Business to C-4 Mixed Use Residential.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

PUBLIC HEARING – LOT 4, BLOCK 4 EAST, ST. GEORGE ISLAND TO REZONE FROM C-2 COMMERCIAL BUSINESS TO C-4 MIXED USE RESIDENTIAL.

(Tape 1-2665) Mr. Curenton explained that this lot is located next to the lot above. Commissioner Crofton made a **motion to approve this rezoning from C-2 Commercial Business to C-4 Mixed Use Residential.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

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RACHEL WARD – PLANNING & ZONING COMMISSION

(Tape 1-2690) Ms. Ward told the Board that the Planning & Zoning Commission met on November 9, with the following recommendations:

The Commission recommends approval of a request from N.B. Investments to construct a single family private dock at 1905 Highway 98 West, Carrabelle. The dock will extend out 168 feet with an 8x20 platform and two boatlifts. Commissioner Mosconis made a **motion to approve construction of this dock.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2748) The Commission recommends approval for Gerald Hudson to construct a single family dock on Lot 8, Block X, Lanark Beach at 2190 Highway 98. The dock will extend out 210 feet with a 6x20 platform. Commissioner Mosconis made a **motion to approve construction of this dock.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2763) The Commission recommends approval for James Geissingner to construct a single family dock on Lot 8, Block 62, Unit 5, 309 Land Street, St. George Island. This dock is 30x4 with a 6x20 platform. Commissioner Crofton made a **motion to approve construction of this dock.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2781) The Commission recommends approval for Neal DeJarnett to construct a single family dock on Lot 9, Block 56, Unit 5, 304 Wing Street, St. George Island. The dock will be 62x8 with a 4x12 platform. Commissioner Crofton made a **motion to approve construction of this dock.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2804) The Commission recommends approval for Karen Turek to construct a multifamily pier on Lot 3A, Tarpon Run Subdivision, 1748 Highway 98 west of Eastpoint. The pier will be 494x4 with a 8x20 platform. Commissioner Putnal made a **motion to approve construction of this pier.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2850) The Commission recommends approval for Kelly Rysavy to construct a single family dock on Lot 5, Savannah Cove, 1283 East Gulf Beach Drive, St. George Island. The dock will be 494x4 with a 8x20 platform. Commissioner Crofton made a **motion to approve construction of this dock.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2858) The Commission recommends approval for Sammy James to construct a single family dock on Lot 1, Tract 42, 1333 East Gulf Beach Drive, St. George Island. The dock will be 94x4 with a 6x20 platform. Commissioner Crofton made a **motion to approve construction of this dock.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

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(Tape 1-2884) The Commission recommends approval for Jimmy Meeks to construct a single family dock on Lot 5, New River Harbor, 955 Mill Road, Carrabelle. The dock will be 26x4 with an 8x40 platform and two boatlifts. Commissioner Putnal made a **motion to approve construction of this dock.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2897) The Commission recommends approval for Marshall Cohn to construct a single family dock on Lot 9, Block C, Unit 1, 2842 Highway 98, St. James Island Park. The dock will be 94x4 with a 6x20 platform and one boatlift. Commissioner Putnal made a **motion to approve construction of this dock.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2922) The Commission recommends approval for Jeff & Susan Hosford to construct a single family dock at 524A River Road, Carrabelle. The dock will be 44x4 with a 23x6 platform and one boatlift. Commissioner Putnal made a **motion to approve construction of this dock.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

FOHC WORKSHOP

(Tape 1-2946) Chairman Sanders said this workshop was setup because there are serious problems in the county with the Hospital and the ambulance service. She explained that the Florida Qualified Health Care service in the county offers a sliding scale for indigent care in the county.

(Tape 1-3011) Mr. Joel Montgomery, Manager for the North Florida Medical Center in Tallahassee, as well as the Eastpoint Medical Center appeared before the Board. Chairman Sanders told those present that the concern is that those patients who qualify are not being seen by this facility and going to the hospital and the hospital is not being reimbursed for this care. Commissioner Putnal said his concern is that indigent patients are being seen by local doctors but are not being reimbursed for this care. Mr. Montgomery said he is not aware of patients not being seen by this Medical Center.

Commissioner Mosconis said that it is his understanding that through a federal grant, indigent patients are supposed to be seen by FQHC, but these patients are not being seen.

Commissioner Mosconis also stated that another concern is that patients who pay are being put ahead of those who cannot afford to pay for medical services. He said some of the other physicians feel there is "dumping" going on. They are seeing these indigent patients but are not able to collect for these patients.

There was some discussion concerning what the grant pays for. Mr. Montgomery said that initially the grant included paying for upgrading the facilities and supplies. He went on to explain the grant application process and the deadlines for these grants.

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The money received from these grants is earmarked for operations. It will also subsidize Medicare and Medicaid patients.

There was some discussion concerning who qualifies for the Slide Fee. Mr. Montgomery explained that the office manager helps the applicant complete the application. He spoke at length about who qualifies for the slide scale fee.

He also explained that FQHC has, in addition to Dr. Chorba, hired a Physician's Assistant and are now looking for additional staff for the facility in Eastpoint.

Commissioner Mosconis wanted to know how the public knows there are physicians who offer these slide scale fees.

Commissioner Putnal said he is concerned because there are so many people who don't have insurance because they can not afford it. It disturbs him that these people don't go to the doctor because they can't afford the doctor.

(Tape 1-188) Dr. Sannallah spoke concerning the indigent care in the county. He thanked the FQHC for being in the county. They provide an important service to this county. He spoke at length about the need for care in the county.

Dr Sannallah suggested all doctors keep a record of indigent care and once a month or once a quarter send this a bill to the FQHC and this will be an incentive for all doctors to see these indigent patients.

Mr. Montgomery was asked if this is an option. He said he is not aware of this type system, but he would be glad to investigate to see if it is possible. Commissioner Mosconis said that Mr. Montgomery needs to expand his clinic to Apalachicola and Carrabelle.

Dr. Sannallah said that FQHC could have contractual agreements with outside physicians and this should satisfy the feds, or these doctors could become part-time providers for FQHC.

Chairman Sanders said that a suggestion has been presented to create a committee of people from the health care industry, she suggested that a workshop be held November 7th at 5:30 p.m. to sit down and work out some of these important problems.

Bud Hayes with St. George Island told the Board that Dr. Chorba is an excellent doctor. She works diligently with the community. She provides many services to the indigent of the county.

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Commissioner Mosconis said that he wants Mr. Montgomery to check into the suggestions presented and come back at the next meeting with answers. Commissioner Mosconis made a **motion to write a letter to Wesley Tice with the Health Department and ask him to provide space for a clinic.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-827) Marie Marshall spoke to the Board and said that the County should take a long range look at this problem. Sacred Hearts Hospital is planning to build a facility in Gulf County. The County needs to look to the future.

(Tape 2-908) Dr. Tamar Marsh presented a resolution from the Apalachicola Bay Chamber of Commerce she presented at the last meeting concerning a health care committee. She said the County needs to have an active, ongoing committee to address these and other health care issues in the future. She read the resolution which details who would sit on this committee and have this committee start meeting within 30 days.

Commissioner Mosconis made a **motion to adopt this Resolution as presented from the Apalachicola Bay Chamber of Commerce concerning health care.** Commissioner Crofton seconded this motion. All for. **MOTION CARRIED.**

(Tape 1081) Mr. Shuler reported that there was an error in the publication for the Director of Administrator Services. The Requests for Proposals will be opened at a special meeting on Friday , November 19, at 9:00 a.m. in the Old County Commission meeting room in the Courthouse.

(Tape 1152) Rachel Ward continued her report from the Planning and Zoning Commission by telling the Board that the Commission recommends approval of a request to schedule a public hearing to consider rezoning Lots 1,2,3, and 4, Block 7, Unit 1 West, St. George Island from C-2 Commercial Business to C-4 Mixed Use Residential as requested by Harry Arnold. Commissioner Crofton made a **motion to schedule a public hearing.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1183) Mrs. Ward reported that the Planning and Zoning Commission recommends approval of a sketch plat for a 4 lot subdivision named "Pine View Cove. This is a 4.27 acre parcel lying in Section 35, Township 7 South, Range 5 West, Carrabelle. This request was submitted by Garlick Environmental agent for Ben Willis. Commissioner Mosconis made a **motion to approve the sketch plat for Pine View Cove.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.** Mr. Garlick explained to the Board where this parcel is located.

(Tape 2-1250) Ms. Ward reported, for the Board's information, that the Commission recommends to the Board of Adjustment a sketch plat for a 10 lot subdivision named "Riverview at St. Pauls". This is being considered as a Special Exception to cluster 10

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lots on 10.10 acres by the Board of Adjustment at their December meeting and no action is necessary at this time.

(Tape 2-1269) The Commission recommends approval of a preliminary plat for Las Brisas, Phase II. The property is zoned R-1A and there will be three unit per acre. This is an extension of Las Brisas Subdivision. Commissioner Crofton made a **motion to approve the preliminary plat for Las Brisas, Phase II.** Commissioner Putnal seconded this motion. All for. **MOTION CARRIED.**

(Tape 2-1290) Ms. Ward reported that the Planning and Zoning Commission has appointed two of its members, Gayle Dodds and William Laine, to serve on the committee reviewing the Critical Shoreline Ordinance. Mrs. Ward has talked with David Brumbaugh and he is willing to help along with other members appointed by the Board.

(Tape 2-1301) Ms. Ward reported, for the Board's information, there are several commission members who are concerned with phasing subdivisions. They would like to know up front what is being proposed. They feel they need to know what the total buildout is proposed to be.

(Tape 2-1310) Ms. Ward told the Board that the Commission is interested in creating a new zoning category which will address density of two units per acre. The County now has the R-1 zoning category that requires one unit per acre and the next lowest density is three units per acre. Would the Board like the Commission to present a new category? Commissioner Mosconis made a **motion to direct the Planning and Zoning Commission to create a new zoning category that would allow two units per acre.** Commissioner Crofton seconded this motion. All for. **MOTION CARRIED.**

RACHEL WARD – BOARD OF ADJUSTMENT

(Tape 2-1328) Mrs. Ward reported that the Board of Adjustment failed to have a quorum at their November 3rd meeting and had to reschedule to November 10th. The Board still has two vacancies that need to be filled.

On November 10th, the Board of Adjustment made the following recommendations: Garlick Environmental acting as agent for Raymond Hurst asked for a variance to construct a single family house 8 ½ feet into the Critical Habitat Zone and 14 feet into the front setback line on the bayside of Lot 23, Alligator Point. There were four letters of objection to this proposal. Ms. Harriet Wilson, owner of the gulfside of Lot 23 was present and voiced her objections to this request. Mr. Curenton told those present that many years ago, the court had determined that those lots split by Alligator Drive, which includes all of the lots in the Alligator Point Subdivision, are separate lots. The objections were based on the size of this lot. The lot appears to be about 71 feet on the short side and 97 feet on the other side. The Board recommends denial of this request as they felt that this would set a precedent because of the lot's size.

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There was some discussion concerning what could be done with these small lots. Mr. Curenton said that not much could be built on these lots. Mr. Shuler said he had spoken to his father who represented the county concerning these lots.

(Tape 2-1473) Mr. Garlick spoke to the Board concerning this parcel. He said that what they are proposing is to go as close to the road to keep away from the water. He also said that this lot has a letter from the Health Department saying they can place an aerobic system on the site. He went on to tell the Board of other structures that are encroaching into this setback in this area.

Mr. Garlick said that he would be willing to table this request if the Board members would like to go look at the site.

Alan Pfeifer said this property is currently listed for sale. The property is .22 of an acre and he objects to this variance request. He does not believe that a house could be put on this house. He went on to say that this Harbor is a protected area.

Mr. Shuler pointed out that this is not a request for a variance for a septic system.

Mr. Garlick said he would be willing to have this tabled so that the Board members can go out and look at the site. Commissioner Mosconis made a **motion to table this request.** Commissioner Crofton seconded this motion. All for. **MOTION CARRIED.**

(Tape 2-1855) Mrs. Ward reported that Steve Fling, agent for South Shoal Development requested a variance to construct an open deck 16 feet into the Critical Habitat Zone on property described as South Shoal Village (this is the old KOA Campground property on Alligator Point). Mr. Curenton told the Board that the Critical Shoreline Ordinance does allow for the intrusion of open decks into the Critical Habitat Zone. The Board recommends approval of this request. Commissioner Putnal made a **motion to approve this variance request.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1884) Mrs. Ward reported that Milton Hancock requests a special exception to cluster 22 lots on 22 acres on the property lying in Section 18, Township 8 South, Range 5 West, and lying on the north side of Highway 98 between Eastpoint and Carrabelle. Both the Planning and Zoning Commission and the advisory Board of Adjustment reviewed this request and recommends approval to the Board. Commissioner Putnal made a **motion to approve this special exception.** Commissioner Crofton seconded this motion. All for. **MOTION CARRIED.**

(Tape 2-1928) Mrs. Ward reported that Cliff Butler, agent for the Gulf State Community Bank requested a variance to construct a commercial building 15 feet into the front setback line off of Island Drive and one foot into the side setback line on property

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described as Lot 1 and 8, Block 1, David Brown Estates, Eastpoint. Gulf State Community Bank plans to build a new building in the location of their existing building and the intrusion would accommodate a drive thru awning. The Board of Adjustment recommends approval of this request. Commissioner Crofton made a **motion to approve this variance request.** Commissioner Mosconis seconded the motion. All for.
MOTION CARRIED.

(Tape 2-1972) Chairman Sanders said that an item has come back to the Board that is not on the agenda. The rezoning of a parcel in Lanark proposed to go from Z-1 Public Facilities to R-5 Multifamily is to be readdressed today.

Mr. Curenton told the Board that all parties have been contacted to be present today. Pam Collins with Anchor Realty was present representing Coastal Traditions, LLC who are proposing to develop this property. She stated that on October 19th, the Board approved a rezoning and the developer proceeded with having an architect prepare a site plan. Basically they have approval from the Lanark Water & Sewer for twenty one sewer hookups and the site plan shows that there is adequate parking for this project. The developer is also proposing to abandon Club Court in trade for extending Pine Street so that the existing residents will have access to their units. Mr. Collins asked the Board to look at the site plan.

Chairman Sanders said she would not review a site plan that has not been reviewed by the Planning and Zoning Commission.

Ms. Carol Anderson, an adjacent property owner is here today to address this proposal. The minutes from the November 5, 2001 meeting state that if the property is not used for a museum, it will revert back to its original zoning of R-1 Single Family Residential. Mr. Butler agreed to this condition when it was rezoned in 2001. The Board has been asked to revisit this situation.

Commissioner Mosconis said that he is reluctant to discuss this issue if Mr. Butler is not her. Mr. Butler has had surgery and could not be present today.

(Tape 2-2226) Tony Hesser a resident of Pine Street in Lanark spoke and said he has a problem with this request. He said he was not notified of this proposal and he opposes the rezoning of this property. He said that the Lanark Village regulations don't allow for more than one story.

(Tape 2-2286) Elizabeth Anderson spoke to the Board and said she was definitely opposed to rezoning this property to multifamily.

Carol Anderson spoke again saying she is opposed to this request. She also spoke concerning the Lanark Village special regulations.

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(Tape 2-2517) Mr. Curenton told the Board that the property in question is not considered part of the Lanark Special District. This district only covers the apartments.

Chairman Sanders told the other Board members what Ms. Anderson is trying to protect is the uniqueness of Lanark Village.

Alan Jasper appeared before the Board and said that Camp Gordon Johnston owns the property. They had the property rezoned to Z-1 and then put the property up for sale. A condition of the sale is that the property be rezoned from Z-1 to R-5.

Commissioner Mosconis made a **motion to table this matter until Mr. Butler can come to the meeting.** Commissioner Putnal seconded this motion. Commissioner Mosconis withdrew this motion and Commissioner Putnal withdrew his second.

Mr. Shuler recommended the Board schedule a hearing to rezone the property to R-1 rather than ask for a rescission of the original motion as there is only one member of the Board who could vote for this rescission, Commissioner Mosconis, the other two original members vote against the rezoning at the first hearing.

Ms. Collins was told that after the next public hearing to consider rezoning the property back to R-1, she could then reapply for her zoning change.

Commissioner Crofton made a **motion to schedule a public hearing to consider rezoning this property from R-5 Multifamily to R-1 Single Family Residential.** Commissioner Putnal seconded this motion. All for. **MOTION CARRIED.**

This public hearing will be scheduled for sometime in January, 2005.

(Tape 2-3352) Mr. Pierce reported that the Airport Advisory Committee has been working with several seafood dealers in the preliminary development of a seafood industrial park on Airport property. A survey was done for one of the dealers, for which the county has a copy, but that survey did not meet the expectations of the Committee. Subsequently, at least one other seafood dealer has expressed interest in participating with the project. Since it appears the survey was authorized by the Advisory Committee, but not the Board of County Commissioners, and that survey is no longer useful to the party that paid for it, Mr. Pierce recommends the county pay for the survey since it is of county property and have the survey certified to the County. The cost of the survey is \$900 to Edwin Brown & Associates. Commissioner Mosconis made a **motion to pay for the survey out of airport funds.**

Ted Mosteller said that the airport advisory committee did not authorize this survey. He told the dealer not to spend money on anything until he came back to the advisory committee. Commissioner Mosconis withdrew his motion to approve payment.

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(Tape 2-3601) Mr. Pierce recommends that someone representing the Board go to the next airport advisory meeting and try to sort out what the committee is trying to accomplish. Commissioner Mosconis said the county needs an overlay plan for this industrial park. It was suggested that Mr. Pierce could attend the advisory meeting.

(Tape 2-3767) Mr. Pierce reported that FEMA has approved and he has signed, Project Worksheets (PW's) for reimbursements totaling \$422,000 at this time. This is reimbursements to the county for the Road Department and Emergency Management. The Sheriff's Office is handling its own reimbursement requests. Two PW's are for large projects, because one is over \$50,000 the other over \$100,000, meaning the county will have to justify the proposed reimbursements and make a request for reimbursement. The other PWs are considered small, and this money will just show up at some point

The only outstanding issue for FEMA in the county is what to do about Alligator Point Road. At this time, FEMA is considering repairs to the road worth approximately \$229,000 and a Hazard Mitigation request that would add another \$117,000 to the effort. FEMA is now considering raising the amount of funds available for mitigation, and the County should know within two weeks. Mr. Pierce asked the Board to write a letter to FEMA stating that it has not accepted any help from the Corp of Engineers.

Commissioner Putnal made a **motion to send a letter from the Chairman to FEMA stating that the County has not accepted any help from the Corp of Engineers.**

Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-132) Mr. Pierce told the Board that he has a copy of the FEMA Disaster Relief Funding Agreement for the file.

He told the Board that FEMA's strategy on the Alligator Point Road is to extend the revetment to protect the road, they are not interested in any beach renourishment.

(Tape 3-195) Mr. Pierce told the Board that at the last County Commission meeting, a change order, #1 for some road paving was introduced and approved by the Board. Mr. Pierce has that change order for the Chairman to sign. Please note that Change Order #1 is only for changes in Apalachicola. While the Board has authorized additional changes in Carrabelle and Lanark Village, David Kennedy wrote the Change Order #1 just for the changes around Apalachicola, because he wanted to get it to CW Roberts before they left Apalachicola. The additional changes approved by the Board for Carrabelle and Lanark Village will probably be known as Change Order #3, because there are some more changes that need to be considered for the Apalachicola area. He explained, Commissioner Lockley had some concerns about some of the changes in #1 for Apalachicola. After discussing the situation with Betty Webb, City Administrator and Commissioner Lockley, he believes the county should consider these following change orders in Apalachicola. This will constitute change order # 2: Delete a two block area on Avenue I between 5th Street and Market Street (this is a side street by the Orman House). Add a one block of Bobby Cato Street between 22nd Avenue and 24th Avenue, Add a less than

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one block extension of Avenue C from 17th Street to the end of Avenue C, Add Bay City Road for widening and resurfacing as the road is only 16 feet wide and does not meet county road standards.

Mr. Pierce was asked to get the new Commissioners a list of roads to be paved in their district. He reviewed some of these roads.

There is also some more changes to what will be become Change Order #3, because it deals with changes in Carrabelle and Lanark. He recommended they add the bus barn in Lanark Village.

There was much discussion concerning this paving project.

(Tape 3-506) Commissioner Mosconis made a **motion to approve Change Order # 2 to the road paving project.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-512) Change Order # 3 includes the Lanark Village Bus Barn and in front of the Carrabelle Postoffice. Commissioner Mosconis made a **motion to approve Change Order # 3 to the road paving project.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-546) Additionally, Commissioner Lockley would like Preble-Rish to provide a cost estimate for leveling 24th Street because of severe dips in sections of the road. Commissioner Lockley would also like to make the offer to the City of Apalachicola and Carrabelle if it chooses to accept, that if the cities will buy limerock for use on city streets, then the county will place and grade the limerock on the streets. At this time, the City of Apalachicola has a considerable amount of new residential construction on pure dirt streets. While all of these streets are beyond the scope of this paving project, the limerock will improve the condition of the roads, and will be part of the necessary base when these roads do eventually get paved.

Commissioner Lockley made a **motion to send a letter to Apalachicola and Carrabelle offering to place and grade limerock on these streets.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

(Tape 3-664) Mr. Pierce said that Preble-Rish is trying to improve the parking situation around the Health Department. He will come back later with a proposed site plan for this parking area.

(Tape 3-674) Mr. Pierce told the Board he has two amendments to the Local Mitigation Strategy. The first amendment is to add a project requested by the Northwest Florida Water Management District, which if awarded will provide funds to the Water Management District to fly the coastline of the county and create current topographic and

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elevation data of the coastline. There is no cost to the county and the information should be available to the County. Commissioner Mosconis made a **motion to offer a letter of support**. Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-715) Mr. Pierce told the Board the second amendment is specifically for a project in Apalachicola, but could be expanded to include other areas. The second amendment will be to add a project which seeks funding to photograph and illustrate on the photograph the height of flood levels of different storm events for landmark buildings in Apalachicola, and around the County if so desired by the Board. At this time, the Apalachicola Bay Chamber is requesting this project be added for Apalachicola, because it will be used as part of an education program targeting historic structures in Apalachicola. Commissioner Crofton made a **motion to offer a letter of support**. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-749) Mr. Pierce gave an upday on a meeting held with DCA on the ORC Report. Not only did Secretary Cohen provide a letter two weeks ago to the Board stating his view of the ORC, but his office facilitated setting up a meeting between Chairman Sanders, Mr. Pierce and Oscar Anderson (DCA Chief of Staff) Heidi Hughes (DCA General Council) and Val Hubbard (DCA Bureau Chief over Comp Plans). The Secretary himself joined the group for part of the meeting. The meeting went extremely well. They reviewed 33 objections, which were all of the ones that addressed various parts of the existing comprehensive plan. What was not discussed was the St. James Island Overlay, but DCA said they had a fairly good understanding of that issue, and at this time they did not want a meeting on that subject.

The general consensus is that the county is on track with its efforts and that no additional meetings are necessary at this time, except for one issue. The county will prepare a draft ORC Response and submit it to DCA for them to review. The one issue that needs additional work is the Coastal High Hazard area issue. DCA recognizes that it needs to review its own state policies on Coast High Hazard, and that a meeting between the county staff and the state emergency management staff would be the next step.

(Tape 3-784) There will be a workshop tonight at 6:p.m. for Mr. Pierce to present to the public and to the Commission the proposals that they went over with DCA. The Board will see that the resolutions of the issues are straight forward. Mr. Pierce's presentation will take less than one hour, because the issues raised in the ORC are not that complex, and the answers are not complex.

While the County received a 23 page ORC, Ms. Hubbard said she was reviewing a 67 page ORC on her desk. So considering the amount of data and analysis the county had to submit, the size of the ORC is fairly typical.

(Tape 3-834) Don Ashley appeared before the Board and stated that he participated for almost two years in a visioning process. There is very little of that visioning process in

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this comp plan. He asked that the Riverkeepers be given at least 20 minutes tonight to talk about issues concerning the comp plan updates.

Commissioner Mosconis said that he doesn't think that things are as bad as Mr. Ashley is making it sound.

Mr. Ashley asked why the final consensus report was never completed. This Board signed a contract for \$107,000 to participate with the visioning process. He asked that the Board address eight specific areas concerning the comp plan.

(Tape 1060) Frank Venable said he agreed with everything Mr. Ashley said.

Don Ashley heatedly spoke about the comp plan.

(Tape 3-1170) Larry Troy appeared before the Board to ask that the Board schedule a public hearing to abandon part of 2nd Street on the east end of St. George Island. He said that this road is not opened and he owns the property adjacent to it. He has a letter from the property owner to east. This road does not go all the way to the bay. There was some discussion as to the location of this road. Commissioner Mosconis made a **motion to schedule a public hearing for this partial road abandonment and to notify adjacent property owners by certified mail.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1289) Ann Harbor asked if once the property is abandoned, will the new owner be able to build and sell this county owned land. Mr. Shuler said the Board has set a policy that abandonment does not create a new buildable lot.

(Tape 3-1451) Don Johnson with the Eastpoint Fire Department appeared before the Board and stated that the Fire Department has obtained an agreement from the power company to build a parking area on an easement owned by the Vroom Estate. Mr. Shuler said he is not aware of the county being over this estate. Commissioner Mosconis said that he thinks there was a reverter clause. Mr. Curenton said that the Vroom Estate deeded this property to the county or either the fire department. Commissioner Mosconis made a **motion to approve the parking area on this easement contingent upon Mr. Curenton determining who owns the property.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.** Mr. Johnson presented the agreement with the power company for the board's record.

MARK CURENTON – COUNTY PLANNER

(Tape 3-1613) Mr. Curenton told the Board that the aerobic system that serves the restrooms at the County Park on St. George Island was inspected on October 12th and found to be in working order.

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(Tape 3-1620) He reported that the Department of Community Affairs has notified the County that they intend to find the Comprehensive Plan amendment the County adopted on September 7th for the St. George Island Resort in compliance.

(Tape 3-1629) At the last County Commission meeting, the Board asked Mr. Curenton to report on the income from permit fees. In 2003, the amount collected in permit fees was \$222,440.31. From January 1st to November 1st this year the amount collected in permit fees comes to \$252,604.48. This does not include other fees collected by the Planning & Building Department.

(Tape 3-1653) Another pay request has arrived from CW Roberts for the water and street work they are doing on Twin Lakes Road under the community development block grant. To meet the County's obligation for this project the County needs to pay \$84,335.87 toward the paving of Twin Lakes Road. The only place the County has funds available to pay this from is the road paving money. The County can do a change order to pay for this out of road paving funds, but to avoid overrunning the road paving budget the Board should reduce another project by a corresponding amount. Mr. Curenton explained why the project is over budget. There was some discussion as to why this area was approved for paving under the CDBG grant. He explained that this area met the requirements for the CDBG grant.

(Tape 3-1877) Commissioner Crofton made a **motion to pay CW Roberts \$84,335.87 for the Twin Lakes road paving.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

At the last meeting, the issue of Oak Street in Lanark being constructed on Mr. Sarmmie Simmon's property came up. The Board asked Mr. Curenton to research the issue. Last week he distributed to the Board, a package of information consisting mainly of minutes from past meetings that explains what occurred. Originally this unpaved road ran across the corner of the property that is now Bluewater Bay Subdivision. In 1995, the Board of County Commissioners voted to post a "Dead End" sign on Oak Street at the request of Dr. Edward Saunders. In 2001, when the plat of Bluewater Bay was under consideration, the issue of closing or relocating Oak Street came up. After several meetings it was agreed to relocate Oak Street to the north side of the existing power line. Mr. Curenton said he spoke to Mr. Chipman and his memory is that the County built this new road.

Mr. Curenton said that Mr. Simmons does own this property. He obtained it through a tax deed.

Mr. Shuler asked that the Board allow him to look over the documents that Mr. Curenton has and report back, but if the road has been there more than four years it would become a county road. Chairman Sanders asked if Mr. Curenton could contact Mr. Simmons and tell him we are working on the situation. Commissioner Mosconis made a **motion to**

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have Mr. Shuler get with Mr. Curenton and work on this situation. Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-2072) Mr. Hank Garrett with the Water Management Services on St. George Island asked the Board to allow them to place a monitoring well within ½ mile of their current well (#4) in Eastpoint. It would be located on the county right-of-way. Commissioner Mosconis made a **motion to allow the Water Management Service of St. George Island to locate a monitoring well on the county right-of-way in Eastpoint.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.** He explained that the well will be located in the Magnolia Ridge area.

MICHAEL SHULER – COUNTY ATTORNEY

(Tape 3-2205) Mr. Shuler reported that the Florida Association of Counties sent a memorandum stating that on November 12th, the court in the Second Judicial Circuit issued its final order concerning the Department of Juvenile Justice litigation stating no county should make any further payments to the DJJ under section 985.2155 FS. The Board asked that Mr. Shuler make the Clerk's Office aware of this situation.

(Tape 3-2233) Mr. Shuler told the Board that a hearing has been set for next Monday at 3:30 p.m. concerning the Alexis Marketing suit. Mr. Shuler said he has received notice that the plaintiffs council has withdrawn. He went on to say he is sure he will receive notice to continue the hearing. He recommends that the county does not agree to the continuance but go forward and let the judge decide.

(Tape 3-2304) Mr. Shuler told the Board that the house next to the annex is now vacated. The board directed Mr. Curenton and Mr. Pierce to proceed with demolition of the house.

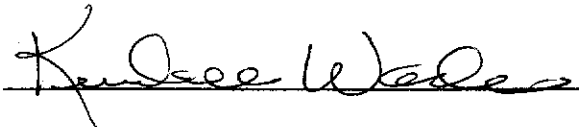
(Tape 3-2320) Mr. Shuler stated that he talked with DEP concerning the transfer of ownership of the bridge from DOT to the county. The question is if the county is going to sublease that property then DEP is going to require that the county enter into a submerged land lease. He should have more information at the next meeting.

(Tape 3-2392) Commissioner Mosconis made a **motion to have Mr. Shuler ask Leonard Carson to come to the next Board meeting at 1:00 p.m. and conduct a seminar for the new commissioners on subjects such as labor relations, and ethics.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

THERE BEING NO FURTHER BUSINESS TO DISCUSS IT WAS AGREED TO ADJOURN.



CHERYL SANDERS, CHAIRMAN



KENDALL WADE, CLERK