

**FCBCC REGULAR MEETING DECEMBER 7, 2004**

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

**OFFICIALS IN ATTENDANCE:** Cheryl Sanders, Chairman, Jimmy Mosconis, Bevin Putnal, Noah Lockley, Jr, and Russell Crofton, Commissioners, Kendall Wade, Clerk, Connie McKinley, Deputy Clerk, Mark Curenton, County Planner, Michael Shuler, County Attorney.

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

(Tape 1-45) Commissioner Putnal made a **motion to approve the minutes of the meetings held August 3, 2004, August 17, 2004, September 7, 2004, September 21, 2004, and October 5, 2004.** Commissioner Mosconis seconded the motion. Chairman Sanders, Commissioner Mosconis and Commissioner Putnal approved the motion. **MOTION CARRIED.** It was noted new Commissioners Crofton and Lockley could not vote of these minutes as they were not Board members at the time.

(Tape 1-50) Commissioner Putnal made a **motion to pay the county bills.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-59) Chairman Sanders presented a Resolutions of Appreciation. The New York Times has awarded Ms. Eileen Annie Ball an award of Recognition. She is one of only two in the South that has received this recognition. Chairman Sanders read the resolution.

(Tape 1-167) Tom Shield appeared before the Board to request that the Board open Titi Street east of Lanark Village. He said that there are lots that are don't have access because this street is not open. Chairman Sanders said she had no problem opening this street. She said, in the past, the property owners would buy the base material for the road and the county would open the road. It was agreed to open the road if the property owners would buy the base material. There was some discussion concerning the cost of the material. No action was necessary.

**HUBERT CHIPMAN – SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-343) Mr. Chipman asked the Board to allow some of the road department employees to donate sick leave to an employee who is out on sick leave. Commissioner Mosconis made a **motion to allow Road Department employees to donate sick leave to a fellow employee.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-363) Mr. Chipman said he would like to purchase equipment that was approved previously. The Board told Mr. Chipman to go ahead with the purchase.

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**VAN JOHNSON – SOLID WASTE DIRECTOR**

(Tape 1-384) Mr. Johnson appeared before the Board and said he wanted to present awards to the Tinny Mite Marlins Football team. The team won 7 games and lost 2. He presented the football team members to the Board. Chairman Sanders said the Board has also received an award of appreciation. She recognized all the football team members.

**BILL MAHAN – COUNTY EXTENSION DIRECTOR**

(Tape 1-549) Mr. Mahan reported that he has been working with Anita Grove of the Apalachicola Bay Chamber of Commerce and Tom Thomas with the Florida Department of Agriculture and Consumer Services, Bureau of Seafood and Aquaculture Marketing to do a program featuring Alligator Harbor farm-raised clams at the Chamber of Commerce's Christman Luncheon at the Gibson Inn last week. Everyone seemed to enjoy the clams and a lot of people had questions about clams and how to buy them.

(Tape 1-576) He reported that he met with Seth Blich from the ANERR last week and looked at the Old Ferry Dock area as a possible boat ramp site. They went out at low tide and didn't find any place that looked like it had enough water depth to be suitable for a boat ramp. Mr. Mahan went on to say that he spoke to Pat Harrell with the Fish & Wildlife Commission yesterday about the Box R Boat ramp grant application. She informed him that in the preliminary review and ranking of the proposals that the County has been approved for funding (\$275,000) and that the County should receive written confirmation of the award by the end of next week. Ms. Harrell told Mr. Mahan that the County's next step will be to develop a Memorandum of Understanding between the FWC and Franklin County.

(Tape 1-646) Alan Pierce told the Board one of the things holding this process up is that the County does not have a written agreement with the owners of the land which is FWC. He said they have spent a great deal of time trying to get them to agree to something. The Board asked Mr. Pierce to continue working on this project.

Commissioner Crofton asked about the Cat Point site. There was some discussion concerning this site as well as other possible sites in the County for public boat ramps.

The Board also discussed a site on St. George Island which the Board wanted to purchase for a boat ramp site.

**MARK CURENTON – COUNTY PLANNER**

(Tape 1-793) Mr. Curenton told the Board that there are still two vacancies on the Board of Adjustment, one regular seat and one alternate seat. It was suggested that the two new commissioners would come up someone to fill these vacancies.

(Tape 1-817) Mr. Curenton reported that at the last meeting the Board tabled consideration of a variance for the portion of Lot 23, Alligator Point Subdivision north of Alligator Drive. Dan Garlick is still researching the ownership issue on this property.

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(Tape 1-831) Mr. Curenton said that he has notified Mr. Sammie Simmons that the Board is looking into the situation where a county road was built across his property in Lanark. He gave the Board a copy of this letter.

(Tape 1-851) Mr. Curenton reported that the National Oceanic and Atmospheric Administration grant that is helping to pay for the design of the Alligator Point beach renourishment has been extended until May 31, 2005. The amount of the grant was \$106,000. He gave the Board a copy of the letter.

(Tape 1-880) Mr. Curenton told the Board that David Wilder is present today with a request to revise the preliminary plat of Resort Village to move one lot from the Gulf side to the Bay side of St. George Island. Mr. Curenton showed the Board a copy of the proposed plat which shows 17 gulf front lots and the developer wants to reduce this lot to 16 lots and add this to the Bay side. Mr. Curenton said he feels this is a minor change. Mr. Wilder said that they are going to take Lot 36 and move it to the bayside. The total square footage and density will not change. Commissioner Crofton made a **motion to allow the Resort Village preliminary plat to be changed to reflect one lot being moved from the gulf side to the bayside.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-992) Mr. Curenton told the Board that Rich Reeves has received the LAP agreement for Phase III of the St. George Island Bike Path from DOT. Funds for design of the path are available now, and funds for construction of the path will be available in 2007. He needs Board authorization to have the Chairman sign the agreement. Commissioner Putnal made a **motion to authorized the Chairman's signature on the DOT agreement.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.** There was some discussion concerning allowing people to drive across the bike path.

(Tape 1-1078) Mr. Curenton reported that the second warranty inspection on the St. George Island Landscaping project was conducted on November 17, 2004. There were some plants that needed to be replaced. Island Home Landscaping has been notified of the required warranty work, but so far they have not responded. He gave the Board a copy of the report and the letter from Rich Reeves to Island Home Landscaping. Mr. Curenton told the Board that if Island Home Landscaping does not respond, the Board may want to take some action in the future.

(Tape 1-1128) Mr. Curenton told the Board that there is more money available from DOT for landscaping projects in the County. Some residents of St. George Island have suggested landscaping the east side of the causeway leading on to the Island. He asked if the Board wanted to apply for this grant. Commissioner Putnal was concerned because there are a lot of people who use this area to unload their boats, etc, if the Board agrees to this, these people might not be able to use this area for their boat launching. Commissioner Putnal asked if this grant could pay for paving the parking area because it

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gets boggy sometimes. Mr. Curenton said that he would check to see if it is possible to put in some limerock in this area.

The Board said there are other areas in the County that could be landscaped. Chairman Sanders suggested that each of the Commissioners come up with some areas in their district that could be landscaped and give these to Mr. Curenton.

(Tape 1-1457) Mr. Curenton reported that the developers have submitted quit claim deeds to the County for the roads in Palmetto Village and Blue Heron Village in Eastpoint. He gave the Board the original deeds.

(Tape 1-1465) Mr. Curenton reported that the County has received an easement to cross the Lanark Village Water and Sewer District property for the County's drainage project in Lanark. He gave the Board the original deed.

(Tape 1-1480) Chairman Sanders said that she has tried to contact Craig Fuegate with the State Emergency Management concerning FEMA funds that the County was suppose to get in 2002 in the amount of \$24,772 on the drainage system in Lanark but has not yet received any response.

(Tape 1-1495) Mr. Curenton reported that the County has received another pay request from CW Roberts for the Twin Lakes Road. This request is for \$9,346.43. The Board needs to approve paying this amount as a change order to the paving program. Mr. Curenton explained that the amount of the CDBG grant was under the bid amount, and the county has to pay the difference. Mr. Curenton said he thinks there may be one more pay request because they still have to finish the stripping. He talked at length about the excess amount over the grant costs that the County agreed to pay.

Commissioner Putnal said he feels that the developers of large tracts like the one off of Twin Lakes Road, should bare some of the costs for building these roads.

(Tape 1-1759) Commissioner Mosconis made a **motion to approve payment to CW Roberts in the amount of \$9,346.43 as a change order to the paving program.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1775) Mr. Alan Pierce appeared before the Board. He presented a map and stated that Preble-Rish has been working on parking improvements for the Health Department. At this time, two major improvements have been designed. One, a new parking lot behind Apalachee Mental Health Clinic to assist with overflow parking from the Health Department. The Health Department would lose 9 parking spaces on 12<sup>th</sup> Street but this plan would add 31 for a total gain of 22. Two, a new parking lot right in from of Dr. Miniat's building that would remove his 12<sup>th</sup> Street parking. The total number of spaces for Dr. Miniat would not change. He has 10 parking spaces on 12<sup>th</sup> Street that he would lose, but he would gain 10 in a much safer arrangement. With the

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construction of these two lots, the County would then be able to remove all the parking along 12<sup>th</sup> Street which is a traffic hazard. The Mental Health Clinic parking would be the same but re-organized to close their curb cut.

At this time, the estimated cost of construction is \$25,000 for the Mental Health lot, and \$10,000 for Dr. Miniat's parking. The County has not budgeted for either of these projects. One solution for funding Dr. Miniat's lot is to reevaluate his rental payments and increase it since he will be the beneficiary of this new parking lot. The Board established a rental/lease arrangement for Dr. Miniat four years ago at \$1200 per month, which included the Board paying all utilities. That arrangement has not been reevaluated. For the new parking lot behind the Mental Health Clinic does the Board want the Finance Office to evaluate options.

The Board said that they thought Dr. Miniat was planning to build a new building when they agreed to lease him this property. He has not pursued this. There was some discussion concerning revisiting this lease. Chairman Sanders stated this might be an opportunity to be able to locate a clinic in this building.

Mr. Pierce said the County could contact the Traffic Safety Committee with the City of Apalachicola, for assistance because this 12<sup>th</sup> Street parking area is a hazard.

(Tape 1-1997) Commissioner Mosconis made a **motion to direct the County Attorney to contact Dr. Miniat and discuss renegotiating his lease agreement for the old health department building.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2006) Commissioner Mosconis made a **motion to direct Alan Pierce to try to find alternate ways to pay for the parking lot paving.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2019) Mr. Pierce continued his report by stating that FEMA has concluded their writing of Project Worksheets for hurricane damage. The final number for Alligator Point is \$229,446.51 for damage repairs and \$116,955.46 for hazard mitigation, for a total of \$346,401.47. Additionally, FEMA has informed the county that another \$40,000 of hazard mitigation funds are available. These could be used on Alligator Point or on some other hazard mitigation project. The Board has until April 15, 2005, to submit an application. Mr. Pierce recommended the Board allow the new Emergency Management Director to recommend a project unless the Board has something now it wants to work on.

(Tape 1-2076) Mr. Pierce reported that the Board's legislative delegation will be announcing its meeting date soon for the County. Does the Board have any particular requests they would like to put forth to the delegation? One issue the Board should consider is a request to have our delegation pursue the state taking Alligator Point Road.

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The Board has something to offer now, however minor, which is that the County has the FEMA funds which could be spent protecting the road before it is turned over to the State. There was some discussion concerning the Alligator Point Road.

Chairman Sanders said she is favor of including the Alligator Point Road for the Board's delegation to present and possibly have the State take it over.

Commissioner Putnal said he would like to see a seafood industrial park set up for commercial oyster houses in the County.

Chairman Sanders suggested, as a community budget request, including Courthouse funding. She asked the Commissioner to be thinking about things they might want to include.

(Tape 1-2257) Mr. Pierce told the Board he has copies of the draft recommended response to the ORC Report. He provided the Board a copy of the proposed responses for most of the issues raised in the ORC Report. The three issues not addressed are: Boundary for Coastal High Hazard Area, St. James Island Overlay and related land use changes and responses to other proposed land use changes. Mr. Pierce received a telephone call from Ms. Val Hubbard, DCA, last week about the meeting Chairman Sander and he had with DCA in November. Ms. Hubbard asked that Mr. Pierce reiterate that DCA has not signed off on any issue or the wording of any response. But based upon that initial meeting, DCA believes the County is on the right track, and did not need to meet again on most issues until a written response was created. They have not even seen this proposed response, and will not until the Board instructs Mr. Pierce, or someone else to submit it to them. DCA still retains their legal authority until a properly adopted comp plan is submitted to them and they review it for compliance.

The purpose of the meeting the Chairman and Mr. Pierce had and any future meetings is to get direction from DCA. Franklin County is trying to be responsive to the State's concerns.

Chairman Sanders said she wants to go ahead and submit these responses to DCA. Let them review it and send it back with their comments. She went on to say that everyone needs to realize that this is a draft, this is not the final document. At this point, Chairman Sanders allowed the public to comment. The Board asked Mr. Pierce to stay at this meeting.

(Tape 1-2382) Dave McClain with the Apalachicola Bay and Riverkeepers appeared before the Board stating that on October 19<sup>th</sup> he submitted a letter with some specific recommendations and no action was taken. On the 16<sup>th</sup> of November he again appeared requesting specific recommendations. He said that the Commissioners have a copy of these recommendations.

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Chairman Sanders asked if these five items could be incorporated in the proposed response that she has. She said the County needs to respond to those questions that DCA proposed in its recommendations.

Chairman Sanders said that a public workshop was held on November 16, 2004. Mr. McClain stated the recommendations he is presenting were not acted on at this workshop.

There was much discussion concerning the recommendations made and the fact that Mr. McClain does not feel these items have been addressed in a public forum.

Commissioner Mosconis said that what they are looking at today are not final recommendations. The County is simply sending a response to recommendations made in the ORC report. There are Board employees who have Masters Degrees in Planning.

Commissioner Putnal suggested that the County hold a workshop for public comment to address some of these concerns that have been mentioned.

Again, Mr. McClain asked for the Board to take action on these five recommended items presented.

(Tape 1-3434) Don Ashley addressed the Board concerning the comp plan visioning process. He said there were many suggestions from the community that helped to improve the county comp plan. He asked the Board not to send a partial report, hold the final meeting and then respond.

(Tape 1-3576) Tom Adams said he was disappointed that the county did not complete the process concerning the comp plan review. He talked about mix usage especially on St. George Island. He said there are many inconsistencies being applied in the zoning categories. He asked that a community meeting be held to discuss recommendations concerning the comp plan.

Commissioner Mosconis suggested that the Board allow anyone who wants to review the comments they are considering to send to DCA and then come back in two weeks to discuss before sending these to DCA.

Mr. Adams said that this should be the consensus meeting that was never held. The Board members did not agree with this.

There were some suggestions concerning having the meetings in the evening so that more people could attend the meetings.

Dave McClain said that they attended eighteen months of meetings and a final consensus meeting was never held.

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(Tape 2-117) Dr. Larry Murray said the document the Board has is not what should be sent to a state agency. The Board should not send up this kind of document to the state.

(Tape 2-184) Billy Buzzett appeared before the Board and suggested he put into writing, St. Joe's position and commitment to the people in this room and Franklin County. He would like to appear before the Board of The Riverkeepers and explain exactly what the St. Joe Company has been doing to work with the people of this county. He also asked that the Board hold the final consensus meeting. There will be issues that everyone will agree on and those that they will not agree on, but this can be done in a civil manner. There are issues that may not necessarily belong in the comp plan, but can be addressed by local ordinance. He urged everyone to work together.

(Tape 2-224) Van Lewis appeared before the Board and said that the public does not trust the St. Joe Company or this Board because this Board has denied what they promised in the beginning, which is the consensus meeting. He spoke loudly about Turkey Point. He said the failure of this Board is monumental because the Board has given away the beach and water access. He spoke vehemently concerning water access.

He also expressed his concern with using pesticides for killing mosquitos, and stated the Board has failed to take action against using these pesticides. He wants this Board to protect its citizens.

**KENDALL WADE - CLERK**

(Tape 2-602) Mr. Wade told the Board that he has budget amendments needed for the overtime paid to Solid Waste Department and Road Department for Hurricane Debris Cleanup. Budget Amendments for Solid Waste Department: DECREASE 001.99.584.9600 RESERVE FOR CONTINGENCY \$7,000.00, INCREASE 001.40.534.1400 OVERTIME \$6,075.00, INCREASE 001.40.534.2100 FICA \$464.00, INCREASE 001.40.534.2200 RETIREMENT \$461.00,

Budget amendments for Road Department: DECREASE 140.99.584.9600 RESERVE FOR CONTINGENCY \$19,056.00, INCREASE 140.41.541.1400 OVERTIME \$16,514.00, INCREASE 140.41.541.2100 FICA, \$1,264.00, INCREASE 140.41.541.2200 RETIREMENT, \$1,278.00.

(Tape 2-624) Commissioner Mosconis made a **motion to approve these budget amendments.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Mr. Wade presented the next budget amendment. This amendment needed to adjust the County's required match for HCRA (Health Care Responsibility Act). The required match information was not available at budget time, therefore, the prior year amount was included in the budget. HCRA Match amount for FY 04/05 \$42,596.00, HCRA Match amount for FY 03/04 \$41,920.00. The difference is \$676.00 which needs to be added to



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the FY 04/05 budget. DECREASE 001.99.584.9600 \$676.00, INCREASE 001.52.564.8100 \$676.00.

(Tape 2-649) Commissioner Mosconis made a **motion to approve the budget amendment.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-669) Chairman Sanders asked Dr. Tamara Marsh to come before the Board to discuss health care issues and the countywide healthcare committee created by resolution at the last board meeting. Commissioner Mosconis recommended Wesley Tice, Health Department Administrator to chair this committee.

Dr. Marsh told the Board that there are a couple of additions to the committee. Patricia Shuler with the ambulance service, she will be represented by Maria Grump for the time being as Ms. Shuler is out on medical leave. The other addition is Anne Wilson with NHC Homecare.

Chairman Sander read a letter from Dr. Photis Nichols concerning a clinic for the indigent and unemployed in Franklin County. The letter details how the county could help to set up a clinic for the indigent and uninsured population. She said there are many people who want to help with this problem.

Commissioner Putnal made a **motion to appoint those members presented to serve on this communitywide health care committee and appoint Commissioner Lockley as a committee member with Commissioner Crofton as the alternate.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.** (Commissioner Mosconis left the meeting before this vote was taken)

Dr. Marsh will schedule the first meeting and notify the Board.

**TED MOSTELLER – AIRPORT ADVISORY COMMITTEE**

(Tape 2-939) Mr. Mosteller has been asked by the Continuing Florida Aviation Systems Planning Process (CFASPP) who would become Airport Manager when Kendall Wade retires. Mr. Wade responded that he is not sure if it is required that the Clerk be the Manager, or if it could be someone else. He suggested the Board direct the County Attorney to investigate this possibility.

(Tape 2-1022) Mr. Mosteller said he has spoken with Rich Reeves concerning landscaping issues and was told that there is money available and it would be nice to beautify the airport entrance. The Board suggested Mr. Mosteller get with Mark Curenton about landscaping funds.

(Tape 2-1052) Mr. Mosteller gave each member a copy of a letter he has written to David Roberts, the airport inspector. He has talked with Mr. Roberts on the phone and

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Mr. Roberts has given the Airport 60 days to complete the airport cleanup which would give them until the end of January to complete before the inspection.

(Tape 2-1091) He reported that the 60x60 leanto being constructed at the airport is almost complete. Also the runway stripping has been completed and the signs should be in at any time. He went on to report that URS is still working on the Master Plan for the Airport.

One last item, DOT would like to see the airport zoning overlay included in the comp plan.

(Tape 2-1145) Chairman Sanders read a letter from the Florida Department of Children and Family Service concerning the recent closing of the Franklin County office.

(Tape 2-1231) Joseph Eckstein asked if the Board plans to send their response prior to holding a consensus meeting. Chairman Sanders said that the Board has agreed to wait until the next Board meeting to discuss this issue prior to sending any response.

(Tape 2-1264) Ronald Smith asked that the County Commission meetings be held in the evening and be broadcast on the radio.

(Tape 2-1327) Commissioner Lockley asked if the Board can assist Margaret Wilson with moving a trailer that has been condemned. She can not afford to have the condemned trailer moved. Mr. Shuler said that the county can not go on private property and remove debris. Mr. Shuler said he would talk with Mr. Lockley after the meeting and see if there is any way to do this.

(Tape 2-1415) Van Lewis asked the Board to look into non-toxic mosquito control. The pesticides that are being used are highly toxic.

(Tape 2-1463) Ann Maruszak asked when the minutes of the meetings will be posted on the website. She said this is a good source of information. She also presented a letter to the Board.

(Tape 2-1540) The Board told Dave McClain that at the next meeting, when they discuss the recommendations discussed earlier, the Board will schedule a public meeting to discuss all the issues.

(Tape 2-1540) Bruce Hall appeared before the Board and told them there was a workshop at the National Estuarine Research Reserve on Bear-Human conflicts which was very informative.

(Tape 2-1602) Frank Venable asked that the Director of Administrative Services/County Planner position advertisement be posted on the website.

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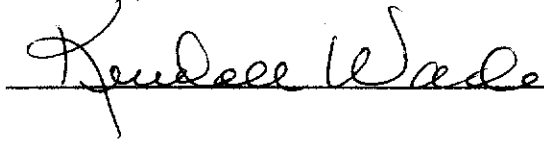
(Tape 2-1630) Larry Murray asked questions concerning some of the responses made to the ORC Report that references dates.

Commissioner Lockley wanted to notify the Board that he does work for the SHIP Program. Chairman Sanders said that this will be discussed this afternoon with the Labor Attorneys.

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



**CHERYL SANDERS, CHAIRMAN**



**KENDALL WADE, CLERK**