

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
DECEMBER 21, 2004  
REGULAR MEETING**

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

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

(Tape 1-53) Chairman Sanders told the Board there are several sets of minutes to approve. Only she, Commissioner Mosconis and Commissioner Putnal can vote on those minutes through November 2. Commissioner Mosconis made a **motion to approve the minutes of the Special Meeting held September 3, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Mosconis made a **motion to approve the minutes of the Regular Meeting held October 19, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Mosconis made a **motion to approve the minutes of the Special Meeting held October 26, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Mosconis made a **motion to approve the minutes of the Regular meeting held November 2, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Crofton made a **motion to approve the minutes of the Regular meeting held November 16, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Crofton made a **motion to approve the minutes of the Special meeting held November 19, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Crofton made a **motion to approve the minutes of the Regular meeting held December 7, 2004.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

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

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

(Tape 1-126) Chairman Sanders told those present that this would be Clerk of the Court, Kendall Wade's last board meeting, as he is retiring. She presented Mr. Wade with a Plaque in appreciation for his services for the last 12 years.

(Tape 1-135) Mr. Wade thanked the Board for their support. He briefly stated his concern with Article V funding and how it will drastically affect the county.

Tape 1-204) The Board opened RFP's for the Director of Administrative Services/County Planner position which will be turned over to the County Attorney to be reviewed at a special meeting at 1:00 P.M. this afternoon. The RFP's received are as follows: Maurice L. Beal of Tallahassee, Florida, Tim E. Mahrt, Apalachicola, Florida, Dawn Marie Frank of Miramar, Florida, Brenda Tucker of Jacksonville, Florida, Alan Pierce of Apalachicola, Florida, and Kenneth Schroeder of Apalachicola

**HUBERT CHIPMAN – SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-277) Mr. Chipman said he had nothing to report to the Board. Chairman Sanders read a letter from Carrabelle Mayor, Jim Brown asking for the Board's help. The letter requests that the county reduce the speed limit along Highway 67 from 45 mph to 35 mph to protect the workers from 500 feet north of Lake Morality Road to the City Limits until such time as construction on the new prison is complete. There is a danger of the workers being hit by speeding cars. Commissioner Mosconis made a **motion to change the speed limit 500 feet north of Lake Morality Road to the Carrabelle City Limits from 45 mph to 35 mph.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

Chairman Sanders asked if Mr. Chipman hauled limerock to the pit for CW Roberts. He said that they have hauled this limerock. She also asked if Mr. Shields has contact Mr. Chipman concerning opening of TiTi Street near Lanark, he has not yet contacted Mr. Chipman.

Commissioner Putnal asked if the state is still hauling limerock up River Road. Mr. Chipman said they are still hauling and this is tearing up River Road. Commissioner Putnal said the county needs to ask the state for financial assistance on repairing this road. There was some discussion concerning whether River Road is included in the paving project.

Mr. Keith Ritbaker, a resident of River Road asked that the Board enforce the speed limit for River Road. These heavy trucks are exceeding the speed limit and are damaging the road.

Commissioner Putnal made a **motion to write a letter to DOT asking them for financial assistance in repairing River Road.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Chairman Sanders said that Mr. Johnson was not here today, but she has one item she would like to discuss. She said that during budget time she instructed the county staff to apply for FRDAP funding for the Carrabelle Recreation Park. She read a letter from the St. Joe Community Foundation. The letter stated that they pledged \$200,000 toward the construction of this park with the conditions outlined for disbursement of these funds. The Board directed the County Attorney to write a letter of response.

**BILL MAHAN – COUNTY EXTENSION DIRECTOR**

(Tape 1-648) Mr. Mahan told the Board that the county has received written confirmation from the Florida Fish & Wildlife Commission that Franklin County has been awarded \$275,000 as requested in the county's grant proposal for the development of a regional boat ramp on the Box-R property off of Bluff Road. The next step in the process is to develop and sign a Memorandum of Understanding between the County and FWC on the construction of the boat ramp.

**RACHEL WARD – BOARD OF ADJUSTMENT**

(Tape 1-710) Mrs. Ward reported the following recommendations were made on December 1, 2004, from the Advisory Board of Adjustment. The Board of Adjustment recommends approval for a variance to construct a seawall within the Critical Habitat Zone for David M. Lupoli and Brett A. Hensley on Lot 52, Holiday Beach, Unit 1, Alligator point. This property is located on a canal and the adjacent lot already has a seawall. Commissioner Putnal made a **motion to approve this variance request.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-790) The Board of Adjustment recommends approval for a variance to construct a seawall/bulkhead within the Critical Habitat Zone for Joe Hambrose on Lot 1, Alligator Point Subdivision. There is an existing revetment on the adjacent lot. Commissioner Putnal made a **motion to approve this variance request.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-880) The Board of Adjustment recommends approval for a variance to construct a house 3 feet above the nine ft. height limit set by county ordinance. The overall height of the house will be well within the county requirement of 35 feet from the bottom floor. It is a single story house. This variance was requested by Renegade Homes, agent for Fred Thurmond. Commissioner Mosconis made a **motion to approve this variance request.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-903) The Board of Adjustment recommends denial of a request for a variance to construct a swimming pool on Lot 5, Block 12, Unit One West, St. George Island. The applicant, Blue Water Pools, agent for Steve Noel, was at the meeting and told the Board that the request is to encroach 15 feet into the setback line off of 4<sup>th</sup> Street West. This is a platted street, but has not yet been opened. Mr. Curenton visited the site and said that the pool could be relocated on the lot so that a variance would not be necessary.

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Commissioner Mosconis made a **motion to deny this variance request.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-934) The Board of Adjustment recommends denial of a request for Stan Brown, agent for Booth Holding Trust, to build a house five feet into both side setback lines on property located on Carrabelle Beach in Section 30, Township 7 South, Range 4 West. Mr. Curenton said the applicant wants to build a 30 ft. wide house on a 40 ft wide lot. The applicant was asked to build a 20 ft. wide house which will require no variances. Commissioner Lockley made a **motion to deny this variance request.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

**RACHEL WARD – PLANNING & ZONING COMMISSION**

(Tape 1-942) Ms. Ward reported that the Planning and Zoning Commission met on December 14 with the following recommendations. The Commission recommends approval of a request from Elliott Fann to construct a single family private dock on Lot 12, Driftwood Estates, 2724 US Highway 98 East, St. James. The dock will extend 389 feet out mostly over marsh with a 20x6 platform. This application was submitted by Garlick Environmental Associates, Inc. Commissioner Mosconis made a **motion to approve construction of this dock.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-984) The Commission recommends approval of a request from Jim Kinman to construct a single family dock on Lot 4, Silent Waters, 2940 Creek Side Drive Carrabelle. The dock will extend 21 feet with a 20x4 platform and boatlift. The application was submitted by Garlick Environmental Associates, Inc. Commissioner Mosconis made a **motion to approve construction of this dock.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1001) The Commission recommends approval of a request from Clint Cothran to construct a single family dock on Lot 16, Schooner Landing, 2307 Tally Ho, St. George Island. The dock will extend 66 feet with a 6x25 covered platform. The application was submitted by Larry Joe Colson, agent. Commissioner Mosconis made a **motion to approve construction of this dock.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1030) The Commission recommends approval of a request from Steve Lowe to construct a single family dock on Lot 11, Emerald Point Beach, 1911 US Highway 98, Eastpoint. The dock will extend out 150 feet with a 10x16 platform. The application was submitted by Garlick Environmental Associates, Inc. Commissioner Putnal made a **motion to approve construction of this dock.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1106) The Commission made the following recommendations concerning rezoning requests. Pete Wilson asked for for Steamers at 518 US Highway 98 west of

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Apalachicola to be rezoned from C-1 Commercial Fishing to C-2 Commercial Business. He wants to be able to rent rooms upstairs in this building. It was suggested that Mr. Wilson apply for a Special Exception, however, the C-1 District prohibits hotels and motels. The Planning & Zoning Commission was concerned because it appears Mr. Wilson is already advertising and renting these rooms. The Planning and Zoning Commission recommends denial of this request. Mr. Wilson appeared before the Board and told them he wants to rent these rooms to people he takes fishing. He went on to tell the Board that he employs about 30 people and he doesn't want to operate a hotel or motel, just allow his fishing guests to stay in these rooms. Commissioner Mosconis asked the Planning staff to review this matter and see if they could come up with a definition for this type activity that would be site specific. They could then address this matter as a Special Exception, under Tourist Oriented Commercial Facilities.

Commissioner Mosconis made a **motion to deny the rezoning request.** Commissioner Crofton seconded this motion. All for. **MOTION CARRIED.** Commissioner Mosconis then made a **motion to have the Planning and Zoning staff look into creating a new category that would allow these rooms to be rented to guidefishing clients and would be specific to this site.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis asked that once the staff has a recommendation, take it to the Planning and Zoning Commission for their input.

(Tape 1-1747) The Commission recommends approval to hold a public hearing for Blair Morgan to change the land use and zoning of a 6 acre parcel located north of Eastpoint on Highway 65 at Fort Gadsden State Park near the county line. Mr. Morgan is requesting a change from R-6 Rural Residential which allows one unit per ten acres to R-1 Single Family Residential which will allow one unit per acre. There are other areas in this vicinity that have already been rezoned. Commissioner Putnal made a **motion to schedule a public hearing.** Commissioner Mosconis seconded this motion. All for. **MOTION CARRIED.**

(Tape 1-1796) The Commission recommends approval of a request from Doug Loveless to rezone Lots 2 and 3, Gulfview Woods from R-1 to R-1A which would allow 3 lots per acre. Water and sewer is available and the parcel fronts on a paved road. It was noted that this parcel is next to one owned by Beecher Lewis who has just had his property rezoned. Commissioner Mosconis made a **motion to schedule a public hearing.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1804) Ms. Ward reported, for the Board's information, the Planning and Zoning Commission recommends to the Board of Adjustment to approve a Special Exception to cluster 35 lots on 43.5 acre located at 787 CC Land Road, Eastpoint, as requested by Garlick Environmental Associates, Inc., agent for Cornerstone Solution Group. This request has been scheduled for the January 5<sup>th</sup> Board of Adjustment meeting.

(Tape 1-1857) The Commission recommends approval for rezoning of a 19.39 acre parcel on CC Land Road, north of Eastpoint from R-4 Single Family Home Industry to

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

R-1A Single Family Residential Subdivision District which allows three units per acre. This request was submitted by Garlick Environmental Associates, Inc., agent for Stuart White. Mr. White also requested sketch plat approval for this parcel to be known as Bear Trace. There will be 40 lots on this parcel with a minimum lot size of 15,000 square feet, there will be paved roads and water and sewer service will be available. This parcel was previously platted by Harold "Buddy" Frederick as Lonely Sands, and will be abandoned prior to recording any new subdivision. Commissioner Mosconis made a **motion to schedule a public hearing.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal asked how many of these houses being built on these lots will be affordable. Other areas in the State require new subdivisions to provide a certain number of the lots to accommodate affordable housing. He feels the county needs to look into requiring affordable housing. There was some discussion concerning affordable housing in the county. Commissioner Lockley made a **motion to direct the county staff to look at targeting specific areas in the county for affordable housing and report back at the second meeting in January.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2039) Ms. Anita Grove with the Apalachicola Bay Chamber of Commerce told the Board the Chamber is planning to sponsor a forum on affordable housing and pulling together all the resources that have been brought up over the last year and suggested the county might be interested in participating. Commissioner Putnal asked Billy Buzzett with St. Joe if they are still planning to do some affordable housing east of Carrabelle. Mr. Buzzett said that they are still working on this, it takes some time. There was also some discussion concerning the Comprehensive Plan's requirement to have affordable housing.

**PUBLIC HEARING TO REZONE LOTS 1-4, BLOCK 7, UNIT ONE WEST, ST. GEORGE ISLAND.**

(Tape 2195) Mr. Curenton said that the applicant wants to rezone these lots from C-2 Commercial Business to C-4 Mixed Use Residential. This is the same request that has been heard many times before. Tom Adams, a resident of St. George Island, opposes this rezoning. He said this is basically doing away with the commercial area on St. George Island.

(Tape 1-2345) Alice Collins, representing both the buyer and the seller of this property urged the Board to approve this zoning change.

(Tape 1-2386) Roger Bybee, a Carrabelle resident, said that all of St. George Island is located in a Coastal High Hazard area, and these types of changes increase density which should not be allowed in the Coastal High Hazard area.

(Tape 1-2455) Joseph Parrish, a member of the Planning and Zoning Commission, said that in the past, people who have requested rezoning say they want to build a mixed use building, but that is not necessarily happening. Most people who are opposed to the C-4

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Mixed Use category, are opposed to the residential use of the property. This is why the Commission presented the proposed C-5 category. There was much discussion concerning why the C-5 proposal was created. He went on to say that those who have already been rezoned are not in favor of restricting their use of property.

(Tape 1-2637) Steven Rash is the proposed buyer of the property. He said that he plans to build a restaurant, however, he wants the option to be able to build shotgun houses if necessary. He owns the Blue Parrot Restaurant, and is now surrounded by shotgun houses. He went on to say that property values are based on residential use, and it is very expensive property. He said that he is only asking for the same thing that everyone else who has applied for this rezoning has been given.

(Tape 1-2762) Tom Adams again spoke saying that the zoning code does not allow for this density, it provides for one unit per acre.

(Tape 1-2779) Commissioner Mosconis made a **motion to approve the rezoning of Lots 1-4, Block 7, Unit One West.** Commissioner Lockley seconded the motion. Commissioner Mosconis and Commissioner Lockley voted for. Chairman Sanders, Commissioner Putnal and Commissioner Crofton voted against. **MOTION FAILED.**

Commissioner Crofton said that he feels the Board should have discussed the proposed C-5 District before this public hearing.

(Tape 1-2892) Ms. Ward continued her report by telling the Board that the Planning & Zoning Commission reviewed a draft proposal for C-5 St. George Island Mixed Use Commercial District. There were several people who spoke in opposition to this new category. Mary Lou Short, Planning & Zoning Commission Chairman is here today and would like to discuss this issue.

(Tape 1-2951) Mary Lou Short appeared before the Board. Ms. Short said that a letter was read into the minutes supporting the C-5 zoning as well as people who were present at the Commission meeting who supported the proposed C-5 Zoning District. She went on to say that about a year ago, the Planning and Zoning Commission presented the proposed C-5 district to the Board, it was tabled. Commissioner Crofton asked that this issue be readdressed by the Planning and Zoning Commission. The existing C-4 district allow as principal uses both residential and commercial uses. The C-5 district would not allow residential as a primary use, but as an accessory use to the commercial use. An example would be a commercial business on the bottom floor with residential uses on the second floor. The Commission discussed this at length at their December 14<sup>th</sup> meeting along with many comments from the audience. The Commission decided to send this matter on to the Board without comment, but asked that the Board agree to allow the Commission to hold a public workshop or meeting on St. George Island to allow public input. The Commission feels that this matter should be addressed publicly on St. George Island before any decisions are made.

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Commissioner Crofton supported the idea to hold a public workshop on St. George Island.

(Tape 1-3277) Joseph Parrish said that at the Planning and Zoning Commission meeting there were lots of comments. Mr. Parrish said that he has a problem not allowing one person to be able to do what everyone else is doing. Commissioner Lockley said he has a problem with not allowing this applicant the same options that everyone else has.

Roger Bybee asked that the Board allow the county attorney to review any proposed changes to make sure that it conforms with the Comprehensive Plan.

Steve Rash spoke again stating that it is difficult to develop this property commercially because there is no central sewer system and there is a real problem with parking. He said that it is not fair to restrict him when everyone else has been allowed to develop under the C-4 district.

Commissioner Mosconis said that the skinny minis over on St. George Island contribute a great deal to the revenues collected by this county. He is not sure that the Island could support commercial business on all of these lots.

Mary Lou Short asked that the Commissioners attend the workshop as this is a very important issue.

(Tape 2-135) Harry Arnold appeared before the Board as the property owner of Lots 1-4, Block 7, Unit One West. He said that he has been on the Island for about 25 years and there are currently 257 vacant commercial lots on St. George Island, the Island can not handle that much commercial property now or in the future. A lot of these lots are individually owned and they can not be developed. C-5 will do nothing but devalue commercial property on St. George Island and he feels they should have been allowed to be rezoned to C-4.

The Board discussed tabling this request until such time as the C-5 District has been resolved.

(Tape 2-275) Commissioner Crofton made a **motion to rescind the previous denial for rezoning Lots 1-4, Block 7, Unit One West.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-315) Commissioner Mosconis made a **motion to table this rezoning request until January 18, 2005 at 10:15 A.M.** Commissioner Lockley seconded this motion. All for. **MOTION CARRIED.**

(Tape 2-330) Ms. Ward continued the report from the Planning and Zoning Commission meeting by telling the Board that, for their information, the Commission recommends



**FCBCC REGULAR MEETING DECEMBER 21, 2004**

approval to the Board of Adjustment for a Special Exception to cluster 14 lots on a 15.17 acre parcel to be known as Rivercrest. The parcel is located on Bay City Road north of Apalachicola. They also recommended sketch plat approval contingent on the Board of Adjustment approval. This application was submitted by Garlick Environmental Associates, Inc., agent for Betty Walker. This will be addressed on January 5<sup>th</sup>.

(Tape 2-370) The Commission recommends approval of a sketch plat for a 4 lot subdivision to be known as "One Particular Harbor", on a 4.8 acre parcel located at 873 US Highway 98, Eastpoint. The lots will all be at least one acre in size. Dan Garlick explained to the Board where this property is located. It is located next to property owned by Gayle Dodds between Highway 65 and Eastpoint. Commissioner Crofton made a **motion to approve this sketch plat for "One Particular Harbor"**. Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-480) The Commission recommends approval for a final plat for "Red Fish Run", located in Eastpoint on Highway 98 between the Gulf View Campground and Highway 65. The subdivision consists of 3 one acre plus lots. The request was submitted by Garlick Environmental Associates, Inc., agent for Heath Galloway. Commissioner Crofton made a **motion to approve the final plat for "Red Fish Run"**. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-521) The Commission recommends approval of a final plat for New River Run, Phase III located off of Mill Road in Carrabelle. There are five lots of atleast one acre in size. The request was submitted by Garlick Environmental Associates, Inc., agent for Coastline Properties of North Florida, LLC. Commissioner Lockley made a **motion to approve the final plat for New River Run, Phase III.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-533) Ms. Ward reported that Stephen Nash came before the Planning and Zoning Commission asking to build a boat storage facility on his property located at 1000 Bluff Road north of Apalachicola. The property is zoned R-4 Single Family Home Industry and Mr. Nash lives on the property. In the past, the county has considered boat storage as an acceptable use in residential home industry districts. However, recently there have been objections from property owners concerning this practice, because it is not specifically provided in the zoning code. Ms. Ward said she needed guidance concerning this issue.

Ms. Toni Taranto appeared before the Board objecting to the allowance of commercial boat storage in R-4. She doesn't feel commercial boat storage should be allowed in residential areas.

Mr. Curenton read to the Board, other uses allowed under the R-4 Residential Home Industry which includes dental, medical, legal offices as well as the storage of non-nuisance equipment.

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Commissioner Mosconis made a **motion to allow commercial boat storage in the R-4 Zoning District.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

Ms. Ward reported that the Commission reviewed a draft proposal for R-9 Single Family ½ Acre residential district and felt it needs more review.

Ms. Ward asked the Board for direction with three rezoning requests presented to the Planning and Zoning Commission which are located in the commercial district on St. George Island. The Board agreed that these requests would be tabled until after they address the proposed C-5 St. George Island Mixed Use Commercial District in January.

**MARK CURENTON – COUNTY PLANNER**

(Tape 2-859) Mr. Curenton told the Board that there are still two vacancies on the Board of Adjustment, one regular seat and one alternate. Commissioner Crofton made a **motion to appoint Richard Harper to the Board of Adjustment.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-906) Mr. Curenton told the Board that the National Guard has provided Franklin County with a copy of the grant application they submitted to the state for the National Guard Armory. He gave the Board copies.

(Tape 2-930) Mr. Curenton has a resolution authorizing the Chairman's signature on the DOT grant for Phase III of the St. George Island Bicycle Path that the Board approved on December 7<sup>th</sup>. Commissioner Crofton made a **motion to approve a resolution authorizing the Chairman's signature on a DOT grant for Phase III of the Bicycle Path on St. George Island.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-942) Mr. Curenton said that he has a Joint Participation Agreement from DOT to relocate the fuel farm at the Apalachicola Airport. It is for \$160,000 and is 100% funded by DOT. He said he needs Board approval of the JPA and a resolution authorizing the Chairman's signature. Commissioner Mosconis made a **motion to approve the JPA and a resolution authorizing the Chairman's signature on this JPA.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1004) At the last meeting, Mr. Curenton brought up the opportunity for the County to apply for more landscaping grants along state and county roads. The county has a request from St. George Island to apply for \$100,000 to landscape the east side of the causeway leading onto the Island. Mr. Curenton presented a copy of the proposal showing that the existing boat ramp will remain. He asked if the Board wanted to apply for this grant. Commissioner Putnal asked if this landscaping would take up some of the parking currently being used. Mr. Curenton said that it would not affect the parking area. Commissioner Lockley made a **motion authorizing the application for the landscape**

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

**grant for St. George Island.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1013) The Board also asked that each member come up with possible landscaping projects in their district. Commissioner Lockley contacted the Planning Office about possible sites in the City of Apalachicola. Rich Reeves has compiled a list of possible sites for landscaping throughout the County for the Board's consideration. Mr. Curenton asked if the Board wanted to make any changes. If the Board is interested in pursuing these landscaping projects, Mr. Curenton will have Mr. Reeves work up a preliminary design and cost estimate for each one for the Board's approval. Be aware that this is not a one-time application. If other possible projects come up in the future the county can apply for them in the future. Commissioner Mosconis asked if landscaping could be done at the old cemetery in the City of Apalachicola. Mr. Curenton said these funds are for landscaping along county and state roads, however, there are other agencies that could help with the cemetery. Commissioner Putnal asked if this money could be used to place picnic tables in a county park. Mr. Curenton didn't think this money could be used for things like picnic tables.

(Tape 2-1145) After the last Board meeting, several Board members asked Rachel Ward to write a letter stating that Donnie Crum's property at 1063 Highway 65 was in compliance with the zoning so he can be certified as a seafood dealer. Mr. Curenton presented a copy of the letter for the Board's file. He asked the Board to approve this letter. Commissioner Mosconis asked what the property is zoned. Mr. Curenton said the property is zoned residential. Commissioner Putnal made a **motion to approve the letter written on behalf of Donnie Crum to the Department of Agriculture.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1182) Mr. Curenton told the Board that Alan Pierce has a report for them. Mr. Pierce appeared before the Board and gave the Board an update on the Box R Boat ramp. No costs can be incurred on the grant until grant documents are signed. FWC is preparing the grant documents and should have them to the county in January. Since the county will be leasing the area from FWC, an FWC biologist has made some biological assessments of the site, and the issues he raised will have to be addressed in the lease agreement. Mr. Pierce is awaiting receipt of the biological assessment, and a draft lease agreement. There have been some personnel changes at FWC so it is hard to get someone to release any documents. The grant is for \$275,000, with \$25,000 estimated for design and permitting costs, and \$250,000 for construction. When the grant documents are signed, and the lease agreement is complete, Preble-Rish will recommend that the first phase include obtaining the necessary permits for the road and the ramp, and begin construction on both the road and the ramp. The board may choose to have the county road department improve the road and the parking area, with grant funds to be used for materials, or the board may choose to bid out all road construction. At this time, Preble-Rish is only recommending a limerock road and parking area. Preble-Rish believes the county road department can construct the road and ramp with proper

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

construction plans. This will save grant funds for the ramp itself. Rough estimates for a 3 lane ramp and finger piers is \$150,000. This means that if the road and other improvements are constructed for less than \$100,000, a second phase of the grant would not be necessary. There are other boat ramp improvements needed in the county, one of which is the City of Apalachicola needs to finish renovating the Battery Park boat ramp. Commissioner Mosconis made a **motion to authorize the Chairman's signature on the grant documents when they become available.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1283) Mr. Pierce gave an update on the Alligator Point beach renourishment project. Inactivity and lack of assistance by the state and federal government is limiting the options available to the Board in its efforts to protect the Alligator Point Road. There has been no progress at either the state or federal level in providing funds or sand for Alligator Point. At this time, the only funds available are FEMA funds, and it is only six months and one week to the beginning of next hurricane season. It is only five months and one week to the beginning of next year's turtle nesting season.

Preble-Rish recommends the Board hire Roddenberry Surveyors to survey the Alligator Point revetment area in state plan coordinates and NAGVD measurements. The survey will cover from a minus two feet elevation below the toe of the existing revetment to the back side of the Alligator Drive right-of-way. The survey will be used to develop plans and specifications in accordance with the FEMA damage reports. Engineering services are reimbursable from FEMA. The survey will also be used as part of the DEP permit application. Preble-Rish recommends the Board direct them to submit the DEP application for work consistent with the FEMA damage reports. Actual construction of the project should take approximately 60 days, but obtaining the permit could take 90 days or more. The Board should be prepared to declare a local state of emergency by March 1, which will allow the Board to take protective action on the road even if a DEP permit has not been issued. The Board should also direct the Chairman to send a letter to Secretary Castille, DEP informing her of the Board's lack of options at this time. It will not be prudent for the Board to allow another Hurricane season to arrive without taking protective action.

Chairman Sanders said that three months ago, Secretary Castille said that this was priority. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a letter to Secretary Castille concerning the Alligator Point revetment and to have Roddenberry survey this property.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.** Chairman Sanders ask that the letter reflect that the County is asking the state to come in and help the county and also to note the amount of erosion all along Highway 98.

Tape 2-1513) Mr. Pierce discussed with the Board a change order for St. George Island. Commissioner Crofton requests approximately 200 feet of resurfacing be done on Gulf Beach Drive, between the north and south lanes of Franklin Blvd. which is legally part of

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

the DOT road system, and about 75 feet of east Gulf Beach Drive. Mr. Pierce spoke to DOT and the Board can resurface that section and send a letter to DOT saying it is doing that. Commissioner Crofton would like consideration of resurfacing what is known as the S-Curve on Gorrie Drive. He would also like to have Washington Street in Eastpoint resurfaced. Commissioner Mosconis made a **motion to authorize the change order to the county paving project.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1546) Mr. Greg Preble appeared before the Board representing the City of Carrabelle and Mr. & Mrs. Robulock requesting the county's permission to install a sewer line in River Road starting at US Highway 98 and extend northward a distance of about a mile and a half. The Robulocks are currently in the process of being annexed into the city and they want to develop their property. Mr. Preble read a letter from Mayor Jim Brown, City of Carrabelle. Mr. Preble explained how the line would be installed. All costs will be borne by either the city or the developer. He explained that any homeowner along the route of the sewer line would have the option to hookup but would not be required to hookup. After more discussion, Commissioner Putnal made a **motion to approve the installation of a sewer line on River Road.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** There was some discussion concerning the drainage problem at the end of River Road. Mr. Preble said he would work with the county concerning the drainage problem.

(Tape 2-1836) Mr. Knute Rittweger asked Mr. Preble who would pay for the line installation and who would own the line. The City will own the line and the county owns the right-of-way. Mr. Rittweger was assured that this would not be owned by a private individual.

**KENDALL WADE – CLERK**

(Tape 2-1949) Mr. Wade stated that he has received a request from the Citrus County Commission asking this Board to support the decision made by the Second Judicial Circuit Court concerning Article V funding for Juvenile Justice. Chairman Sanders said in the legislative session they have stiffened up their language and the prospect of the county being required to fund is again being considered. Chairman Sanders asked that the county send a letter to the Florida Association of Counties stating that they do not represent our needs or the wishes of our county or all counties in the state of Florida., Commissioner Mosconis made a **motion to send a letter of support of the decision made by the Second Judicial Circuit concerning Article V funding.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis made a **motion to send a letter to the Florida Association of Counties stating they do not represent Franklin County needs or the wishes of all counties in the State of Florida concerning Article V funding.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Mr. Wade said that weeks ago, he had asked the Board to replace him with incoming Clerk, Marcia Johnson on the Apalachee Regional Planning Council and the Disability Transportation Board. Since that time, he has talked with Ms. Johnson and because of the amount of time involved with the Article V funding, Mr. Wade is now asking that Chairman Sanders replace him on these two boards. Commissioner Mosconis made a **motion to have Chairman Sanders replace Mr. Wade on the Apalachee Regional Planning Council and the Disability Transportation Board.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2202) Mike Robulock appeared before the Board and told them he is building the Bayline Medical Center and has received a Stop Work Order on a building in which he needs to put oxygen. The tin is now laying on the ground and will start deteriorating. He is asking that the Board allow him to put the tin on the building. Mr. Curenton told the Board that Mr. Robulock started construction without a building permit. He is now in the process of getting his permit. Preble-Rish is in the process of applying for his DEP stormwater. Mr. Curenton again stated that he does not have a building permit. Commissioner Putnal said this building is very important. The Board asked what information is needed in order to get the building permit.

Commissioner Mosconis said that the Board does not need to debate this issue. Mr. Robulock needs to get with the Building Department concerning getting his building permit.

(Tape 2-2512) Mr. Shuler said that this is standard operating procedure with the Building Department.

**MICHAEL SHULER – COUNTY ATTORNEY**

(Tape 2-2612) Mr. Shuler told the Board that concerning the Alligator Point revetment, there was a possibility of private property being affected by this revetment and Mr. Pierce will check into this once the survey is complete to determine if there are eminent domain issues that need to be dealt with.

(Tape 2-2650) Mr. Shuler told the Board that concerning the Thom Lewis settlement, Mr. Lewis asked that in the event of an emergency, he be allowed to hand deliver any notice to the Clerk of the Court. Mr. Shuler recommended approval with this one addition. Commissioner Crofton made a **motion to approve and authorize the Chairman's signature on the settlement agreement with Thom Lewis with the addition stated above.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2744) Chairman Sanders presented a letter from Thom Lewis, wildlife biologist, asking that the Board allow him to do Apalachicola Bay Christmas Bird Count on December 28, 2004. Commissioner Mosconis made a **motion to allow the bird count**

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

**on December 28, 2004 around the Apalachicola Airport.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2773) Commissioner Lockley told the Board that the Health Care Committee that he will be serving on plans to meet the first part of 2005. The Board wants this committee to take up the indigent care problem in the county.

(Tape 2-2818) Mr. Dave McClain with ABARK appeared before the Board and stated that on December 7<sup>th</sup>, they objected to the transmittal to the out of cycle interim response to DCA's ORC report on the Comp plan proposal. The Board agreed to delay and asked that they give an assessment. They are still asking for a public workshop consensus process. Commissioner Crofton made a **motion to schedule a consensus testing workshop on January 18<sup>th</sup> at 6:00 P.M.** Commissioner Lockley seconded this motion. All for. **MOTION CARRIED.** There was some discussion concerning holding a public meeting to discuss the Coastal High Hazard area.

Mr. Pierce recommends that not all areas be discussed at this meeting. They are still waiting for a meeting with DCA concerning the Coastal High Hazard areas. Chairman Sanders suggested that the county write a letter saying that we are still waiting to hear from DCA concerning the Coastal High Hazard areas.

(Tape 2-2347) Mr. Ron Mowrey with the Alligator Point Water Resources appeared before the Board asking that the Chairman sign the Resolution that was approved at the November 16<sup>th</sup> meeting. He simply wants a copy of the adopted resolution. Chairman Sanders said that she has already signed the resolution, but it can not be found. Mr. Mowrey has another copy and asked the Chairman to sign the resolution. Commissioner Putnal made a **motion authorizing the Chairman's signature on the Alligator Point Water Resources resolution contingent upon Mr. Shuler's review.** Commissioner Lockley seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-3425) Mr. Ted Mosteller appeared before the Board and told the Board that Gulf County has agreed to assist Franklin County by providing crews and equipment to assist the county crew to fell offending vegetation that has put the airport's license in jeopardy. They are currently working at the airport. Mr. Mosteller asked that the board submit an official request to Gulf County for this help and also when the work is completed, a letter of appreciation be sent. Commissioner Mosconis made a **motion authorizing the Chairman to send an official request to Gulf County for help at the airport and when the work is complete, send a letter of appreciation.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2538) Mr. Mosteller asked that the Board consider an emergency purchase of a bush hog to attach to the airport tractor. A John Deer Model 708 7' Brush mower can be purchased from the state bid list for \$3,504 through the John Deer and Beard Equipment Co. of Panama City.

**FCBCC REGULAR MEETING DECEMBER 21, 2004**

Mr. Mosteller also asked who would be the Airport Manager when Mr. Wade retires.

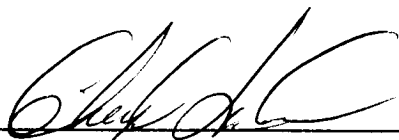
Commissioner Mosconis made a **motion to approve the purchase of a John Deer Model 708 7' as an emergency purchase.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

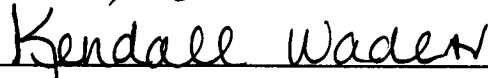
Mr. Mosteller asked that the board adopt a resolution for Creating Growth Options at the Apalachicola Airport. The Board agreed to have Mr. Mosteller come back at 10:00 A.M. at the next board meeting to discuss this resolution.

(Tape 2-3829) Don Ashley asked for a couple of items of clarification. He wanted to make sure that St. James Island would be included in the discussion to be held January 18<sup>th</sup>. Chairman Sanders said that this is a totally separate item and needs to be addressed separately. Mr. Ashley asked that this be included at the consensus workshop on January 18<sup>th</sup>. Mr. Ashley asked if the DCA ORC response was sent by the county. It was not.

(Tape 3-125) Mike Graberick with the Gulf County Airport Advisory appeared before the Board stating he was going to speak about the resolution adopted by the Gulf County Commissioner concerning the airport.

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

  
\_\_\_\_\_ **CHERYL SANDERS, CHAIRMAN**

  
\_\_\_\_\_ **KENDALL WADE, CLERK**



**FCBCC SPECIAL MEETING DECEMBER 21, 2004**

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS**

**DECEMBER 21, 2004**

**1:00 P.M.**

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

**1:00 P.M.:** Chairman Sanders called the meeting to order.

(Tape 1-5) Chairman Sanders stated that this is a special meeting for the purpose of hiring the Director of Administrative Services/County Planner.

(Tape 1-14) Mr. Shuler gave the board copies of all the resumes. There were six applicants. These applicants are Tim Mahrt, Dawn Marie Frank, Brenda Tucker, Alan Pierce and Kenneth Schroeder. Only two of the applicants are present, as required in the notice. The only two applicants present are Alan Pierce and Kenneth Schroeder. Mr. Shuler told the Board that Mr. Schroeder engaged him to correct a title problem. He spoke to Mr. Schroeder and he has no problem with Mr. Shuler continuing as the Board Attorney with this process. Mr. Shuler went over the choices the Board can make, also the Board needs to address the salary. There was no salary stated. Mr. Shuler recommended the applicants wait outside while the Board interviews the individual.

(Tape 2-208) Kenneth Schroeder interviewed first. The Board reviewed Mr. Schroeder's resume.

The Board asked for a copy of the duties. Mr. Shuler told the Board that he deleted these duty requirements in the last add because of the cost factor. He did review what those duties as county planner would be and those duties as Director of Administrative Services would be. This person would also be responsible for courthouse maintenance, as well as coordinating with other department heads.

Commissioner Mosconis asked why Mr. Schroeder feels he could perform well in this job. Mr. Schroeder said that he has extensive background in the military managing people. He detailed his past history. He told the Board that he does not have a degree in planning, he has a degree in management.

Commissioner Crofton asked if Mr. Schroeder had any background in utilities that would be beneficial in this position. Mr. Schroeder said that he is very familiar with what it would take to manage county utilities. He also stated that he is familiar with Florida Law.

---

## **FCBCC SPECIAL MEETING DECEMBER 21, 2004**

Commissioner Crofton asked how familiar Mr. Schroeder is with the seafood industry. Mr. Schroeder said he has lived in this area for nine years and said he understands many of the problems the seafood industry is facing.

He also discussed his knowledge of coastal erosion.

Commissioner Crofton asked if Mr. Schroeder is familiar with property rights. Mr. Schroeder explained that he does have a working knowledge of property rights.

Mr. Schroeder discussed his knowledge of comprehensive plans and zoning codes. He feels they need to be clear and precise.

Mr. Schroeder was asked about enforcement of codes. He feels they need to be enforced fairly.

Chairman Sanders asked why Mr. Schroeder would want to come to work for Franklin County. Mr. Schroeder told the Board that he loves living in Franklin County. It is very pristine. He also said that he enjoys public service work.

Commissioner Lockley asked if Mr. Schroeder is familiar with grant writing. Mr. Schroeder said that he is familiar with grant writing.

(Tape 1-880) The Board interviewed Alan Pierce. The Board reviewed Mr. Pierce's resume. Commissioner Mosconis asked Mr. Pierce why he feels he is qualified for this position. Mr. Pierce said that he has spent 17 years with Franklin County and ten of those as the Director of Administrative Service. He also told the Board that he has a master's degree in Planning from the University of Florida.

Mr. Pierce told the Board that he feels this is not an entry level position. This position will help direct the county under the Board, and is probably their most senior position. Secondly, this job is in evolution, seven years ago, there was no position, the Clerk's Office handled most of the board's duties. Now, the Board recognizes the need to have someone working for them.

Commissioner Putnal said he thinks that the reason Mr. Pierce left the first time was political ambition. Mr. Pierce said he now has no desire to seek public office. Chairman Sanders asked what is to prevent Mr. Pierce from leaving the county the way he did in April. Mr. Pierce gave them his assurance that if he ever runs for office, he would resign from the county with no expectation of ever coming back.

Commissioner Mosconis said he feels Alan Pierce has the knowledge and ability to help the county deal with problems and he has done a great job for this county.

**FCBCC SPECIAL MEETING DECEMBER 21, 2004**

Commissioner Mosconis went through some of the problems the county is facing, even such minute problems as employee management as well as county building maintenance.

Chairman Sanders asked if the public should be given an opportunity to comment. Mr. Shuler said that it is not necessary to take public comment as this is hiring an employee for the Board.

There was some discussion concerning salary. When Mr. Pierce left, he was making about \$47,000 plus benefits.

There was much discussion concerning the benefit package to be offered as well as the specifics concerning this job.

(Tape 2-1646) Commissioner Putnal made a **motion to hire Alan Pierce to fill the position of Director of Administrative Services/County Planner.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

Commissioner Mosconis asked that this Board wait until the next meeting to set the salary, so that this can be discussed with Ms. Williams, the County Finance Officer

Ms. Williams appeared before the Board and stated that there is nothing in the budget for this position. Ms. Williams said that Mr. Pierce was making a little over \$47,000 before he left.

There was much discussion concerning the proposed salary.

(Tape 2-1884) Commissioner Putnal made a **motion to offer Mr. Pierce \$50,000 with benefits.** Commissioner Mosconis seconded the motion. This motion was later withdrawn.

The Board asked Mr. Pierce to come back before the Board. Mr. Pierce was asked if he would accept \$50,000 with benefits. Mr. Pierce said that he is basically taking on more duties and asked for \$52,500 plus benefits. He asked for four weeks vacation, two weeks sick leave and senior management retirement.

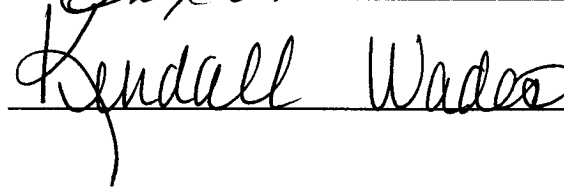
(Tape 2-2101) Commissioner Putnal withdrew his motion to offer \$50,000. Commissioner Putnal made a **motion to offer \$52,500 plus benefits.** Commissioner Crofton seconded the motion. All for. **MOTION CARRIED.**

It was agreed that Mr. Pierce would start before the end of the year.

**FCBCC SPECIAL MEETING DECEMBER 21, 2004**

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

  
\_\_\_\_\_ **CHERYL SANDERS, CHAIRMAN**

  
\_\_\_\_\_ **KENDALL WADE, CLERK**