

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
JANUARY 16, 2001**

OFFICIALS IN ATTENDANCE: Eddie Creamer, Chairman; Bevin Putnal, Cheryl Sanders, Jimmy Mosconis, and Clarence Williams, Commissioners; Kendall Wade, Clerk; Amelia Varnes, Deputy Clerk; Alfred Shuler, County Attorney.

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

(Tape 1-24) Commissioner Sanders made a **motion approving the minutes of the meetings held on January 2, 2001 and January 5, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-30) Commissioner Williams made a **motion to pay the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-40) Mr. Mahan said he had attached the newest issue of WaterWorks, a newsletter published by the UF highlighting Extension's activities in fisheries, aquatic sciences, aquaculture and pond management around the state.

(Tape 1-48) He said two weeks ago he received a letter from Ken Moore, Executive Director of the Interstate Shellfish Sanitation Conference (ISSC) informing him he had been appointed to the ISSC's Biotoxin Committee. He explained this committee studies Red Tide and similar issues relative to shellfish.

(Tape 1-63) He informed the Board he attended the ISSC's Vibrio Vulnificus Subcommittee meeting last week in Biloxi, MS as instructed by the Board. He said the committee has been give the task of reviewing and making recommendations on the Vv. Management Issue which was referred back to committee by the ISSC's Executive Board during last year's annual meeting. He explained the meeting went very well with a number of industry friendly amendments being made. He stated some of the work completed including establishing the "core" states where Vv. Efforts will be concentrated, the methodology for calculating an illness rate, how reductions in Vv. Illnesses will be measured and achieved, a review of the science behind the 40/60% illness reduction goals, post harvest treatment option for oysters, post harvest treatment (PHT) workshops throughout the Gulf region, PHT demonstration projects, PHT market studies, and conducting self-life studies on PHT products. He stated the next committee meeting is tentatively scheduled for April 22-25, 2001, in Biloxi, MS when the Gulf and South Atlantic ISSC Regional Meeting is scheduled. He said he felt everyone was very cooperative. He stated much more cooperative than they were at the annual meeting. Mr. Mahan stated the major change concerned the 40/60% illness reduction goal is not a for sure thing right now. He said they are going to have a statistician review the proposal and if the statistician decides it is an unreasonable expectation then it would be adjusted. He stated, at the annual conference, this was not even a negotiable issue, but it is now.

He explained they have also decided that if an individual state meets their own illness reduction requirement then that state would not be punished if the other states did not meet their reduction requirement. He said this would allow a state-by-state review of the reduction goals and not group all of the states together. He informed the Board he thought the meeting went well.

(Tape 1-199) He reminded the Board the Draft Florida Vv. Illness Reduction Plan was released by FDACS to the public on December 11, 2000 for their review. He also reminded the Board about the workshop scheduled for tonight in the Courthouse from 7:00 p.m. until 9:00 p.m. He said this would be the forum for people to address their concerns and questions. He explained the ISSC Plan, depending on what the ISSC adopts, could replace the Florida Vv. Plan. He said the Florida Plan is probably as industry friendly a plan as could be worked out. He stated the state couldn't override what the ISSC requires.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-239) Mr. Chipman informed the Board he hired Ronnie Dean to fill the vacant position at the Road Department.

(Tape 1-250) He asked the Board for permission to advertise for the new vacancy at the Road Department. He informed the Board the County Attorney, Mr. Shuler, had authorized him to advertise this vacancy due to the resignation of a county employee, Don Wilson. Commissioner Sanders made a **motion authorizing Mr. Chipman to advertise for the vacant position at the Road Department.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-260) He said he would also like permission to auction off approximately seventeen items at the Road Department. He explained the items were old and mostly junk, but he wanted to see if they could be sold. Commissioner Mosconis made a **motion authorizing Mr. Chipman to conduct an auction to sell approximately seventeen items.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis instructed Mr. Chipman to meet with Mr. Shuler so he could help with the advertisement, etc. requirements for auctioning County property. Alan Pierce, Director of Administrative Services, suggested Mr. Chipman contact the Sheriff's Department to see if they had anything they would like to add to the auction. He stated they could probably schedule one for the same time. He said at the very least they are more experienced with the advertisement, etc. requirements.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-294) Mr. Johnson informed the Board that at their December 5, 2000 meeting the Board authorized him to seek bids for structural repairs of the Air Curtain Incinerator at the Landfill. He explained he asked the County Engineer, David Kennedy, to inspect the unit and assist with the bid specifications for the advertisement. He stated after Mr. Kennedy inspected the unit he stated the Landfill would not get any long-term usage from repairing the old unit. He said Mr. Kennedy recommended replacing the unit. He stated it was his understanding a company, Whitton Technology, Palm City, Florida, sells

portable Air Curtain Incinerators which are permitted by DEP. He said a lowboy trailer could transport such a portable unit to areas of the County experiencing a large amount of downed trees in the aftermath of a storm. He stated the company is a sole source supplier of this type of incinerator to the Federal Government. He said the company would be delivering one of these units to Orange Beach, Alabama on January 30, 2001. He asked for permission to go to Alabama to look at the equipment so he could make an informed recommendation to the Board. Commissioner Putnal made a **motion authorizing the payment of travel expenses to Orange Beach, Alabama on January 30, 2001 for Van Johnson for the purpose of inspecting the Portable Air Curtain Incinerator.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-353) Mr. Johnson reported he had the Playground Surfacing Grant Agreement for the Chairman's signature. He explained the grant is in the amount of \$4,000.00 and is between the Florida DEP and the Board. He said the purpose of the grant is to improve playground safety and to promote waste tire recycling in Florida. He stated the application was approved by the Board on July 5, 2000 so no further action needed to be taken this morning.

(Tape 1-370) Mr. Pierce said there were several people here this morning, Jack Dodds, John Collins, and a few other people to express or ask the Board for their help this morning with a situation involving tipping fees at the Landfill. He said DEP officials have been citing debris haulers for operating illegal landfills. He explained most of the contractors haul their construction debris to their own property where it is collected until they get enough to burn. He stated DEP has cited these contractors for doing this. He informed the Board they felt they could not afford the tipping fees at the Landfill and they were here today to ask the Board to lower the tipping fee. Mr. Johnson presented a Yard Trash Tonnage and Tipping Fee Summary. He said the result, if adopted, would be an increase in revenue due to the anticipated increase in volume. He stated, as a rule, high volume landfills generally have lower tipping fees. He explained the contractors are estimating they will haul approximately 100-200 loads of land clearing debris per month. He said that would be an estimated increase of 460-920 tons. He stated most of the yard trash collected comes from contractors and waste haulers, and the current policy is not to allow them to dump free on Amnesty Days, unless it is personal debris. Mr. Dodd, a local contractor, said he was here to at least ask the Board to have a workshop or meeting with them to discuss this problem. Commissioner Putnal said he would volunteer to be the Board's representative at the meeting. Commissioner Mosconis asked Mr. Johnson if he wanted to go ahead and implement these new tipping fees. Mr. Johnson replied he would like to see them implemented today. Commissioner Mosconis said then he would make a **motion implementing the proposed tipping fees for Yard Trash at \$22.50 per ton (a reduction from \$45.00 a ton).** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-617) Commissioner Sanders thanked Mr. Johnson for attending the meeting in Lanark Village the other night. She said they certainly appreciated it. Mr. Johnson stated he enjoyed their company.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-633) Mr. Pierce said Mark Kelley, Sverdrup Engineering, the engineering firm overseeing the construction of the SGI Bridge, is here this morning. He explained Sverdrup is proposing to construct a storm water retention pond on property owned by Couch Ready Mix USA for the purpose of providing storm water treatment for parts of Ridge and Wilderness Roads and the County has agreed to maintain the facility. He informed the Board the County Attorney has approved the agreement. He said this agreement gives the County the right to go onto the property and maintain the pond. He asked the Board to adopt the Drainage Easement between Couch Ready Mix USA and Franklin County. Commissioner Putnal made a **motion adopting a Drainage Easement between Couch Ready Mix USA and Franklin County for the purpose of providing storm water treatment for parts of Ridge and Wilderness Roads in Eastpoint.**

Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce asked Mr. Kelley to update the Board on the progress of the new SGI Bridge. Mr. Kelly said all of the permits were received January 2, 2001 and that day they started work. He stated they are putting the detours in place and as soon as they are complete they will swap traffic over to the detour. He stated they have started permanent piling placement. He said they are taking a lot of local job applications. Commissioner Mosconis asked him where they are taking applications. Mr. Kelley replied at their field office right at the bottom of the bridge near Eastpoint.

(Tape 1-867) Mr. Pierce presented a copy of a letter written for Dr. Junejo and Chairman Creamer inviting the Governor to a dedication of the Franklin County Public Health Unit building in Apalachicola. He said because the preferred date of February 13th is so close to the start of the legislature, the Governor and other state officials cannot attend. He informed the Board Dr. Junejo is in agreement to reschedule the dedication for some time after the legislative session, probably in May. Commissioner Mosconis said he had been thinking about naming the building. He suggested the building be named after Ms. Wall, a nurse for many, many years at the Health Department. He said she was a real dedicated public servant. Chairman Creamer stated he discussed this same thing with Mr. Pierce. He said he felt Dr. Junejo had worked extra, extra hard for this building and she was the one who actually put this plan together. He stated there is a lot of people the building could be named after. He said he would be afraid to name it and risk insulting someone. Commissioner Sanders and Mr. Pierce said there was plenty of time to name the building if the Board so desired.

(Tape 1-942) Chairman Creamer said he would now ask Mr. Pierce to interrupt his report so the public hearings could be conducted.

PUBLIC HEARINGS-LAND USE AND REZONING REQUESTS

(Tape 1-945) Mr. Pierce said all of the following rezoning and land use changes have been recommended by the Planning and Zoning Commission except the first one as it was the first one initiated by the County Commission in order to make the County's adopted definition of wetland the same as the more recently adopted State definition. He said he is, at this time, unable to explain what impact changing the definition of wetlands the County recognizes will have on property owners. He said he was unable to arrange for some experts on wetlands to be here today. He read the following into the record; the

proposal to change Policy 3.1 by changing the statute referenced and so Policy 3.1 reads development of environmentally sensitive lands is prohibited, environmentally sensitive lands is defined as wetlands and all land within fifty feet landward of wetlands. Wetlands are defined now after the change as defined in Florida Statute 373.019(22) and Chapter 62.340 of the Florida Administrative Code. He said in the absence of wetlands the landward extent would be determined by approximate ordinary high water or mean high water. So all the County will be changing in the policy would be the Florida Statute citation. His hesitation to talk about this morning is that Mr. Shuler has made some effort to understand and present to the Board what this change would mean. I cannot tell you this morning what it means as far as impact to private property owners. Commissioner Putnal said no one else could tell you what a wetland is. Commissioner Mosconis said he would make a **motion to table this issue or discussion until February 20, 2001 at 9:30 a.m. so Mr. Pierce could better prepare and invite some experts in the wetland field to the meeting.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

APPLICANT-WILLIAM WELLS

(Tape 1-1083) Mr. Pierce said the first land use and rezoning change to be considered was submitted by William Wells. He read the following into the record; The property contains 237 acres and Mr. Wells has requested the parcel be changed from A-2, Agriculture at a density of one unit per 40 acres to R-6, Rural Residential at one unit per 10 acres. Several years ago the Board considered this same change and turned it down for fear of how many other parcels may request a similar change. The State has now bought a significant amount of the land in this area. All the roads are private. R-6 does allow mobile homes so there is no assurance houses will be built in this area. Land use is from Agriculture to Rural Residential, the zoning is from A-2 to R-6. This is a large-scale change and this hearing is a transmittal hearing and if approved by the Board will be sent to DCA for comment. It will then return to the Board with DCA comments and the Board will then have the option of adopting with the comments, not adopting at all, or trying to negotiate a settlement of the comments. Mr. Wells said all of the roads are private roads owned by the Homeowners Association. He said he is going to place 85 acres into preservation land. He stated he would also require, through deed restrictions, that houses be built on the property along the river, which consists of 7 or 8 lots. After discussion Commissioner Sanders made a **motion to transmit this large-scale land use change to DCA for comment as requested by the owner William Wells.**

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

APPLICANT-BEN WATKINS

(Tape 1-1761) Mr. Pierce read the following into the record; Ben Watkins is requesting a land use and rezoning change on 9.9 acres from A-2 to R-2 in the Ridge Road area of Eastpoint. The Board actually agreed to schedule this in October, but I failed to have it advertised for public hearing. Land use is from Agriculture to Residential. Zoning is from A-2 to R-2. This is a small land use change, and this is the only hearing there will be. After no one voiced opposition to these changes Commissioner Williams made a **motion approving a land use change as requested by Ben Watkins for 9.9 acres in the Ridge Road area of Eastpoint from Agriculture to Residential.** Commissioner

Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Williams made a **motion approving a rezoning as requested by Ben Watkins for 9.9 acres in the Ridge Road area of Eastpoint from A-2 to R-2.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

APPLICANT-ROBERT LAYTON

(Tape 1-1837) Mr. Pierce read the following into the record; Mr. Layton is requesting a land use and rezoning change on 7.2 acres of land for the purpose of building one house. The land is adjacent to land owned by Ms. Freda White, on the New River. The change is from A-2 to R-3, which is the zoning district with a density of one unit per five acres, houses only. This is a small-scale land use change, and this is the only hearing. Land use is from Agriculture to Residential, Zoning is from A-2 to R-3. After no one voice opposition to these changes Commissioner Sanders made a **motion approving a land use change as request by Robert Layton for 7.2 acres from Agriculture to Residential.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Sanders made a **motion approving a rezoning request as requested by Robert Layton for 7.2 acres from A-2 to R-3.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

APPLICANT-ERNEST JOHNSTON

(Tape 1-1878) Mr. Pierce read the following into the record; Mr. Johnston is requesting a zoning change from C-2 to C-4, Commercial Mixed-Use. The property is located on the beach in the commercial district on SGI, specifically, Lots 42-46, Block 10 West, Unit 5, SGI. The property currently has a building on it; leased as a restaurant, know as Finni's. Mr. Johnston does not anticipate any immediate change on the property, but is looking out for future uses. The Board has previously approved all C-4 zoning requests that have been made on SGI. Tom Adams, SGI, asked if this zoning change would permit "skinny minis". Mr. Pierce replied yes it would, but they were also known as Shotgun Houses. Commissioner Mosconis said this little zone brought in a lot of tax revenue for Franklin County. He asked Mr. Adams if he realized how much. Mr. Adams replied he wanted this to be perfectly clear that this kind of house would be allowed. Chairman Creamer said he wanted to think about this request and consider it further. He said he wanted to look at the property. Commissioner Putnal said he would make a **motion to table this request submitted by Ernest Johnston until February 20, 2001 at 9:45 a.m.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

APPLICANT-BARRY POOLE

(Tape 1-2026 Continued on Tape 2) Mr. Pierce read the following into the record; Mr. Poole is requesting a zoning change on Alligator Point from C-3 to Alligator Point Marina Planned Unit Development. The property to be changed is Lots 46, 47, 51 and 52 and Lots 48A, 49A, and 50A parts of which are north of County Road 370 of the Alligator Point Subdivision. There are letters on file for and against the project. He submitted the letters for the Board record at this time. The impact of the request is to replace the existing 50-foot dry storage building with a 48-foot dry storage building, and replace the existing RV campground with 31 condominiums. He presented the Board with a site plan at this time. The benefit to the rezoning is that it would remove the threat

of an RV campground from the neighbors, and it would replace the old dry storage building. The detriment of the rezoning is that it is unknown how much traffic the project will create in a residential setting, and how much trespassing will occur by users of the Marina as they try to get to the beach by crossing private property. Mr. Pierce read the names of the citizens who sent letters both for and against the project. Commissioner Putnal expressed his concerns over the sewage and parking problems this project may cause. Commissioner Sanders asked if this land was just under contract or if Mr. Poole actually owned the property at this time. Mr. Poole addressed the Board at this time and said the property is now under contract contingent on this project being approved. Mr. Pierce read the allowable uses for the property under its current zoning of C-3. Ms. Bunky Atkinson, Alligator Point Taxpayers Association, said they have 381 members and they conducted a straw poll regarding the project at the meeting in December. She stated there was no opposition at that meeting. Mr. Robert Brooks, a resident of Alligator Point, expressed his concerns about the project; the shape of the roads, noise, people crossing their property, etc. He said he is against the project. After discussion Commissioner Sanders made a **motion to amend the Franklin County Zoning Code to create the Alligator Point Planned Unit Development (PUD) District and applying this PUD to Lots 46, 47, 51 and 52 and Lots 48A, 49A and 50A parts of which are north of County Road 370 of the Alligator Point Subdivision.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce assured the Board the developer of this project would have to strictly adhere to the PUD site plan, with 29 units, as submitted.

ALAN PIERCE-CONTINUED

(Tape 2-148) Mr. Pierce asked the Board for permission to reduce the Franklin County Health Department budget by \$5,000.00 to pay for Mr. Hollenbeck's trailer to be moved. He reminded the Board of the past discussions about moving Mr. Hollenbeck's trailer into his mobile home park in Eastpoint. He stated Dr. Junejo is aware of this action by the Board and does not object. Commissioner Mosconis made a **motion authorizing the reduction of the Franklin County Health Department by \$5,000.00 to pay for moving Mr. Hollenbeck's trailer.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he again wanted to direct Mr. Pierce to work some kind of procedure out with the Health Department so this will never happen again.

(Tape 2-232) He informed the Board the FDOT grant to place sidewalks in Eastpoint has been approved, and Mark Curenton has an organizational meeting with Mr. Dexter Gortemoller, of the engineering firm Post, Buckley, Schuh and Jernigan, who are going to be the engineers on the project. He said the sidewalk project was the County's top priority for ISTEAF funding. He stated the other two projects were sidewalks from the Apalachicola city limits to Ned Porter Park and Phase III of the bike path on SGI. He stated it is unknown at this time if the other two projects will be funded.

(Tape 2-260) He said our new Representative Will Kendrick met with Mr. Ed Prescott, FDOT, last week, and out of the meeting Mr. Jerry Obert, FDOT, called him Friday and asked him that since FDOT had closed their yard/office in Carrabelle would the County

be interested in leasing that property from the Governor and Cabinet for \$300.00 per year. He said the site is approximately 2.2 acres on US 98, with a fenced equipment yard. He explained with additional agreements between the County and the Governor and Cabinet, the County should be able to build a County annex on this site and not have to purchase any property in Carrabelle. He asked the Board for direction in this matter. Commissioner Sanders and Mr. Wade said they thought this was a good idea.

Commissioner Williams made a **motion authorizing Mr. Pierce to pursue a lease from FDOT for their yard/office in Carrabelle.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-292) He announced the County's annual Legislative Delegation Meeting was scheduled for January 22, 2001 at 6:00 p.m. He asked the Board to give him their priorities to present to the Delegation on Monday. He suggested one issue the Board might want to discuss is to request changing the language in Chapter 597.020 of the Florida Statutes which DACS is currently using to threaten oyster houses with fines of up to \$1,000.00 a day for violations they discover during the random inspections of oyster houses. Commissioner Mosconis said he did want that matter discussed and presented to the Delegation. He made a **motion directing Mr. Pierce to prepare a letter informing the Legislative Delegation the County is against these fines being imposed.**

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

Commissioner Sanders said another top priority should be the prison in Carrabelle.

Chairman Creamer said he wanted an appointment made with the Lt. Governor to let him know exactly how important this prison is to Franklin County. Chairman Creamer said he knew there were approximately 100 to 125 graduates this year from Franklin County schools with absolutely no jobs to go to. Commissioner Mosconis said he would make a **motion directing Mr. Pierce to schedule a meeting with the Lt. Governor to discuss the importance of this prison to Franklin County.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Commissioner Williams said he wanted a Resolution of Appreciation for Representative Kendrick ready to present him at this meeting. Commissioner Williams then made a **motion approving and adopting a Resolution of Appreciation for Representative Will Kendrick.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Wade said he wanted the Board to remember discussing Article V funding for Franklin County. Mr. Pierce said he too wanted to ask for funding for a boat ramp on SGI on State property. He also said he wanted to ask the Delegation to support the extension of payment-in-lieu of taxes program. He explained currently the legislation has a cap of ten years on payments. He said Franklin County is in its 7th year of receiving payments. He stated this year the County would receive over \$160,000.00 for the County Commission and a similar amount for the School Board for the land bought to create Tate's Hell State Forest. He said when this funding ends, it will have to be replaced by local tax dollars and that is not fair to the County. Commissioner Mosconis said he wanted a historic grant for the old jail at the back of the Courthouse.

(Tape 2-520) He showed the new "Beach Access" signs DEP provided the SGI Civic Club at no costs. He said the signs were requested by the Civic Club. He asked for

Board approval to place these signs at street ends so people will know how to get down to the beach. No action was taken on this matter.

(Tape 2-600) Mr. Pierce said he sent Mr. Larry Troy, SGI resident, a letter regarding his fence, which he encouraged Mr. Troy to put up to provide a barrier between him and his neighbor. He said the neighbor, John Andrews is complaining about the height of the fence and that it blocks his view of the sunsets. He said Mr. Troy and Mr. Andrews are present at the meeting this morning. Mr. Pierce stated he went out to measure the fence and discovered the fence was too long, but not too high. He said there have been a lot of complaints between these two neighbors and he thought the fence would alleviate some of these problems. He said this matter has been discussed several times with the Board before. He stated the fence extends into the right-of-way of Sawyer Street about 16 feet. He said there are other fences in right-of-ways on SGI, but he could not give approval for these to be built or stay in right-of-ways. Chairman Creamer said he wanted to inform Mr. Andrews and Mr. Troy he was going to allow each of them to speak, but he did not want them interrupting each other. Mr. Andrews presented some photographs showing the fence to the Board. He said the red line on the photos show by how much they are losing their view of the Bay. He stated he is objecting to the height because you cannot see the horizon or the water. He said he is losing 16 feet of view. He said the fence also encroaches on the County right-of-way by 16 feet. Commissioner Putnal asked Mr. Shuler if the Board can tell someone they couldn't build a fence on their property. Mr. Shuler replied he was not sure he would have to do some research on this particular matter. Chairman Creamer said he didn't think the issue was the fence it was the height of the fence. Mr. Andrews said the height of the fence in most places are 9 feet 2 inches. He stated he saw Mr. Troy building the fence and called the Planning Office. He said he asked the lady who answered the phone if there was a restrictions as far as building one, and there was a limit of 8 feet for the height of the fence. He said he asked her if she was sure and after checking again she stated 8 feet was the limit. He stated he came to the Planning Office and talked to the lady personally about the fence height. He stated he was told again the fence couldn't be any higher than 8 feet. Mr. Larry Troy said he spent a lot of money on this fence. He presented photographs of his house, the street, etc. He said the fence is 8 feet and built off the ground to follow the contour of the land. After further discussion and no resolution was being reached Commissioner Putnal said he was going to make a **motion instructing the County Attorney to research this matter, meet with Mr. Pierce and come back to the Board with some suggestions or recommendations to see how this problem could possibly be resolved.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Mr. Troy said he would bring his attorney when he came back.

(Tape 2-1121) He asked for Board action to approve the request for payment in lieu of taxes prepared by Mark Curenton. He explained by signing the document the County Commission will receive \$162,433.93 in payments from the land the State purchased in Franklin County. He said the same amount was received last year since the State did not purchase any more land in the County in the year 2000. He stated this is the 7th year Franklin County has received a payment. Commissioner Williams made a **motion authorizing the Chairman's signature on the Application of Payment in Lieu of**

Taxes in the amount of \$162,433.93. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1150) He asked the Board to approve the agreement between the County and Water Management Services of SGI for water for the new SGI County Park. He explained the water usage calculated by the County engineering firm, our agreement would call for a connection larger than a standard residential house, with a tap fee of \$2,698.58. He stated because the public would have access to this water it must come from a DEP certified provider, therefore the County cannot dig a well. Commissioner Mosconis said he thought this amount was entirely too high and instructed Mr. Pierce to contact the owner of the water company, Gene Brown, and try to negotiate the price with him. Mr. Pierce assured the Commissioners he would call Mr. Brown about this matter.

(Tape 2-1206) He informed the Board the County is eligible to receive an additional \$1,354.00 in reallocated emergency management funds from the State. He said he needed Board action to accept these funds and put them in the emergency management budget. Commissioner Putnal made a **motion to accept an additional \$1,354.00 in reallocated emergency management funds from the State for he Emergency Management Budget.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1218) He presented the 2000 End of the Year Building Report. He said the year 2000 was a very busy year; all aspects of construction were up. He informed the Board the significant number was a big increase in new homes, with the County permitting 102 houses in 1999 and 125 houses in the year 2000. He reported the fees collected went from \$157,208.57 in 1999 to \$205,264.00 in 2000.

(Tape 2-1240) He presented a copy of the mitigation approved by the Airport Committee for mitigating impacts to wetlands on the new Apalachicola Airport Access Road. He said the Board needs to take action on the mitigation proposal also. He explained the proposal to the USCOE will be to enhance wetlands 1-4, and add 4 culverts under Brownsville Road to help with drainage between the 2-wetland areas. He stated since the USCOE has damaged wetland #1, it is possible no work will be done in that area, and no culverts installed, but we will have to see what the DEP makes the USCOE do. He said if the Board approves this plan today Charles Chase, Preble-Rish, would submit it to the USCOE. Commissioner Mosconis made a **motion adopting the mitigation proposal for the mitigating impacts to wetlands on the new Apalachicola Airport Access Road.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said then the Board needs to give him some direction on contracting with Charles Chase, Preble-Rish, to monitor negotiations between DEP and USCOE on damage USCOE did to wetland #1 when they were dredging the Two Mile Channel. He said the USCOE will have to clean up the property along Brownsville Road somehow, and then depending on what DEP agrees to USCOE may have to do some other wetland mitigation for the County. Commissioner Mosconis made a **motion to enter into a contract with Preble-Rish to monitor negotiations between DEP and USCOE on**

damage USCOE did to wetland #1 during the dredging of the Two-Mile Channel.
Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1381) Mr. Pierce presented the Board a basic site plan for the County Judicial Annex/County Commission Meeting Room/County Office space. He said the building is approximately 8,000 square feet, with a central meeting room and offices around the perimeter. He informed the Board this building was very similar to the new building in Gulf County. He explained he is going to enlarge the central meeting room and eliminate 2 of the offices, which would also make the building more handicap accessible. He asked the Board if they would like to adopt this site plan this morning. He said he just wanted the Board to know an 8,000 square foot building would set on the property with ample parking spaces. Mr. Wade said he would encourage the Board to adopt this plan so it can be sent to the Office of the State Courts Administrator. He stated this would allow the County to continue receiving the Article V funds since the County is going to use these funds to build this building. Commissioner Putnal made a **motion adopting the preliminary site plan for the new County Judicial Annex/County Commission Meeting Room/County Office space.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1573) He presented the parking plan for 2 blocks of Gulf Beach Drive right-of-way as suggested by Resort Realty, SGI. He said this would be public parking, built by the County, but the material would be furnished and paid for by Resort Realty. He informed the Board current dangerous parking in that area should be eliminated. He explained the area would then become a storm water swale area.

(Tape 2-1625) Mr. Pierce said the Planning and Zoning Commission met in regular session on January 9, 2001 and recommends the following action; Approval for Richard Wood to construct a private dock on Lot 1, Block 5, Carrabelle River Subdivision. All State and Federal permits have been issued. Commissioner Putnal made a **motion approving a private dock for Richard Wood.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Approval for John Davis to construct a pier and boardwalk on Lot 17, Schooner Landing Subdivision. Although this lot fronts Sikes Cut, P&Z approval of the pier and boardwalk are similar to what has previously been approved. Commissioner Sanders made a **motion approving a pier and boardwalk for John Davis.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for John Horan to construct a private dock and boatlift on Lot 81, East Bay Estates, Eastpoint. All State and Federal permits have been issued. Commissioner Putnal made a **motion approving a private dock and boatlift for John Horan.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Approval of a site plan for Bill and Carol Robinson to locate a miniature putt-putt golf course on property located on Highway 98 in Eastpoint, at the location of Dr. Gross's office. The putt-putt is all synthetic turf so no chemicals will be used. Commissioner Mosconis made a **motion approving a site plan for Bill and Carol Robinson for a miniature putt-putt golf course in Eastpoint.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Approval of the final plat of Golden Acres Subdivision, a 4 lot subdivision on C. C. Land Road in Eastpoint. Commissioner Sanders

made a **motion approving the final plat of Golden Acres Subdivision in Eastpoint.**

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

Approval of a sketch-preliminary plat of Sandbar Pointe Subdivision, a 15 lot subdivision on a 23 acre parcel owned by Jimmy Waddell on the Apalachicola River, north of Apalachicola. The subdivision will conform to the rules of the S-1 Cluster Development and has already received approval from the Board of Adjustment. The approval needs to be contingent on the property being rezoned from R-4, Home Industry, to R-1, Single Family Home. The cluster concept is allowed in R-1 but is not listed in R-4. Board action is needed to approve the sketch-preliminary plat of Sandbar Pointe and to set a public hearing for the rezoning matter. Commissioner Mosconis made a **motion**

approving a sketch-preliminary plat of Sandbar Pointe and directing Mr. Pierce to schedule a public hearing to consider the rezoning matter. Commissioner Williams

seconded the motion. All for. **MOTION CARRIED.** Authorization for the scheduling of a public hearing to consider a rezoning request submitted by Mr. Joyner for a parcel of land next to the Old Crews Quarters on Alligator Point. Mr. Joyner is the applicant and landowner and is requesting the property be rezoned to allow him to operate a home industry associated with the clam aquaculture program slated for Alligator Harbor. Mr. Joyner is planning on growing clam seeds for use in the aquaculture project. The rezoning would be from R-1, Single Family, to R-4, Home Industry. Commissioner Sanders made a **motion authorizing the scheduling of a public hearing to consider a rezoning request submitted by Mr. Joyner for a parcel of land next to the Old Crews Quarters on Alligator Point from R-1 to R-4.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Approval of the sketch-preliminary plat of Clipper Bay Subdivision, an 8-lot cluster on Tract 47, East End, SGI. The P& Z Commission and the BOA has approved this project. Commissioner Sanders made a **motion approving the sketch-preliminary plat of Clipper Bay Subdivision on SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1884) Mr. Pierce said Ms. Shirley Walker, SHIP Administrator, asked him to give the Board an update on the status of the SHIP Program. He stated there is \$350,000.00 a year allocated to Franklin County for the Program, \$35,000.00 is for administrative costs leaving approximately \$315,000.00 for programs. He listed the programs and how much money remains in each program as follows; the Rehabilitation Program has a balance of \$12,452.00; the Down Payment Assistance Program has a balance of \$30,000.00; the Emergency Assistance Program has a balance of \$8,285.09; and the New Construction Program has a balance of \$7,000.00. He explained the new funds for the program would be sent to the County in October. He read the following letter from Ms. Walker to him into the record; This is in regards to our conversation over the phone today January 11, 2001. The homes of Ms. Marie Rochelle and Ms. Louise Richardson were destroyed by fire during the Christmas holidays. They were recipients of funds from the SHIP Program. They will need further assistance so they can return to their homes. Ms. Rochelle has insurance, but not enough to complete her home. Ms. Richardson has insurance, but it will not cover the repairs on her home either. These ladies are senior citizens and living in their homes along with their caregivers. Please present these cases to the Commissioners on their behalf. Maybe we could use some of the recapture money for these repairs. Thank you for your assistance in this matter.

Commissioner Sanders said she received a letter from Mr. Dustin Martina needing some down payment assistance from the SHIP Program. She asked the other Commissioners if they had received a letter as well. They replied they had. She asked Mr. Pierce to consult with Ms. Walker about this matter. Commissioner Williams said he had already spoken to Ms. Walker about the letter. He stated she informed him she would be glad to help Mr. Martina, but he would have wait in line. He said there are applicants ahead of him. Commissioner Putnal said he did not want to interfere with the operation of the SHIP Program. Chairman Creamer asked Mr. Pierce to contact Mr. Martina after the Board meeting. Mr. Pierce assured the Board he would meet with Mr. Martina and advise him of what he needed to do.

DR. MINIAT

(Tape 2-2027) Mr. Wade said Dr. Miniat would like to address the Board this morning. Dr. Miniat stated he wanted to request the use of the old Health Department Building next to the hospital. He stated he is separating from Centennial HealthCare, but he has attempted to stay in the office he is currently in with Dr. Nichols. He said they have promised him this could be done, but they have delayed time and time again. He stated he needs to set up his medical office and must meet certain medical criteria. He informed the Board he has some property and he is in the process of seeking the necessary permits to start construction of an office. Commissioner Mosconis asked Dr. Miniat how long he would need to use the building. Dr. Miniat replied he didn't know exactly how long it would take. He said he does want to stay in this area to practice medicine however it has been hard to find a building to lease or rent. He informed the Board he has approximately 2 months left on his contract with Centennial. Chairman Creamer, Commissioner Sanders, and Commissioner Williams said they thought it was a great idea. Chairman Creamer said he knew the Board had attempted to work with the hospital for a diagnostic center to be started in the old health department building. He stated he felt the Board needed to revoke that permission and work with Dr. Miniat. He said he also knew the ambulance crew was already in the building. Dr. Miniat said he is hopeful that he can work with the diagnostic center. He stated he helps the hospital in the Emergency Room and with the ambulance service. Commissioner Mosconis made a **motion directing Mr. Pierce to work with Dr. Miniat in acquiring space at the old Health Department building for his medical office.** Commissioner Putnal stated that since this was the County's building would the Commissioners be able to lease the building. Mr. Shuler replied as far as he knew it would be permissible. He said he would also check into this question for the Board. Dr. Miniat said Dr. Junejo, FCPHU, actually made the suggestion to him about asking the Board for permission to use the building. He said Centennial has worked very hard to keep the ALS ambulances up and running. He stated it had been a group effort. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

KENDALL WADE-CLERK

(Tape 2-2223) Mr. Wade said he wanted to inform the Board they are now receiving the Florida Fish and Wildlife Conservation Commission Meeting agendas and minutes. He reminded the Board they had requested FWC send an agenda and minutes so the Commissioners could keep on top of new regulations, etc.

(Tape 2-2244) He presented the Board with a Certificate of Appreciation for the County's participation in the 2000 Census.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-2314) Mr. Shuler said the final paperwork has been received and he is now placing the Special Warranty Deed and the title policy for the Amerigas property in Lanark Village in the Board file. He stated the deed has been recorded in the public records.

(Tape 2-2325) He stated he has reviewed the Verified Complaint filed by the River Keepers. He explained there are 3 basic options the Commissioners have, one would be to attempt to take action that would satisfy the River Keepers and the other complainants which would destroy the St. James Bay Development, second the Board could simply let the time to file an answer pass, or thirdly notify the River Keepers the County has no intention to take any action on the Verified Complaint. He said that is what he is going to recommend to the Board this morning. Commissioner Putnal said he would make a **motion to take the recommendation of the County Attorney and authorize him to notify the Plaintiffs, the River Keepers, the County will not be taking any action on the Verified Complaint.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Ms. Freda White, St. James Bay, thanked the Board for their action this morning. She asked the Board to notify her if her legal council could assist Mr. Shuler with any legal proceedings.

(Tape 2-2410) Mr. Pierce asked about the Court Order regarding the Old Officers Club in Lanark Village. Mr. Shuler reported the County had received an Order in the Franklin County versus Panacea Fishing Lodge, Inc. lawsuit in favor of the County. He explained they have until February 5, 2001 to complete the demolition of the Old Officers Club in Lanark Village. He said he was informed by the Defendants they have a contract with a company to do the work. Commissioner Sanders added that they have started tearing down the building. She said she wanted to convey the residents of Lanark Villages thanks to the Board for the final solution to this ongoing problem.

(Tape 2-2481) Commissioner Putnal said he would like to thank Mr. Shuler for coming to the Board Meeting this morning in his time of grief. He stated he really appreciated it. Mr. Wade asked the Board if they wanted to direct him to order him some flowers for the funeral of Mr. Shuler's son. Commissioner Sanders made a **motion authorizing Mr. Wade to order flowers for the funeral of Mr. Shuler's son.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler thanked the Board.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD
THE MEETING WAS ADJOURNED.**

Eddie Creamer

EDDIE CREAMER, CHAIRMAN

Kendall Wade

KENDALL WADE, CLERK