

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
DECEMBER 5, 2000**

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

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

(Tape 1-28) Commissioner Putnal made a **motion approving the minutes of the meetings held on November 7, 2000 and November 21, 2000.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-32) Commissioner Sanders made a **motion to approve payment of the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-37) Chairman Williams said he attended the Franklin County Senior Citizens Appreciation celebration in Carrabelle Thursday. He stated Commissioners Sanders and Putnal were there as well. He presented the plaque the Board of County Commissioners was given at the celebration. Kendall Wade, Clerk, read the plaque into the record: For your contribution to service excellence-Franklin County Board of County Commissioners-November 30, 2000.

(Tape 1-52) Chairman Williams informed the Board he had received a telephone call from Ms. Cherry Rankin, President of the Franklin County Senior Citizens Executive Board. He said the Board had agreed to ask Ms. Shirley Walker, SHIP Coordinator, to come to a Board meeting to address the complaints about the SHIP Program. He stated Ms. Rankin told him the SHIP contract is with the Franklin County Senior Citizens Center and if the Board wants someone to come answer questions then they should ask someone from the Executive Board.

APPOINTMENT OF NEW CHAIRMAN

(Tape 1-66) Chairman Williams said he would entertain a motion for Chairman. Commissioner Putnal said he thought Chairman Williams had done an excellent job as Chairman. He stated Commissioner Creamer and Commissioner Sanders have expressed an interest in becoming Chairman. He said he would make a **motion nominating Commissioner Creamer as Chairman of the Franklin County Board of County Commissioners.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** He said he felt they should rotate into the Chairmanship. Commissioner Putnal said he would also make a **motion nominating Commissioner Sanders as Vice-Chairman to the Franklin County Board of County Commissioners.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** At this time Chairman Creamer took the gavel to finish conducting the meeting. Mr. Wade said he thought Chairman Williams had done an excellent job as Chairman. Commissioner Sanders said

she too thought Chairman Williams had done an outstanding job as Chairman and has represented Franklin County well.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-121) Mr. Pierce said he wanted to bring something up that was not on the Agenda. He stated he would like to discuss removal of the debris, from the old Carrabelle Library, situation this morning. He said Ms. Mary Ann Shields and Eileen Annie were here to represent the Library Board. He explained the building was demolished at a cost of \$1,500.00, which was paid for by the Friends of the Library. He said the County was going to accept the debris for the Landfill, but after further inspection of the actual debris it was decided the material does not meet the needs of the County. He stated the material cannot be used to build roads, etc. as well as the volume being a lot more than was anticipated. He said he discussed the possibility of the County contributing some money, in lieu of having to take the material to the Landfill, to the Friends of the Library for the debris removal. He stated he, Hubert Chipman, Superintendent of Public Works, and Van Johnson, Solid Waste Director, decided it would be in the County's best interest to assist the Friends of the Library in having the debris removed. He presented a proposal from Jimmy Crowder Excavating and Land Clearing, Inc., with 2 options on it. He suggested the Board advise the Friends of the Library to accept Option 2-Demolition and removal of debris hauled to Tallahassee in the amount of \$35,000.00. He said Option 1-Demolition and removal of debris to County Landfill in the amount of \$28,000.00 was \$7,000.00 less, but the debris would have to be stored at the Landfill, which is exactly what the County didn't want in the first place. He stated, in the long run, it would be cheaper for the County to fund the \$7,000.00 difference and have the debris taken to Tallahassee. He said the only concern he had about this proposal was if it included removal of the concrete slab. He stated it was not clear if the slab was included in these prices. Chairman Creamer said the Board could go ahead and approve the expenditure of \$7,000.00 for the project contingent on the concrete slab removal being included in the Option 2 price. Mr. Pierce said the debris needed to be removed as soon as possible. Commissioner Putnal made a **motion authorizing the expenditure of \$7,000.00, Reserve for Contingencies, for debris removal at the Old Carrabelle Gym-Carrabelle Library as requested by the Friends of the Library.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said if the slab was not included in this price then they would have to negotiate with Mr. Jimmy Crowder, the president of the company.

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-250) Mr. Mahan updated the Board on the FAMU 4-H Agent Interviews. He said on November 28th the Franklin and Gulf County Extension Directors interviewed 3 applicants for the multi-county FAMU 4-H position. He stated all 3 applicants interviewed very well and the ranking of the candidates has been submitted to FAMU Extension for further consideration. He said he has located an office for the agent to use at the Apalachicola Airport where his office is located.

(Tape 1-317) He said he attended the Aquaculture Best Management Practices Workshop on November 29th put on by Scott Nelson, Environmental Specialist with

DACS' Bureau of Aquaculture Development at the UF Aquaculture Farm in Blountstown. He said the workshop was very informative and the new state BMP guidelines for both freshwater and marine aquaculture were reviewed. He said he attached the Best Management Practice for Bivalve Aquaculture to his report for the Commissioners.

(Tape 1-337) He announced the Department of Agriculture and Consumer Services would be holding a public workshop on December 11, 2000 from 6:00 p.m. to 8:00 p.m. at the Apalachicola National Estuarine Research Reserve to receive comments from the public regarding the proposed development of a clam aquaculture use area in Alligator Harbor. He stated the proposed action includes developing a high-density aquaculture lease on state-owned submerged lands that will be subdivided into individual lease parcels.

(Tape 1-351) He said the draft Florida Vv. Risk Management Plan has been finalized and will be released on December 11th. He explained DACS, at this time, is working on scheduling 4 public workshops around the state in order to receive public comments on the plan. He stated, as of today, it looks like the workshops will be held sometime in January in Milton, Apalachicola, Cedar Key, and Marineland. He informed the Board a copy of the draft and/or additional information about the draft plan can be obtained from David Heil, DACS, 850-488-5471 or from his office at the Apalachicola Airport, 653-9337 beginning December 11, 2000.

(Tape 1-391) He said he was informed yesterday the ISSC has tentatively scheduled a meeting of the Vibrio Vulnificus Subcommittee in Biloxi, MS for January 9-10, 2001. He explained the committee is being asked to draft the ISSC's Vv. Risk Management Plan to be implemented by the next conference.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-454) Mr. Chipman said he didn't have anything requiring Board attention this morning. He stated everything seemed to be going pretty smooth. He informed the Board he had already received the new Caterpillar 950 Loader.

(Tape 1-464) Commissioner Sanders congratulated Mr. Chipman on his recent marriage.

DEWITT POLOUS-MOSQUITO CONTROL DIRECTOR

(Tape 1-474) Mr. Pierce informed the Board Mr. Polous had never officially been named the Mosquito Control Director. He asked the Board to do this at this time.

Commissioner Mosconis made a **motion naming DeWitt Polous the Franklin County Mosquito Control Director.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-485) Mr. Polous asked the Board to allow him to hire a person to fill his vacancy. He said the full-time position would be 50-50, Road Department and Mosquito Control. Commissioner Putnal made a **motion authorizing the advertisement of the**

full-time vacancy in Mosquito Control. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-526) Mr. Johnson said the Air Curtain Incinerator at the Landfill is in need of some major structural repairs. He informed the Board over the past 12 years the County has kept the incinerator going by making small repairs as needed. He explained the time has come to completely overhaul the unit. He stated all of the panels need to be rebuilt with new steel and replaced with firebricks. He said he has 2 estimates from local welders of \$15,000.00 to \$20,000.00. He explained the incinerator is an integral component of the Solid Waste Management in Franklin County, consuming approximately 3,500 tons of yard waste annually. He requested the Board authorize him to advertise bids for this project. Commissioner Sanders made a **motion authorizing the advertisement of bids for the complete overhaul of the Air Curtain Incinerator at the Franklin County Landfill.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-572) He also asked the Board to approve the advertisement of bids for 4 new open top containers for cardboard recycling. He said these containers would be paid for through the Recycling Grant. Commissioner Sanders made a **motion authorizing Mr. Johnson to advertise bids for 4 new open top containers for cardboard recycling.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-583) Commissioner Sanders asked if Mr. Johnson or Mr. Pierce had heard anything about the land acquisition for a Carrabelle Sports Complex. Mr. Pierce replied an answer would not be forthcoming for a while. He explained the request had to be approved by the Legislature and that may take some time.

ADOPTION AND PRESENTATION OF CIVIL AIR PATROL PROCLAMATION

(Tape 1-608) Chairman Creamer read the Civil Air Patrol Proclamation designating the week of December 1, 2000 Civil Air Patrol Week in observance of their 59th anniversary into the record. He asked if anyone from the Civil Air Patrol was here to accept the Proclamation. Ted Mosteller said he would accept the Proclamation. Commissioner Mosconis made a **motion authorizing the Chairman to sign the Civil Air Patrol Proclamation declaring the week of December 1, 2000 Civil Air Patrol Week in observance of their 59th anniversary.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Mr. Mosteller thanked the Board and the people of Franklin County. He said anyone interested in supporting and working with the Civil Air Patrol could contact him.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-740) Mr. Pierce said he had a short report this morning. He asked the Board to appoint 2 members to represent the County at the Small County Coalition, and 1 County staff person to serve as contact for the Board. Commissioner Putnal made a **motion appointing Commissioners Sanders and Williams and Alan Pierce to represent the**

County in Small County Coalition matters. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-804) Commissioner Sanders said she would like for the County to attend the Franklin County Legislative day. Mr. Wade said for the last few years Franklin County has had a joint day with Wakulla County.

(Tape 1-833) Mr. Pierce presented the completed Boating and Angling Guide to Apalachicola Bay. He said they would be distributed to marinas, the Tax Collector's Office, State and County entities, etc. for citizens to pick up. He stated the guide was funded through a grant and prepared by the Apalachicola National Estuarine Research Reserve.

(Tape 1-865) He informed the Board he has been trying to reach Mr. Randy Harrelson, Lanark Village, regarding compliance with the Lanark Village Nuisance Ordinance. He said his efforts have been in vain so he would like guidance from the Board on what they want done next. He stated this individual does automotive and motorcycle repairs out of his unit at Lanark Village. Mr. Pierce stated he had sent him a certified letter regarding the complaints. Commissioner Sanders said she would like to talk to Mr. Harrelson if she could locate him before the County moved forward with legal proceedings.

(Tape 1-895) Mr. Pierce said the Planning and Zoning Commission did not want to meet in December for just 3 dock permit requests. He stated they did meet by telephone and recommend the following action by the Commissioners: Approval for Margaret McCranie to construct a private dock on the SGI side of Dog Island all State and Federal permits have been received. Commissioner Putnal asked Mr. Pierce if this wasn't under the Dog Island Conversation District's jurisdiction. Mr. Pierce replied he really didn't know since he didn't have the exact lot number. Commissioner Putnal said he wanted to be sure before a permit was issued. Mr. Pierce said he would check and come back with the request. Approval for Tom Edwards to construct a private dock on a lot on Fiesta Drive on Alligator Point. Commissioner Sanders made a **motion approving the construction of a private dock for Tom Edwards.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Richard Bernhard to construct a private dock on Lot 9, Block 81, Unit 5, SGI. Commissioner Sanders made a **motion approving the construction of a private dock for Richard Bernhard.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-952) Mr. Pierce asked Mr. Shuler if he was going to discuss the water issue on SGI. Mr. Shuler replied he was and would go ahead and discuss the matter. He explained a public water district would be able to purchase or condemn the assets of the present private water company on SGI. He stated this could be accomplished by enlarging the Eastpoint Water and Sewer District (EW&SD) or a new water district could be formed for SGI. He said when he discussed it with Mr. Harper, SGI Civic Club; he informed him his preference would be to enlarge the EW&SD, which is already a public entity. He said the EP&SD was formed by an act of the Legislature, but there is another District on the West end of SGI; the SGI Water District which is inactive. He said that

district only covers the SGI Plantation. He continued to explain that whatever was decided it was going to be an expensive endeavor. He said condemnation suits can be very expensive with the County having to pay all of the costs involved. Barbara Sanders, attorney and SGI resident, said she would like to address the Board this morning regarding this issue. Ms. Sanders stated the issue of condemnation should be separated from the issue of whether or not to form a new water district for the Island. She explained if the district is formed then the district would take over the regulation of the utility, which may stay under private ownership. She said establishment of the district would be step one; and as she understands, representatives from the Island have spoken to representatives from EW&SD and they are interested in enlarging their district to include the Island. She stated if that governing body is formed then whatever expenses of condemnation are incurred will be paid by that district and would never be a County obligation. She explained the expenses would be paid from the revenues of the new district. Chairman Creamer said then the residents of Eastpoint would have an increase in their utility bills. He stated he didn't think it would be fair for them to have to pay for the infrastructure for the Island. Ms. Sanders said ultimately there would be a sharing of expenses and profits. She stated this is something that will have to be considered if the EW&SD wants to merge SGI into their district. Bob Harper stated Bill Hess, President of the Plantation Homeowners Association, is checking into the status of the water district for the Plantation. He said questions about the cost effectiveness of the project will have to be answered. He stated EW&SD is interested because it would triple the size of their district. Commissioner Mosconis said he is concerned about deadlines to even apply for establishment of a district. Mr. Shuler said some districts are established by the Legislature and some by a Special Act. He stated there are strict deadlines regarding these applications. Discussion continued. Mr. Shuler said he would continue to check into this matter. Ms. Sanders said she would like to thank the Board for considering these possibilities for the Island.

(Tape 1-1872) Mr. Pierce said he would like to report that the impact of changing the new clerical position in the Planning and Zoning Office from \$13,560.00 annually to \$16,000.00 annually, including benefits, is \$2,920.00. He said since this position is half funded by a grant through the Federal Emergency Management Program, the County needs to fund only \$1,460.00, which needs to be transferred from Reserve for Contingency since he did not budget a salary change in the new budget. Commissioner Mosconis made a **motion authorizing transferring \$1,460.00 from Reserve for Contingencies into the Planning and Zoning Budget to implement the newly adopted salary levels for the new clerical position in Planning and Zoning.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1899) He informed the Board he will be consulting with Mr. Shuler regarding some information provided to him by Tom Adams, SGI. He said Mr. Adams has received a copy of a letter from DEP to Mr. David Wilder, Vice-President, SGI Utility, LLC, Tallahassee, Florida, indicating Mr. Wilder's application for a Resort Village sewage treatment plant is incomplete. He said he would seek Mr. Shuler's advice on whether such a situation should warrant the County issuing a stop-work order on the sewage treatment plant permit the County issued 2 weeks ago.

(Tape 1-1925) He submitted a copy of a request sent to DEP on the Stormwater Revolving Loan Program. He said he went ahead and submitted the paperwork since the deadline was December 8, 2000. He stated he worked with the County Engineer and they arrived at a cost of approximately 10 million dollars to complete the Stormwater projects in Lanark Village, Eastpoint, and SGI. He said the estimated completion date of the project is the year 2005.

(Tape 1-1973) He reported that both Robin Brinkley and Rachel Ward are making progress in their certification. He said Ms. Ward has passed both parts of the Building Inspectors Examination so she is now a licensed Building Inspector, and Mr. Brinkley has passed the second half of his Building Official's test. He said they both have one more general test to take in December.

(Tape 1-1988) He said he has been contacted by Resort Realty on SGI regarding improving the parking within the right-of-way of Gulf Beach Drive. He said the access will not be off of Gulf Beach Drive, but from 1st, 2nd, and 3rd Streets to create a parking lot running parallel to Gulf Beach Drive. He stated the parking lot is a good idea and would create 50 to 120 extra parking places on the Island. He explained Resort Realty is interested in funding a portion of the project. He said he has the County Engineer looking over the proposal. Commissioner Putnal asked if the bike path would have to be crossed. Mr. Pierce replied yes off 1st, 2nd, and 3rd Streets. He said they would use the paved streets to cross it.

KENDALL WADE-CLERK OF COURTS

(Tape 1-2064) Mr. Wade said his office was notified by Pat Thomas Insurance, the County's insurance carrier, that an amendment to the present liability insurance policy would cost approximately \$9,989.00. He stated this is what Mr. Shuler recommended concerning the Sheriff's Contingent Liability. Mr. Wade said the matter would not have to be advertised for bids since this would just be a rider on the County's current policy. Commissioner Mosconis asked why the County needed additional coverage. Mr. Shuler replied the County was involved in litigation at the present time regarding a matter the Sheriff was sued over. He said if someone sues the Sheriff they always want to join the County in the lawsuit even though the County doesn't have anything to do with the Sheriff's Department. He stated the County always defends itself by filing a motion stating the Sheriff is an elected official and the Commissioners or County is not his boss. He said the County shouldn't be held liable, but the Federal Courts have kept the County in the lawsuit. Commissioner Mosconis said he thought the insurance could be bought cheaper from another agency. He stated he also thought it might be cheaper to add this rider onto the policy on the renewal date of the policy in November. He instructed Mr. Shuler to check with other insurance companies for prices and to check and see if the premium could be reduced by adding this rider on the renewal date of the policy in November.

(Tape 1-2322) Mr. Wade reported the Worker's Compensation case with the Library employee had been settled. He asked the Board to approve a Budget Amendment to

cover the settlement of the case in the amount of \$54,736.00. He explained the settlement was for \$88,000.00 all of which was budgeted except \$54,736.00.

Commissioner Williams made a **motion to amend the budget by: increasing the line item 001.20.511.4901, WC Obligations/Julia C. Gay by \$54,736.00 and decreasing line item 001.99.584.9600, Reserve for Contingencies by \$54,736.00.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2352) Commissioner Putnal asked Mr. Wade or Mr. Shuler if they had heard anything about being reimbursed for these settlements by the Worker's Compensation Insurance Group, GRIT that had declared bankruptcy. Mr. Shuler replied he will file this additional claim with the Bankruptcy Court. He said it will be part of the litigation the County has hired Attorney Pat Floyd to represent them in. He stated there is a possibility the County may get some of the money back it has paid to settle these compensation claims.

(Tape 1-2547) Mr. Wade said he would like to address the bonds for the Commissioners. He stated every 4 years the Commissioners have to be bonded. He said he thought this was a waste of taxpayer's money since the reason for the bond was to cover the Commissioners if they handled money. He stated he would recommend the bonds not be renewed. Commissioner Mosconis said the Legislature doesn't require the bonds now, but it used to. Mr. Wade agreed. Commissioner Putnal made a **motion on Mr. Wade's recommendation to not renew the bonds for the County Commissioners.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2615) He informed the Board the CAP Office has moved to the Old Health Department Building at 137 12th Street in Apalachicola.

FAMU MARINE SCIENCE AND AQUACULTURE CENTER PROPOSAL

(Tape 1-2681) Dr. Eva Wanton introduced Dr. Larry Robinson, FAMU Environmental Sciences Program Director and stated he would be conducting the discussion this morning. Dr. Robinson said he had visited and talked with many of the members of the Commission. He stated back in April they presented the idea of FAMU establishing a center for Marine Science and Aquaculture in Apalachicola. He explained the whole idea was to have a physical facility here that would allow both education, economic development, etc. associated with the center. He said they have been working with a number of colleagues who are in attendance this morning. He introduced the following people to the audience and Commissioners: Dr. Eva Wanton, Associate Vice-President of Academic Affairs and International Programs; Dr. Bobby Fields, Dean of the Colleges of Engineering, Sciences, Technology, and Agriculture; Dr. Arthur C. Washington, Dean of the College of Arts and Sciences; Dr. Lawrence Carter, Associate Dean of the College of Agricultural Sciences and Engineering; Dr. Harold Daniels, a visiting professor from the National Park Service of the Environmental Science Institute; Mr. Joseph Jones, Administrative Assistant to Dr. Wanton; Mr. David Vause, President of Administration; Mr. Tom Daggart, Assistant Director of Facilities-Planning and Construction. He continued to update the Board on the progress of the FAMU center. He asked the Board for a Resolution of Support for the project. He said the proposal has been submitted to

the Florida Board of Regents. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a Resolution supporting the proposed FAMU Center for Marine Science and Aquaculture in Apalachicola.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

ALFRED SHULER-COUNTY ATTORNEY

(Tape 1-3320) Mr. Shuler reported on the Worker's Compensation Settlement Case he just discussed with the Board. He said the WC Judge has signed the agreement and approved the settlement.

(Tape 1-3378) He said he talked to the attorney for Panacea Fishing Lodge, owners of the Lanark Village Old Officers Club, about the lawsuit. He stated there is a possibility they may go ahead and tear the old building down. He said the hearing has been scheduled for January 4, 2001.

(Tape 1-3408) He informed the Board he has been working on the Beach Driving Ordinance. He stated the Judge has dismissed the case against Ben Withers for driving on the beach at Dog Island. He said partly because the State has passed a law, since the County's ordinance was enacted, which conflicts with the County ordinance. He stated he is probably going to recommend the Board except from the County ordinance all of the areas subject to State Statute that regulates driving on the beaches and dunes. He said that would remove Dog Island, SGI, and Alligator Point currently regulated by the State. He stated then the County Ordinance would only apply to interior areas such as St. Teresa Beach, and a few other beaches that are not coastal beaches.

(Tape 1-3505) He said he has prepared a contract for fire services between the County and the Dog Island Volunteer Fire Department.

(Tape 1-3520) He stated he has been in contact with Craig McMillan, Pat Thomas Insurance Agency, about the school bus use during emergencies issue. He said the School Board Attorney, Barbara Sanders, now agrees school bus use during emergency situations are covered by their insurance.

(Tape 1-3555) He said he has researched the Clustering Concept discussed at the last meeting. He stated he would report in detail when the matter is brought back before the Board for discussion. He said when the County allows clustering it is done for the reason of making the best use of the land with the least impact on the environment. He stated some of the regulations such as set backs, lot dimensions, etc. are necessarily amended or changed when a cluster development is considered. He said if all of the usual rules are followed there would not be any clustering. He stated he would discuss this matter further at the appropriate time.

PUBLIC HEARING-ST. JAMES BAY

(Tape 1-3630 Continued on Tape 2 and Tape 3) Mr. Pierce suggested the Board adjourn and reconvene in the Courtroom to accommodate the audience. At this time, 10:31 a.m., the meeting was adjourned to the Courtroom. At 10:45 a.m. the meeting was reconvened

FCBCC MINUTES-DECEMBER 5, 2000

in the Courtroom. Chairman Creamer said he wanted everyone, when they speak, to identify themselves for the record. Mr. Pierce asked anyone who wanted to speak to fill out a speaker's card so they could be called to the podium to speak. Chairman Creamer said he would like to keep everyone's comments to 3 to 4 minutes. Mr. Pierce appeared before the Board at this time to inform the Board there are 3 things to be considered today at this public hearing. He said they are as follows: the St. James Bay Development Order, the St. James Bay Land-Use change, Public Facilities to Mixed Use Residential, and the St. James Bay Zoning PUD, for this parcel of land containing 378 acres. He said these documents have been reviewed and approved by DCA and ARPC. He presented several letters about the project, from the 1,000 Friends of Florida, from DCA and ARPC. He said the main concern reflected in these letters is the 50-foot setback guidelines as established by policy in the Comprehensive Plan. He explained the project has a 25-foot setback from a different defined wetland line. Commissioner Putnal asked if the changes requested by DCA and ARPC had been addressed and corrected. Mr. Pierce replied the developers have met all of the requirements and made the necessary changes and therefore DCA and ARPC have approved the project. Mr. Pierce said no inconsistencies in the Comprehensive Plan were singled out. He said in 1989 the County adopted a setback to protect wetlands since we were a County designated as an area of critical State concern. He explained the County did not choose to define wetlands, but County adopted the State definition. He said sometime around 1994 the State changed their definition of a wetland and the County did not formally change the Comp Plan, therefore it did not apply to Franklin County. He stated a newer definition came into place and he understood the definition was broader in scope. He said he thought the change mostly affected vegetation, adding more plant species. He stated he admits the County never changed the Comp Plan to include these changes and the County has operated under the old definition of wetlands and allows a 50-foot setback. He informed the Board the developer of this project can meet the 50-foot setback using the old definition, but the problem is the old rule isn't legal anymore since DEP changed the rule. He said they can meet a 25-foot setback under the new rule. He stated the County has never changed the old definition and his opinion is that the County still follows the old definition or rule, therefore meeting the setback requirements. Mr. Pierce asked the Board to remember this property already had a large development on it, Anneewakee/Inner Harbor Hospital. He said there are already man made wetlands on the property created when the buildings were constructed or developed. Steve Lewis, attorney for the developers of St. James Bay, appeared before the Board to inform the Board about the entire development. He said they expect a build out in approximately 8 years. The following people appeared before the Board to voice their opposition to the project: Bill Hartley, Apalachicola Bay and River Keepers (ABARK), Lee Edminston, Apalachicola Estuarine Reserve, Andy Smith, attorney for ABARK, Helge Swanson, President, Swanson & Associates, Inc., Willard Vinson, Franklin County Seafood Workers Association, Penny Pennington, Quincy, Florida, Bruce Hall, Apalachicola, and Tom Adams, SGI. The following people appeared before the Board to voice their support of the project: Andy Barth, Certified Wetland Delineator, Dr. Bud Smart, Audubon International, Warren Roddenberry, Carrabelle, Rhonda Skipper, Carrabelle, Jack Prophater, SGI, and the one of the developers Freda White. Dr. Bud Smart, Director, Environmental Planning, Audubon International, appeared before the Board to inform them the developers have applied and

will become an Audubon certified golf course. He explained they will have to meet strict guidelines regarding, herbicides, pesticides, etc. He said they conduct inspections and the golf course could lose their certification at any time they do not meet the rigorous standards imposed on them. He presented a package of information and examples of golf courses throughout the Country they have certified. He said when they lose their certification Audubon International notifies the local press and anyone else they feel needs to be notified. He informed the Board this is a voluntary action. After a lengthy presentation and further discussion Commissioner Sanders said she felt like this was a good project and if it wasn't she didn't think these professionals would be conforming to whatever they are asked to do. She asked Mr. Shuler what his final opinion was. Mr. Shuler replied that it appeared from the evidence that has been presented there is sufficient evidence to entitle the Board to conclude that the 3 proposed ordinances are in compliance with the Franklin County Comprehensive Plan. Commissioner Sanders said, with that, she had served on the Commission for 2 years and everybody knows she is against most golf courses. She stated she would never do anything that she felt would damage the natural resources, especially the oyster industry, in Franklin County. She said she would make a **motion adopting the Land**

Use change as requested for the St. James Bay Development, 378 acres in Section 5, T7S, R3W, and Section 32, T6S, R3W to be changed from Public Facilities to Mixed-Use Residential. Commissioner Williams seconded the motion. All for.

MOTION CARRIED. Commissioner Sanders made a **motion adopting the Zoning change as requested for the St. James Bay Development, 378 acres in Sections 5 and 4, T7S, R3W, and Section 32, T6S, R3W from Z-1 Public Facilities, R-1 Single Family Residential and C-2 Commercial Business to St. James PUD.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Sanders made a **motion to adopt the St. James Development Order.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 3-1323) Commissioner Mosconis said he wanted Mr. Pierce to begin the procedure of bringing the Franklin County Comprehensive Plan into compliance with the State definition of wetlands and any other changes that need to be made to the Comp Plan. Mr. Pierce said he thought it was appropriate for the County to begin this process. Commissioner Putnal said he still wanted the Commissioners to be able to consider these projects on a case-by-case basis. He stated he felt the Commission had more control over the developers under the current Comp Plan. Commissioner Mosconis said he would make a **motion directing Mr. Pierce to transmit a proposal to DCA to amend the Franklin County Comprehensive Plan to correct several problems.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

ALFRED SHULER-COUNTY ATTORNEY

(Tape 3-1494) Mr. Shuler said he had prepared the Dog Island Volunteer Fire Department MSBU Contract with the County. He said the Fire Services Contract for Dog Island was for the period October 1, 2000 to November 30, 2001. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Fire Services Contract for Dog Island-MSBU for the period October 1, 2000 to November 30, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

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

Eddie Creamer EDDIE CREAMER, CHAIRMAN

Kendall Wade KENDALL WADE, CLERK