

BOARD OF COUNTY COMMISSIONERS
Washington County, Florida
Board Meeting
1331 South Blvd., Chipley, FL 32428

DISTRICT 1 Alan Bush	DISTRICT 2 Charles Kent	DISTRICT 3 Tray Hawkins Chairman	DISTRICT 4 Todd Abbott Vice-Chairman	DISTRICT 5 Steve Joyner
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I. PROCLAMATION

- A. Call to Order – Chairman Hawkins
- B. Invocation/Pledge – Jeff Massey offered the invocation, which was followed by the pledge.

The Washington County Board of County Commissioners met for a board meeting at 9:00 a.m., on Thursday, April 26, 2018.

Present were Chairman Hawkins, Vice-Chairman Abbott, and Commissioners Kent, and Joyner. Also present were Jeff Massey, County Administrator, Attorney Milton, Fuqua, Milton, & Carter, PA – County Attorney, Lora C. Bell, Clerk, and Risha Brantley, Deputy Clerk.

Commissioner Bush was not present.

II. PUBLIC HEARINGS

- Wireless Communication Tower for Coral Towers, near intersection of Gap Boulevard & Deltona Boulevard – Steve Cramer, Planner updated the board on the application submitted by Coral Towers, LLC, agent Mattania Jahn, Attorney. The property owner is Miranda Litton. It is 265 acres, which runs on Deltona Boulevard which runs north and south. Gap Boulevard runs east and west. The property is currently heavy vegetated. An application for a communication tower and variance for a landscape buffer has been requested due to the vegetation on the property.

The tower is 260', compound 100 x 100, and the access easement is 20' wide. The request is for an antenna with four carriers and for county emergency services.

A description of the requested tower and tower location has been reviewed.

Adjacent property owners have been notified and advertisements have been placed in the local newspaper.

At the community meeting held February 13, concern was expressed in regards to the lighting of the tower.

The applicant has agreed to use red lighting to minimize illumination in the neighborhood.

The following special exceptions have to be met before approval:

1. Trip generation
2. Ingress and Egress
3. Utilities
4. Screening and buffering
5. Signs and exterior lighting
6. Yards and setback
7. Drainage
8. Water Quality
9. Visual Appearance
10. Impact on environmentally sensitive land
11. Noise
12. Air quality
13. Compatibility with the neighborhood

Staff has determined that the location meets the setback requirements, the standards for special exceptions have been met, and the variance to waive the landscape buffer has been met due to vegetation on the property.

The planning commission recommends approval with the following three conditions.

- Letter from the Water Management District in regards to drainage on the property
- Landscape buffer shall be installed if the vegetation on the property is cleared
- Red lighting to minimize illumination

The staff agrees with the recommendation.

Mattaniah Jahn, 800 Tarpon Woods Boulevard, Suite E-1, Palm Harbor, Florida 34685 addressed the board on behalf of Coral Towers and EarthCam in regards to staff and planning recommendations of approval for a 264' lattice style communication tower, to be developed on parcel 00000000-00-0568-0000.

The application being addressed is a variance and a special exception.

The property is agriculture/silviculture, in which communication towers are allowable as a type 10 special exception.

The board was provided an aerial view of the property, which displayed the heavy vegetation, and the location of the lattice (southwest corner).

For record purposes, a commitment has been made to use red lighting. Generally, the lens design of those lights point upward, not down.

The setbacks for agriculture/silviculture have been exceeded. The lattice will be designed by the latest version of the Florida Building Code. Fall zone technology will be employed as well.

A variance on the type c. landscape buffer is being requested due to existing vegetation around the lattice.

A view of the vegetation was displayed.

The DRC hearing was held on February 13, 2018, in which red lighting was agreed to.

A storm water permit is currently out for review by the state, documentation has been submitted from US Fish and Wildlife Service that no endangered species will be impacted, and a note requiring the general contractor to repair any damage that may be caused during construction has been included to the plans.

For record purposes, they agree with staff's proposed conditions of approval.

Attorney Jahn updated the board in reference to the neighborhood information meeting held on February 13. One person expressed concern about the lighting.

In regard to this concern, a commitment to red lighting has been made which was forwarded to Steve Cramer, Planner.

The planning commission provided unanimous approval on March 6, 2018.

Highlights for conditions of approval were documented.

Commissioner Hawkins questioned, when the variance is done for the vegetation if in the future, the property were developed that would be the concern of the property owner to install it at that time.

Steve Cramer advised that is correct.

Commissioner Kent questioned how many towers they had been approved for as well as the start date on erecting the tower being discussed.

Attorney Jahn advised that he does not believe that Coral Towers has any other towers in the county. These towers are for EarthCam.

After going through the building permit process, which normally takes 4 – 6 weeks, construction follows estimated around three months.

Steve Cramer advised the board that is covered by the development order; final step is for one year.

Commissioner Hawkins advised the board that the comp plan allows the ability to have tower space on any tower that is erected in Washington County.

Steve Cramer confirmed that is correct; it is a code requirement. The space is at no cost to the county.

Public Hearing Closed – Commissioner Hawkins

Public Hearing Opened – Commissioner Hawkins

- Wireless Communication Tower for Coral Towers on West Side of SR 77 – Steve Cramer, Planner addressed the board in regards to an application received from Coral Towers, LLC, Agent Attorney Mattaniah Jahn, and property owners, Sharon and Donald Harold.

The parcel is 10 acres, lease parcel 0.2 of an acre, and the existing vegetation is heavy wooded vegetation.

A display of the property was shown.

The application is for a special exception for the tower use and a variance to waive the buffer requirement on the east side only of the compound with the vegetation that remains on the property.

The tower is 260' with a 100 x 100' compound, access easement, 20' width, and four carriers with county emergency services as well.

There is an existing driveway approved by the Department of Transportation for which a permit has been obtained.

A diagram was presented to show the setback distances. It is 177' to the Harold's property (the piece to the west), 265' to the north, 265' to SR 77, and more than 1,000' to the property line to the south.

The hearing was notified by mail, property signs, and newspaper advertisements.

A neighborhood meeting was held on February 13, with concern from a neighbor being the location of the tower being inappropriate to his property.

There are standards for special exceptions, which are as follows:

1. Trip generation
2. Ingress and egress
3. Utilities
4. Screening and buffering
5. Signs and lighting
6. Setbacks
7. Drainage
8. Water quality
9. Visual appearance
10. Impact on environmental land
11. Noise
12. Air quality
13. Neighborhood compatibility

Staff believes all setback requirements meet the standards to special exception, and the variance for one side of the compound not having landscaping does meet the standards as well.

The planning commission recommended approval with the following four conditions as listed below:

1. Letter from Water Management District in regards to drainage
2. Driveway permit from the Department of Transportation
3. Fence (this has been removed by the applicant because it is no longer applicable)
4. Red lighting

Conditions remaining are one and four.

The permit from the Department of Transportation has been received, and the vinyl fence (staff did not support a vinyl fence once the plans were received last week). It was not appropriate to take hedges and put a PVC fence up in place of a hedge. That part was withdrawn.

Mattaniah Jahn, 800 Tarpon Woods Boulevard, Suite E-1, Palm Harbor, Florida 34685 addressed the board in reference to staff and commission recommendations of approval for a 260' tall lattice style communication tower to be built on parcel, 00000000-00-0644-0001 on the west side of SR 77, .6 miles of Clayton Road.

The application is for the special exception for the tower and the variance to the landscape buffer to the east only.

The parcel is agriculture/silviculture, in which the code allows for communication towers as a type 10 special exception.

Attorney Jahn went over a display of the property.

The lattice is being closed by a 100 x 100 compound 6' chain link fence with three strands of bob wire on all sides.

The anchor tenant for the site is EarthCam (wireless internet company).

Applications have been received from AT&T and Verizon.

The FFA determination has been received identifying no hazards to air navigation. Lighting has been provided under federal regulations. The use of red lighting has been approved and committed.

For record purposes, they agree with the staff's conditions of approval.

A neighborhood meeting was held February 13, 2018.

Mr. Register expressed concern about a portion of the tower breaking off the lattice and flying on to his land.

The lattice will be designed to meet the latest edition of the Florida Building Code. In the event it did come down it would be within the lease compound.

There is existing vegetation off-site around the parent parcel.

March 26, 2018 unanimous recommendation was received from the planning commission.

Attorney Mattaniah went over the listed special exception criteria.

Attorney Mattaniah advised the board that Mr. Register (neighbor) expressed concern about something coming off of the lattice and visibility.

Commissioner Abbott addressed Attorney Mattaniah with the concern of lighting and property value decreasing that he had received from a citizen.

Attorney Mattaniah addressed Commissioner Abbott. He has reports for another tower site that was zoned last year in which the property value was not affected. The property appraiser did not find any change in the property values before and after the tower.

Commissioner Abbott questioned if there is an alarm system; is there a silent alarm.

The project manager (*no name was given*) agreed.

Commissioner Kent questioned why the tower was not located closer to the entrance.

Attorney Mattaniah advised that he does not know.

Commissioner Kent suggested that moving the tower closer to the main entrance 100' south might alleviate concerns that have been relayed to him.

Attorney Jahn advised that if the tower were to be moved at this point the federal environmental review and the federal approvals would have to be redone, which would delay the deployment of the tower, as well as delay the coverage for EarthCam, AT&T, and Verizon.

Attorney Milton advised the board that he does not believe they would have grounds to deny the request based on the applicant meeting all the exceptions.

R.D. Easterling, 2641 Hwy. 77, expressed concern about the location of the tower lowering his property value.

Chairman Hawkins advised the only variance that is being addressed at this meeting is the variance on the shrubbery style and the special exception of the allowable use. The board does not have the authority to direct where the tower is located on the site.

Public Hearing Closed – Commissioner Hawkins

Chairman Hawkins opened the public hearing for the following:

- Future Land Use Map Amendment – S R 77, Arnold Property – Steve Cramer addressed the board in reference to a small-scale future land use map amendment for the Arnold property located at 1500 Peel Road.

In 2016, the board adopted a commercial intent overlay district on S R 77 to encourage economic development. At that time, the property owners were given the opportunity to participate in the overlay as commercial property.

A commitment was given to revisit this once a year to give the remaining property owners the opportunity to participate.

Staff petitioned the board with the request for agriculture to commercial be consistent with the commercial intent overlay district.

The hearing was notified by mail, signage on the property, and via the newspaper.

The neighbors met on March 20, with two attendees showing support.

The planning commission and staff recommend approval.

Public Hearing Closed - Chairman Hawkins

Chairman Hawkins opened the public hearing for the following:

- Future Land Use Map Amendment – Douglas Ferry Road, Cleveland Property

– Steve Cramer, Planner addressed the board in reference to a land use map amendment/small scale on the Cleveland property located on Douglas Ferry Road. This petition is similar to the previous one.

An overlay district was adopted in 2016 for the purpose of economic development.

Staff recommends the property be changed from agricultural to general commercial, in order to be consistent with the overlay district.

Notification was provided by sending a letter to the adjacent property owner(s), signs on the property, advertisements in the newspaper, and a neighborhood meeting held March 20, with the two citizens supporting the amendment.

The planning commission and staff recommend approval.

Chairman Hawkins closed the public hearing and reopened the regular meeting.

III. ADOPT THE AGENDA

- Additions – Wheeler Contract – Chairman Hawkins

Commissioner Abbott offered a motion, seconded by Commissioner Kent and carried to approve the agenda.

IV. ADOPT PREVIOUS MINUTES

- April 18, 2018 Board Meeting

Commissioner Kent offered a motion, seconded by Commissioner Abbott and carried to adopt the minutes for April 18, 2018.

V. NON-AGENDA AUDIENCE - Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.” Each individual shall have three (3) minutes to speak on the proposition before the Board.

VI. AGENDA ITEMS

- Wireless Communication Tower for Coral Towers, near intersection of Gap Boulevard and Deltona Boulevard – Steve Cramer

Steve Cramer advised the board that there are conditions of approval in the staff report that staff recommends the board adopt, which are located on page 5.

- Red lighting
- Letter from Water Management District
- Buffer be replaced if the vegetation is cleared from the property

Commissioner Abbott offered a motion, seconded by Commissioner Joyner, and carried to approve the special exception and variance with the conditions listed above.

- Wireless Communication Tower for Coral Towers on West Side of S R 77 – Steve Cramer, Planner advised the board there are two petitions for approval, which are the special exception for tower use and the variance for the east side of the compound.

The planning commission and staff recommend approval with the following two conditions:

- Water Management District letter
- Utilization of red lighting on the tower

Commissioner Joyner offered a motion, seconded by Commissioner Kent and carried to approve the special exception and variance with the two conditions listed in the staff report based on legal counsel.

- Future Land Use Map Amendment – SR 77, Arnold Property – Steve Cramer, Planner advised the board staff recommends approval of the future land use map amendment.

Commissioner Abbott offered a motion, seconded by Commissioner Joyner and carried to approve the future land use map amendment for SR 77, Arnold Property.

- Future Land Use Map Amendment – Douglas Ferry Road, Cleveland Property – Steve Cramer updated the board. The property is 10-acres of land located on Douglas Ferry Road and is part of the overlay district.

The planning commission and staff recommend approval to change the land use to commercial.

Commissioner Abbott offered a motion, seconded by Commissioner Kent and carried to approve the land use map amendment located on Douglas Ferry Road, Cleveland Property to commercial.

Chairman Hawkins called a recess from 9:46 a.m. – 10:00 a.m.

- Wheeler Contract – Chairman Hawkins suggested the Wheeler contract be

revisited for a one-year term, allowing the contract to end 2019.

Attorney Milton clarified with the board that the original contract was for 32-months with an expiration date of April 22, 2018.

Commissioner Abbott offered a motion, seconded by Commissioner Joyner and carried to approve the Wheeler Emergency contract for an additional 12-month period.

The expiration date will be April 22, 2019.

VII. COUNTY ENGINEER

VIII. PUBLIC WORKS SUPERVISOR – Commissioner Abbott questioned if the county was maintaining Ovid Road.

Johnny Evans advised yes.

In previous years, a lawsuit allowed Mr. Pitts to put poles up along the edge of the road, which made the width an estimated 14'/16'. On that end, there are drainage issues that they are unable to attend. The water coming from his fields run down the road; ditches cannot be pulled. The road is on the maintenance list to cut back brush. Dirt has been hauled to the location but the flow of the water from the fields washes it away.

Commissioner Abbott updated the board. The county is under a judge's order to maintain.

IX. COUNTY ADMINISTRATOR – Jeff Massey, Administrator updated the board.
- Kent Road – Property owners on the south end have made concessions

making the project more favorable. The monies will be addressed on the south end of the road.

- Orange Hill – The mixer was used on 3/10 of a mile toward the inter-section of Quail Hollow. It has been rolled and packed. County Engineer Knauer will be doing a density test on the area.

Johnny Evans advised that the drainage pipes were in stock for the location.

County Engineer Knauer advised the board that the survey crew is scheduled to stake out the right-of-way and the centerline elevation next week. The inverts are also being staked out for the drainage pipes.

Southeastern Earth Science will be doing the LBR.

- Sunny Hills Fountain Restoration – County Administrator Massey updated the board. At the MSBU meeting held on Tuesday, April 23 the MSBU Board passed to proceed with the Sunny Hills Fountain restoration and the electronic sign at the entrance.

The proposals to repair the fountain range from \$9,000.00 - \$12,000.00.

Commissioner Abbott offered a motion, seconded for discussion by Commissioner Joyner to approve of spending up to \$15,000.00 on the fountain restoration at the Sunny Hills entrance.

Commissioner Joyner expressed concern in reference to ongoing maintenance.

Chairman Hawkins advised that is a consideration for MSBU.

The motion carried unanimously.

County Administrator Massey advised the board that the MSBU board voted to purchase a sign at the entrance, not to exceed \$30,000.00.

Commissioner Abbott offered a motion, seconded by Commissioner Joyner and carried to approve of the purchase of an electronic sign at the entrance of Sunny Hills, not to exceed \$30,000.00 paid for by MSBU.

Chairman Hawkins asked for an update on an MSBU coordinator.

Gary Hartman advised there was discussion at the most recent MSBU meeting that will continue at the following meeting.

Chairman Hawkins advised that he would like the topic on the next MSBU agenda.

County Administrator Massey updated the board in reference to IT services. They are currently set up with a help desk, and 90% of issues can be corrected remotely. The network cleanup, and back up stabilization should be complete by June.

Funds that were previously used on a phone maintenance agreement will be used toward the IT expense. The company also maintains the phone system.

The cost is estimated at \$5,000.00, which is cheaper than hiring an individual.

There is a 30-day termination option included in the contract.

Chairman Hawkins advised that a contract had not been entered into for a phone system. A portion of their contract includes line maintenance.

X. CLERK – None

XI. COUNTY ATTORNEY – None

XII. ADJOURN – *Commissioner Joyner offered a motion, seconded by Commissioner Kent and carried to adjourn.*

Deputy Clerk Brantley

Date Board Approved