

8/3/2021

Kent Bass

850-933-8167

nfbass@aol.com

Parcel ID 07190-250

Mr. Kent Bass visited the office in late July inquiring about water and sewer service along Beach Road. He was interested in purchasing a parcel and constructing a campground. He said he had spoken with the County and that Danny Griner told him he would have to get confirmation of water and sewer.

I explained to Mr. Bass that at the July meeting the Board had asked that we send Danny Griner the response that water and sewer were available. I emailed Danny Griner and Danny requested more information. I forwarded this request to Mr. Bass and requested more information about the campground if he had it available. He responded that they were working on a conceptual drawing and a rough draft site plan for the Planning Department and would send me the information when it was done.

Commissioner Bill Rich confirmed that this information should be supplied to the District before capacity and service questions can be answered.



Overview



Legend

- Parcels
- Highway
- City Streets
- Graded
- Roads
- Tram

Parcel ID	07190-250	Alternate ID	n/a	Owner Address	WALTON JERRY P SR & SALLY D TRUSTEES
Sec/Twp/Rng	12-08-07	Class	Vacant		177 NURSERY RD
Property Address	Unassigned Location RE	Acreage	10.24		MONTICELLO FL 32344
	CO				

District CO

Brief Tax Description LEG 0010.24 ACRES - COM NW COR OF SW 1/4 OF NE 1/4 RUN - S 0D 03M 45S E 690 FT TO POB TH - S 0D 03M 45S E 184.55 FT TH N 89D - 56M 15S E 84.48 FT S 0D 03M 45S E - 650.98 FT N 89D 38M 58S E 240.39 FT - TO N RW BIRD ISLAND GRADE TH N 67D - 48M 13S E ALG RW 81.57 FT TH N 00D - 03M 45S W 249.03 FT N 89D 56M 15S E - 457.35 FT TO W RW CO RD ON CURVE - CONCAVE TO NE RADIUS OF 1196.28 FT - CENTRAL ANGLE OF 13D 10M 15S CHORD - BEARING & DIST OF N 30D 51M 59S W - 274.39 FT TH NW ALG CURVE ARC DIST - 274.99 FT TH N 24D 16M 52S W ALG RW - 349.65 FT S 89D 56M 15S W 573.84 FT - TO POB - OR 626-891

(Note: Not to be used on legal documents)

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7/28/2021

Todd Griffin

229-251-0085

Parcel ID 07021-050

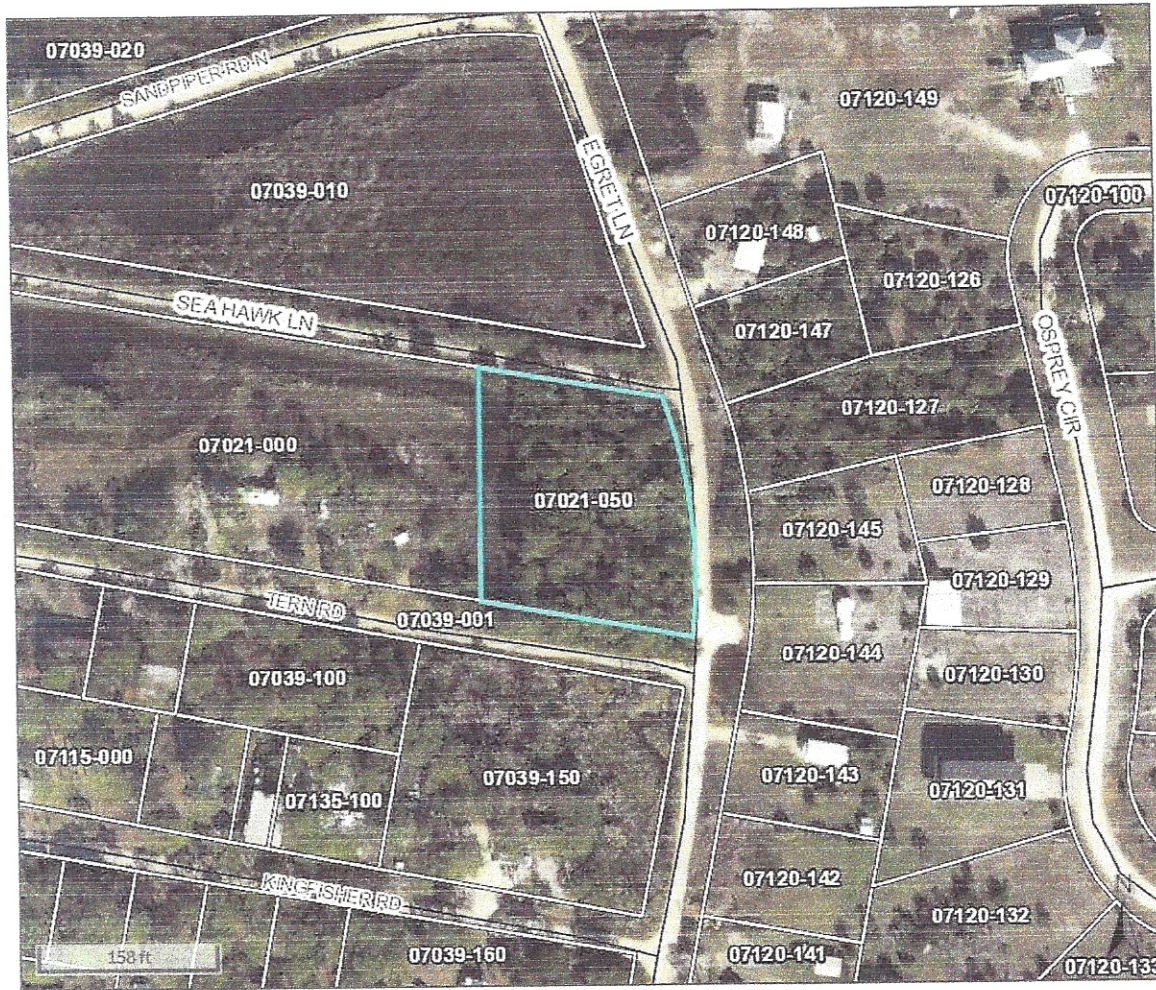
Mr. Todd Griffin called the office inquiring about service to a property he purchased at Cedar Island. This property is the former Tony Brown property located on Egret Lane.

Previously, the Board did not grant water and sewer service to Mr. Tony Brown as it was a newly created property. Mr. Brown chose the exemption process.

I explained to Mr. Griffin that the Board would be meeting in August and I would bring his request to them, but that the Board had indicated that we would be furnishing service to properties within the District.

Because Mr. Griffin is the adjacent property owner, I let him know that the water and sewer service on his current property could be shared with his newly acquired property as long as it did not exceed 4 hookups into the grinder pump. He asked about the long run of the sewer and I told him that several customers used a private lift pump to direct sewage in the right direction.

Lynette Senter



Overview



Legend

- Parcels
- Highway
- City Streets
- Graded
- Roads
- Tram

Parcel ID	07021-050	Alternate ID	n/a	Owner Address	GRIFFIN TODD & AMANDA H HW
Sec/Twp/Rng	01-08-07	Class	Vacant		P O BOX 1029
Property Address	Unassigned Location RE	Acreage	0.77		NASHVILLE GA 31639
	CO				

District CO

Brief Tax Description LEG 0000.77 ACRES - CEDAR ISLAND URS - COM INTSECT N BDY SR 361 AND E RW SAND PIPER THN N11DE 460 FT THN S78DE 502.51 FT TO POB TH CONT S78DE 169.18 FT TO CRV THN NW ALG CRV 192.69 FT N17DW 18.05 - FT THN N79DW 147.95 FT THN S00DW 203.10 FT - TO POB - UTILITY ESMT OR 715-402 - OR 762-702 OR 804-307 OR 804-309 OR 833-641

(Note: Not to be used on legal documents)

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7/28/2021

Cal Thomas for Kelli Thomas Newsome

850-295-4009

Parcel ID 07097-000

I received a call from Mr. Cal Thomas regarding property owned by his daughter, Kelli Newsome that is located at the southern tip of Lindsey Island. I told Mr. Thomas that per the Board's instructions, water and sewer is available but that we would have to determine if there were lines to the property. Mr. Thomas indicated that they did not have an easement for access to this property.

The adjacent property Parcel # 07040-050 is owned by Jason Mallin. There were water and sewer service lines installed approximately 50 feet into the northern side of Mr. Mallin's property by the original developer. The line does not continue across Mr. Mallin's property. A grinder pump and water service were installed, and our utility easement only covers the 10 feet surrounding his grinder pump.

In order to provide service, a utility easement and possible easement for access would have to be granted by Mr. Mallin for the line extension. The length of the run to bring service onto Ms. Newsom's property is approximately 360 feet, which would require the services of an underground contractor. Our field staff expressed concern that there was very little available land to place the equipment and that our equipment may be submerged a great deal of the time.

In order to provide service to this property an easement(s) would have to be obtained and a quote for running the water and sewer lines and tying into the existing lines.



Overview



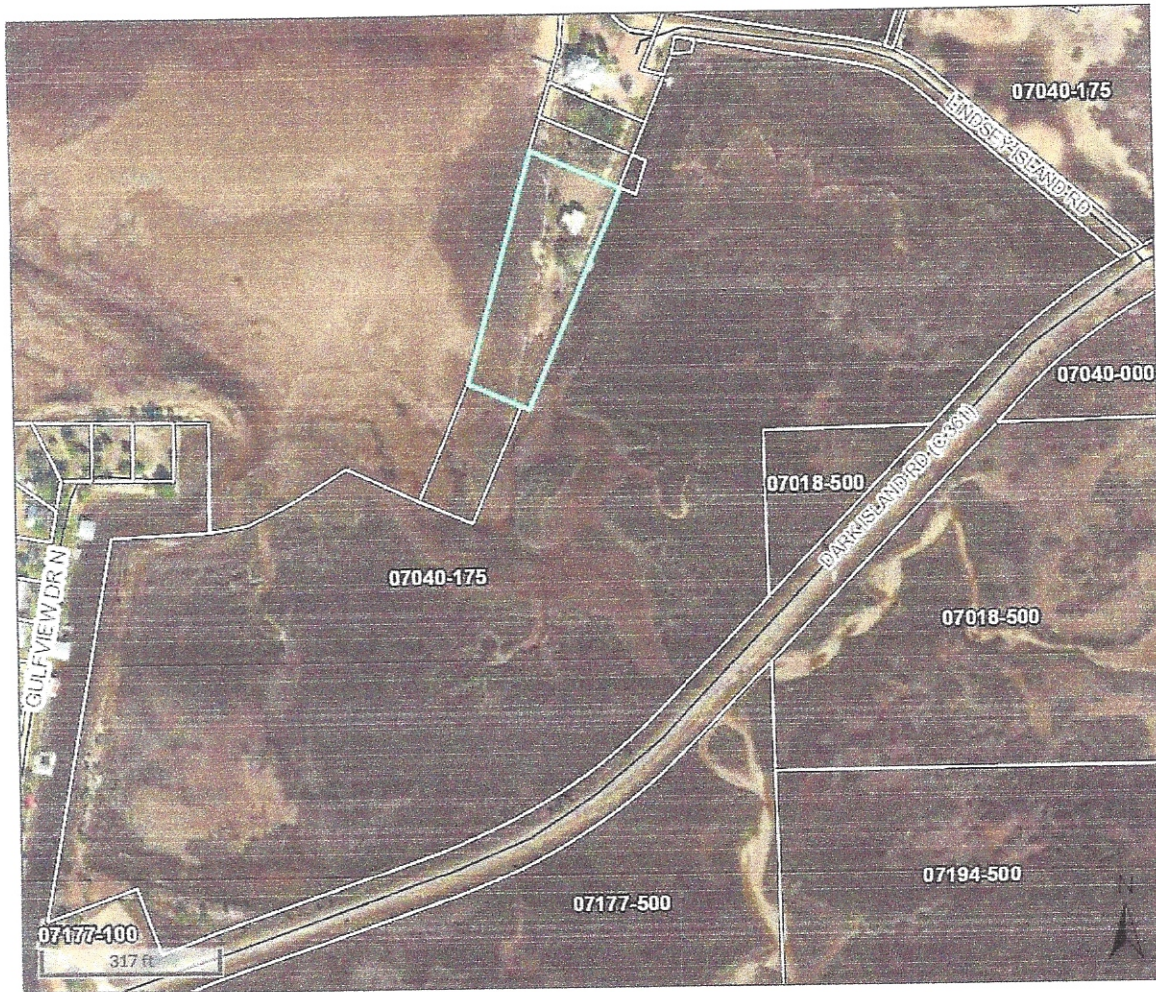
Legend

- Parcels
- Highway
- City Streets
- Graded
- Roads
- Tram

Parcel ID	07097-000	Alternate ID	n/a	Owner Address	NEWSOME KELLI THOMAS & ALEXANDER
Sec/Twp/Rng	01-08-07	Class	Vacant		306 GLENRIDGE RD
Property Address	Unassigned Location RE	Acreage	n/a		PERRY FL 32348
	CO				
District	CO				
Brief Tax Description	LEG 0000.51 ACRES - LINDSEY ISLAND URS - COM SW COR SECT RUN N40D32ME 828.8 - FT TO POB TH S29D35MW 220 FT N66D - 52MW 100 FT N29D35ME 220 FT S66D52M - E 100 FT TO POB - OR 718-570 - OR 761-962				
	<i>(Note: Not to be used on legal documents)</i>				

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Overview



Legend

- Parcels
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Parcel ID 07040-050
 Sec/Twp/Rng 01-08-07
 Property Address 123 LINDSEY ISLAND RD
 CO

Alternate ID n/a
 Class Vacant
 Acreage n/a

Owner Address MALLIN JASON R
 162 GOOD HOPE RD
 NAYLOR GA 31641

District CO
 Brief Tax Description LEG 0001.38 ACRES - LINDSEY ISLAND URS - COM SW COR SECT N40DE 827.55 FT TO - POB TH S 66D E 25 FT N 23D E 420.52 - FT N 66D W 165.89 FT S 17D W 70.35 - S 18D E 351.57 FT S 66D E 99.45 FT - TO POB - TOG W/ESMNTS OR 694-938 - UTILITY ESMT OR 698-77 & 699-381 - DC OR 769-414 OR 770-100 OR 816-167 OR 816-745
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8/19/2021

Deborah Skelly

229-251-3066

340 Cedar Island Road

Parcel # 07091-000

Mrs. Deborah Skelly called the office and wanted to know if they could have a well installed on their property at Cedar Island. They are not requesting this for current use, they are interested in having a backup system in case of emergency.

As far as I can determine, once the District was created by the County, the ability to install a well was not allowed within the boundaries of the District contained within the Coastal High Hazard Area. This is discussed under Taylor County Ordinance 2005-3, Section 66-151.

On October 5, 2020, the Taylor County Board of County Commissioners created Ordinance 2020-4 to amend Ordinance 2005 and allow for lots and parcels that the District could not provide water and/or sewer, to exempt their property from the District and pursue their own water and sewer service.

The Skelly's property is currently served by the District's water and sewer service.

Taylor Coastal Water & Sewer Distr

Customer Detail

Account Number

260

SKELLY, DEBORAH

SKELLY, DEBORAH
6447 GOLDEN LEAF COURT

LAKWOOD RANCH FL
34202 (229)251-3066
Service Address: 340 CEDAR ISLAND RD

Date Turned On 12/11/1995
Date Turned Off
Meter Check Date 12/11/1995
Rate Code 4
Pump/Well Number 1
Last Reading 642
Previous Reading 639
Usage 3,000

of Units 1
E-Mail Address: deborah@jeskelly.com
GRINDER PUMP # WH675946 6/12

Months On System 218
Total Usage 50,944,199
Average Usage 233,689
Sequence Number 3300
Meter Serial Number 9578108
Route Number 3
Last Read Date 7/19/2021
12 Month Average 2,444
Last Year Average 2,000
Previous Year Average 1,000
Last 'Paid On Time' Date 8/4/2021
Last Late Charge Date 10/22/2018
Number Of Late Months 40
Next Due Date 8/20/2021
Year To Date Charges \$10,320.02

RENTAL AGREE? NO
ETHNICITY? W
SWR EASEMNT? 509/162-166

COMMERCIAL? N

Membership Information

Membership Amount \$250.00
Deposit Amount 2 \$0.00

Membership Date 12/11/1995
Deposit 2 Date

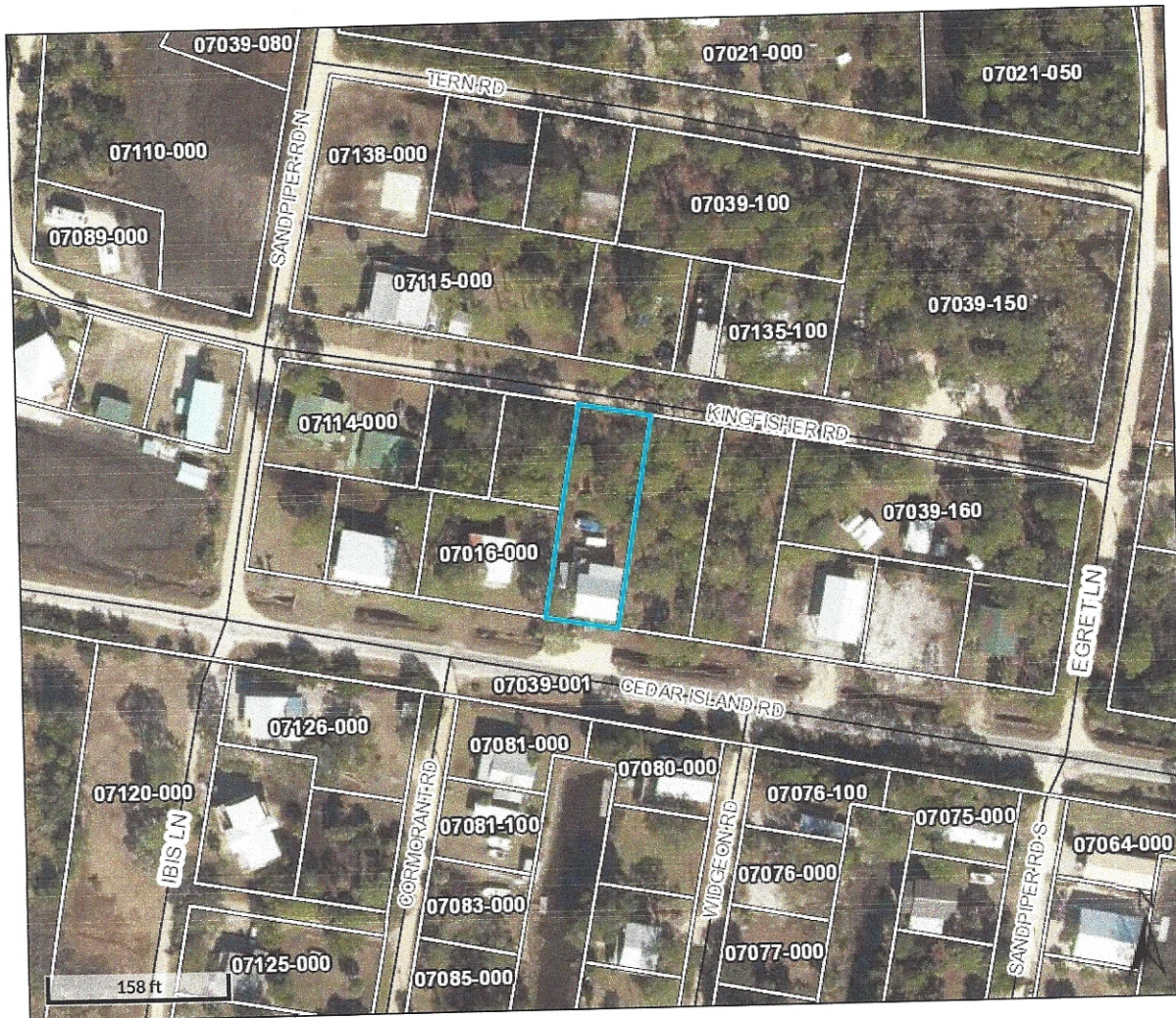
Certificate Number 0
Services Current Balance

	Usage	Charges	Read Date	Reading
January	0	89.02	1/19/2021	636
February	0	89.02	2/17/2021	636
March	1,000	89.02	3/17/2021	637
April	1,000	89.02	4/19/2021	638
May	0	89.02	5/17/2021	638
June	1,000	89.02	6/16/2021	639
July	3,000	89.02	7/19/2021	642
August	6,000	114.43	8/17/2020	626
September	3,000	87.16	9/22/2020	629
October	2,000	87.16	10/19/2020	631
November	2,000	89.02	11/19/2020	633
December	3,000	89.02	12/17/2020	636

Previous Charges (\$50.33)
Paid This Month \$87.16
Current Balance -137.49

Last Payment 8/4/2021 \$87.16 Check Number
Age 1 \$0.00 Age 2 \$0.00 Age 3 \$0.00

additional phone:
229-251-3066



Overview



Legend

- Parcels
- Highway
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Parcel ID	07091-000	Alternate ID	n/a	Owner Address	SKELLY JOHN E II & DEBORAH L
Sec/Twp/Rng	01-08-07	Class	Improved		6447 GOLDEN LEAF CT
Property Address	340 CEDAR ISLAND RD	Acreage	0.26		LAKEWOOD RANCH FL 34202
	CO				
District	CO				
Brief Tax Description	LEG 0000.26 ACRES - CEDAR ISLAND URS - COM NW COR CEDAR ISLAND B U N11DE - 40 FT N78DW 32.7 FT N11DE 90 FT - S78DE 124 FT S11DW 90 FT FOR POB - N11DE 180.52 FT S78DE 62 FT S11DW - 180.52 FT N78DW 62 FT TO POB SUBJ - TO ESMT IN OR 509-162 OR 510-325				
	<i>(Note: Not to be used on legal documents)</i>				

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until such sewer service charges, with interest, shall be paid; that if such owner, tenant or occupant shall not cease such disposal at the expiration of such 30-day period it shall be the duty of any public or private corporation, board, body or person supplying water to or selling water for use on such premises to cease supplying water to or selling water for use on such premises within five days after receipt of notice of such delinquency from the district; and that if such corporation, board, body or person shall not, at the expiration of such five-day period cease supplying water to or selling water for use on such premises, then the district may, unless it has theretofore contracted to the contrary, shut off the supply of water to such premises.

(Ord. No. 2005-3, § 9, 4-19-2005)

Sec. 66-150. - Connection with sewer system.

Upon the construction of sewerage facilities under the provisions of this article, the owner, tenant or occupant of each lot or parcel of land within the district which receives water service from the district and has a privately maintained system or which abuts upon a street or other public way containing a sanitary sewer as a part of such sewerage facility or a sanitary sewer served or which may be served by such sewerage commercial or industrial use, shall, connect with such building such sanitary sewer, and shall cease to use any other method for the disposal of sewage wastes or other polluting matter. All such connections shall be made in accordance with rules and regulations and may provide for a charge for making any such connection in such reasonable amount as the board may fix and establish. This article being necessary for the welfare of the inhabitants of the district shall be liberally construed to effect the purpose thereof.

(Ord. No. 2005-3, § 10, 4-19-2005)

Sec. 66-151. - Connection with water system.

Upon the acquisition or construction of water facilities under the provisions of this act, the owner, tenant or occupant of each lot or parcel of land within the district which abuts upon a street or other public way containing a water line as a part of such water facility served or which may be served by such water facility and upon which lot or parcel a building shall have been constructed for residential, commercial or industrial use,

shall, connect with such building such water facility, and shall cease to use any other water for potable purposes and, further, prohibiting from allowing any of said water from a source other than the public water system from entering any potable water line or lines on said property or elsewhere. All such connections shall be made in accordance with rules and regulations and may provide for a charge for making any such connection in such reasonable amount as the board may fix and establish. This act being necessary for the welfare of the inhabitants of the district shall be liberally construed to effect the purpose thereof.

(Ord. No. 2005-3, § 11, 4-19-2005)

Sec. 66-152. - Failure to connect to systems.

If any such owner of any parcel of land required to connect to the district's public water system and/or wastewater system in accordance with this article refuses to connect with and use the facilities of the district's public water system and/or wastewater system after notification by the board. Then, said owner, tenant or occupant shall be given 30 days to respond to district's request to connect. If no response is authorized to make such connections, entering on or upon any such lot or parcel of land for the purpose of making such connection. After successful connection to the waste water system the owner, tenant or occupant of each lot or parcel of land shall not use or install any other form of waste water disposal; including, but not limited to, septic tanks and drain fields.

The district shall thereupon be entitled to recover the cost of making such connection, together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition and as an alternative means of collecting such costs of making such connections, the district shall have a lien on such lot or parcel of land for such cost, which lien shall be of equal dignity with the lien of state and county taxes. The district may foreclose such lien in the same manner provided by the laws of Florida for the foreclosure of mortgages upon real estate.

This act being necessary for the welfare of the inhabitants of the District shall be liberally construed to effect the purpose thereof.

(Ord. No. 2005-3, § 12, 4-19-2005)

Sec. 66-153. - Declaration of policy.

ORDINANCE NO. 2021-01

AN ORDINANCE OF TAYLOR COASTAL WATER & SEWER DISTRICT OF TAYLOR COUNTY, FLORIDA LIMITING THE USE OF THE BOARD'S ATTORNEY TO ITEMS PRE-APPROVED BY THE TAYLOR COASTAL WATER AND SEWER DISTRICT BOARD.

Effective Date.

PASSED this _____ day of _____,
2021.

Chairman, Taylor Coastal Water & Sewer District

ATTEST:

Secretary, Taylor Coastal Water & Sewer District

(Municipal Seal)

ORDINANCE NO. 2021-02

AN ORDINANCE OF TAYLOR COASTAL WATER & SEWER DISTRICT OF TAYLOR COUNTY, FLORIDA ALLOWING FOR THE IMMEDIATE ORDERING OF GRINDER PUMP PACKAGES ONCE THEY ARE PAID FOR BY THE CUSTOMER.

Effective Date.

PASSED this _____ day of _____, 2021.

Chairman, Taylor Coastal Water & Sewer District

ATTEST:

Secretary, Taylor Coastal Water & Sewer District

(Municipal Seal)

TAYLOR COASTAL WATER & SEWER DISTRICT
18820 Beach Road
Perry, Florida, 32348
(850) 578-3043

News Release

This release is to clarify allowable connections to the wastewater treatment system being constructed to serve the communities of Ezell Beach, Keaton Beach and Cedar Island as imposed by the major funding sources for Phase 1 of the project.

Over the past several months there have been considerable discussions of who would and who would not be allowed to connect to the sewer system being constructed with federal and state funds. Based on recent discussion with the USDA Rural Development Office (RD), the following information is presented.

The initial "letter of conditions" (our contract with the RD) allowed only homes and businesses with **existing septic tanks** to be connected. This restriction was interpreted by the TCW&SD Board of Commissioners to mean that federal funds could only be used to hook up the initial 300 plus users (**active water users as of March 20, 2002**) and that others would be connected by assessing impact fees as new businesses, homes and establishments were developed.

In February of 2004, during the Environmental Protection Agency (EPA) environmental impact review of our project, we were informed that the EPA legal interpretation was that the 300 homes and businesses identified in the application were the only users that could ever be connected to the system. A letter of inquiry to Rural Development confirmed that the RD contract did restrict the users to the 300 existing septic tank owners identified in the engineering plans.

With assistance from the State of Florida Department of Environmental Protection (DEP) and the Governor's Office of Tourism Trade and Economic Development (OTTED), Rural Development agreed to amend the "Letter of Conditions" to allow additional hookups. The exact language change reads as follows. "*Floodplain mitigation will include restrictions that limit connections to the referenced areas of the project location description to existing homes, businesses, developed sites, and the 181 platted single family housing lots as of July 1, 2003*".

A subsequent teleconference between Board Members and RD August 5th, 2004 provided further guidance on who could be connected as users of the wastewater treatment. The salient points of this discussion follow:

- 1) Rural Development made an exception for the fourteen (14) townhouses currently under construction at Keaton Beach and will allow the TCW&SD to connect them to wastewater system since the County had permitted the units before our plans were approved.
- 2) Existing homes can not be replaced with multi-dwelling units (condos, townhouses, etc).

- 3) Single-family platted lots are for single family homes, i.e., 181 stub-outs at platted lots for 181 hookups to single family housing on those lots.
- 4) Existing businesses (restaurants, motels, etc.) can be improved or demolished and rebuilt, but are limited to the connection shown in design plans approved by RD.
- 5) While the Taylor County Land Development Requirements provide up to 20 units per acre when water & sewage are available, the TCW&SD is restricted to sewage connections to existing homes and the 181 platted lots for single family housing as identified in the design plans approved by RD.
- 6) Future development and/or platted lots outside the service area of the design plans approved by RD will not be allowed to tie into the system.
- 7) Government money cannot be used to promote development in the Coastal High Hazard Areas (CHHA), i.e., flood plain areas. The Government cannot support development that could be destroyed by storms and then have to seek FEMA funds to restore. Panama City was cited as an example.

This information is presented in the interest of informing the public and government officials of the restrictions placed on the use of the wastewater treatment system by the major funding sources.

Floyd E. Ford
Chairman,
TCW&SD

TAYLOR COASTAL WATER & SEWER DISTRICT
POST OFFICE BOX 73
PERRY, FLORIDA 32348
Voice 850 584 3887
Fax 850 223 1552

May 14, 2004

U S Department of Agriculture
Rural Development Office, Suite 5
2741 Pennsylvania Ave.
Marianna, FL 32448

Subject: Request for language clarification in Amendment to Letter of Conditions Dated September 13, 2002

Reference: 1) Rural Development letter dated March 9, 2004 amending subject Letter of Condition.

2) Letter of May 4th, 2004 from Smith, Smith and Moore to Taylor Coastal Water & Sewer District (attached)

Dear Mr. Pittman,

By this letter I am requesting clarification of the language contained in your letter of March 9, 2004 amending the Letter of Conditions. The amendment to item 7 on page 3 of the Letter of Conditions contains the following language, "***and the 181 platted single family housing lots***". The issue is whether the term "single family housing" prohibits commercial and multi-family residence (townhouses) development from connecting to the wastewater treatment system.

The attached letter (Reference 2) by Michael S. Smith, our attorney, states that in his opinion, this clause does not restrict or prohibit commercial or multi-family development. Mr. Smith cites the Environmental Protection Agency as the source for his interpretation and states that "the remaining platted lots (181 cited in the amended "Letter of Conditions") within the District may be developed for the purpose of accommodating both residential and commercial construction".

We request that your office review the enclosed letter from Mr. Smith and advise the TCW&SD of Rural Development's interpretation of the amended language as it pertains to users of the wastewater treatment system. We would appreciate your timely response to this question since we have a developer that is currently constructing 14 townhouses in the District service area and expects to be connected into the treatment system once it is completed.

The history on this development is as follows: June 2, 2003, the Taylor Board of County Commissioners approved a request for a developer to use an existing septic tank and drain field for 8 of the townhouses. This septic system is located on the County Public Boat Ramp property and was initially constructed to accommodate a multiple site Recreation Vehicle Park. The Health Department made the determination that the septic system could accommodate up to 8 townhouse.

Based on the action taken in the June 2 meeting, plans for the townhouse development were subsequently submitted and approved by the County. These actions were based on the "assumption" that the 14 townhouses would be connected to the wastewater treatment system when it became operational.

Our construction plans (see drawing No. 1-C04) submitted to Rural Development show the property where the townhouses are being constructed as five lots, one with a single family dwelling and septic tank. There were two additional buildings that were used in a commercial fishing operation by the previous owner. Four (lots 91,92,94,95) of the five lots are included in the "181 platted single family housing lots" cited in the amended language. Lot 93 is included in the "existing septic tank" category.

I thank you and staff members for the support and the patience you have provided our project over the past three years. We look forward to working with you during the construction phase. If you need additional information or clarification, please do not hesitate to contact me at my home telephone, 850 578 2756.

Sincerely yours,

Floyd E. Ford, Chairman
Taylor Coastal Water and Sewer District

CC: Mary Gavin
Michael Smith

TAYLOR COASTAL WATER & SEWER DSTRIC
18820 Beach Road
P. O. Box 73
Perry, Florida, 32348
850 578 3043

August 5, 2004

TO: TCW&SD Board Members

From: Floyd E. Ford

Memorandum for the Record.

A teleconference was held on this date with the USDA Rural Development office in Marianna Florida. The purpose of this conference was to clarify the language pertaining to hookup restrictions contained in the Rural Development "Letter of Conditions" as amended by RD letter dated June 14th, 2004. This letter contains the language, "*and the 181 plated single family housing lots*", the meaning which was discussed in this conference.

Specifically, the question of the 14 townhouses currently under construction in Keaton Beach and what constitute allowable hookup to the wastewater treatment system under the language in the "Letter of Condition" as amended was discussed

The participants in the conference were as follows:

Rural Development: Eugene Pittman, Ernie Erxleben, and Mary Gavin

Taylor Coastal Water & Sewer District: Travis Beach, Sandra Hatcher, Glenn Senter, Floyd Ford and Mike Smith the Board's attorney.

The salient points establish during the conference are as follows:

- 1) Rural Development made an exception for the fourteen (14) townhouses currently under construction at Keaton Beach and will allow the TCW&SD to connect them to wastewater system since the County had permitted before our plans were approved.
- 2) Existing homes can not be replaced with multi-dwelling units (condos, townhouses, etc).
- 3) Single-family platted lots are for single family homes, i.e., 181 stub-outs at platted lots for 181 hookups to single family housing on those lots.
- 4) The USDA RD Office will not be in the business of approving hookup request one by one to the District's wastewater treatment system.

- 5) Existing businesses (restaurants, motels, etc.) can be improved or demolished and rebuilt, but are limited to the connection shown in design plans approved by RD.
- 6) While the Taylor County Land Development Requirements provides up to 20 units per acre when water & sewage are available, the TCW&SD is restricted to sewage connections to existing homes and the 181 platted lots for single family housing as identified in the design plans approved by RD.
- 7) Future development and/or platted lots outside the service area of the design plans approved by RD will not be allowed to tie into the system.
- 8) Government money can not be used to promote development in the Coastal High Hazard Areas (CHHA), i.e., flood plain areas. The Government can not support development that could be destroyed by storms and then have to seek FEMA funds to restore. Panama City was cited as an example.

To the best of my recollection, the above eight items constitute the essence of Rural Developments response to the questions put forth by participating Board Members.

Floyd E. Ford
Chairman,
TCW&SD

TAYLOR COASTAL WATER & SEWER DISTRICT
POST OFFICE BOX 73
PERRY, FLORIDA 32348
Voice 850 584 3887
Fax 850 223 1552

February 27, 2004

Smith Smith, Moore & Smith
Attorneys at Law, P.A.
411 N. Washington Street
P.O. Drawer 579
Perry, Fl 32347

Subject: Rural Development Restrictions on Sewer Connections

Reference: Meeting with you and Charlie Johns February 26, 2004 to discuss sewage related issues.

Attention: Michael S. Smith:

Dear Mike,

After reflecting on our conversation yesterday on the subject of Rural Development restrictions on sewer connections, I feel it necessary to clarify my interpretation of what we requested of Rural Development as documented in my letter to them February 5, 2004.

The "letter of conditions" language we signed September 12th, 2002 contains the following language under the Environmental Requirements Section:

"Floodplain mitigation will include restrictions that limit connections to referenced areas of the project location description to existing homes, business, and development sites that currently have a septic tank system."

As you are aware, when I questioned RD about the interpretation of this restriction, I was informed that it meant exactly what it says – only property with existing septic tanks can be connected to the new system.

This response led to the teleconference February 3rd, 2004 between State Agencies (OTTED, DEP, DCA), Rural Development (Chuck Clemens, Ronald Whitfield) and TCW&SD (Floyd Ford, John Gentry) to discuss the restriction. The central theme of discussion from the State and RD was the concern the new sewer system would have on potential development in the Coastal High Hazard Areas (CHHA). During the discussion the Coastal Management act and the Florida Coastal Management Program (FCMP) was

cited as the guiding source for any decision that increased the state's vulnerability to coastal hazards. In fact as part of the EPA Grant Application, we signed a Federal Consistency Certification that this project was being conducted in compliance with the FCMP.

In preparation for this teleconference, TCW&SD submitted documentation that identified the existing properties (299) with septic tanks and all the addition platted lots (181) within the communities of Keaton Beach, Ezell Beach and Cedar Island (Phase I Area) Additionally we were asked to provide the basis for the design of the treatment plant and the rationale for the 80,000 gallons per day capacity along with the expected growth rate used in the design of the treatment plant.

My letter of February 5, 2004 (copy enclosed) summarized the information discussed and requested the following change (in red and italics) to the Letter of Conditions:

“Floodplain mitigation will include restrictions that limit connections to referenced areas of the project location description to existing home, business, and developed sites that currently have septic systems” *and to lots platted for single family dwellings in these areas as of July 1, 2003.* “ The applicant will also be required to scrutinize all service connections and verify compliance with the USACOE Section of 404 permit requirements for avoidance of wetland impact”.

It is very clear to me what I had in mind when I requested the above change to the Floodplain Mitigation Statement, i.e. that the request was to allow TCW&SD to connect one house (dwelling) built on a single lot platted as of July 1, 2003 to the sewer system. Also, there is no doubt in my mind that this is what the participants in the teleconference believed we would be requesting in our letter. In fact the draft of my letter was reviewed by the state agencies prior to my submitting it to RD

As part of my endeavor to get a less restricted “letter of conditions” for sewer connections, I had the JEA engineer annotate a set of drawings with the data submitted to RD. These documents will be used as our “guide” in considering whether a property requesting a sewer connection qualifies under the new letter of conditions we anticipate from Rural Development.

If you have any questions or would like to discuss this matter further, please do not hesitate to call.

Sincerely yours,

Floyd E. Ford, Chairman
TCW&SD

CC: John Gentry

TAYLOR COASTAL WATER & SEWER DISTRICT
POST OFFICE BOX 73
PERRY, FLORIDA 32348
Voice 850 584 3887
Fax 850 223 1552

July 21, 2004

TCW&SD Board Members

Subject: Rural Development and EPA Restrictions On Sewer Connections

Reference: Townhouse Development on Beach Road (Billy Bodiford property)

Dear Board Members.

The design documentation submitted to and approved by Rural Development shows five platted lots (Lots 91, 92, 93, 94, & 95) where the townhouses are being constructed. Lot 93 is shown with an existing septic tank and falls into the "existing septic tank" category or the 342 ERU's identified in the "letter of conditions" dated September 13th, 2002

Lots 91, 92, 94, & 95 were identified as part of the "*181 platted single family housing lots as of July 1, 2003*" cited in the letter of conditions as modified with RD's Letter dated March 9th, 2004. It is noted that the July 1, 2003 date is the date of our application to EPA

In response to my letter of May 12 (Mike Smith's letter of May 4th attached), Mr. Pittman (RD) re-iterated that "hook ups are restricted to the 181 platted single-family house lots regardless of what is built there". He also stated that "that the intent is to allow hookups to existing developed/platted lots, homes, businesses, etc. in the indicated service area" Mr. Pittman specifically points out that our plans show 181 stub outs for this platted area, which will be able to connect.

As I pointed out in my letter of February 27, 2004, to Mike Smith, it is clear to me what I had in mind when I requested the change to the Floodplain Mitigation Statement that restricted us to replacing existing septic tanks only. My letter of February 5, 2004 to RD requesting them to *allow TCW&SD to connect one house (dwelling) built on a single lot platted as of July 1, 2003* was a direct results of the February 3, 2004 teleconference with RD, OTTED, FDEP, and FDCA where this agreement was hammered out with all parties. The language used in the letter was a direct take form the discussions that took place during the teleconference.

The EPA Grant Agreement contains similar language as follows: "*The system will replace approximately 300 existing septic tank/drainfield systems and will allow*

approximately 180 new single-family residences to be constructed on existing platted lots”.

Where does this leave us as to the townhouse? Based on my knowledge of what has transpired and system design as approved by RD, the five lots where the townhouses are being constructed are entitled to 5 hookups – irrespective of what is being built there. Anything more that what is shown in the approved drawings will put is in violation of the contracts we have signed with RD and EPA.

It is unfortunate that this situation has developed. However, I must point out that as the “letter of conditions” stood prior to March 9th, 2004, only houses and businesses with existing septic tanks were allow to connect to the system. Rural Development has made it clear that their funds are to be used to solve “existing problems” in rural communities – not promote economic growth.

This connection restriction issue is rooted in the State’s effort to limit development in the Coastal High Hazard Areas (CHHA). Rural Development, in imposing the restrictions, has only followed the lead of the Florida Department of Community Affairs (DCA) as documented in the DEP Clearinghouse letter for the EPA application that contains the following language:

“However, any future request to increase the size of this system to serve currently unapproved development will raise a concern to us. Much of the subject area beyond requested Phase I is located in the County’s designated coastal high hazard area, and therefore, residents would be required to evacuate in the event of any coastal storm of Tropical Storm strength or greater”.

Similar language appears in a May 21, 2002 letter from DCA as part of the grant application package to USDA Rural Development

“The DCA notes that state and federal policies discourage the use of public funds for subsidizing development in the vulnerable coastal areas that are subject to coastal storm damage. The applicant is encouraged to limit the provision of service within the designated CHHA for Phase I and all future phases to existing development”.

Sincerely yours,

Floyd E. Ford
Chairman.

TAYLOR COASTAL WATER & SEWER DISTRICT
POST OFFICE BOX 73
PERRY, FLOIRDA 323648
Voice 850 584 3887
Fax 850 223 1552

January 26, 2004

Janet Drosz
Rural Utility Service
4440 Northwest 25th Place
P.O. Box 14010
Gainesville, Fl 32614-7010

Subject: EPA interperation of RD's Environmental Assessment Statement

Reference: Notice of Availability of Environmental Assessment.

Dear Ms. Drosz:

This letter is to clarify the issue concerning the EPA's Atlanta Office (Bob Freeman) interpretation of the subject Environmental Assessment. Paragraph 3 of the reference document states:

"Floodplain mitigation will include restrictions that limit connections in the above-referenced areas to existing homes, business and developed sites that currently have septic tank systems.

Mr. Freeman has stated that this restriction precludes the Taylor Coastal Water & Sewer District from ever adding new customers to our wastewater treatment systems. In other words, the only customers our system can ever service is the 342 EDU users identified in Rural Development's "Letter of Conditions" dated September 13, 2002.

We at TCW&SD do not believe that this statement was intended to restrict the addition of new customers, but defines the customers that qualify for connecting to the system using federal and state funds.

The engineering and design of this project has always included the normal population growth expected for this area in sizing the treatment plant and collection system. It has always been understood that existing undeveloped lots in the Phase I area would be allowed to (at owner's expense) tie into the collection system.

Mr. Freeman is currently preparing the EPA letter of "Finding of No Significant Impact" for this project. Once this letter is completed, EPA has indicated that we can release the bid package. Mr. Freeman can be reached at 404 562 9244.

Your assistance in bringing this matter to closure is greatly appreciated.

Sincerely yours,

Floyd E. Ford
Project Manager
Centralized Wastewater Treatment System
850 578 2756

cc: Mary Gavin,



OFFICE OF
CLERK OF THE CIRCUIT COURT
TAYLOR COUNTY

108 N. JEFFERSON STREET
P.O. BOX 620
PERRY, FL 32348

PHONE (850) 838-3506
SUNCOM 282-3025 282-3026
FAX (850) 838-3549

ANNIE MAE MURPHY
CLERK OF THE CIRCUIT COURT
AND
CLERK AND AUDITOR
BOARD OF COUNTY COMMISSIONERS

October 8, 2020

Ernest L. Reddick, Program Administrator
Florida Department of State
R.A. Gray Building
500 S. Bronough Street, Room 101
Tallahassee, Florida 32399-0250

Dear Mr. Reddick:

I am transmitting herewith, Taylor County Ordinance No. 2020-04.

The Taylor County Commission adopted this Ordinance at their regular meeting held on Monday, October 5, 2020.

Same is transmitted to your office in compliance with Chapter 125 Florida Statutes.

Very truly yours,

Annie Mae Murphy

Annie Mae Murphy, Clerk
Board of County Commissioners
Taylor County, Florida

AMM/cgm
Enc.

ORDINANCE NO. 2020-4

AN ORDINANCE OF TAYLOR COUNTY, FLORIDA; TO AMEND ORDINANCE 2005-3 (COUNTY CODE §66-150 AND §66-151), CREATING AN EXCEPTION FROM CONNECTING TO THE TAYLOR COASTAL WATER AND SEWER DISTRICT; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, in accordance with Florida Statutes, Chapter 153.53, the Florida Legislature granted the Board of County Commissioners the power to establish water and sewer districts in unincorporated areas; and

WHEREAS, the County had previously established the same (known as the Taylor Coastal Water and Sewer District - hereinafter "TCWSD") by passing Ordinance 2005-3 (later codified as Taylor County Code §66-150 and §66-151; and

WHEREAS, §66-150 requires "...the owner, tenant or occupant of each lot or parcel of land within the district which receives water service from the district and has a privately maintained system or which abuts upon a street or other public way containing a sanitary sewer as a part of such sewerage facility or a sanitary sewer served or which may be served by such sewerage commercial or industrial use, shall, connect with such building such sanitary sewer, and shall cease to use any other method for the disposal of sewage wastes or other polluting matter.; and

WHEREAS, §66-151 requires "...the owner, tenant or occupant of each lot or parcel of land within the district which abuts upon a street or other public way containing a water line as a part of such water facility served or which may be served by such water facility and upon which lot or parcel a building shall have been constructed for residential, commercial or industrial use, shall, connect with such building such water facility, and shall cease to use any other water for potable purposes and, further, prohibiting from allowing any of said water from a source other than the public water system from entering any potable water line or lines on said property or elsewhere."; and

WHEREAS, the TCWSD has advised that, due to restrictions on its USDA funding, it can "...only serve development that was in existence (including platted areas) at that time."; and

WHEREAS, that leaves certain property owners within the TCWSD service area that are within proximity of TCWSD infrastructure unable to connect to said TCWSD infrastructure, and thus be unable to obtain potable water or sewerage disposal; and

WHEREAS, the County wishes to amend its Code of Ordinances in order to permit such property owners a means with which to obtain potable water and sewerage disposal.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TAYLOR COUNTY AS FOLLOWS:

SECTION 1.

Article III, Division 2, Development Authority. – The foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2.

Chapter 66, Article IV, Section 66-150 is amended as follows:

Section 66-150 – Connection with sewer system.

Upon the construction of sewerage facilities under the provisions of this article, so long as the district is otherwise able to provide sewerage disposal service, the owner, tenant or occupant of each lot or parcel of land within the district which abuts upon a street or other public way containing a sanitary sewer as a part of such sewerage facility or a sanitary sewer served or which may be served by such sewerage commercial or industrial use, shall, connect with such building such sanitary sewer, and shall cease to use any other method for the disposal of sewage wastes or other polluting matter. All such connections shall be made in accordance with rules and regulations and may provide for a charge for making any such connection in such reasonable amount as the board may fix and establish. If said owner, tenant, or occupant of each such lot or parcel of land within the district is not required by the district to connect with such sanitary sewer system, or if the district is unable to permit connection with such sanitary sewer system, then said owner, tenant, or occupant may employ such other privately maintained system as otherwise permitted by law. This article being necessary for the welfare of the inhabitants of the district shall be liberally construed to affect the purpose thereof.

Section 66-150 – Connection with water system.

Upon the acquisition or construction of water facilities under the provisions of this act, so long as the district is otherwise able to provide potable water service, the owner, tenant or occupant of each lot or parcel of land within the district which abuts upon a street or other public way containing a water line as a part of such water facility served or which may be served by such water facility and upon which lot or parcel a building shall have been constructed for residential, commercial or industrial use, shall, connect with such building such water facility, and shall cease to use any other water for potable purposes and, further, prohibiting from allowing any of said water from a source other than the public water system from entering any potable water line or lines on said property or elsewhere. All such connections shall be made in accordance with rules and regulations and may provide for a charge for making any such connection in such reasonable amount as the board may fix and establish. If said owner, tenant, or occupant of each such lot or parcel of land within the district is not required by the district to connect with such potable water system, or if the district is unable to permit connection with such potable water system, then said owner, tenant, or occupant may employ such other privately maintained system as otherwise permitted by law. This act being necessary for the welfare of the inhabitants of the district shall be liberally construed to affect the purpose thereof.

SECTION 3.

It is the intention of the Board of County Commissioners, that the provisions of this ordinance shall become and be made a part of the Taylor County Code; and that the section of this Ordinance may be renumbered or re-lettered and word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

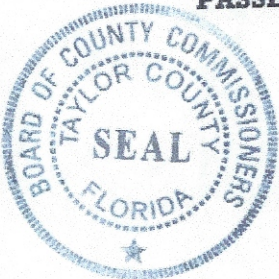
SECTION 4.

The intent of the Board of County Commissioners is that if any subsection, clause, sentence, provision or phrase of this Ordinance is held to be invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective immediately upon receipt of official acknowledgement from the office of the Secretary of State of Florida that this ordinance has been filed in said office.

PASSED AND ADOPTED in regular session this 5th day of October, 2020.



BOARD OF COUNTY COMMISSIONERS
TAYLOR COUNTY, FLORIDA

BY: Pam Feagle
PAM FEAGLE, Chairperson

ATTEST:

Gary Kusala D.C.
for ANNIE MAE MURPHY, Clerk