

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MAY 15, 2001**

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

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

(Tape 1-51) Commissioner Sanders made a **motion to approve the minutes of the meeting held on May 1, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-57) Commissioner Putnal made a **motion to approve payment of the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

SHERRY WINTKER-SGI

(Tape 1-73) Ms. Wintker said she found out last week that Mike Krehl had requested the Commissioners allow him to pave 200-feet of West Sawyer Street directly in front of his residence. She informed the Board she lived right across the street from Mr. Krehl and owns several other lots on this street. She stated she felt this small amount of paving would not be of any benefit. She asked the Board to rescind or reconsider approving the paving of this small area and wait to pave the entire street when the County begins a paving program in the future. Alan Pierce, Director of Administrative Services, said one option would be for all of the neighbors to divide the cost of paving the entire street. Ms. Wintker said she did not have the money at this time to help pave the road. She stated she had rather wait and let the County pave it. Mr. Pierce reminded the Board they had already granted Mr. Krehl permission to pave the section in front of his house. He said if, in the future, the paving of this area causes problems then the County could remove the pavement if the Board felt it was necessary. He said no promises have been made to Mr. Krehl and the expense of paving the 200-feet in front of his house would be his. Mr. Pierce said the Board had already approved Mr. Krehl's request and he recommended the Board go ahead with allowing him to pave this section of West Sawyer Street.

DENNIS HOUSEMAN-APALACHICOLA-NOISE COMPLAINT

(Tape 1-347) Dennis Houseman appeared before the Board at this time. He explained he lives on Bay City Road next to a person, Gene Huckeba, who owns several hundred fighting chickens. He said the odor and noise is terrible. He stated Mr. Huckeba keeps adding chickens to the ones he already has. Mr. Houseman said the pens are 60-feet from his fence. He stated they never, never stop making noises. He stated he was awakened at 3:00 p.m. this morning even with the air conditioner running. He said he would like the Board to either adopt an ordinance or see what can be done about this situation. He stated this is a residential area with 14 or 15 homes around the chickens. He stated his wife works shift work and there are times when she cannot sleep, especially during the day. He said he has talked to Mr. Huckeba's wife and she was supposed to talk to Mr.

Huckeba about his complaint. He stated Mr. Huckeba is adamant about having the chickens and Mr. Huckeba feels since he was already living there before everybody moved in around him he can keep all the chickens he wants there. Chairman Creamer asked Mr. Houseman if he had any problem with flies, etc. Mr. Houseman replied yes he did. Alfred Shuler, County Attorney, suggested Mr. Houseman contact the Franklin County Health Department. He stated they should check into the matter to see if there are any health hazards. He said he is not aware of any ordinances, which directly apply to having chickens in a residential area. He stated he would be glad to check the County ordinances to see if any of them applied to this problem and report back to the Board at the next meeting. He said the Health Department should be notified in any case. Mr. Houseman informed the Board he had talked to a Health Department representative about the problem and was told by them it was not a direct health problem. He said this is a problem that never stops since the chickens make noise all hours of the day and night. He said a dog will eventually stop barking, but these chickens do not stop, ever. He stated Mr. Huckeba just keeps bringing more and more chickens out there. He estimated there must be 300 hundred chickens on Mr. Huckeba's property. Chairman Creamer said this was a nuisance issue not a health issue in his opinion. Mr. Houseman stated this was exactly what it was. He said another neighbor, Jimmy Gander, moved his chickens away from the residential area he lives in. Commissioner Mosconis said he would make a **motion directing Mr. Shuler to research the County ordinances to see if there is an ordinance that applies to this problem and if there is not then prepare a proposed ordinance to address this type of problem.** Chairman Creamer asked if this matter would be considered an Animal Control Department problem. Van Johnson, Solid Waste-Animal Control Director, replied if this was domestic animals it would, but not farm animals. He stated chickens are considered livestock. He said even if it was the man could not be forced to move the chickens. He stated a citation could be issued. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-572) Mr. Chipman said he didn't have anything for the Board this morning. He said the Road Department would not be grading any roads at the present time. He stated it is too dry to even try to grade the roads. He explained it would cause the foundation under the roads to disintegrate.

DEWITT POLOUS-MOSQUITO CONTROL DIRECTOR

(Tape 1-606) Mr. Polous said the Florida Department of Agriculture and Consumer Services conducted a surprise pesticide use inspection on the Mosquito Control Department, about 3 weeks ago. He presented a letter from DACS informing him Franklin County was in compliance with the pesticide laws and regulations.

(Tape 1-620) He stated due to the retirement of the previous Mosquito Control Director, Bill Henderson, there was extra money in the salary and fringe benefit line items. He asked the Board to allow him to move the money to the different line items within his budget as needed. He said he would like to revise the Mosquito Control Budget to allow him to use the money to purchase more pesticides for use this year. He informed the Board there was not enough money budgeted to cover gas and oil costs. He said he has

purchased radios for communication and needs to budget for that expense as well. He stated he has had to advertise the vacant position in the Mosquito Control Department and the new employee would need traveling expenses for training purposes. He said the total amount he is talking about is \$4,480.00. Mr. Polous stated he understands the Health Department has returned some funds to be used by the Mosquito Control Department. He asked the Board to go ahead and let him use the Health Department funds to purchase a new grizzly heavy duty ULV aerosol generator. He stated this machine would be placed in storage so he could use it if the other one breaks down. He said he is doing this so the machine can be bought in this year's budget with these funds the Health Department has given him. Commissioner Mosconis made a **motion to accept both proposals from Mr. Polous.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-695) Chairman Creamer said he would like for Mr. Polous to be kept informed of any matters concerning the Mosquito Control Department. He stated several matters have come into discussion and Mr. Polous has had no knowledge of any of these discussions. He said since Mr. Polous is Mosquito Control Director he should be made aware of any matters concerning the operation of the Mosquito Control Department. Commissioner Mosconis said he thought Mr. Polous was doing an excellent job. Commissioner Sanders said she wanted to mention the total amount the Health Department returned to the County was \$10,000.00.

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-729) Mr. Mahan presented the newest issue of WaterWorks newsletter published by the University of Florida. He said this newsletter highlights the UF/IFAS programs in aquaculture and fisheries.

(Tape 1-746) He informed the Board he submitted the 2001-02 FNP Grant Proposal to the FNP coordinator at UF. He said the proposal would be combined with other county FNP proposals to make a statewide proposal, which should be submitted to the US DACS for their review and consideration for funding. He stated if this proposal is accepted the funding will begin, for the 3rd year, on October 1, 2001.

(Tape 1-784) He stated the 4-H/Tropicana Public Speaking contests have been completed at Brown, Carrabelle, and Chapman Elementary Schools. He said the winners in the 4th and 5th grade division and the 6th grade division would now speak-off in the Eighth Annual 4-H/Tropicana Countywide Public Speaking Contest, which is tentatively scheduled for May 21st at the School Board Administration Auditorium at 9:30 a.m.

(Tape 1-800) He stated this year's Second Annual Butterfly Development Program was successfully completed at Brown, Carrabelle, and Chapman Elementary Schools, Apalachicola High School and the Bay Community Preschool. He said all of the butterflies have been released and there have been no reports of any "road" kills. He said the program was a big hit with the students and teachers.

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(Tape 1-812) He announced the 4-H Summer Camp schedules. He said the Franklin County 4-H Camp would be held beginning June 11-15, 2001 at Camp Timpooshee. He said Franklin County would again be camping with 4-H'ers from Holmes and Liberty Counties. He stated, in addition, this year's District 4-H Marine Camp would be held beginning July 16-20, 2001.

(Tape 1-828) He reminded the Board the DACS, Bureau of Aquaculture, has scheduled a Clam Aquaculture Use Area Public Workshop for May 21, from 6:00-8:00 p.m. at the Apalachicola Community Center. He said this workshop would review the procedure for applying for a clam aquaculture lease. He stated, in addition, the Franklin County/University of Florida Extension Program has scheduled two educational programs for people interested in clam farming and applying for a lease. He said the first program "So, you want to be a Clam Farmer", would be held on May 31st from 6:00-8:00 p.m. and the second program "The A, B, C's of the Clam Lease Application", would be held on June 11th from 6:00-8:00 p.m. He stated the site for these two workshops has not been determined. He informed the Board the lease applications would be taken on a first come first served basis beginning June 18th.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-883) Mr. Johnson presented each Commissioner with a copy of the annual Full Cost of Solid Waste Management Report and Public Notice. He said the report details the full costs incurred by Franklin County for solid waste management services provided during fiscal year 99/00. He explained the report identifies all costs, both direct and indirect, whether budgeted or not. He said the report does not take into account the offsetting factor of revenues, grants or labor used in the production of services. He stated the full cost of Solid Waste Management services for Fiscal year 99/00 was \$942,096.00. He informed the Board the Full Cost Solid Waste Management Report must be published, according to Florida Statutes, in a newspaper of general circulation as a display ad of not less than one-quarter page size. He said a copy of the report must be sent to the Department of Environmental Protection. He stated he needed the Board to approve the Chairman's signature on the report. Commissioner Putnal made a **motion approving the Chairman's signature on the Annual Full Cost of Solid Waste Management Report and Public Notice Certification for FY 1999-00.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-930) Commissioner Mosconis asked Mr. Johnson the status of the additional kennels being constructed at the Animal Shelter. Mr. Johnson replied they should be placing dogs and cats in the kennels by next week.

PUBLIC HEARING-REZONING AND LAND USE CHANGE

(Tape 1-962) Mr. Pierce said in August 2000, the Planning and Zoning Commission recommended approval to rezone and change the land use for some property in Lanark Village owned by Jean McMillan. He stated the property consists of Lots 5 through 12, Block T, Lanark Beach Subdivision and Ms. McMillan is requesting the land use be changed from Residential to Commercial and rezoned from R-1, Single Family Residential to C-4, Mixed Use Residential Commercial. Mr. Pierce said the Board did

approve a public hearing in 2000, but since that time Ms. McMillan has revised her request to include Lots 5 through 12 in Block T. Commissioner Sanders said she had talked to some of the property owners around this area. She stated they are concerned about so much property in this area being rezoned to commercial zonings. Ms. McMillan said she was planning to build some offices in this area. Mr. Pierce said unfortunately economics plays a big factor in these commercial rezoning. He explained there is not enough traffic in the designated commercial areas to allow a business to thrive; therefore many people are asking to have their residential property rezoned to commercial. He stated US 98 frontage is more valuable for commercial uses. Harriet Beach, President, Lanark Village Association, stated they were concerned about the structures, which would be built on this property. She stated if they are going to comply with building codes they will have to comply with the requirements of buildings constructed in a flood area since that is considered a flood zone. She said this would mean they would have to be elevated structures, which the Association feels would be unattractive to that area. She said she is also concerned this property appears to be a drainage area or a wetland. Mr. Pierce replied he does think this area is in a flood zone so whether it is residential or commercial the buildings would have to be elevated. He said you would still see the stilts even if it remained zoned as a residential area. After discussion Commissioner Sanders made a **motion approving a land use change for Lots 5 through 12, Block T, Lanark Beach Subdivision from Residential to Commercial and a rezoning from R-1, Single Family Residential to C-4, Mixed Use Residential Commercial as requested by Jean McMillan.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED. MOTION AMENDED AT THE JUNE 5, 2001 MEETING AS FOLLOWS: Commissioner Sanders said she would like the motion to reflect that before any construction permits are issued the site plan would have to be approved by the Planning and Zoning Commission.**

HOSPITAL MATTERS

(Tape 1-1486) Mike Riley, attorney for DasSee, said he was here this morning representing DasSee Community Health Care Systems. He said he knew there had been some questions about the ongoing air conditioning repair project at the hospital. Chairman Creamer asked Mr. Riley to explain why the new administrator, Gene Shuler, or Mike Lake, President, DasSee Community Health Care Systems, did not come to this meeting as requested by the Commissioners. Mr. Riley replied he didn't think Mr. Shuler was available today and Mr. Lake asked him, as his attorney, to come to the Board meeting since he does represent DasSee. He stated he would be glad to answer any questions the Commissioners had and if he can't answer the questions he would take the questions back to Mr. Lake for an answer. He stated he wanted to update the Board on the air condition project. He said the project manager for the air conditioning project has provided each Commissioner with a detailed, specific chronology leading up to the bottom line, which shows the project is 80% complete. He explained the project should be done within the next couple of weeks. He said apparently the project took a lot longer than first anticipated due to the discovery of other problems as the project moved forward. He stated the problems required separate and time-consuming repairs while renovating the air conditioning system. Commissioner Putnal asked Mr. Riley why the Commissioners were always the last ones to know about things that DasSee was

attempting to do at the hospital. He said he felt they should be the first ones to know when something is changing or being changed by DasSee. He stated he was hearing rumors about DasSee closing clinics in Franklin County. He said he knew Mr. Riley was present when he asked Mr. Lake if his corporation was committed to supporting the clinics in Franklin County. He stated Mr. Lake made a verbal commitment to keep and support the clinics, which are vital to health care in Franklin County, opened. Mr. Riley asked Commissioner Putnal if there was a specific clinic he was referring to. Commissioner Putnal replied the hospital operated a clinic in Carrabelle staffed by Dana Holton, PA. He stated Nichol's Clinic in Apalachicola was also being operated by the hospital. He said now DasSee doesn't want the clinics or the ambulance service. He asked Mr. Riley if DasSee wants to just contract everything out but the hospital. He said he felt like the Board was being black mailed. Mr. Riley replied the ambulance service is being subleased to Emergystat, Inc., but DasSee continues to be under contract with the County to provide ambulance service. Mr. Riley said the County can continue to look to DasSee to maintain the ambulance service so it is not as if DasSee is not involved in the ambulance service. He stated he understood there are very few patients being seen in these clinics especially the Carrabelle Clinic. He said he also understood DasSee is reviewing that issue. He asked if there was a specific question about the clinic in Carrabelle please let him know so he can ask DasSee representatives so he can report back to the Commissioners either in person or in correspondence what DasSee's plans are. Commissioner Putnal said that is why he wanted these representatives from DasSee here to answer the Board's questions. He stated Mr. Riley didn't know much more than the Commissioners did. He said this is just not fair. He stated he just wanted someone to speak up and tell the Board what DasSee is planning. Commissioner Sanders told Commissioner Mosconis she may just get on an emotional roller coaster today. She said this was a very emotional matter to her. She said she had a family member that would have probably died had it not been for Dana Holton being at the Carrabelle Clinic. She stated that was her family member. She said people in Franklin County are now at the mercy of DasSee to provide adequate, fair health care. She stated she has said time and time again where do you factor in human life versus dollars and cents. She said she has never got an answer to this question. She stated she felt this was a very serious matter and she would hate to know someone in Franklin County died because there is not adequate medical care in the County. She said she wanted to do whatever necessary to make sure health care is available in Franklin County. She asked Mr. Shuler about the copy of the insurance binder the Commissioners were provided by DasSee indicating a date of June 1, 2001. She asked Mr. Shuler if DasSee had officially taken over operation of the hospital as of today's date. Mr. Shuler replied he thought they probably have operational control. He said he has requested, several times, documentation as to when the exact transaction occurred. He stated the County is expecting to receive rent for the hospital and he said there seems to be some ambiguity about when the County is supposed to expect DasSee to begin paying rent instead of Centennial. Commissioner Sanders said the insurance binder shows DasSee Community Health System with an effective date of June 1, 2001 with an expiration date of July 1, 2001. She asked Mr. Riley if DasSee had any insurance at the present time. Mr. Riley said he is not aware of any issue regarding insurance. Commissioner Mosconis asked Mr. Riley to take some notes so he can talk to Mr. Lake about these concerns. Kendall Wade, Clerk, said the

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binder did not reflect Franklin County as Loss Payee or Additional Insured. Commissioner Sanders said the County has only been provided a binder and it becomes effective June 1st and expires July 1st. Commissioner Mosconis said he has been told Nichol's Clinic will remain open 5 days a week and Dr. Nitsios will be practicing with Dr. Nichols in Apalachicola. Dana Holton, Physicians Assistant at the Carrabelle Clinic, said he was informed at the end of April he would have 30 days to close the clinic. He said the plan was not to close the clinic, but turn it over to Dr. Sanaullah and Dr. Nitsios who would continue operating the clinic for two days only. Commissioner Putnal said that was unacceptable because someone in the east end of the County could have an accident or get sick on those days the clinic is closed. He said this was the only medical facility on the entire east end of the County. He stated he was negotiating with Mr. Paris of DasSee to see if he couldn't operate the clinic himself. He said he would need a lot of support from the community to keep the clinic open 5 days a week. He stated he wanted the clinic to stay open. Ms. Beach stated Lanark Village consisted on an older population who need medical assistance with high blood pressure, heart problems, etc. She said she, as well as her neighbors in Lanark Village, need this clinic in Carrabelle. Chairman Creamer asked Mr. Riley if this was going to be an ongoing problem when Mr. Lake or Mr. Shuler is asked to appear before the Board. He said they evidently think they have more important things to do since they have had 2 weeks to notify the Commissioners they would not be here. Mr. Riley said he is here to represent DasSee so they are here this morning. Chairman Creamer said he was talking about Mr. Shuler and Mr. Lake. Mr. Riley said again he was representing DasSee. Commissioner Sanders said Commissioner Williams made a motion to ask Mr. Gene Shuler and Mr. Mike Lake to be present at this meeting and not the attorney. Commissioner Mosconis said he thought they would have that message after this meeting. Commissioner Putnal said if the Board doesn't get to talk to them soon then it wouldn't be long before someone else would be running the hospital. Yvonne Rhodes, a resident of Apalachicola, told the Board a story of how her friend's daughter had been refused treatment at the hospital because she did not have insurance. She stated there is a sign in the emergency room that states a person shouldn't be turned away just because they don't have insurance. Commissioner Mosconis said he knew there were ways for people to get medical treatment. He asked Ms. Rhodes if this lady used the Health Department because he knew there were programs to help people pay for their hospital and doctor visits. Ms. Rhodes said this was an emergency situation. Commissioner Mosconis said there were ways to get medical assistance when it was needed. Chairman Creamer said he wanted Mr. Riley to tell Mr. Lake that the Board was promised the air conditioning would be finished by June 1st. He stated he is expecting it to be finished by then. Mr. Riley said they were trying to finish the project as soon as humanly possible. He stated they are continuously working on the air conditioning. He invited the Board to go look at the hospital to see what is being done. Chairman Creamer said Susan Ficklen, prior hospital administrator, assured the Board the air conditioning would be completely finished by June 1st. Commissioner Sanders said she has visited the hospital recently and she thought it was in a "mess". Mr. Riley told Ms. Sanders if there was a specific complaint she had about the operation of the hospital she needed to make it to DasSee rather than making a statement in the Board meeting. He said he was here to convey, if the Board has anything specific, to Mr. Lake the Boards complaints, other than a general statement. Commissioner Sanders said then,

to be more specific; the ceiling was a "mess". She told Mr. Riley he didn't have to be on the defensive with her. Mr. Riley said he is trying to convey to the Board that DasSee interest in maintaining all of it's contractual obligations to the County and if the Board has any questions about them maintaining the contractual obligations then he is here to convey those questions or concerns to DasSee. Commissioner Sanders said then she would like to know why on February 20, 2001 the administrator told her that if anything came up she would be contacted. She stated she has not been contacted about anything. She asked if any of the other Commissioners had been contacted about what was going on with DasSee and the changes they were making. She said she knew Commissioner Mosconis knew because he had informed the other Commissioners he made time to go to the hospital to see what was going on. Commissioner Sanders said there were five-commissioners, each one representing one-fifth of Franklin County, and each commissioner should be notified of anything or any changes at the hospital. Patricia Isner asked the Chairman if she could address the Board at this time. Chairman Creamer said the Commissioners had finished this discussion and were going to move onto another discussion. Commissioner Putnal asked Mr. Shuler if DasSee started to close these clinics, since they verbally told him in a meeting they would not, could this be considered a violation of their contract. Mr. Shuler replied no it was not. Commissioner Putnal said he knew it was discussed. Mr. Shuler replied the Judge would only look at the document. He said the Board could only hold DasSee to the written contract and not outside promises. Commissioner Mosconis said he didn't think DasSee intended to close the clinics. He stated they are trying to keep them open since that was the way the hospital received its patients. Barbara Robuluck, Hospital Advisory Board, said her Board has not met since they were waiting to see what was discussed today. She stated nobody from the hospital has had any contact with the Advisory Board. Chairman Creamer then called Dave Robertson, Emergystat, Inc. to address the Board.

EMERGYSTAT, INC.

(Tape 1-2930 Continued on Tape 2) Dave Robertson, Emergystat, Inc., provided each Commissioner documentation, as requested, reflecting the costs of running the ambulance service. He said the documentation reflected the costs of the employees' hourly rates as of two weeks ago. He stated they left the names off of the list for privacy reasons. He stated you can see there are some openings for Paramedics. He said any new hire would be hired at the existing pay rate of \$8.00 an hour. He stated this information was gathered from the information on the payroll sheets at the hospital. He explained the figures to the Commissioners. Commissioner Mosconis said he wanted the County to subsidize the ambulance service, \$2,500.00 per month, to pay the difference in the salary the employees are now being paid and the amount, which is less, that Emergystat is going to pay them. He stated this would keep the employees from suffering a pay cut. He said he wanted Mr. Robertson's company to furnish a quarterly report. He said Franklin County is furnishing the ambulances, communication equipment, life saving equipment, etc. and being subsidized by the County. He stated the County is trying to bring these people up to a live able wage. He said, for the record, since Emergystat was a private company, the County would need some documentation as to why the County is giving them this money. He stated if the company makes a profit then obviously the County would stop subsidizing them. He said then the Board could take that money and put it

into another function of the hospital. He said the rent and tax money from the hospital should be put back into the hospital. He stated maybe a clinic could be built in Carrabelle. He said when Emergystat starts to profit then he expects Mr. Robertson to inform the Board so the County could stop giving them the extra \$2,500.00 a month. Mr. Robertson said that he wanted the Commissioners to remember that the call volume in this area is very seasonal. He stated there would be some highs and lows, especially between the summer and winter months. Chairman Creamer said if the County gave Emergystat \$28,610.00, as reflected in the documentation, Emergystat would need it year round. He said Emergystat would never see a profit as long as the County is willing to subsidize them. He stated any profit would be transferred from one place to another so the County can keep subsidizing them. Commissioner Sanders asked if this \$30,000.00 a year was in addition to the \$60,000.00 the County is already giving the ambulance service. She said that would be a grand total of \$90,000.00. Commissioner Mosconis said \$2,500.00 a month was an even amount, \$30,000.00 a year. He stated that gives them some money to play with. He said they need to get their feet on the ground. He said the problem in the past is that the ambulance service did not collect the money they were entitled to. He stated he had talked to people who had used the ambulance service and had been told by them they never received a bill. He said he is going to watch this himself. Mr. Robertson stated they wouldn't have been successful over the past thirteen years if they had not properly billed people. Mr. Robertson said he wanted the record to reflect that Emergystat, Inc. is not here requesting this additional \$30,000.00 a year. He stated the Franklin County Board of County Commissioners offered this amount and he is just responding to that offer. He reiterated he is not here asking for additional funding. He said the question came up about how much it would cost to maintain the salaries at the current level and he was just providing that information to the Commissioners. Commissioner Mosconis asked if the Board gave Emergystat this money could they maintain the current salaries for the employees of the ambulance service. Mr. Robertson replied it would. Commissioner Mosconis said he would then like to make a **motion to subsidize Emergystat, Inc. \$2,500.00 a month, \$30,000.000 a year.** Mr. Wade informed the Commissioner that if he did this he would need to specify an effective date. He also explained to the Board that the only fund or budget this could be paid through would be the Reserve for Contingency Budget. He said this amount would also have to be included or added to our budget for next year when the budget is considered. He asked Commissioner Mosconis to include this in his motion. Commissioner Mosconis amended his **motion to subsidize Emergystat, Inc. \$2,500.00 a month, \$30,000.00 a year, beginning June 1, 2001 to be funded through the Reserve for Contingency Budget and to add this amount to the next 2001-02 Budget.** Mr. Robertson said he has been informed by the State their license should be ready by June 1st. Commissioner Williams seconded the motion. Commissioners Putnal, Williams, and Mosconis for. Chairman Creamer and Commissioner Sanders against. 3-2 MOTION CARRIED. Commissioner Sanders said she opposed this motion because she is against giving this \$30,000.00 in addition to the \$60,000.00 to this company. She said she is all for the employees getting what they deserve, but the County did not help Centennial with the ambulance service, and has not offered to help anybody with the ambulance service. She stated she thinks the Board needs to consider this matter carefully and take more time to think about this. Commissioner Mosconis said before Commissioner Sanders and some

of the other Commissioners came on the Board periodically, when there was another company running the hospital, Florida Power would call him and tell him they hadn't paid their light bill in 6 months. He said you couldn't cut the lights off at the hospital so the County would have to help them. He stated this Board has been real generous with the hospital. He said in the last 4 years this Board has paid less money to that hospital than it ever has since it was built. He stated anyone could go look at the records since 1957. He said these are the facts, which the County needs to support our hospital. He stated the money, property taxes and rent payments, need to be put back into the hospital. Chairman Creamer said he didn't want any change orders on the newest ambulance the County had just ordered. He stated the ambulances belonged to the County. Allison Brown, a resident of Eastpoint, asked the Board and Mr. Robertson if his company plans to change the logos on the ambulances. Mr. Robertson replied they would place their logo on the ambulance along with Franklin County's name on the ambulances. Ms. Brown asked Mr. Robertson if the current employees are going to be paid at their current salaries. Mr. Robertson replied that the employees currently employed on a full time basis are going to receive their current salaries. Ms. Robuluck asked the Commissioners if DasSee was going to change the name of the hospital from Weems Memorial to DasSee. Mr. Riley replied that was just a fictitious name notification in the newspaper. He said George E. Weems Memorial Hospital is a fictitious name, previously registered under the name of Centennial Health Care Investments, Inc., and now that DasSee is leasing the hospital the fictitious name had to be registered to reflect DasSee as the registered operator of the hospital. He assured the Board the name of the hospital would remain George E. Weems Memorial Hospital. Mr. Robertson said the initial request presented to the Board was approval of the sublease between DasSee and Emergystat for ambulance services. He asked if the prior motion Commissioner Mosconis made include approval of the sublease. Mr. Shuler said he recalled the position of the parties wanting to sublease or assign the ambulance services to another company contained in the actual terms of the lease. He stated it appeared to him to be this way and in that case it did not require consent from the Board.

(Tape 2-34) Chairman Creamer said he wanted to make a statement for the press. He stated the County did not sell the hospital only leased it. He said he had read in the local newspaper that the County had sold the hospital, which was untrue.

(Tape 1-49) Ms. Patricia Isner asked Chairman Creamer why he was ignoring her. Chairman Creamer replied the Board had already finished with the hospital and ambulance discussion and he was ready to move forward on the agenda. Ms. Isner said it was not about that. She asked the Chairman how he ran the Commission meeting, whether the Roberts Rules of Order was followed. Chairman Creamer called for the next agendaed item.

EILEEN ANNIE-FRANKLIN COUNTY LIBRARY DIRECTOR

(Tape 2-63) Ms. Annie presented a change order on the Carrabelle Library Branch. She said Change Order #1 referenced Alternate #2 in the original bid package. She stated the change order was for a metal Roof. Greg Kelly, Architect, Clemons, Rutherford and Associates, Inc., appeared before the Board and stated the contract would be changed by

adding a standing seam metal roof-\$24,800.00, deleting shingles & windows-\$8,248.54, for a total addition to the contract of \$16,551.46. He said the roofing contractor was a company in Franklin County, Sam's Metal Roof's, Inc. Commissioner Sanders made a **motion approving Change Order #1-Franklin County Public Library Carrabelle Branch in the amount of \$16,551.46 and authorizing the Chairman's signature on Change Order #1.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce asked Mr. Kelly if the construction project was on schedule. Mr. Kelly replied it was with a completion date of September 2001.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 2-182) Mr. Pierce informed the Board he has talked to Kurt Spitzer regarding his proposal to complete a census for Franklin County to determine if the County needs to redistrict. He said Mr. Spitzer's company would soon be sending an agreement for the Board to sign regarding the analysis of the population shifts in the County.

(Tape 2-193) He said he received a telephone call from Ms. Kay Kammel, Lt. Governor Brogan's Office, apologizing for not responding to the Board's February 6th letter asking the Lt. Governor to meet with representatives from Franklin County. She said if the Board still wants to meet with the Lt. Governor to please call her back and she would try to schedule a meeting. He stated, in the meantime, he has discovered that Governor Bush and Secretary of Corrections Moore would be coming to the Gulf/Franklin Center in Port St. Joe for a town meeting on May 24th. He said he has contacted the Governor's Office and the Secretary of Correction's Office to suggest or ask that Secretary Moore meet with the Board on May 24th to give everyone an update on the prison. He stated if that happens then he would presume the Board does not need to meet with Lt. Governor Brogan. Chairman Creamer said he wanted to meet with Lt. Governor Brogan on a one-on-one basis. He stated that is the only way it can be relayed to him how important this prison was to Franklin County. Mr. Pierce said he would wait to see if a meeting with Secretary Moore could take place on the 24th and if not then he would continue to pursue a meeting with the Lt. Governor sometime in June.

(Tape 2-297) He asked the Board if they would like to authorize him to send a letter to the USCOE regarding the removal of the spoil areas that block various creeks feeding into the Apalachicola River. Commissioner Mosconis made a **motion authorizing Mr. Pierce to send a letter to the USCOE regarding the removal of the spoil areas that block various creeks feeding into the Apalachicola River.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-337) Chairman Creamer asked Mr. Pierce if he had spoken to anyone from DEP about the Eastpoint Channel dredging request. Mr. Pierce replied he had not, but he did talk to a Colonel with the USCOE last Saturday and told him about the problem. He said the Colonel said he would check into the problem. He stated he has not had any luck with scheduling a meeting with DEP, the USCOE, and Chairman Creamer. Chairman Creamer asked Mr. Pierce to assign someone to work on this request. Mr. Pierce replied he would get Mark Curenton, Assistant Planner, to work on the scheduling a meeting to discuss the dredging of the Eastpoint Channel. Commissioner Sanders suggested sending

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a letter to Representative Will Kendrick asking him to help set up a meeting with DEP. Mr. Pierce replied he would take care of scheduling this meeting.

(Tape 2-367) Commissioner Putnal said Senator Bob Graham was supposed to come down this fall and go oystering with him. He stated when he does he wants to make sure there is some media coverage for the event.

(Tape 2-373) Chairman Creamer reported there was a combination lock put on the gate at Wright's Lake Campground as requested by the Board.

(Tape 2-380) Mr. Pierce continued his report by saying W. C. White, FDOT, called to say FDOT has inspected the ditch on Franklin Street near the Carroll residence in Eastpoint. He said Mr. White assures him the ditch would be cleaned out.

(Tape 2-382) He said Mr. Don Esry, DOC, called him to say the DOC is aware of the flooding problems at the prison site on CR 67. He stated they are proposed to put a second 36" culvert under the entrance way as well as trying to get rid of a very industrious beaver causing flooding elsewhere.

(Tape 2-398) He informed the Board that Robin Brinkley and Rachel Ward's meeting with the State Licensing Board has been cancelled. He said they were unable to have a quorum this month. He stated he meeting has not been rescheduled.

(Tape 2-421) He said the Board, on April 17th, authorized an increase of \$16,650.00 for wetland delineation and surveying work related to the Apalachicola Airport project, the Board action did not specifically authorize the Chairman to sign an amended contract with Dames and Moore, also known as URS. He said this amendment is identified as Task Order 4 Amendment. Commissioner Mosconis made a **motion authorizing the Chairman's signature on Task Order 4 Amendment in the amount of \$16,650.00 for wetland delineation and surveying work related to the Apalachicola Airport Road project.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-437) He asked the Board to authorize the Chairman to sign the CDBG Hurricane Earl contracts for the drainage improvement projects in Eastpoint and Apalachicola. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the CDBG Hurricane Earl contracts for drainage improvement projects in Eastpoint and Apalachicola.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-448) Mr. Pierce said the Planning and Zoning Commission met in regular session on May 8th and recommends the following: Approval for Greg Prickett to construct a private dock on Lot 20, Block 71, Unit 5, SGI. Commissioner Sanders made a **motion approving a private dock for Greg Prickett.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Bill Jones to construct a private dock and two boat lifts on Lot 16, Block 71, Unit 5, SGI. Commissioner Sanders made a **motion approving a private dock and two boatlifts for**

Bill Jones. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Gary Bennett to construct a private dock on Lot 27, Shell Harbor, SGI. Commissioner Sanders made a **motion approving a private dock for Gary Bennett.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Ada Long to construct a private dock on Lot 15, Block 76, Unit 5, SGI. Commissioner Sanders made a **motion approving a private dock for Ada Long.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** On Commercial site plan approval they recommends approval for S&S Properties to construct a commercial building and open shed on a 2.39 acre parcel on Begonia Street in Eastpoint to be used as a building supply store and an open storage shed for lumber. Commissioner Putnal made a **motion approving a commercial site plan for S&S Properties to construct a commercial building and open shed on a 2.39 parcel on Begonia Street in Eastpoint.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** On subdivision plat review, the Commission recommends approval for the final plat of "Marina Sunset", a 5-lot subdivision in Lanark Village. Commissioner Sanders made a **motion approving the final plat of "Marina Sunset", a 5-lot subdivision in Lanark Village.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval of the final plat of "Breezy Point" subdivision, a 8-lot subdivision on Mill Road, along the New River in Carrabelle contingent on the zoning being corrected for Lot 8, which appears to be outside of the are previously rezoned for the subdivision. The rezoning took place in 1998. Commissioner Putnal made a **motion approving the final plat "Breezy Point" contingent on the zoning being corrected for Lot 8.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Approval for a sketch plat for a 4-lot subdivision on the north side of US 98 between Eastpoint and Carrabelle, requested by Nick Saporito, agent for Mary Beth Worfel-an area considered part of the old City of St. George-currently zoned residential. Commissioner Putnal made a **motion to approve a sketch plat for a 4-lot subdivision on the north side of US 98 between Eastpoint and Carrabelle-an area considered part of the old City of St. George.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** On rezoning requests the Commission recommends approval for rezoning of a parcel of land between Old Ferry Dock Road and Power Drive in Eastpoint from R-2 to R-4 Home Industry-requested by Eddie Creamer. Chairman Creamer said he would abstain from discussion and voting on this matter since it was property he owned. Commissioner Sanders made a **motion directing Mr. Pierce to schedule a public hearing to consider this rezoning request submitted by Eddie Creamer.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Chairman Creamer said he would sign a Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers reflecting he refrained from discussing and voting on this issue. Approval for rezoning and a land use change of a parcel described as the Old Officer's Club and adjacent areas in Lanark Village from R-1 to Z-1, Public Facilities-requested by Sid Winchester, agent for the Camp Gordon Johnson Association Museum Fund. Commissioner Sanders made a **motion directing Mr. Pierce to schedule a public hearing to consider this rezoning and land use change submitted by Sid Winchester, agent for the Camp Gordon Johnson Association Museum Fund.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Harriett Beach, Lanark Village, said she understood there was a

liquor license that went with the property. She stated she was concerned about the liquor license and what could be done with the property. Mr. Wade said the reason the Camp Gordon Johnson Association purchased the property was to build a museum on the property. Commissioner Sanders said she would like more information on the matter, but it could all be discussed at the public hearing. Mr. Wade said he would contact Sid Winchester or David Butler to see if they could come to the next meeting to present their plans to the Board.

(Tape 2-893) He asked the Board for approval to submit a project for the \$106,415.00 in Coastal Assistance Impact Funds for the long-term recovery and shoreline stabilization of Alligator Point in Franklin County. He said he talked to various DEP personnel and was informed that while there is a June 5th deadline for project applications, the County actually has at least one year, and perhaps as many as three years, to spend the funds. He stated DEP recommends the County use the funds in conjunction with whatever funds DEP might have for the same purpose. Commissioner Sanders asked Mr. Pierce if he had every gotten any information on the sheet pilings. Mr. Pierce replied he had some information. Commissioner Sanders made a **motion authorizing Mr. Pierce to submit a project for the Coastal Assistance Impact Funds in the amount of \$106,415.00 for the long-term recovery and shoreline stabilization of Alligator Point.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-976) Commissioner Sanders said she attended the Alligator Point Taxpayers Association meeting. She stated at the meeting some of the residents have taken it upon themselves to have an engineering group, Parker Brothers, to present a more feasible and less costly way to stabilization the Point. She said it is something called "Sand Nets". She stated they were asking to present their alternative proposal at the 1:00 p.m. workshop on June 5th to discuss the Alligator Point Erosion Control Study. Commissioner Putnal said he had already heard the presentation. He stated Mr. Parker gave a presentation at a meeting several years ago. Mr. Pierce said Bill Parker, the man who invented the nets, was at that meeting. Mr. Pierce explained he talked to these same individuals who want to have the presentation at the June 5th workshop. He said he told them he was afraid the Commissioners would be too tired to hear the presentation since there would be a regularly scheduled Board Meeting that morning and then a workshop at 1:00 p.m. He stated the discussion on June 5th should take an hour or so and he said he just didn't feel like this presentation needed to take place on the same day. He stated DEP did not approve this concept when the County proposed it to them several years ago. He said he did not think they would approve it now. Mr. Pierce said he suggested to them they just come to the workshop to listen and asked questions about the study. Commissioner Sanders said the residents could incorporate their thoughts into the discussion if they wanted to.

(Tape 2-1033) He asked the Board to approve the submission of three Flood Mitigation Assistance Grants to FEMA for the purchase of three houses on the waterside of Alligator Drive on Alligator Point. He said the three houses are: the Jolley house "My Blue Heaven", the Middlebrook house next to "My Blue Heaven", and Dr. Gomez's house at the very west end of the revetment. He explained FEMA would provide up to 75% of the

appraised value of these houses for the County to purchase. He said DEP has the funds available to demolish the houses once they become public property. He stated the program is voluntary, and he has advised all of the property owners involved that the County has not committed any funds to this purchase, so the owners are aware they are most likely not going to get any more than 75% of the appraised value for their property. He said the owners are paying for appraisals to be done, but since the acquisition is voluntary the owners do not have to sell if they think the price is too low. Commissioner Mosconis made a **motion authorizing Mr. Pierce to submit three Flood Mitigation Assistance grants to FEMA to purchase three houses on Alligator Drive in Alligator Point-the Jolley house, the Middlebrook house, and Dr. Gomez's house.**

Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** He asked for the Board to allow him to amend the Local Mitigation Strategy to support these buyouts. Commissioner Mosconis made a **motion authorizing Mr. Pierce to amend the Local Mitigation Strategy to support these buyouts.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1143) He informed the Board the County Park is under construction on SGI. He said Mason Bean, SGI Civic Club, thinks the park would be completed by the deadline of June 30, 2001. He stated Mr. Bean feels the bathrooms would be operational by June 30th. He said they are going to place a few port-o-potties out at the park since the summer season is in full swing on the Island.

(Tape 2-1159) Mr. Pierce said Mark Kelley, Sverdrup Engineers with the SGI Bridge project, informed him the reason there is no Stormwater improvements in Eastpoint is because Sverdrup is still negotiating with DEP about the Stormwater Mitigation Projects. Chairman Creamer asked Mr. Pierce if they were doing any on the causeway. He replied he didn't know. Chairman Creamer said he thought they were doing something with the "swales". Mr. Pierce stated he thought that was being done through FDOT. He said they are considering coming to Apalachicola to do some improvements different than what they had first purposed for Eastpoint. He stated, as Mayor of the City of Apalachicola, he was going to encourage that since Apalachicola has some severe drainage problems. Commissioner Putnal asked if they were going to do anything in his area. Mr. Pierce replied he didn't know. Commissioner Putnal said he had people asking him all of the time if the proposed improvements for Carrabelle were going to be completed. He stated they are not going to believe anything he says. Mr. Pierce said Mr. Kelly assured him that even if they don't do all of the retention work they would help put the culverts and pipes in like originally planned. Commissioner Putnal stated this is what he is interested in. He said they want the ditches cleaned out and new culvert pipe installed so water can run through the culverts.

(Tape 2-1197) Commissioner Sanders asked Mr. Pierce the status of the Stormwater drainage Project in Lanark Village. Mr. Pierce replied he has not received any construction costs estimates from Preble-Rish, Inc.

(Tape 2-1203) Commissioner Sanders asked Mr. Pierce about the stripping on the roads at Alligator Point. Mr. Pierce replied stripping was discussed several months ago, but

never approved or discussed any further. She asked Mr. Pierce if this stripping project could be included in the proposed paving project. Mr. Pierce replied it could be included and further stated that would probably be the best idea. She asked Mr. Pierce to not forget to include this in the bid specifications.

KENDALL WADE-CLERK

(Tape 2-1230) Mr. Wade informed the Board the annual Franklin County Financial Audit Report for FY 1999-2000 has been completed and is available in the Finance Office. He stated if the Commissioners would like to see it or have a copy they would need to see Ms. Ruth Williams, Finance Officer. He said if the public would like a copy of the report they would also need to see Ms. Williams.

(Tape 2-1241) He stated he had place a copy of a letter to Chairman Creamer in each of the Commissioners mailbox in the Clerk's Office. He said he had also sent a copy to Mr. Shuler. He stated the letter informs the Board that effective October 1, 2001 he will become a fee officer as provided for in Chapter 218.35 F.S. He said this was the only notification the County would receive of his intentions. Commissioner Putnal asked Mr. Wade to explain to the Commissioners what he was talking about. Mr. Wade replied he would be as brief as he could be. He said there are only nineteen counties remaining in Florida that are not a fee office. He stated, in the past, he has presented an entire operating budget for his office to the Board for approval at budget time. He said now, with him being a fee officer, the Board would fund a portion of his budget and the fees collected in the Clerk's Office would fund the other portion. He said when he says fees he means interest, copy fees, court fees, etc. He stated at the end of the year, after he has paid his operating expense, the balance would be returned to the Board of County Commissioners. He explained the amount of his budget would not change, unless raises are given, it would remain the same, funded a different way. He said due to the passage of Amendment 7, Article V, which requires that all Clerk of Courts become, if they are not, a fee officer by the year 2002. He stated he is doing it a year early because that was an option he chose. He said the reason he is doing it a year early is to be sure all everyone is trained, etc. to work as a fee office. He stated he really thought this would be the best thing to do so everyone could become used to the procedures. He said he didn't need Board approval he just needed to inform the Board of his plans to become a fee officer. Mr. Pierce said in larger counties the Clerk's Office generates a lot of revenue. Mr. Wade stated in Collier County the Clerk's budget is 28 million dollars. He said the Collier County Clerk returned 1.8 million dollars to the Board of County Commissioners at the end of the year. He stated he took his budget out of the fees he collected then he returned the 1.8 million to the Board. He said the problem might be with Article V, which states that in the year 2004 all excess fees from the Clerk's Office would be deposited in a State Trust Fund. He said instead of the Clerk's returning money to the Board they would be sending the money into the State. He stated this money would be administered by the State to assist Clerk's Offices not able to fund their budget. He stated there are some counties that might not be able to fund their own budget.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-1426) Mr. Shuler said he conferred with the Clerk and revised a letter he was preparing to send Mike Lake, President, DasSee Community Health Care Systems, regarding the insurance matters already discussed this morning. He said he sent another letter to Mr. Lake and Mr. Shuler inviting them to attend one of the upcoming Board meetings.

(Tape 2-1443) He stated he assisted Mr. Pierce with the three houses on Alligator Point the Board discussed this morning.

(Tape 2-1452) Mr. Shuler said he received some information and forms from GRIT, the County's Work Comp Insurance Carrier that declared bankruptcy, which he faxed to Pat Floyd, attorney representing Franklin County in the bankruptcy proceedings. He stated Mr. Floyd is going to re file the claims.

(Tape 2-1475) He stated he called EmergyStat, Inc. regarding insurance on the ambulances. He said they have assured him they are going to furnish proof of insurance reflecting Franklin County as additional insured or loss payee on the policy.

(Tape 2-1480) He said he read a letter and conferred with the Property Appraiser, Doris Pendleton, regarding the SGI beach matter. He stated these people are apparently trying to get the beaches in front of the old units on SGI taxed so they can claim the property. He informed the Board he and the Ms. Pendleton are going to prepare a response to the most recent letter.

(Tape 2-1590) He reported he filed a Quiet Title Lawsuit on the two acres the County have discussed in Section 2, Apalachicola. Commissioner Mosconis asked Mr. Shuler if this was the property he had ask him about several times. Mr. Shuler replied it was. Commissioner Mosconis asked Mr. Shuler how much longer it would be. Mr. Shuler replied probably 45 to 60 days. Commissioner Mosconis said he wanted to be sure this matter stayed on track.

(Tape 2-1597) He said the County would be notified of the hearing date, when it is set, regarding the licensing of Mr. Brinkley and Ms. Ward in the Planning Office.

(Tape 2-1621) He stated he was suggesting the Board adopt the proposed amended Franklin County Personnel Rules. He reminded the Board they voted to table voting on the adoption of the new rules until the department heads had time to review them. He said he would suggest they adopt the rules. Commissioner Putnal said he didn't want to adopt them until Mr. Chipman and Mr. Johnson were here. Mr. Shuler said he didn't want to wait too long. Commissioner Mosconis said he would make it a point to address adopting the new amended Franklin County Personnel Rules at the next meeting.

COMMISSIONER WILLIAMS

(Tape 2-1717) Commissioner Williams said he would be attending the annual County Commission Convention in Jacksonville, Florida around June 27th. He asked who was

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going. Commissioner Sanders said she would be going as well. Commissioner Mosconis made a **motion to pay the expenses of Commissioners Williams and Sanders to attend the annual County Commission Convention in Jacksonville, Florida-June 27th**. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE MEETING WAS ADJOURNED.

Eddie Creamer

EDDIE CREAMER, CHAIRMAN

Kendall Wade

KENDALL WADE, CLERK