

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MARCH 19, 2002**

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

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

(Tape 1-24) Commissioner Sanders made a **motion to approve the minutes of the meeting held on March 5, 2002.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-27) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-32) Mr. Chipman said he didn't have anything to report to the Board this morning.

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-50) Mr. Mahan reported the UF Florida Leadership Program's visit last week went very well. He said there were 32 members in this class and 31 of the members had never visited the Franklin County area.

(Tape 1-87) He presented a copy of an UF/IFAS brochure "Putting Florida First in Natural Resources." He explained the brochure outlines UF/IFAS' programming efforts in Natural Resources. He said other major Florida First programming areas include: Reducing Human Impacts on Ecosystems, Water Management Quality and Allocation, and Plant, Animal and Human Protection from pests. He said other major Florida First areas include: Agriculture and Human Resources.

(Tape 1-110) He said the 4-H Club, Eastpoint 4-H Wildlife Savers, participated in the Franklin County Clean-up Project last week. He said they helped clean around Scipio Creek in Apalachicola.

(Tape 1-116) He announced Dave Harrington, who attended the local Shrimp Workshops, passed away last Wednesday. He said Mr. Harrington was a Sea Grant Specialist and a long time friend of the seafood industry.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-140) Mr. Johnson presented the annual "Notice of Recovered Materials Certification Renewal and 2001 reporting" forms for the Chairman's signature. He said the Florida Statutes requires agencies or companies handling, receiving, or selling more than 600 tons of recovered materials to provide certification to DEP annually. He said

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the County's recycling program recovered approximately 700 tons of material during 2001. He reported the annual cost for this certification is \$50.00. Commissioner Williams made a **motion authorizing the Chairman's signature on the DEP "Notice of Recovered Materials Certification Renewal and 2001 Reporting" and authorizing the payment of \$50.00 for the annual fee.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-162) He said last week Gene Boone, Maintenance Supervisor for the Franklin County School District, contacted him and informed him the school district was in the process of advertising bids for repair of the roof on their Administration Building. He said Mr. Boone has requested the Board consider waiving the disposal fee for the debris removed from their roof project. He recommended the Board approve this request. Commissioner Mosconis made a **motion waiving the tipping fee for the Franklin County School District Roof Project-Administration Building.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-180) Commissioner Putnal said the school in Carrabelle wanted to thank Mr. Chipman and Mr. Johnson for the job they did for them.

(Tape 1-189) Commissioner Sanders asked Mr. Johnson if he had checked into the plants for Gulf Shore Boulevard at Alligator Point. Mr. Johnson replied he had ordered the plants from a man on SGI. He said this man is supposed to be an expert on these type plants and they are ordering ten-three gallon size plants.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-217) Mr. Pierce informed the Board the principal owner of The Ingram Group, LLC, Malcolm Ingram, has sold the company to two of the partners, Charles Alby and James Rogers. He said Mr. Rogers came to see him last Friday and provided him with a letter addressed to the Board documenting this sale, and assuring the Board all contracts and bonds are still valid. He said the Ingram Group, LLC are building the Courthouse Annex. He stated he has also given a copy of this information to the County Attorney, Mr. Shuler, and the County Engineering Firm, Preble-Rish, Inc.

(Tape 1-241) He informed the Board Representative Will Kendrick has volunteered to schedule the meeting on the Eastpoint Channel with DEP, USCOE and Senator Lawson, therefore a letter has not been sent as the Board had directed at the last meeting. He said he felt Representative Kendrick would be able to schedule this meeting. He stated he waiting to hear from Representative Kendrick.

(Tape 1-254) He provided the Board with a letter submitted to Congressman Allen Boyd requesting \$2.5 million dollars for the Eastpoint Channel Dredging Project. He said he increased the amount after speaking to Terry Jangula, USCOE. He explained Mr. Jangula said the USCOE estimates there is 150,000 cubic yards of spoil, which needs to be removed from the channel. He said with an average dump truck holding 15 cubic yards, Mr. Jangula estimated it would take 10,000 truck loads to haul the spoil away by truck. He stated Mr. Jangula advised him it would be more expensive to truck the spoil

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away. He said they talked about pumping the material to the Landfill and Mr. Jangula agreed the spoil could be pumped that far, if they had the funds. He explained this is why he increased his request for funds from \$2.0 million to \$2.5 million dollars. He said approximately 450,000 cubic yards of spoil was pumped out of the Two-Mile Channel so the Eastpoint Channel would take one-third the area for spoil disposal since it is only 150,000 cubic yards. He said over a year ago, at the Board's direction, he requested St. Joe/Arvida not sell a 40-acre parcel of land to the State of Florida. He said this land is located just north of Peggy Miller's Subdivision on SR 65. He recommended the Board move forward with this acquisition since it is likely a disposal site for the Eastpoint Channel spoil would be needed. He said this property is closer to the Channel than the Landfill. He asked the Board to authorize him to contact St. Joe/Arvida about selling the land to the County. Mr. Pierce informed the Board they had \$75,000.00 in a Land Acquisition Budget, which could be used to purchase this property. Commissioner Mosconis said he wanted Mr. Pierce to send a letter to Congressman Sonny Callahan from Alabama who is on the USCOE Appropriations Committee asking him for these funds as well. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a letter to Congressman Sonny Callahan requesting \$2.5 million dollars for the Eastpoint Channel Dredging Project.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis made another **motion authorizing Mr. Pierce to contact St. Joe/Arvida about selling this property on SR 65 to the County.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler said when the County gave the property next to the County Jail on the East side of SR 65 to the School Board then the Commissioners decided they would look into acquiring some of the St. Joe/Arvida property on the West side of SR 65 for future needs.

(Tape 1-460) He presented a letter he had written to Congressman Boyd about the Alligator Point project Mr. Wesley White, Benedict Engineering, discussed at the last Board meeting requesting one million dollars under Section 227, Research and Development for Erosion Control. He said this would fund the sand groin project at Alligator Point.

(Tape 1-475) He submitted copies of letters from residents on SGI who are opposed to the County working to move water from one side of East Pine Avenue to the other side. He said this is in reference to the Board directing the County Engineer to develop a low water crossing to alleviate the flooding problem on East Pine Avenue. He said the Lewis' of SGI had requested the County fix this problem. He stated at the last Board Meeting the Board directed the County Engineer to see if the problem couldn't be fixed. He said the Lewis's had retained a local attorney, Barbara Sanders, to assist them in having the road fixed. He said, at this time, the Planning Office has met with the people who are opposed to the low water crossing. He stated he has not met with the residents who support the crossing. He assured the Board he is continuing to try and solve this problem.

(Tape 1-498) He provided the Board with 22 faxes from people opposed to the proliferation of sunset viewing platforms in St. Teresa. He submitted some photographs

of the platforms to the Board. He said there are a number of these platforms and some have been there for years. He stated one of these platforms has become a source of conflict between neighbors and this person has begun a letter writing campaign. He said the residents who support these platforms have started faxing letters in support of the platforms. He asked the Board to direct Mr. Shuler to assist him in investigating what role the County, if any, has in this issue. Commissioner Sanders made a **motion directing Mr. Shuler to assist Mr. Pierce in this conflict between property owners on St. Teresa concerning sunset viewing platforms and furnish the Board with a recommendation at the next Board Meeting.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-624) He presented the Board with a drainage easement signed by a resident on a County owned street in Timberwood Estates to assist the County in maintaining proper drainage. He asked the Board to accept this 10-foot wide drainage easement signed by Carol Brewer. Commissioner Sanders made a **motion accepting a 10-foot wide drainage easement from Carol Brewer, Timberwood Estates, for drainage maintenance.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-638) He asked the Board to allow him to submit a Flood Mitigation Assistance Grant to elevate Ms. Melanie Gerrell's house at 1347 Alligator Drive, Alligator Point. He explained Ms. Gerrell's house is eligible for FEMA assistance because it has suffered repetitive loss from storm damage. He said the County has sponsored several of these grants in the past. He informed the Board the County is the sponsor for the project, but the applicant understands the County would not be using any local dollars for the project. Commissioner Sanders made a **motion authorizing Mr. Pierce to submit a Flood Mitigation Assistance Grant to elevate Ms. Melanie Gerrell's house at 1347 Alligator Drive, Alligator Point.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-680) He informed the Board he had received a written authorization from Mary Lee Jolley, owner of "My Blue Heaven", for the County to purchase her house at Alligator Point for the FEMA funds available. He asked the Board to direct Mr. Shuler to begin the acquisition process, and to direct him to advertise for bids to remove the house as well as direct him to assist DEP and DCA to utilize whatever funds are available to remove the house. He submitted a copy of the letter Ms. Jolley sent to the County. Commissioner Sanders made a **motion directing Mr. Shuler to begin the acquisition process and directing Mr. Pierce to advertise for bids to remove the Jolley's house at Alligator Point, "My Blue Heaven" and directing him to assist DEP and DCA to utilize whatever funds are available to remove the house.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he had a verbal authorization from the Gomez's for their house at Alligator Point. He stated he has not heard from Mr. Middlebrooks about FEMA's offer. He said he gave them, in the letters he sent, thirty days to either accept or decline the offers.

(Tape 1-714) He presented the Board with a letter from Bill Hartley, offering his services for the Board of Adjustment. He said there is not a vacancy on the BOA itself, but there is the possibility of the Board having a second alternate in case the members cannot make the meeting. He said with a quorum of only three, the County Commission might not want a BOA to have a quorum comprised of one member and two alternates. He explained there are only five members on the BOA, presumably each County Commissioner appoints one, but there has been no need to appoint a member in several years. He informed the Board Palmer Philyaw, a BOA member, has been unable to attend on a regular basis recently and might want to resign from the BOA. He explained this appointment represents a selection by Commissioner Mosconis. He said the other members of the BOA are: Billy Granger-Commissioner Putnal's representative; James Bunyon-Commissioner Williams' representative; Vance Millender-Commissioner Sanders representative; and Ollie Gunn-Chairman Creamer's representative. He said the alternate member is Susan Howze, an employee of the State's Attorneys Office in the Courthouse, and is usually available when a quorum is not present. Mr. Pierce said there is very little, if any, turn over on the BOA. He suggested the Board put Mr. Hartley's letter in the Board file for later reference.

(Tape 1-785) Mr. Pierce said the Planning and Zoning Commission met in regular session on March 12th and recommends the following: Approval for Mark Plummer to construct a private dock on Lots 3 and 4, Block V, Lanark Beach, Unit 1. Commissioner Sanders made a **motion approving the construction of a private dock for Mark Plummer.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for John Jordan and H. D. Long to construct a seawall on Lot 6, Holiday Beach, Unit 1, Alligator Point. Commissioner Sanders said she had received a lot of inquiries about seawalls in and around Alligator Point. She asked Mr. Pierce where this seawall would be located. Mr. Pierce replied he did not know he was not at the Planning and Zoning Meeting. Commissioner Sanders said she wanted to table this issue until she could ascertain exactly where and when this seawall would be constructed. Commissioner Sanders then made a **motion to table this decision on granting the construction of a seawall as requested by John Jordan and H. D. Long on Lots 6, Holiday Beach, Unit 1, Alligator Point.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Approval of a sketch plat of a 5-lot subdivision on Alligator Point known as "Tarpon Bay". While each lot contains 1-acre, the BOA, granted a variance for the lots to be 92.6 feet wide, instead of the standard 100-foot wide lot. Commissioner Sanders made a **motion approving a sketch plat of "Tarpon Bay" a 5-lot subdivision on Alligator Point.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for a site plan submitted by Tom Hoffer for a commercial and multi-family development in Eastpoint. The site plan meets all the parking requirements. Commissioner Mosconis made a **motion approving a site plan submitted by Tom Hoffer for a commercial and multi-family development in Eastpoint.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce interrupted his report at this time for the Chairman to conduct a public hearing.

PUBLIC HEARING-LAND USE AND REZONING 10-ACRE PARCEL

(Tape 1-956) Mr. Pierce said the land use and rezoning change request, for a 10-acre parcel of land in Section 13, T7S, R5W located on Mill Road in Carrabelle, was submitted by Freda White. He said the land use would be from Agriculture and Industrial to Residential and the rezoning would be from A-2, Forestry Agriculture, and I-1, Industrial to R-1, Single Family Residential. Cecile Hance and Harriett Mosteller, property owners to the west of Ms. White's property, said they were concerned about the Gopher Tortoise and ground water contamination. She reminded the Board the Gopher Tortoise was a protected species. Discussion continued and Ms. White assured Ms. Hance and Ms. Mosteller she would include, after consulting with Mr. Shuler, in her sales contract, etc. the fact the property could contain Gopher Tortoises and informing the purchaser of the property the tortoises were a protected species. Ms. White said everyone knew she had always done everything she could to protect the environment while still developing her property. Commissioner Putnal made a **motion approving the land use change as submitted by Freda White for a 10-acre parcel of land in Section 13, T7S, R5W located on Mill Road in Carrabelle from Agriculture and Industrial to Residential.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Williams made a **motion approving the rezoning of a 10-acre parcel in Section 13, T7S, R5W located on Mill Road in Carrabelle as submitted by Freda White from A-2 Forestry Agriculture and I-1 Industrial to R-1 Single Family Residential.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal asked Ms. Hance and Ms. Mosteller if they were satisfied with Ms. White's promise to disclose the fact there might be Gopher Tortoise on some of these lots to potential purchasers of the lots. They both replied they were and thanked the Board for listening to their concerns.

ALAN PIERCE-CONTINUED

(Tape 1-1721) Mr. Pierce continued his Planning and Zoning report at this time. He said the Commission recommends the Board check into the feasibility of developing an ordinance limiting the sale of liquor near churches. He said currently, the County does not impose a separation between churches and establishments selling alcohol. Commissioner Mosconis asked if there wasn't a Florida Statute that dealt with this. Mr. Pierce replied he checked and all he could find was statutes concerning sale of liquor, drugs, etc. within a certain radius of a school zone. Frank Latham, a resident of SGI, said he remembered when the owner of this business, who is selling beer and wine right across from the church, appeared before the Commission and promised not to sell alcohol. He said he specifically asked this property owner this question and he assured the Board he was not going to sell alcohol. Mr. Pierce said the problem is that the church is located in the commercial district on SGI. He stated it is under a C-4 zoning, which allows all of the C-2 zoning uses, or all of the standard retail uses. He said the owner did say at the Planning and Zoning Commission meeting he would not sell alcohol across from the church. Commissioner Mosconis made a **motion directing Mr. Pierce and Mr. Shuler to check into an ordinance prohibiting the sale of alcohol near churches.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

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(Tape 1-1870) He said the Planning and Zoning Commission discussed last month's meeting, and requests that the Board provide a deputy for the monthly Planning and Zoning meetings. He said the Board can make the request and the Sheriff would do his best to comply, but unless a deputy is assigned to the P&Z Commission meetings there may be other law enforcement activities in the evening, which would require a deputy. He asked the Board to direct him to contact the Sheriff's Office to see what sort of security can be provided for the monthly P&Z Commission meetings. Commissioner Mosconis made a **motion authorizing Mr. Pierce to contact the Sheriff's Office to check into what sort of security can be provided for the monthly Planning and Zoning Commission Meetings.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis suggested Mr. Pierce use a City Officer for security since the Courthouse is in the city limits.

(Tape 1-1899) He asked the Board to authorize the County Engineer, David Kennedy, to apply for a FDOT Access Permit for Avenue D in Eastpoint. He explained this would open up Avenue D, which is partially opened up. Commissioner Mosconis made a **motion authorizing the County Engineer to apply for a FDOT Access Permit for Avenue D in Eastpoint.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1940) Mr. Pierce said he wanted to read the following into the record: Board action to consider the solution to a joint Eastpoint Water and Sewer District (EW&SD) and County problem. Essentially, EW&SD has a lift station that gets flooded at the end of Las Brisa Way, and the last 200 feet of Las Brisa Way gets flooded, which is a County problem. EW&SD has another problem with an existing water line, which runs across private property and they have no easement for it to be there. The County holds the solution because the County has an 80' X 100' parcel, which Morris Palmer and his client would like to use. The solution is to trade Mr. Palmer and his client the use of the County property for \$35,000.00, which is what it will cost to fix the two problems in Las Brisa. Mr. Palmer and his client will grant EW&SD an easement for the existing water line on private property, which would be from Island Drive to the end of Begonia Street. On the land the County owns, an easement will also have to be created because EW&SD lines are on that property too. He asked the Board to direct, if they agree, the County Attorney, Mr. Shuler, to prepare the proper documents needed for this transaction. Jim Miller, EW&SD, asked if Mr. Pierce thought \$35,000.00 would be enough to alleviate this problem and complete this project. Mr. Pierce replied he had gone to the site with the County Engineer and determined what it would take to solve the flooding problem. He said Mr. Kennedy was sure \$35,000.00 would be sufficient. Mr. Pierce stated Mr. Kennedy worked with Preble-Rish, Inc., which is the same engineering group used by EW&SD. He stated someone had to decide on the amount these projects would cost and the County Engineer was best able to do this. Mr. Pierce said Mr. Kennedy initially informed him the County could do the project for \$30,000.00, but he added an additional \$5,000.00 for unexpected or unforeseen problems. Betty Taylor-Webb, EW&SD, asked if this estimate included the raising of the roadway and the lift station. Mr. Pierce replied it was included and the estimate was \$35,000.00. Ms. Webb then asked who was going to be doing the actual work. Mr. Pierce replied the County would have to contract the

rebuilding of the road and then he thought the EW&SD would select the company to build the lift station. He said he would be glad to have Mr. Kennedy re-confirm the estimate if that would make everybody feel better. Commissioner Mosconis made a **motion directing the County Attorney to assist Mr. Pierce in preparing the proper documents for this project and instructing him to reconfirm the \$35,000.00 estimate.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

HANK GARRETT-SGI WATER MANAGEMENT SERVICES

(Tape 1-2293) Mr. Garrett said he was here to ask the Commissioners to adopt an ordinance requiring mandatory hook-ups to the SGI Water system. He stated there are still some wells in the old subdivision. He said a well and septic tank are often located on the same lot, 90' X 90'. He stated SGI Water Management Services has added a new well, a new pumping system, new lines, and are now preparing to provide fire hydrants and increase main sizes. He said everybody really needed to be on the system. He stated some of the houses are rental houses and accommodate 14 people and are still on a well system. He said this is a problem. Commissioner Mosconis said he thought this would be a public health problem. He said he thought these rental units had to meet the State's Motel and Hotel requirements. He stated the Northwest Florida Water Management District should do something. Mr. Garrett said he had talked to them several times and they wanted him to do all of the work. He stated he just didn't have time to do the research they wanted him to do. Commissioner Mosconis stated he thought there should be some strict safety standards on these rental units. Mr. Garrett replied they should be, but there were not on SGI. Commissioner Mosconis stated SGI was not an exception to the rules. After further discussion Commissioner Mosconis made a **motion directing the County Attorney to check into how the County can help solve this problem.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Mosconis said SGI Water Management Services was a privately owned company regulated by the Public Service Commission. Commissioner Putnal said he didn't like to make people do something they didn't want to, but this is a different situation and might be a necessity. Mr. Garrett told the Board everyone residing in the SGI Plantation must be hooked up to SGI Water Management Services. He said the area is from 12th Street West to the entrance of the State Park.

SUMATRA CEMETERY COMMITTEE REPORT

(Tape 1-2817) Doris Pendleton, Property Appraiser and member of the Sumatra Cemetery Committee, said she was here today to inform the Board the Committee had all agreed there needed to be a title search done on this property. She said the members of the Committee, Bill Bouington, Willie B. Lewis, Liberty County Clerk of Courts Robert Hill along with her all agreed to request the Board authorize a title search of the Sumatra Cemetery property. Ms. Pendleton said the Committee never received any real direction from the Board about what needed to be done. She said they all felt this would be the first thing that needed to be done. Commissioner Mosconis made a **motion directing the County Attorney to have a title search conducted on the Sumatra Cemetery property.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Chairman Creamer said he thought this was going to be the only way to solve this problem. He stated at least it would give the committee some direction. Mr.

Wade presented a letter from the Liberty County Clerk of Courts, Robert Hill, stating he agreed with the other members of the Sumatra Cemetery Committee that a title search must be done first. Ms. Pendleton thanked the Board for their action this morning.

(Tape 1-2902) Ms. Pendleton requested the Board, after checking with other surrounding counties, close the Courthouse on Good Friday, March 29, 2002. Mr. Wade announced the Judicial System was closed on Good Friday so the State employees would not be at the Courthouse. Commissioner Mosconis said he didn't think Good Friday was on the Holiday Schedule for the County employees. Chairman Creamer replied Seafood Festival Friday. Commissioner Mosconis said he didn't think he would agree to this. He said the employees already had the Friday of Seafood Festival off. Ms. Pendleton stated the employees did not request this Friday off. Commissioner Mosconis said it didn't matter the employees got it off anyway. Commissioner Putnal said he didn't think it would be fair, since the Road Department, etc. are off on Friday anyway, to these employees. He said he didn't think it was fair just for the Courthouse employees to have that Friday off. He stated the Road Department employees work a four-day workweek anyway, but they have to work during their lunch hours a lot of days. He said sometimes they only have ten minutes for lunch and they eat on the run. Ms. Pendleton replied there are many times most girls in the Courthouse do the same thing and eat on the run or eat in about ten minutes because the office is so busy. She said she felt the people in the Courthouse deserved Good Friday off. Chairman Creamer said he thought this issue should be discussed at the budget hearings and maybe holidays could be exchanged or days could be changed around. Ms. Pendleton said the County does not get as many days off as the State. Commissioner Mosconis stated he thought the County got more days off than the State. Ms. Pendleton disagreed with Commissioner Mosconis and thanked the Board for their time this morning.

KENDALL WADE-CLERK OF COURTS

(Tape 1-3349) Mr. Wade said he needed authorization for the Chairman's signature on a Resolution authorizing the settlement of the case concerning payment by the State of Florida to counties under the "Secure Rural Schools and Community Self-Determination Act". He said there was a real time crunch and he had to ask the Chairman to sign the Resolution approving Franklin County's settlement agreement so it could be faxed back to the Division of Administrative Hearings immediately. He assured the Board Mr. Shuler had reviewed the settlement Resolution and had approved the document.

Commissioner Sanders made a **motion authorizing the Chairman's signature on the Resolution Authorizing Settlement of DOAH Case No. 02-0228 concerning payment by the State of Florida to counties under PL 106-393, the "Secure Rural Schools and Community Self-Determination Act."** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3388) He read the following Resolution of Unanticipated Revenues into the record: Whereas, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets and Whereas, FS 129.06 provides for budget amendments for unanticipated revenues, and Whereas, Franklin County has received unanticipated revenues in the amount of \$62,600.78 from

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the Florida Department of Community Affairs, FEMA Project 1344 Tropical Storm Helene, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2001-2002, and Whereas, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and Whereas, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of: 140.99.584.9600 Reserve for Contingencies \$62,600.78 Now Therefore, Be it Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$62,600.78 for use in the Road and Bridge Fund in order to comply with FS 129.06(2)(d). This Resolution Adopted by the Franklin County Board of County Commissioners this 19th day of March 2002. Eddie Creamer, Chairman, Attest: Kendall Wade, Clerk. Commissioner Putnal made a **motion authorizing the Chairman's signature on the Resolution of Unanticipated Revenues in the amount of \$62,600.78.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3482) Mr. Wade said this concluded his report. He reminded everyone about the Public Hearing scheduled for tonight in the Courtroom at 5:05 p.m.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 1-3498) He said he attended the hearing in Miami with the State of Florida Department of Business and Professional Regulation regarding their claim against Robin Brinkley, Building Official. He stated a stipulation was agreed to and approved by the Department. He said the County Commission could consider this matter resolved.

(Tape 1-3545 Continued on Tape 2) He said he had reviewed many of the letters of opposition to the proposed St. Joe/Arvida "Summer Camp" PUD and had met with St. Joe/Arvida attorneys and staff. He stated this matter would be further discussed tonight at the Public Hearing.

(Tape 2-13) He said he sent a letter to DasSee and Centennial about the past due hospital bills being collected by a collection agency. He said he asked them to collect from the insurance companies and Medicare if possible before billing the customer. He stated he informed them of the complaints the Commissioners had been receiving from their constituents.

(Tape 2-35) He presented a copy of a letter he sent to Honorable Jerry Larpenter, Sheriff and Tax Collector of Terrebonne Parrish, Louisiana, requesting payment of the hospital bill incurred by Michael Crutchfield while he was incarcerated at the Franklin County Jail. He said in the letter he informed them of the negotiated 15% discount if they would pay the bill promptly. Commissioner Putnal asked if he had received an answer from Sheriff Larpenter. Mr. Shuler replied he wasn't able to get the letter sent out until after he got back from the meeting he attended in Miami. He said he sent the letter on March 18, 2002. He said if they don't pay the bill then he will contact Florida's Governor to see if he can't intervene in this situation.

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(Tape 2-64) He stated he has read the letters from the residents near East Pine Street on SGI regarding the low-water crossing. He said he would advise the Board to consult with the County Engineer to make sure everything is done properly. He stated the drainage could cause even further problems if this matter is not properly resolved.

(Tape 2-94) He informed the Board he read the letter regarding the Ingram Group, LLC changing ownership of the company. He said it is not anything the County should be concerned about, they are just simply informing the County the business has been sold and to whom.

(Tape 2-116) Commissioner Putnal asked Mr. Shuler if he found out anything about moving the "No Wake" zone on the Carrabelle River as requested by the Oaks'. Mr. Shuler said the County has, in the past, enacted "No Wake" Ordinances and this can be done again. He said the reason he hasn't prepared a proposed ordinance is because he has to check with the State Agencies involved to see what their requirements are. Commissioner Putnal said he just wanted to be sure Mr. Shuler was working on this problem. He stated the Oaks' ask him all the time if something is going to be done. Mr. Shuler said he is going to find out exactly what the State Agencies require and then he will prepare a proposed ordinance.

MATTERS FROM THE FLOOR

(Tape 1-142) Barbara Robuluck, a member of the Blue Ribbon Advisory Committee for Weems Hospital, appeared before the Board at this time. She said she was the spokesperson for the Committee. She informed the Board the Committee met on March 13th with Emergystat, Inc., Joe Donovan, and Barry Gilbert, Administrator Weems Memorial Hospital. She stated after Mr. Donovan presented his budget to the committee it was a little clearer as to why they are not making a profit. She said there are a lot of indigent people in Franklin County. She said Mr. Donovan informed them their rent payments were more than in other counties since they have to rent two places. She stated he asked for the County to give them an additional \$5,000.00. She said they asked Mr. Donovan if Emergystat really wanted to operate in Franklin County. She stated Mr. Donovan replied he did want to keep the company here. She said Mr. Donovan assured the Committee and Mr. Gilbert that something could be worked out. She stated Mr. Gilbert asked them to stay an additional 90-days to see what could be worked out. She said they had everything worked out to a budgetary need of \$3,171.95. She stated they rounded that off to \$3,000.00 and decided since everybody wanted to work together then everybody could just pay \$1,000.00 a month; the County; DasSee; and Emergystat. She said they felt this would be the most sensible thing to do. She stated they then discussed Emergystat's rent and Mr. Donovan agreed to look for another place to rent off the highway in Eastpoint. She stated they are going to meet again next month to see what has transpired since this meeting. Barry Gilbert addressed the Board at this time. He said there were two alternatives decided on at this meeting. He suggested the Board allow them to be able to present some final information to the Board at the next meeting. He said they would make sure the Board had access to this information. He stated the compromise is that they are trying to seek assistance from the County so as to keep Emergystat in Franklin County. He informed the Board he thought it was a very

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successful meeting. Commissioner Mosconis said he met with Joe Donovan privately last week. He stated he had the same conversation Ms. Robuluck relayed to the Board this morning. He said there are a couple of things he noticed; Emergystat provides emergency service for Calhoun County who pays them \$15,000.00 a month. He stated he was surprised to find out Calhoun County has more runs than Franklin County. He said they were comparing Franklin and Calhoun County as being comparable cost wise. He stated another way to cut costs is if Emergystat can get Gulf County to sign an agreement so they can provide them with ambulance services. Commissioner Mosconis asked Mr. Pierce to check on the rent in Eastpoint. He stated a possible location would be the Eastpoint VFD. Commissioner Putnal instructing Mr. Pierce to contact the Florida Highway Patrol to see if Emergystat can use part of this building in Eastpoint. He said they are using just a portion of that building for driver's license matters. Commissioner Putnal thanked Ms. Robuluck for her report this morning.

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

Eddie Creamer EDDIE CREAMER, CHAIRMAN

Kendall Wade KENDALL WADE, CLERK