

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
JUNE 18, 2002**

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

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

(Tape 1-29) Commissioner Sanders made a **motion to approve the minutes of the meeting held on June 4, 2002.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-34) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

FRANKLIN COUNTY COURTHOUSE ANNEX UPDATE

(Tape 1-39) Ruth Williams, Finance Officer, said the Clerk asked her, since he was out of town today, to update the Board on the Courthouse Annex Construction Costs. She presented each Commissioner with a breakdown of construction costs. She informed the Board, as they were aware, the construction contract for the Annex exceeded the amount budgeted by approximately \$20,000.00. She said everyone involved in the project knew, at the beginning, the Reserve for Contingency Budget would have to be used for some costs of the project. She explained additional costs were incurred when it was discovered that there were insufficient phone and computer lines in the building. She said the County has also received quotes for the chairs, benches, desks, etc. necessary for the Board Room/Courtroom. She said the balance of construction and other expenses to be funded from Reserve for Contingency would be approximately \$69,575.55. She stated it would be necessary to transfer funds for these expenditures from Reserve for Contingency to the appropriate line item. She reminded the Board the Reserve for Contingency Budget only has \$200,000.00 to last until the end of the budget year, September 30, 2002. She cautioned the Board to keep this in mind since it was hurricane season. She said she understood the building would be completed by the end of this fiscal year. She stated the Board had not originally thought the building would be completed this soon and everyone was expecting the building to be finished in the new budget year. She advised the Board to wait until the money actually needed to be moved into another line item account before they made or approved a motion to pay the additional or estimated costs. She said she had been informed by Alan Pierce, Director of Administrative Services, there would also be a change order in the process. Mr. Pierce explained there was a small change order requested by the State Attorney's Office to change their office layout. He said they wanted full partitions instead of cubicles to create their offices. He stated David Kennedy, County Engineer, is working on this project and therefore he really doesn't know what it will cost. Mr. Pierce stated there would also be an expense of approximately \$1,400.00 to repair the curb around the building. Ms. Williams said these two items would be costs in excess of the amount,

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\$69,575.55, she listed on her handout. She asked the Board if they had any questions for her. After no response Ms. Williams thanked the Board and left the meeting.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-180) Mr. Chipman said most of his equipment was being used at the Apalachicola Airport project. He stated his department has cleared the land for the new T-Hangars at the Airport.

(Tape 1-195) He said he has not had a chance to get to the City of Carrabelle parking lot as directed by the Board. He stated he would get to the project as soon as possible.

(Tape 1-201) He informed the Board he has not received a survey from the lady in Lanark Village for the road yet, but when he gets the survey he would proceed on that project as well.

DAVE MCLAIN-A.B.A.R.K.

(Tape 1-218) Mr. Mclain thanked the Board for allowing him to address them this morning. He said he was here to discuss the Apalachicola, Chattahoochee, and Flint River or the ACF Water Allocation Negotiations process. He informed the Board there has been no resolution to this matter and he is here to ask the Board to authorize a letter to Governor Jeb Bush requesting he support Florida's interest in these matters. He read the following letter into the record: Dear Governor Bush: As the elected representatives of one of six Florida counties directly bordering on the Apalachicola River and Bay, we appeal to you for executive action to support Florida's interests. Specifically-1. That you as Governor understand and acknowledge that the ACF Water Allocation Negotiations process has proceeded without the public participation required both by Article XI of the Tri-State Compact signed by Florida in 1998, and the spirit and intent of the "Sunshine Laws" of our state. That the closed nature of these deliberations has resulted in flawed "Florida" proposals that lack public input into the development of an initial "water allocation formula". That such public involvement is necessary to develop broad public ownership and support for a responsible Florida public policy, support that is sorely needed. 2. That the produce of this flawed process has resulted in a Florida proposal for water allocation that (a) lacks a clear and unambiguous measure of non-compliance, coupled with a clear and prompt penalty and corrective action, and (b) legitimizes fresh water flows into the Apalachicola River and Bay that are at or below the 50-year minimums experienced to date, and has no clear plan for adaptive management to deal with future events (c) fails to protect existing economic and environmental interests tied to the health and sustainability of the River and Bay, such as the world-class Apalachicola Oysters, the \$Billion Gulf seafood industry, and Apalachicola National Estuarine Research Reserve. 3. That a key missing ingredient is a comprehensive, scientific study of the impact of the reduced flows proposed by Florida on the economy and environmental health of Florida's River and Bay. That lacking such a scientific assessment the risks to significant environmental and economic interests are unacceptable to Florida. As elected representatives accountable to our constituencies, we appeal to you to direct intervention. We have sought without success an audience with Secretary Struhs since February of this year to discuss our detailed assessment of the Florida proposal.

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We are in hopes that we can obtain a response from you that recognizes and acts on the seriousness of this issue and the concerns expressed in this letter. Specifically, we hope for a response that is both positive and public on this ACF Water Allocation issue. After reading this letter he asked the Board to allow the Chairman to sign the letter to send to Governor Bush. After a brief discussion Commissioner Mosconis made a **motion authorizing the Chairman's signature on the letter Mr. Mclain read into the record and authorizing the letter be sent to Governor Bush.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

BARBARA SANDERS-ATTORNEY FOR JOANNE COOK

(Tape 1-470) Ms. Sanders said she was here representing Ms. Joanne Cook. She stated this issue has been discussed by the Board at a previous meeting. She said Ms. Cook owns property in Lanark Village, which will be land locked when the Board approves the final plat for "Blue Water Bay" Subdivision. She stated the Brett's are the developers of this subdivision. She said Ms. Cook owns two small lots next to the development and would be land locked when the Brett's develop this property. She explained she was here today to ask the Board not to approve the final plat of the property until they have a meeting in 2-weeks. She said Ms. Cook is going to ask the Board to provide her with a small driveway to access her lots. Mr. Pierce presented a map for the Commissioners and audience to view. He said the County worked with the previous developer and opened up the first block. He stated the road is now paved and has been formally named "Infield Street". He explained Ms. Cook needs access to her property and therefore the area from the end of "Infield Street" would need to be extended an additional 50-feet. He said this would give Ms. Cook access to her property by only allowing her a driveway and not a big street or easement. Commissioner Mosconis asked who was going to give Ms. Cook the property. Mr. Pierce answered the Brett's own the property at this time. Ms. Sanders said she is going to ask them to dedicate an easement to Ms. Cook. She explained this Board has inherited this problem created in 1968 because the "Gulf Wynn" Plat reflects that road as not belonging with this plat. She said for all of these years' people were misled about the access to this property. She stated she is hoping to work out a compromise with the Board and the property owners, to dedicate Ms. Cook access to these two lots. Ms. Sanders said the Board is not being asked to approve the "Blue Water Bay" final plat at this meeting, but she hopes to be prepared when the request is made by the Brett's. Alfred Shuler, County Attorney, said it would be in the best interest of the Board and the parties to see if they can solve this problem themselves. He stated he respectfully disagreed with Ms. Sanders and stated he felt the County did not have a responsibility or fault in this matter. Ms. Sanders said she is hoping to work this situation out with the property owners before any legal action needs to be taken. She thanked the Board and said she would be in contact with them about this matter.

AMELIA VARNES-DEPUTY CLERK

(Tape 1-673) Ms. Varnes explained Mr. Wade was at the Clerk's Conference in Orlando this week and she would be presenting his report to the Board. She said the annual State of Florida Department of Corrections, DOC, Contract #C2020 for housing of DOC inmates in the Franklin County Jail had been sent to the Board for approval. She explained the contract is signed on an annual basis. Commissioner Sanders made a

motion authorizing the Chairman's signature on the annual State of Florida Department of Corrections, Contract #C2020 for housing of DOC inmates in the Franklin County Jail from July 1, 2002 through June 30, 2003. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-681) Commissioner Putnal said he would like for Mr. Pierce to write a letter to the Probation Department requesting they come over to Carrabelle once or twice a month. He explained there are a lot of people on probation in Franklin County who live in Carrabelle. He said this causes a hardship for a lot of parents, grandparents, spouses, etc. to get their family members who are on probation over to Apalachicola or to Tallahassee to meet with their probation officers. He stated they could use the Courthouse Annex. He said it is not a hardship on the people on probation, but their families. He said most of them don't even have licenses because they are on probation and can't drive themselves anywhere. Mr. Pierce said he would follow the Board's direction, but the probation officers are mostly employed by the State. Commissioner Putnal said he just wanted a letter sent to the probation office asking them to come to Carrabelle sometimes. Mr. Pierce asked whom he would send the letter to. Kevin Steiger, Assistant Public Defender for Franklin County, asked if the Board was discussing the movement of the County Probation Office from the Courthouse to the back of the Planning and Zoning Office. Mr. Pierce replied they were not discussing that matter, but about probation officers going to Carrabelle once or twice a month to meet with probationers in that area of the County. Commissioner Putnal said he is trying to make arrangements with someone to go to Carrabelle so these people won't have to pay somebody to drive them to Tallahassee or Apalachicola. Mr. Pierce asked again to whom should he address the letter too. Chairman Creamer said the Board needed to be careful involving Mr. Pierce in so many other things than just matters concerning the Commissioners. Commissioner Putnal asked Mr. Shuler if he could write the letter then. Mr. Shuler said he could send a letter to both the State and the County Probation Officers asking them to travel to Carrabelle to meet with probationers in that area of the County. He stated they could use the Courthouse Annex in Carrabelle. Commissioner Putnal said he would make a **motion directing Mr. Shuler to send a letter to both the County and the State Probation Offices requesting they travel to Carrabelle once or twice a month to meet with probationers who live in that area of the County.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-799) Mr. Pierce said that last year the Board expressed interest in passing an ordinance prohibiting glass containers on the beach, but the ordinance was never drafted or adopted. He asked the Board if they wanted to ban glass containers from the beach? He explained most communities do have ordinances and the County Park on SGI is getting more and more people. Commissioner Putnal expressed his concerns about citizens taking soda on the beach and getting in trouble about it. Commissioner Sanders said she is also concerned about the enforcement of an ordinance such as this. Mr. Pierce stated the enforcement would be somewhat complicated since there are few public access points where signs, etc. can be placed. He said it would be those places where there are no signs, etc. that will be a problem. Commissioner Mosconis made a **motion**

authorizing Mr. Pierce and the County Attorney to begin the process of preparing an ordinance regulating glass bottles and containers on the beaches of Franklin County and authorizing the scheduling of a public hearing to consider the ordinance. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

BIDS-FRANKLIN COUNTY DRAINAGE IMPROVEMENTS

(Tape 1-985) Mr. Pierce said he would interrupt his report for the bid opening of the Franklin County Drainage Improvements Project. Ms. Varnes opened and Mr. Pierce read the following bids to the Board and audience: I. C. Contractors, Inc. in the amount of \$338,591.00 and Tri-State Roadway Specialties, Inc. in the amount of \$236,462.86. Mr. Pierce recommended the Board make a motion to submit these bids to the County Engineer for review and recommendation. Commissioner Williams made a **motion authorizing the County Engineer to review and make a recommendation to the Board regarding award of this bid.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said the Engineering Firm would evaluate the bids for the Commissioners.

ALAN PIERCE-CONTINUED

(Tape 1-1039) Commissioner Mosconis said he had something he wanted to discuss. He said he thought there was a problem in the County with the ambulance service, on occasion, the hospital or doctors require the ambulance to take patients to either Tallahassee or Panama City. He stated this leaves the County with just one ambulance to cover the whole County. He said then if this ambulance has to go to a call or something it leaves the County without any ambulance service. He stated he thinks it was "high time" the County applied to HICRA for funds to purchase an additional ambulance. He said this would allow one ambulance to stay at the hospital. He referenced the Franklin County Monthly Call Report submitted by EmergyStat for the month of May. He said it reflects the ambulance was out of the county twenty-nine times. He stated this could be done by simply applying for a grant from the Department of Health-the HICRA people in Tallahassee. He explained this needed to be done now since the County would soon begin the budget process. He said if they won't fund an ambulance then the County needs to add one to the next fiscal budget. Commissioner Williams said he totally agreed with Commissioner Mosconis on this subject. He stated his daughter was sick and needed to be transported to Panama City and told her they would be transporting her at 4:00 p.m. He stated at 3:30 p.m. the Sheriff's Department brought a pregnant inmate in for treatment. He said she was sent by ambulance before his daughter to Panama City. He explained his daughter had to wait for a long time until an ambulance was not in use. He stated he didn't think this was fair. He said he knew this pregnant lady needed attention since her contractions were close, but his daughter had to wait too long to be transported. Commissioner Mosconis made a **motion directing Mark Curenton, Assistant Planner, and Ruth Williams, Finance Officer, to apply for the grant.** He explained this would give the County plenty of time to hear back from the State as to whether the grant would be approved or not. Barry Gilbert, George E. Weems Memorial Hospital, said he had corresponded with EmergyStat and there does not seem to be any strong opposition to this, but it was a matter of money and funding. Myrtice Corley, Carrabelle, appeared before the Board and reminded them of the letter she had sent them.

Commissioner Putnal said he knew Ruth Williams, Finance Officer, had a bad experience with the ambulance service when her dad was hurt. Ms. Corley asked if she could address the Board. Ms. Corley said she wanted the Board to know she tried to use the ambulance to go to Tallahassee because of a blood clot due to a Mastectomy. She stated the ambulance service refused to take her to Tallahassee from Carrabelle. She said she had made prior arrangements for her personal doctor, who had preformed the Mastectomy, to meet her at the hospital in Tallahassee. She stated while she was begging and waiting on the ambulance to do something she had a Heart Attack due to her blood level dropping so low. She said her husband was on his way to Tallahassee when she got so sick he thought he should call the ambulance. She stated the ambulance service was going to make her come all the way back to Apalachicola and then go to Tallahassee. She said she would have never survived the trip. She said the ambulance service called police on her and she had to sign a waiver to get in her own personal car and go to Tallahassee. She said she begged them to take her to Tallahassee and the ambulance service informed her she had to go back to Apalachicola. She explained her doctors are sure if she had come back to Apalachicola she would have died. She stated she wanted something done about the ambulance service being required to take patients to Apalachicola instead of where the patient wants to go. She said her doctor was waiting on her in Tallahassee so the excuse of the hospital or doctor not being available is not true. Commissioner Sanders asked Mr. Shuler if he had checked to see if there were any laws, etc. that would apply to the ambulance service requiring that a patient be taken to the local hospital before being moved to Panama City or Tallahassee even if their doctor is waiting on them. Mr. Shuler said he reviewed the Florida Statutes and has not found anything regarding this situation. He stated he remembered from a previous meeting it was all dependent on whether the patient would be admitted to the hospital they were being taken to. Commissioner Sanders said this shouldn't matter since people like Ms. Corley had already called ahead and made arrangements for her doctor to meet her at the hospital. She stated this was not even a question about the hospital taking her as a patient. Chairman Creamer said he would like to call a vote on the motion. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Mr. Gilbert said one of the issues the ambulance services are facing is the liability. He stated he has a mobile CAT Scan unit at the hospital right now and is trying to get the power hooked up to it now. He said with expanded services like this the ambulance service won't have to leave the County to do routine emergency care. He stated with diagnostics tools being available in our County then a lot of people might not even have to go out of county for such services.

PUBLIC HEARING-LAND USE AND REZONING 0.47-ACRE TRACT

(Tape 1-1485) He said the first public hearing was to consider a land use change, from Residential to Commercial, and a rezoning from R-1 Single Family Residential to C-4 Commercial Residential. He stated the property consisted of a 0.47-acre tract lying in Section 31, T8S, R6W, located on Patton Drive in Eastpoint. He said the property was owned by Bobby Strickland. He said this property is in the same area Chairman Creamer has had his property rezoned at. He stated the Planning and Zoning Commission had approved this request. After no objections or public input Commissioner Putnal made a **motion adopting a land use change from Residential to Commercial for a 0.47-acre**

tract lying in Section 31, T8S, R6W, located on Patton Drive in Eastpoint as requested by Bobby Strickland, owner. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal made a **motion adopting a rezoning from R-1 Single Family Residential to C-4 Commercial Residential for a 0.47-acre tract lying in Section 31, T8S, R6W, located on Patton Drive in Eastpoint as requested by Bobby Strickland, owner.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

PUBLIC HEARING-REZONING LOTS 26 & 27, BLK 3, UNIT 1 EAST, SGI
(Tape 1-1145) He said the next public hearing was to consider a rezoning request submitted by Tom Hoffer for property he owns on SGI. He explained this property was on the Bay Side of the Island. He stated Mr. Hoffer is requesting the property be rezoned from C-2 Commercial Business to C-4 Commercial Residential. He said the Planning and Zoning Commission had approved this request. After no objections and public input Commissioner Putnal made a **motion adopting a rezoning from C-2 Commercial Business to C-4 Commercial Residential for Lots 26 & 27, BLK 3, Unit 1 East, Gulf Beaches located on East Pine Street on SGI as requested by Tom Hoffer, owner.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 1-1615) Mr. Pierce asked the Board if they were interested in taking over the management of the beach known as the Old Carrabelle Beach? He said the State would like someone else to manage the property and the County is a likely candidate since the County owns the road that leads to the property. He explained without public management the property might end up in private management, which might restrict public access to the beach. He said they are not referencing the Carrabelle Wayside Park. He explained the Division of State Lands called him and said they are having to become more active in the management of the property and they do not have the ability to do this. He said the County would then be able to control access to the property. Commissioner Sanders said she wanted to make sure the County and public had access to the beach at this location. Commissioner Putnal made a **motion authorizing Mr. Pierce to check into this matter and to seek ownership, by the County, if necessary of the Old Carrabelle Beach in Carrabelle.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1757) He said he would need authorization to re-advertise the CDBG Consultant Project to apply for and administer grants that might be funded through a December submission. He explained Ms. Debbie Roumelis, Roumelis Planning and Development, said that the County's awarding her the current CDBG Consultant project does not include another grant cycle, and so the Board needs to go through the process of selecting a grant writer and administrator again. He said, if Ms. Roumelis, is selected by the Board she plans to refine the CDBG grant she just finished, and with more lead time on the grant she believes she can get more points out of the Lanark Village Water and Sewer engineers and the Eastpoint Water and Sewer engineers. He said then the next application should get funded. He said he needed the Board to approve his advertisement for grant writers with the proposals to be opened at the July 16th Board Meeting.

Commissioner Mosconis made a **motion authorizing Mr. Pierce to re-advertise for CDBG Consultants to apply and administer grants, which might be funded through a December submission.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1838) He presented a letter from DCA regarding the FEMA Project 1344-022, Lanark Village Drainage & Improvement Project. He said the Division of Emergency Management would hold the allocated funds of \$24,772.00, made to Franklin County until the Community Development Block Grant Program has awarded the necessary matching funds for the project. He said if Franklin County does not use the funds, 24-months from the date of obligation of funding by the Emergency Management Agency, then the funds would be de-obligated.

(Tape 1-1876) Mr. Pierce said the Board really didn't need to take any action today on the next item he is going to discuss, but need to be seriously thinking about what to do. He stated Mr. Middlebrooks, owner of one of the homes on Alligator Point FEMA and the County are trying to purchase to demolish, is not willing to negotiate with the County to lower his asking price, which is \$19,000.00 more than FEMA is willing to pay the County. He said the County has \$75,000.00 budgeted for land acquisition as well as the Bald Point Trust Fund. He said he would be asking the Board whether the County wanted to use this budgeted amount for land acquisition, \$75,000.00, as a partial payment on the 50-acres of land the County is trying to buy from St. Joe on State Road 65 across from the County Jail. He said the only funding remaining is the Bald Point Trust Fund. He explained Mr. Middlebrooks is not willing to sell the house without selling the vacant lot, which has been appraised at \$14,000.00 by the Franklin County Property Appraiser. He said the value of Mr. Middlebrooks' house is that it is the only structure left standing between the end of the existing revetment and a long stretch of undeveloped beach, and the County either moves the road or extends the revetment his house is going to be in the way. He said the County does have FEMA funds to purchase the land now, but later might not. Linc Barnett, Alligator Point, informed the Board the lot, in his opinion, was submerged. He asked if the County has an option of condemnation on this particular lot. Mr. Shuler said the value of the land would be an issue, which would have to be decided in the condemnation suit based on expert testimony. He said the County does have the authority to condemn real property. Mr. Pierce said Mr. Middlebrooks would fight Court action or any condemnation suit. He said Mr. Middlebrooks reflected in his letter he thought court action or mediation would exceed the amount he is asking for his property. The Board said they would like to ask Mr. Shuler to check into this matter regarding condemnation and Commissioner Sanders made a **motion directing the County Attorney to check into condemnation and submerged land issues and report back to the Board at the next meeting with a recommendation or advice; also, authorizing Mr. Pierce to offer Mr. Middlebrooks \$14,000.00 for his vacant lot as appraised by the County Property Appraiser.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2264) He presented the appraisal for the 49.70 acres of vacant land at the NW corner of State Road 65 and Teresa Avenue in Eastpoint, Florida, owned by the St. Joe.

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He reminded the Board they had authorized this appraisal for this property. He said part of the property would be used as the spoil material for the dredging of the Eastpoint Channel. He said the total appraisal, current fair market value, is \$250,000.00 or \$5,000.00 an acre. He said the Board would need to budget this acquisition in next year's budget, but as reported earlier there is \$75,000.00 available now as a partial payment. Commissioner Mosconis said he thought the County could get this land cheaper than this. He asked Mr. Pierce who wanted to use Boutin-Brown Realty Advisors, Inc. to appraise the property. He said St. Joe agreed to sell the property to the County at whatever this appraisal company appraised it for. He stated he thought this was a good price. He said there are some wetlands on the property as well as a great deal of uplands on the property. He said the property has recently been timbered. Commissioner Mosconis said he thought the County could purchase the land a lot cheaper. He stated Buckeye, the precious owners of some of this land, sold the County several hundred acres where the County Jail, the Landfill, etc. is located at a minimal price. He said he thought the County needed to pursue this purchase, but instruct Mr. Pierce to call St. Joe and negotiate with them about this price. He said in the 1980's the County paid a minimal amount for the land. Mr. Pierce reminded the Board this property contained 1,300 feet of highway frontage. He said he felt this was an excellent price. Commissioner Mosconis made a **motion authorizing and directing Mr. Pierce to negotiate with St. Joe about the price of this property.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he thought the County paid approximately \$1,000.00 per acre for the land in the 1980's. He stated he thought this was a good price for this land.

(Tape 1-2485) He presented a letter to the Board from FDOT Aviation Program Manager, Joe Smith, approving the JPA FIN No. 40972019401, Construction of the T-Hangars at the Apalachicola Airport. He said the letter authorized the County to issue "The Notice to Proceed" for the project.

(Tape 1-2500) He presented another letter from Mr. Smith informing the County was denied a request for a waiver of the local match for the construction of the T-Hangars at the Apalachicola Airport. He stated initially the County requested this action, but the Airport Manager or FBO, Bill Ruic, disagreed and said he did not want the waiver. He said he sent a letter withdrawing the initial request for a waiver and then Mr. Ruic realized the waiver would save him money, but by then it was too late. He said with or without the waiver the County Commission is not putting any local funds into the T-Hangar Project since the full local match is Mr. Ruic's responsibility.

(Tape 1-2526) He said he needed approval to accept a cash grant from the State Division of Emergency Management for \$72,260.00 if the County wants to furnish the 25% cash match or in-kind labor. He said he informed DEM the County wants the money and would match with some sort of in-kind labor. He said up to \$20,000.00 has to be used to hire someone to update the Local Mitigation Strategies, which the ARPC did, but the Board can decide who would do it later. He said up to 10%, or \$7,262.00 can be spent on education material on awareness of local threats. He explained the American Red Cross has asked for this funding and both he and Tim Turner, Emergency Management

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Director, support this request as the Red Cross does provide relief services to the County. He said the largest amount, \$45,000.00, could be used by the County on mitigation projects, including the cost of removing houses on Alligator Point, or local flood control projects. He asked the Board if they wanted to accept these funds with the general sort of breakdown he has mentioned this morning. He informed the Board the deadline for accepting funds is June 26, 2002. Commissioner Mosconis made a **motion authorizing Mr. Pierce to accept a cash grant from the DEM for \$72,260.00; the County would furnish the 25% match with in-kind or cash amounts; up to \$20,000.00 to be used to hire someone to update the Local Mitigation Strategies, and 10% or \$7,262.00 for the American Red Cross.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2786) Mr. Pierce said he needed the Board to direct him on the request made by Ray Wylie to abandon part of his cul-de-sac on Alligator Point. Mr. Wylie was not present. He said Mr. Kennedy, County Engineer, did go to the area to measure and survey. He said Mr. Kennedy informed him there is room to abandon 38-feet of the cul-de-sac diameter and still maintain the 50-foot right-of-way. He presented a drawing reflecting the 38-foot abandonment, which would provide approximately 100-feet of depth for a building. He explained any abandonment should be done with the understanding that no variance can be requested for any encroachments either to the road or the Harbor. Mr. Pierce said since Mr. Wylie was not here this morning he would recommend tabling this matter until he can be present.

(Tape 1-2892) He said the Planning and Zoning Commission met in regular session on June 11, 2002 and recommends the following action: Approval for Carroll Sherman to construct a private dock on Lot 8, Watkins Cove Subdivision, SGI, on the East End. Commissioner Mosconis made a **motion approving a private dock for Carroll Sherman.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Alton and Karen McCaskill to construct a private dock in Section 12, T7S, R4W, which is in the Lanark Village area. Commissioner Sanders made a **motion approving a private dock for Alton and Karen McCaskill.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for James and Claire Rice to construct a private dock on Lot 9, Bay Palm Village, SGI Plantation. Commissioner Sanders made a **motion approving a private dock for James and Claire Rice.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Bob Almond to construct a private dock in Section 36, T7S, R5W, which is in the Carrabelle area. Commissioner Sanders made a **motion approving a private dock for Bob Almond.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Approval for Terry and Cherylann James to construct a private dock on Lot 17, Bay Cove Village, SGI Plantation. Commissioner Mosconis made a **motion approving a private dock for Terry and Cherylann James.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Patrick Gill to construct a private dock on Lot 6, Block K, Peninsula Point, Alligator Point. Commissioner Sanders made a **motion approving a private dock for Patrick Gill.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for David Byrd to construct a private dock on Lot 62, Holiday Beach, Unit 1,

Alligator Point. Commissioner Sanders made a **motion approving a private dock for David Byrd.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Gary Bliss to construct a private dock in Section 4, T7S, R3W, which is in the St. James area. Commissioner Sanders made a **motion approving a private dock for Gary Bliss.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** **DISCUSSION REGARDING THIS FOLLOWING ISSUE CONTINUED ON TAPE #2:** The next item on the Planning and Zoning Commission agenda was the request by Dan Garlick, Garlick Environmental, agent for Mr. Jimmy Meeks for a large scale land use change on a 101 acre parcel from Agriculture to R-6 Rural Residential, which is one unit per ten acres, however, the cover letter requesting the change actually read "R-5, one unit per five acres." The request was corrected by Mr. Garlick. The request was submitted with the statement that access to the property would be by the Crooked River. The Commission recommends denial of this proposed land use change, as the issue of proper access has still not been resolved. There is pending litigation over the land access to the property. I informed Mr. Garlick and Mr. Meeks that I believed it to be county policy that if a parcel is denied a rezoning request they could not submit another rezoning request for the same parcel until a year had passed. However, I could not find the policy in writing. I have a letter from Mr. Garlick requesting the item be withdrawn from the Board's consideration, presumably so that Mr. Meeks will not have to abide by a year's wait. He asked the Board for direction on Mr. Garlick's request of withdrawal. Commissioner Sanders said she would have to abstain from voting on this issue since she is one of the litigants being sued by Mr. Meeks. She said she would complete a Form 8B for the record. Chairman Creamer said he felt the Board should stick by what Planning and Zoning recommended and deny this request. Commissioner Putnal said he would make a **motion to adhere to the recommendation of the Planning and Zoning Commission and not do anything regarding this matter until the lawsuit is settled.** He stated he did not want to get the County right in the middle of a lawsuit it didn't need to be in. Mr. Shuler said he thought if the Board acted now before the lawsuit is determined the Board won't really have the information needed to make a decision. He suggested the Board accept the withdrawal of the application and then bring the matter back up if they want to after the litigation is determined so everybody knows what their legal rights are. Commissioner Putnal said he thought the Board should follow the recommendation of Planning and Zoning as a denial. Commissioner Mosconis asked Mr. Shuler if this was his recommendation. Mr. Shuler replied the Board could deny it and accept the recommendation or accept the withdrawal of the land use change request submitted by Mr. Meeks. He said he is not sure about what the legal effect would be because the unwritten policy Mr. Pierce mentioned probably is not something the County could rely on. He said if they submitted the request again the Board would have to consider it. He informed the Board they could take either legal action they wanted too. Commissioner Mosconis said if they are withdrawing the request then it is a moot issue. Mr. Pierce said he recommended denial of the request because the access issue has not been resolved and is going to be litigated. Mr. Garlick said he was instructed by the attorneys that there might be a way of dealing with the access issue and for this reason they are asking for a withdrawal of the request. He said the attorneys are going to try to resolve the litigation and to work with another access to the property. Commissioner Mosconis said then the Board didn't need to do

anything today. Chairman Creamer said the Board had to either accept the withdrawal letter or deny the request as recommended by Planning and Zoning. He stated Commissioner Putnal had already made a motion. Discussion continued. Commissioner Mosconis said he would, after Ms. Chris Cross read a letter into the record objected to Mr. Meeks and his development plan and asking the Board to deny this request, second the motion. All for. **MOTION CARRIED.**

BILLY BUZZETT-ST. JOE COMPANY

(Tape 2-151) Mr. Buzzett said he was here representing the St. Joe Company this morning. He stated he wanted to take the opportunity to come by and invite the Board and the public to an Arvida Public Meeting regarding the US 98 realignment, which would be held at Chillas Hall in Lanark Village at 6:00 p.m. on June 25, 2002. He stated the matter of realigning US 98 is for the main purpose of the development of the proposed "Summer Camp". He stated, by law, they are required to hold a public meeting to seek public testimony from anyone who is interested in discussing this realignment. He presented a package of material to the Board just like the one that would be available at the meeting. Doug Delano, St. Joe Company, said they would also discuss fire protection and ambulance service. Father Joe Knight, Apalachicola, asked Mr. Buzzett to clarify the relationship Arvida has with the St. Joe Company. Mr. Buzzett replied the St. Joe Company is the parent company and they had two companies, Arvida and Arvida Realty Service. He said Arvida builds communities and Arvida Realty Service, which was equivalent to any real estate company. He stated the Arvida Realty Service has been sold, last month. He said the St. Joe Company still owns the Arvida Company, which builds communities. Mr. Pierce said he would like to read the following into the record: On June 13th he attended a meeting at DCA to discuss with DCA the ORC report on the "Summer Camp" project. In attendance at the meeting were representatives of St. Joe/Arvida. I informed those present that I would be discussing the meeting with the Board. The ORC report contains nine objections, some of those objections deal only with the "Summer Camp", and some are objections both St. Joe and DCA are going to need direction from the County Commission. The objections that appear to need County Commission input are the ones dealing with protecting the fifty-foot setback around Wetlands, and which kind of wetlands; what sort of restrictions the Board expects on water access and shoreline development; the Board's definition of US 98 as a scenic road; and most importantly, the County's current definition of the Coastal High Hazard area does not fit a state definition of Coastal High Hazard. The last one is the most import to DCA because of the impact it might have on other future development along the main coastline in the County. He presented the Apalachee Bay Regional Hurricane Study Maps, which was conducted by a multi-jurisdictional year, staff, etc. completed by the USCOE. The dilemma for DCA is, if the County adopts the State definition of Coastal High Hazard, DCA likes that definition worse than the one the County has already adopted, V-Zones; the State definition is less restrictive than the County's definition, the State definition, based upon evacuation zones in the Regional Study, shows no Coastal High Hazard Areas on the mainland. He said DCA wants some Coastal High Hazard Areas on the mainland, but they area undecided as to how much. At this time, perhaps someone from St. Joe/Arvida would like to briefly discuss their own ideas, but before the Board goes too far into this discussion, I am planning to ask the Board to

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schedule a workshop on July 2nd or 3rd, as the Chairman will be out of town on July 2nd, so that the Board can hear a much more complete description of the ORC Report and proposed responses. The Board discussed the maps Mr. Pierce presented to them and the evacuation routes proposed on them. Mr. Buzzett said he would see the new development paid their share of these emergency costs. He stated there are things St. Joe can do to impose on those new property owners that would put limitations, etc. on them during emergency evacuations, etc. He said DCA is looking at the entire County and is upset with the map and would like to see it changed. Commissioner Mosconis said he would like to go ahead and schedule this workshop for July 2nd at the morning meeting. The Board instructed the Board Secretary, Amelia Varnes, to schedule a workshop on the July 2nd agenda at 9:30 a.m., EST, to discuss the ORC Report, etc. with representatives from St. Joe and to gain public input.

(Tape 2- 943) Mr. Pierce said on June 14th, Commissioner Cheryl Sanders and he attended an education meeting at 1,000 Friends of Florida headquarters in Tallahassee to learn more about "visioning" and how the concept works. He said APECO has received some funds to assist "visioning" in Franklin and Wakulla Counties. He explained, from the meeting, it appeared Wakulla County was ready to move forward with their visioning, but he felt that he needed more direction from the Board before he could commit to anything. He said Commissioner Sanders said she would like to hear an education presentation from DCA on how they see "visioning" working in Franklin County. He asked the Board if they would like for him to schedule a time for Ms. Barbara Linczewski, DCA, to address the Board about "visioning". He stated the Board needs to be aware a commitment to "visioning" would take considerable staff time of either Mark Curenton or himself. He stated while we do not expect to have to lead the project, their attendance is going to probably be necessary at many of the meetings, and I imagine there would be a lot of meetings. Commissioner Sanders said she would like to make a **motion instructing Mr. Pierce to schedule an educational workshop with Ms. Barbara Linczewski, DCA, regarding "visioning"**. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Frank Venable, Eastpoint, said he would like to address the Board at this time. He stated a year and a half ago he came to the Board about a growth management plan, short-term and long-term plans. He said the Commissioners were not receptive to this plan. He stated the infrastructure in the County is in dire need of attention. He said the Board has just discussed the ambulance, medical issues for the County, the streets that are not being paved, etc. He stated all these new developments need infrastructure. Mr. Venable continued his presentation to the Board. Mr. Buzzett said his company would work with the County on some types of "visioning", etc. He stated his company is not shy about doing a public vision plan and the largest one in the State has been completed by St. Joe in Bay County. He said the plan has been endorsed by the Audubon Society. He said they would be glad to attend this workshop when it is scheduled.

ALAN PIERCE-CONTINUED

(Tape 2-1335) Mr. Pierce continued his Planning and Zoning Commission Meeting report at this time. He said the Planning and Zoning Commission recommends in favor of two small scale land use and zoning changes: The first is for a 3.32 parcel in Section

10, T7S, R5W, to be changed from A-2 to R-1 on land adjacent to another subdivision on the New River. Board action would be to authorize a public hearing to consider the request. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a public hearing to consider this request for a land use and zoning change.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** The second is for another parcel in Eastpoint, at 241 Patton Drive, going from R-1 to C-4. This also is in the area that has seen other adjacent property rezoned lately. Commissioner Sanders made a **motion authorizing Mr. Pierce to schedule a public hearing to consider this request for a land use and zoning change.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** The Commission recommends in favor of a large-scale land use change and zoning change on 20.98 acres in Section 10, T7S, R5W, adjoining the parcel above. The change would be from A-2 to R-1. The County can only do a large-scale land use changes twice a year. One has already been taken up by "Summer Camp". I advised the Commission and the applicant that while the Board was recommending approval of this large-scale land-use change now, I would recommend the Board not schedule the hearing for this change until some time in the fall, probably October, as the County needs to see if there are going to be other proposals from other property owners this year. Board action to accept Planning and Zoning's recommendation, but to allow me to set the schedule for the hearing at a later date. Commissioner Putnal made a **motion accepting Planning and Zoning's recommendation approving a large-scale land-use change for 20.98 acres and authorizing Mr. Pierce to schedule the public hearing in October.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** The Commission heard one commercial site plan review and recommends approval of the site plan for an electrical and plumbing store in Eastpoint at 143 US 98. The project met all of the requirements, but I did put the applicant on notice Eastpoint was still under a sewer moratorium, and if he built the building now he would have to install a septic tank and then have to remove it when sewer became available. Commissioner Sanders made a **motion approving of a site plan for an electrical and plumbing store in Eastpoint at 143 US 98 with the understanding Eastpoint is still under a sewer moratorium and a septic tank would have to be removed when sewer becomes available.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** The Commission reviewed three subdivision plats, and recommends the following action: Approval for the preliminary plat of "Magnolia Ridge Phase III", a 44-unit subdivision in Eastpoint. The request was submitted by Mr. Jamie Crum. Commissioner Mosconis made a **motion approving a preliminary plat of "Magnolia Ridge Phase III" as submitted by Mr. Jamie Crum.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for the sketch plat and final plat for "The Preserve" a 10-lot development on 12-acres lying in Section 9, T9S, R9W, as submitted by Ms. Ruth Schoelles. While the Commission approved both the sketch and final plat, not all of the documents have been received by Mr. Shuler for him to review the final plat, so at this time the Board should just act on the sketch plat. Ms. Schoelles reported she had submitted the necessary documents to Mr. Curenton yesterday. Mr. Pierce asked the Board to go ahead and approve the sketch plat and approve the final plat contingent on Mr. Shuler's review of the documents and approving them. Commissioner Mosconis made a **motion approving the sketch plat of "The Preserve" as submitted by Ms.**

Ruth Schoelles and approving the final plat contingent on approval by Mr. Shuler of the necessary documents. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval of a final plat for "New River Harbor" subdivision submitted by Ms. Freda White. This is a subdivision that has been under development for almost a year, and was initially started by someone else. Commissioner Putnal made a **motion approving the final plat for "New River Harbor" subdivision as submitted by Ms. Freda White.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1675) He presented a letter he received from Mr. and Mrs. William L. Dodd, 1044 Porter Street, SGI. He said the letter opposed the closing of the Porter Street Boat Ramp on SGI. He said they were upset in the way the County had closed the boat ramp. He stated he was submitted the letter to the Board for the record.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-1695) Mr. Shuler said he read the DCA ORC Report on the "Summer Camp" project.

(Tape 2-1702) He stated he worked on an airport rental for the tank recyclers at the Apalachicola Airport. He reported he was ready for the Clerk's signature and the County Seal on the agreement. He submitted the Rental Agreement between Franklin County and Tank Recyclers of Georgia, LLC for a small parcel of land at the Apalachicola Airport for twelve months beginning June 7, 2002 and ending June 6, 2002 for \$100.00 a month, due at the first of each month. Ms. Varnes assured the Board she would mail the agreement to the necessary parties for final signatures.

(Tape 2-1760) He said he compiled a letter to furnish notification to one of the County Employees who is injured and currently on Worker's Compensation about returning to work under his "light duty" requirements. He said the employee's doctor had released the employee to come back to work, but only to work under "light duty" requirements. He said the Department Head didn't have any type of work that fell under that category so he asked him to help him formulate a letter to the employee informing him there was no "light duty" duties in that department and the employee would just need to stay on Worker's Compensation until he could return to "full duty". He said he notified Lucy Turner, the County's labor attorney, about the matter and she assisted him with the letter. Commissioner Mosconis asked Mr. Shuler what type of "light duty" work was he cleared for. Mr. Shuler replied this employee, Mark Wilson of the Road Department, and he submitted a letter from his doctor which stated "may return to work light duty, no lifting, pushing, or pulling greater than fifteen pounds, no stooping or prolonged standing greater than thirty-minutes without a break". He said Mr. Wilson main duty is as an Inmate Supervisor and classified as an Operator II in the Road Department. He said the letter basically informs Mr. Wilson the Road Department does not have any duties for him to perform at this level specified by his doctor. Commissioner Putnal asked "how hard is supervising inmates Mr. Shuler?" Mr. Shuler stated the employee had to drive, stand around and watch the inmates work, etc. Commissioner Putnal said well if he couldn't lift his own body then he should be disabled. Mr. Shuler stated he thought this matter

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would be discussed during Mr. Chipman's report, but it was not. He said Mr. Chipman doesn't have any use for Mr. Wilson until he fully recovers. He stated he cannot work with these restrictions at the Road Department. Commissioner Putnal asked Mr. Shuler "where is he hurt at?" Mr. Shuler replied he understood he hurt his back. He said he was just informing the Board he was sending a letter to Mr. Wilson through his supervisor, which was approved by Ms. Turner. He stated the County had to be fair to their employees, but they cannot work if they have not been cleared to do the level of work necessary to perform their daily duties for the County. Commissioner Putnal asked Mr. Shuler what would happen if the County couldn't find any duties for Mr. Wilson to do. He asked Mr. Shuler if Mr. Wilson would have to apply for disability. Mr. Shuler answered that Mr. Wilson would be entitled to get Worker's Compensation because his injuries, as he understands it, are job related. He said Mr. Wilson would be eligible for these benefits for at least several months or so and received approximately 66% of his regular salary. He said the number of weeks he receives Worker's Compensation depends on the rating the doctor gives him. He informed the Board this matter was handled totally by the Worker's Compensation Insurance Carrier. Commissioner Putnal asked Mr. Shuler "what was taking care of him now?" Mr. Shuler replied Mr. Wilson receives temporary Worker's Compensation because of his injury and from the date of his injury. He explained he would receive this compensation until he reach maximum medical improvement, at which point he would receive a number of weeks of permanent disability from Worker's Compensation based on the doctors rating such as 30% disabled, 40% disabled, etc. He said it is all based on a schedule. He stated the employee did need to be notified that the County didn't have any "light duty" duties for Mr. Wilson since his doctor had released him to come back to work.

MATTERS FROM THE FLOOR

(Tape 2-1953) Commissioner Sanders asked Mr. Shuler if he received a copy of the letter the Tax Collector, James A. Harris, Jr., CFC, sent through his attorney, Jan J. Hevier, regarding the delinquent taxes on George E. Weems Memorial Hospital. She said the taxes due total \$27,794.27 and the letter demands they be paid by June 30, 2002. She asked Mr. Barry Gilbert if he was aware the taxes were now delinquent. Mr. Gilbert replied he was and the last thing he heard from his corporate office was "they were cutting the checks and they were all being forwarded to the appropriate offices." He said Mike Lake, CEO, would be in town tomorrow and he would definitely inform him of this matter. Commissioner Sanders said she wanted Mr. Gilbert to also inform Mr. Lake the rent was two months behind again. She stated she didn't want this matter to get out of hand.

(Tape 2-1993) Linc Barnett, Alligator Point, said he wanted to discuss the Wylie cul-de-sac. He stated the Commissioners ordered Mr. Wylie, at the last meeting, to open the gate across George Vause Road or Angus Morrison Road. He said he wanted to report to the Commissioners, as of noon yesterday, the gate was still chained and locked. He stated Mr. Wylie has not done what the Board asked him to do. Mr. Pierce said Mr. Wylie volunteered to open this gate. He stated if he won't be cooperative then the County won't be cooperative with him.

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

Eddie Creamer **EDDIE CREAMER, CHAIRMAN**

Amelia Varnes **AMELIA VARNES, DEPUTY CLERK**