

FCBCC REGULAR MEETING-JULY 15, 2003

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY
JULY 15, 2003**

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

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

(Tape 1-28) Commissioner Putnal made a **motion to approve the minutes of the meeting held on July 1, 2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-36) Commissioner Williams made a **motion to pay the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-47) Mr. Chipman said he didn't have anything to discuss with the Board this morning.

(Tape 1-48) He did inform the Board the Road Department has received the new 4-post lift station. He reminded the Board this is the equipment the mechanic at the Road Department needed and the company is installing it.

(Tape 1-57) Commissioner Putnal said he would like to discuss something while Mr. Chipman is here at the meeting. He informed Alan Pierce, Director of Administrative Services, he and Mr. Chipman had discovered a potential dangerous situation, especially for kids. He said there is an uncapped well or septic tank at the Carrabelle Beach Motel property. He the area is approximately three or four foot wide and he could see water standing at six-feet in the well. Mr. Pierce said he would call the Health Department as soon as the meeting was over today. He stated he would check into the matter. Chairman Sanders asked Commissioner Putnal if this well was on private property. Commissioner Putnal answered it was right on the County's right-of-way. Chairman Sanders said she thought the property owners should be notified and made to rectify the situation. Mr. Chipman said he thought there were a total of three open wells or septic tanks on this property. Mr. Pierce said he would take care of this matter.

(Tape 1-108) Chairman Sanders asked Mr. Pierce if he had ever received a response from DEP regarding the County acquiring ownership of the Old Carrabelle Beach. Mr. Pierce replied they called him several months ago and informed him they were reconsidering their options. He stated he was also informed they were not going to pursue the option of the County taking over responsibilities for this property.

(Tape 1-120) Commissioner Mosconis asked if any progress had been made on his request, from the last Board Meeting, about the dangerous situation on the Cemetery

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Curve on Bluff Road. Mr. Pierce said he has prepared a letter and would have the Chairman sign the letter today. He stated the representatives from FDOT, who were present this morning, might be able to answer this question for Commissioner Mosconis. Commissioner Mosconis said he noticed Mr. Chipman placed one little sign on the road. Mr. Chipman said this road was dangerous and there was already a "Dangerous Curve" sign on it. Commissioner Mosconis said maybe the FDOT could address this problem.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-168) Mr. Johnson informed the Board he had attached the Annual Activity Report for the Franklin County Animal Control Department. He said in order for him to gauge the efficiency of the services this department provides to the public, he has also included last years data.

(Tape 1-220) He said he received at the Board Meeting on June 17th, the Board's approval to move the recycling containers to another location on SGI. He stated, however, this move has proved to be very unpopular with residents at the new location. He said some residents on SGI want the recycling containers removed from the Island. He stated it seems to be a "Not in my Backyard Syndrome". He said his concern is due to the illegal dumping activities at the current SGI site. He asked the Board to allow him to remove the recycling containers from SGI temporarily or until a suitable site can be found. He said he did not want to punish the people on the Island who use the site for recycling either. The Commissioners all agreed to allow Mr. Johnson to temporarily remove the recycling containers from SGI.

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-409) Mr. Mahan presented a copy of several publications to the Board for their information this morning.

(Tape 1-508) He said he had also attached a copy of the proposals for discussion during the ISSC meeting scheduled for next month. He stated there are several issues that have been submitted by the Florida agencies related to shellfish, bio-toxins and testing procedures. He reminded the Board he would be attending this meeting in Portland, Oregon next month.

LINK CARROLL-FCSO FINANCE OFFICER

(Tape 1-607) Chairman Sanders said she would ask Ms. Carroll to address the Board this morning. She reminded the Board the Commissioners had asked her to bring them some proposals regarding the roof/lightning repairs needed at the County Jail. Ms. Carroll presented copies of the quotes she received for the lightning and roof repairs for the Jail. She stated she had two quotes for the roof repairs; one is from a company in Alabama, All South, in the amount of \$109,990.00 for a membrane roof and the other quote was from a company in Wewahitchka with two options; one is for \$9,750.00 and the other is \$107,000.00. Mr. Pierce said these quotes are for asphalted base type roof. He reported he had discussed this with David Kennedy, Preble-Rish Engineering, Inc., and was informed by him they were both qualified quotes. Commissioner Mosconis said he thought the County should go ahead and move forward with the roof repairs.

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Commissioner Mosconis then made a **motion instructing the Clerk, Mr. Wade, to find the money to repair the roof at the County Jail and instructing Mr. Pierce to schedule this project.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said this matter needed to be taken care of so everyone can move forward. Commissioner Mosconis said he knew the motion needed to contain the fact this project would be given to one of these companies submitting the quotes. He stated he knew it would be considered a sole source project. Commissioner Mosconis said he would add to his **motion this project would be considered a sole source bid.** Commissioner Creamer agreed to this amendment to Commissioner Mosconis's motion. All for. **MOTION CARRIED.**

(Tape 1-759) Ms. Carroll then addressed the Board regarding the lightning strike issue. She said SAE, Inc. was the only company she could locate that would properly, and finally address the lighting issue at the Jail. Commissioner Mosconis said, again, he wanted Mr. Plessinger, WOYS Radio, to go to the Jail and check to see what he thinks needs to be done. He stated Mr. Plessinger is a "lightning expert". Commissioner Creamer stated he wanted some type action to remedy this problem at the Jail. He said he knew personally this problem had been discussed for approximately fifteen years. He stated the Jail is still having lightning problems. He said this was a liability for the County and needed to be addressed immediately. He stated he felt this was more important than the roof repairs. Commissioner Mosconis said he would make a **motion authorizing the company SAE, Inc. to perform their proposed services for Franklin County in the amount of \$9,450.00.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

JEFF LARSON-NORTH FLORIDA MEDICAL CENTERS

(Tape 1-934) Mr. Larson gave the Board a brief update on the Eastpoint Qualified Health Care Center. He said his company continued operating the clinic after Tallahassee Memorial discontinued their services on May 1st. He stated they opened it on May 5th to receive patients. He said they are currently serving approximately 3,000 patients in the Franklin County area.

FLORIDA DEPARTMENT OF TRANSPORTATION-DISTRICT 3

(Tape 1-1156) Tom Shaffer, Operations Engineer-Midway, appeared before the Board to present the annual Rural County Update. He presented several items to the Board this morning.

PUBLIC HEARING-LAND USE AND REZONING

(Tape 1-2258) Mr. Pierce said this land use and rezoning public hearing scheduled for today at 9:45 a.m. was to address the Delmain Property in Lanark Village. He informed the Board Mr. Delmain was unable to be at the meeting this morning because he had a doctor's appointment. Mr. Pierce asked the Board to table this public hearing until September 2, 2003 at 10:00 a.m. Commissioner Creamer made a **motion to table the Delmain's request for a land use and rezoning for their property 0.81 acres in Section 12, Township 7 South, Range 4 West located on Highway 98 in Carrabelle for a land use change from Commercial to Residential and a rezoning from C-4**

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Commercial Residential Mixed Use to R-1A Single Family Residential Subdivision to September 2, 2003 at 10:00 a.m. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

CHERRY RANKIN-PRESIDENT OF THE SHIP BOARD

(Tape 1-2281) Mr. Pierce said he had talked to Ms. Rankin this morning and Ms. Rankin would not be here this morning.

ALAN PIERCE-DIRECTOR OF ADMINSTRATIVE SERVICES

(Tape 1-2293) Mr. Pierce said he was directed by the Board to invite representatives of the Chamber of Commerce to a Board Meeting to provide the Commissioners with some pertinent information regarding the implementation of a Bed Tax for Franklin County. He said the group of people present today would also like some direction on the appointment of members to comprise the Franklin County Tourist Development Council, which is required by State Law. He introduced Anita Grove-President of the Apalachicola Bay Chamber of Commerce, Alice Collins-Collins Realty of SGI, Mark Freeman, Curt Blair to the Board this morning. Ms. Grove presented a handout "How much could be generated through a 2% Resort Tax on Tourist visiting Franklin County?" She said the information reflected on this handout is for Hotels, Vacation Rental Homes, and RV Parks in the County. She said the tax would generate approximately \$544,580.00 per year. After discussion Commissioner Mosconis made a **motion to begin the process of establishing a Franklin County Tourist Development Council.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3290) Mr. Pierce asked the Board to consider accepting ownership and maintenance of the roads built in Whispering Pines, Phase I and II. He explained the roads were constructed to meet County standards, and inspected by David Kennedy, but the dedication of the plat inadvertently identified the roads as being private roads. He stated he has verified with Mr. Kennedy the roads, which were built approximately two years ago, met County standards. He recommended the Board direct the Engineering Technician, Chris Clark, to inspect the roads and report back to the Board as to the condition of the roads. He said then the County Attorney should make a recommendation to the Board as to how to formally accept the roads. The Board instructed Mr. Pierce to go ahead with allowing Mr. Clark to inspect the Roads and then proceed from there with his recommendation.

(Tape 1-3374) He stated Ben Watkins had requested the Board to acknowledge that the public is no longer using the road off of River Road and allow it to revert back to the property owners. Commissioner Putnal made a **motion, as requested by Ben Watkins, to acknowledge the road off of River Road is no longer being used by the public and allowing the road to revert back to the property owners.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3477) He presented a letter from DACS Commissioner Charles Bronson informing the County the old Forestry Work Camp east of Carrabelle would revert back to St. Joseph Land and Development Company. Chairman Sanders reminded the Board

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she asked Mr. Pierce to contact DACS about this property. She said she would like for the County to be able to lease the property from St. Joe. She stated she has talked to representatives from St. Joe about a lease agreement between the County and St. Joe. She stated the County could use the property for many different things. She said she would try to keep the Board updated on the progress of this request.

(Tape 1-3524) Mr. Pierce presented a Change Order, #1, in the amount of \$106.00 for the Franklin County Road Improvement Contract. He said more specifically it was the work C. W. Roberts Contracting, Inc. did on the Water Street and South Bayshore Drive roads. He said the contract would be decreased by \$106.00. He said David Kennedy had approved the Change Order. Commissioner Creamer made a **motion authorizing the Chairman's signature on Change Order #1, Franklin County Road Improvements, C. W. Roberts Contracting, Inc., for a decrease in the contract in the amount of \$106.00 for the revised work on Water Street and South Bayshore Drive.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3545 Continued on Tape 2) He asked the Board to follow the recommendation of the Construction Licensing Board to name Heath Galloway as a permanent member. He stated Mr. Galloway is presently an alternate member. He said he would also like to the Board to support the appointment of Michael Pridgen, Franklin King, and Jimmy Thompson as alternate members to fill alternate vacancies, which have been vacant for a long time. He said the CLB would also like the Board to know they are adamant about the County requiring the issuance of building permits in accordance with Florida law, which requires that individual permits be issued for plumbing, electrical, pools, and HVAC (heating and air conditioning). Commissioner Mosconis made a **motion approving the appointment of Heath Galloway as a permanent member to the Franklin County Construction Licensing Board and appointing Mike Pridgen, Franklin King, and Jimmy Thompson as alternate members to the Licensing Board.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Heath Galloway asked to address the Board this morning on the individual permitting issue. Mr. Galloway said he would ask the Board to go ahead and implement this procedure. He explained the Florida Statutes require this permitting requirement be implemented in each County. Commissioner Mosconis said he was adamant about not requiring this permitting requirement. He stated he had a problem with individual homeowners doing their own work or sub contracting their home repair project to the person they want to do the work without requiring a permit. Mr. Galloway said the CLB wanted the contractors in Franklin County to be "policed" so it would protect the individual homeowners.

(Tape 2-121) He provided the Board with a copy of a letter written by consultant Linc Barnett regarding County policy and existing rules for County employees. He explained the letter covers both declared emergencies and non-declared emergencies. He said the Board might want to review the letter and discuss it further.

(Tape 2-132) He informed the Board he has received a letter, a copy of which he is submitting to the Board for the record this morning, stating Franklin County was not approved for funding for fiscal year 2003-2004. He said this was the funding the County

intended to use for the Eastpoint Boat Ramp project through the Florida Boating Improvement Program.

(Tape 2-135) Commissioner Creamer asked Mr. Pierce about the dredging permit for the Eastpoint Channel Project. He stated this permit should have already been completed by now. Mr. Pierce replied he did get a telephone call several weeks ago regarding DEP and the USCOE discussions. He said he has not heard anything about the project.

Commissioner Creamer asked if the permit had been submitted. Mr. Pierce replied the USCOE said they were going to submit their own permit request. He said he has not heard anything from anybody. Chairman Sanders instructed Mr. Pierce to contact Mike Sole, DEP, regarding this important matter to see what the status of this project is.

Commissioner Creamer asked Mr. Pierce if Mr. Clark, as instructed by the Board, was doing what he needed to do for the County portion of this project. Mr. Pierce replied he did remember the Board directing Mr. Clark to begin the process for the County's portion of this project, but the USCOE said they would not do their portion of the work for the project underneath the County's permit. He explained the USCOE wants their own permit so the County did not submit a permit application. Chairman Sanders said they did not want this project to be stalled any further. Mr. Pierce assured the Board he would call USCOE representative Terry Jangula and DEP representative Mike Sole right after the meeting today.

(Tape 2-179) Mr. Pierce said the Planning and Zoning Commission met in regular session on July 8th and recommends the following: Approval for construction of a single-family dock for Gordon Adkins, Lot 8, Bay View Village, SGI. Commissioner Creamer made a **motion approving the construction of a single-family dock for Gordon Adkins.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for construction of a single-family dock for Theresa Kelbacha at 209 Harbor Circle, Alligator Point. Commissioner Putnal made a **motion approving the construction of a single-family dock for Theresa Kelbacha.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for the construction of a single-family dock for Ed Moore and Russell Rainey at 4374 St. Teresa Avenue, St. Teresa. Commissioner Putnal made a **motion approving the construction of a single-family dock for Ed Moore and Russell Rainey.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for construction of a single-family dock for Aaron Wray at 921 Mill Road, Carrabelle. Commissioner Putnal made a **motion approving the construction of a single-family dock for Aaron Wray.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for construction of a single-family dock for Mike McLoad at 2584 Highway 98, Carrabelle, contingent on the receipt by Mr. McLoad of the required Federal permit. Commissioner Putnal made a **motion approving the construction of a single-family dock for Mike McLoad contingent on Mr. McLoad receiving the required Federal permit.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for construction of a single-family dock for Ed and Lisa Killorin at 2596 Highway 98, Carrabelle. Commissioner Putnal made a **motion approving the construction of a single-family dock for Ed and Lisa Killorin.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for a site plan

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for Jimmy Sapp at 9 North Franklin Street in Eastpoint. Commissioner Creamer made a **motion approving a site plan for Jimmy Sapp at 9 North Franklin Street in Eastpoint.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval of a Preliminary Plat for "Tarpon Sound" a subdivision lying in Section 21, Township 7 South, Range 4 West, Carrabelle as submitted by Dan Ausley, agent for St. Joe Land Company. The Commission asked the developer to consider changing the name since there was another subdivision with a similar name. Mr. Ausley said they would look for another name for the subdivision. Commissioner Putnal made a **motion approving a Preliminary Plat for "Tarpon Sound" a subdivision lying in Section 21, T7S, R4W in Carrabelle.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Chairman Sanders said this was the "affordable housing" project for Franklin County. Approval of a request for a Preliminary Plat for "Summer Camp", a 499-lot subdivision in Sections 33, 34, 35 and 36, T6S, R3W as submitted by Billy Buzzett, agent for St. Joe Land Company. Mr. Buzzett made a presentation to the P&Z Commission covering not only the platting of the property, but the controlling document, which is proposed to be a PUD. The Commission heard Mr. Buzzett respond to the issues that had been raised during the comprehensive plan amendment process. After lengthy presentations and questions from the Commission members, the Commission recommends the scheduling of a public hearing to consider the adoption of a "Summer Camp" PUD. The adoption of this PUD and Master Plan will constitute the preliminary plat approval. Commissioner Mosconis made a **motion authorizing Mr. Pierce to schedule a public hearing to consider the adoption of the "Summer Camp" PUD.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Chairman Sanders said she wanted the public hearing scheduled for August 19, 2003 at 10:00 a.m. At the beginning of the P&Z Commission meeting on July 8th, prior to the approval of the P&Z Commission Minutes, there was a discussion of an e-mail by alternate P&Z Commission Member Harriet Beach sent regarding her voting on the chairmanship of the Commission. Chairman Gayle Dodd read a letter reprimanding Alternate Beach and after much discussion, the minutes were approved recognizing that Alternate Beach voted "nay" for Chairman Dodd. There is still a vacancy on the P&Z Commission in the Science section. The following people have expressed an interest: Harriett Beach, Kristen Anderson, Dawn Evans, and Robert Harris. Commissioner Creamer said he wanted a P&Z Commission that would work together and did not want any further controversy in these meetings. He stated he tried at the last meeting to have Ms. Beach dismissed from her position on the P&Z Board, but did not receive a second to his motion for removal. He said he didn't want a problem with the decisions being timely and efficiently made in the P&Z Meetings. Mr. Pierce replied he was not at the meeting and could not comment on the meeting. He said he has no knowledge about exactly how everyone felt at the meeting. Commissioner Creamer said he would like to allow Ms. Dodd to address the Board about this matter. Ms. Dodd, Chairman of the P&Z Commission, said she had served on the Commission for ten years, as Chairman for the past six years. She stated she was always proud the members did things in a very civilized manner, agreed to disagree, but everything was done "on the table" so to speak. She stated she felt this e-mail, among other things done by Ms. Beach, was a very vicious attack on her personally. She said she told Ms. Beach she felt Ms. Beach's actions were negative, subversive, and not a team player. She stated she felt

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Ms. Beach had a lot of issues that needed to be dealt with. She said whether Ms. Beach stays on the P&Z Commission or not was not up to her as Chairman. Ms. Dodd stated every member of the P&Z Commission was given a copy of the e-mail and no one else made a comment on it. She said Ms. Beach is an alternate on the Commission and alternate members are only supposed to vote or take part in a discussion if or when there was not a quorum present for the P&Z Meetings. She stated she wanted that to be perfectly clear. She said there were a lot of issues the P&Z Commission dealt with and as the County grows this should increase. She stated she would like to see the P&Z Commission continue in a positive way. She said Ms. Beach has written things, which truly disturb her. She stated she felt Ms. Beach reflects most of the members on the P&Z are "very stupid". She said she resented these implications Ms. Beach has been making and a lot of the people in the County should resent these implications. She stated if Ms. Beach remains on the P&Z Commission she should try and change her attitude and become more of a "team player". Commissioner Mosconis said the P&Z Commission was a real valuable tool the Board uses in the decision making process. He stated they have always been active and always appeared to get along between themselves. He said the County and the P&Z Commission are really going to be facing a lot of big issues and encouraged the members of the Commission to try and get along. He stated if this problem is not eliminated soon then the Board would have to take action to eliminate it. He said these people need to be less personal especially when they are making a decision concerning this County. He said he really appreciated everything the P&Z Commission members do for the Board. Mr. Pierce stated he always thought the P&Z Commission alternate members were only able to participate in a vote or discussion when there was not a quorum present. He said he wanted this to be clear for the P&Z Commission members. He stated he would advise the P&Z Commission members of this fact and that they should follow the rules as to alternate members. He said again, the alternate members of the P&Z Commission should only participate in a vote, discussion, etc. when there is not a quorum of the membership present for a meeting.

(Tape 2-603) Mr. Pierce said he would consider whom to place on the P&Z Commission in the Science Seat Vacancy. Commissioner Creamer said he would like this matter discussed at one of the future meetings. Commissioner Mosconis asked about Brent Mabrey serving in this capacity. He asked Mr. Pierce to contact him about serving on the P&Z Commission. Commissioner Creamer stated he did not want anybody to be forced to serve on this Commission, but that really wanted to. He said if Mr. Mabrey was interested he should have submitted his application when the vacancy was advertised. He stated he wanted someone who would be at the meetings. Mr. Pierce said he would check into the matter and try to come to some final recommendation for the Board to consider.

(Tape 2-676) Mr. Pierce reminded the Board about the Visioning Workshop scheduled for the Annex Building tonight at 6:00 p.m.

KENDALL WADE-CLERK

(Tape 2-722) Mr. Wade said he would like the following Budget Amendment approved by the Board this morning: Adjustment for the hourly rate increase approved for the

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Mosquito Control Truck Drivers, Increase 142.42.562.1200 Regular Salaries \$3,404.00, Increase 142.42.562.2100 FICA \$261.00, Decrease 142.42.562.3100 \$3,665.00.

Commissioner Putnal made a **motion approving the following Budget Amendment: Adjustment for the hourly rate increase approved for the Mosquito Control Truck Drivers, Increase 142.42.562.1200 Regular Salaries \$3,404.00, Increase 142.42.562.2100 FICA \$261.00, Decrease 142.42.562.3100 Professional Services \$3,665.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-745) He read the following Resolution into the record: Whereas, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparing 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 \$199,445.00 from STATE OF FLORIDA, HURRICANE EARL CDBG, GRANT NO. 01DB-27-02-29-01-G30, for storm water drainage improvements, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2002-2003, 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: 155.20.538.1200 Regular Salaries \$2,860.64, 155.20.538.2100 FICA Taxes \$218.84, 155.20.538.2200 Retirement \$164.78, 155.20.538.3103 Engineering Services \$4,786.20, 155.20.538.6300 Improvements Other Than Buildings \$190,271.54, 155.20.538.6400 Machinery & Equipment \$1,143.00. Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$199,445.00 in the HURRICANE EARL CDBG FUND in order to comply with FS 129.06(2)(d). THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15th day of July 2003. Cheryl Sanders, Chairman; ATTEST: Kendall Wade, Clerk. Commissioner Putnal made a **motion authorizing the Chairman's signature on this Resolution of Unanticipated Revenues in the amount of \$199,445.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-831) Mr. Wade read the following Resolution 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 \$27,500.00 from FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, TECHNICAL ASSISTANCE PLANNING GRANT NO. 03DR-37-02-29-01-006 (\$25,000.00) AND 03DR-37-02-29-01-013 (\$25,000.00), for the Comprehensive Plan Update Project, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2002-2003, 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: 001.20.511.3400 Other Contract Services \$27,500.00. NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these

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unanticipated revenues in the amount of \$27,500.00 in the GENERAL FUND in order to comply with FS 129.06(2)(d). **THIS RESOLUTION ADOPTED** by the Franklin County Board of County Commissioners this 15th day of July 2003. Cheryl Sanders, Chairman; ATTEST: Kendall Wade, Clerk. Commissioner Putnal made a **motion authorizing the Chairman's signature on this Resolution of Unanticipated Revenues in the amount of \$27,500.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-871) Mr. Wade read the following Resolution into the record: Whereas, Franklin County is a political subdivision in 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 \$81,000.00 from FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION FLORIDA BOATING IMPROVEMENT PROGRAM, for Battery Park Marina Project, FWCC Agreement No. 01062, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2002-2003, 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: 001.20.511.3402 Battery Park Marina Project \$81,000.00. **NOW THEREFORE, BE IT RESOLVED**, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$81,000.00 in the GENERAL FUND in order to comply with FS 129.06(2)(d). **THIS RESOLUTION ADOPTED** by the Franklin County Board of County Commissioners this 15th day of July 2003. Cheryl Sanders, Chairman; ATTEST: Kendall Wade, Clerk. Commissioner Putnal made a **motion authorizing the Chairman's signature on this Resolution of Unanticipated Revenues in the amount of \$81,000.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-892) Mr. Wade presented the Annual List of Errors, Insolvencies, Double Assessments, and Discounts-Recapitulation submitted by the Tax Collector James A. Harris, Jr., CFC and asked the Board to approve the Recapitulation. Commissioner Putnal made a **motion accepting the Annual Recapitulation as submitted by the Franklin County Tax Collector, James A. Harris, Jr., CFC.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-913) He informed the Board the Budget Workshop was scheduled for July 29, 2003 at 9:00 a.m. in the Courthouse Annex. He said he has already sent all of the notices to each Constitutional Officer and any other entity that needed to be scheduled for the Budget Workshop for this date and time. He stated Commissioner Mosconis asked him this morning to reschedule the workshop, but he felt he didn't think it could be rescheduled, since everyone had already been notified. The County Attorney, Thomas M. Shuler, said he didn't think the date and time should be changed at such a late date. Mr. Wade stated it would be really difficult to notify and change this date. Mr. Shuler stated there was not an easy answer to this question, but the Board should really try to

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maintain the date and time of the workshop. Commissioner Mosconis said it would be all right and he would be here on the 29th for the Workshop.

THOMAS M. SHULER-COUNTY ATTORNEY

(Tape 2-1000) Mr. Shuler said he has checked into the issue of whether a Code Enforcement Board established by the Commissioners would be independent or if appealed would be addressed by the Commissioners or the Circuit Court. He stated the answer to this question was if the Commissioners created a Code Enforcement Board there would not be an appeals process whereby the Commissioners would hear the appeal. He said, in other words, the appeal of any decision made by the Code Enforcement Board would go directly to the Circuit Court, which is the current situation with any appeals from the Board of Adjustment. He said this would totally bypass the County Commissioners.

(Tape 2-1019) He reported he had sent the documents necessary for closing on the Sumatra Cemetery Property, but have not received them back from the Drew Branch Estate attorney, John Rudolph. He said he has sent a letter to Mr. Rudolph asking him the status of these documents. He stated he does expect them to be back in his office by Friday.

(Tape 2-1075) He said both he and Nick Yonclas, attorney for the applicants for development of Lanark Reef, are addressing the Lanark Reef problem. He stated they both are gathering the necessary information to make a recommendation to the Board.

(Tape 2-1087) He stated he has reported the abandoned dump truck at the Timber Island Boat Ramp to the Florida Highway Patrol. He said hopefully they will have "Red Tagged" this truck for removal in the near future.

(Tape 2-1094) He also reported he has not received an official Amended Lease for Tank Recyclers for their leased property at the Apalachicola Airport.

(Tape 2-1100) He said a lawsuit has been filed by a group who asked the BOA for approval of a cluster project in Eastpoint. He said the group is Magnolia Ridge, LLC and represented by Brant Ruzinski. He stated their problem is the denial of this request for a clustering project in Eastpoint by this group.

(Tape 2-1117) He stated Alexis Marketing versus Franklin County is moving forward. He reminded the Board this is the lawsuit about the street ends on SGI.

(Tape 2-1125) He said the other issue is the dependency attorney fee problem he discussed with the Board at the last meeting. He stated he was instructed by the Commissioners to check with the Judge and see what and how the attorney's needed to be paid. He reminded the Board the attorneys were asking the Court to pay for travel time from Tallahassee, etc. for their assigned cases. He said he has contacted the Court Administrators Office, Chief Judge Francis. He stated, at this point, he would like permission to, as recommended by the Chief Judge, to advertise for proposals. He

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explained this would allow various attorneys to make a proposal to the County as to what they would charge for these assigned cases. He said this would hopefully save the County some money. Mr. Wade stated he had talked to Judge Francis and he suggested this is what the Board would need to do. He said Judge Francis thought this would be the best and cheapest way for the County to contract with an attorney to handle these dependency cases in Franklin County. Mr. Wade and Mr. Shuler asked the Board to open and consider these proposals at the Budget Workshop scheduled for July 29, 2003. He said they could open the proposals at 9:00 a.m. Commissioner Mosconis made a **motion authorizing Mr. Shuler to submit an advertisement for proposals from attorneys to furnish Franklin County with a Dependency Attorney for cases in Franklin County to be opened at the Budget Workshop at 9:00 a.m.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1300) Mr. Shuler said he also wanted permission to amend Ordinance 95-12, which addressed Dependency Cases in Franklin County. Commissioner Mosconis made a **motion authorizing the County Attorney to check into the local County Ordinance 95-12 regarding Dependency Cases to make sure the County is getting all of the funding the County is entitled to.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

MATTERS FROM THE FLOOR

(Tape 2-1355) Chairman Sanders said the County had to pay their dues for membership in Opportunity Florida. She stated a representative from this group has contacted her to see if the County still wanted the same County representative to Opportunity Florida, Commissioner Mosconis. Commissioner Mosconis asked Chairman Sanders if she wanted to attend these meetings. He said usually they have a meeting when he cannot go. Chairman Sanders suggested Commissioner Mosconis remain the County's representative and she would be an alternate so she could go to a meeting when he was unable to. Commissioner Creamer made a **motion reappointing Commissioner Mosconis as the Franklin County representative on Opportunity Florida and listing Chairman Sanders as an alternate to attend these meetings when Commissioner Mosconis cannot attend.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1384) Commissioner Putnal said he wanted to inform the Board the Oyster Industry is really bad right now. He stated those guys are suffering and the County, in the near future, would probably have to help them seek some funds for relaying. He said he could see, in another month or so, it was really going to be bad for the oyster industry. He stated it's as bad as he's ever seen it right now and he has been doing this for fifty years. Mr. Pierce asked if anyone knew if there was a relaying budget in this year's State Budget. Commissioner Putnal replied he hoped so, but he just wanted the Board to be ready to assist the oyster workers in seeking these funds if it needs to be done. He stated he knew they did some relaying last week. Commissioner Creamer asked if he thought the Board should asked for relay money to be released for a relaying project. Commissioner Putnal said he is saying if they run out of their relaying funds the County might have to contact the Senators and Representatives and get some more relaying

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funding. He asked Mr. Pierce to find out how much money, if any was left in the relaying project for Franklin County. He stated a person asking what happened to the funds to be used for assistance for the Shrimpers contacted him. Chairman Sanders said the State of Florida got 81 million dollars. Commissioner Putnal said "our people" didn't get any. Commissioner Williams said the funds haven't been formally released for the Shrimpers yet. He stated he saw it on television and it should be released soon.

Commissioner Putnal said he wanted the local shrimpers to get their fair share. Mr. Pierce replied he found out some of the money is going to be used to promote the shrimping industry and not on subsidizing the local shrimp industry.

(Tape 2-1513) Ted Mosteller, Chairman Apalachicola Aviation Committee (AAC), said he informed the Board at the last meeting Joe Smith, FDOT Aviation, was retiring on June 30, 2003. He told the Board his replacement had been named, Donnie Deuce. He said he met Mr. Deuce and was informed by Mr. Deuce he would be in Franklin County on July 28th for the AAC Meeting that evening. He said Joe Smith has been retained by FDOT to introduce Mr. Deuce to the area.

(Tape 2-1564) Mr. Mosteller said July 31st is the absolute deadline for submission of the FAA Grant for the re-striping of the runways at the Apalachicola Airport. He asked the Board to send a letter to FAA requesting they "rollover" the money for next year's budget. He said the Airport Engineering Firm estimated the grant to be in the amount of \$150,000.00. He asked the Board to authorize a letter be sent to FAA requesting the rollover of these grant funds. He said the project is for the painting, striping, signage for Runway 31/13, the main runway. Mr. Pierce said he would send a letter to Bill Farris, Program Manager, FAA, asking them to allow the County to rollover these funds until next budget year.

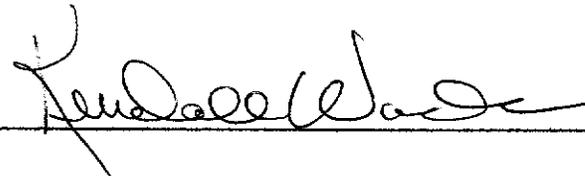
(Tape 2-1691) Mr. Pierce said FAA had an issue of the County offices being located on Airport property and not paying the Airport any rental. He said the EOC and County Extension Offices are at the Airport. He stated this issue is still unresolved. Commissioner Mosconis said the State should furnish the rent for the EOC and County Extension Office. Mr. Pierce said he didn't think the State was going to send the County any money. He stated it was up to the Commissioners to implement a rental amount for each month. Commissioner Mosconis said the Commissioners should decide how much to charge for these offices and then charge EOC and the County Extension Office for rent each month. He said he would make a **motion directing Mr. Pierce to decide what monthly rental amount should be charged for the County EOC Office and the County Extension Office at the Apalachicola Airport.** Commissioner Creamer said he would second the motion. Commissioner Mosconis said he thought they should be charged \$50.00 to \$100.00 a month for rent. Mr. Pierce replied this wouldn't work because the County, according to FAA, must charge fair market value. Commissioner Mosconis said it should start low and then if decided could be raised in small increments. Mr. Pierce asked Mr. Mosteller if the AAC wanted to recommend a fair market value for the rental. Mr. Shuler stated the rent issue was not limited to the County Extension Director, but the County staff having to pay rent at the Airport. Commissioner Mosconis said the residents of Florida pay for the EOC Office every time they pay their

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homeowners insurance. He stated he thought Tallahassee had the rent money. Gathena Parmenas, Red Cross, stated they use the EOC Office at the Airport due to the grant. She said the Red Cross receives one-third of one room otherwise shared by two grant employees. Commissioner Creamer seconded the motion. Commissioner Mosconis, Williams and Creamer for. Chairman Sanders and Commissioner Putnal opposed. 3-2 **MOTION CARRIED.** Mr. Shuler said he had a pretty strong discomfort in advertising bids based on estimates. He stated he would like to make sure the engineering firm would be responsible, not the County, for any overages on an Airport project such as this. Commissioner Mosconis said the County didn't have to accept any bids. He said if the County doesn't have the money then this would be a good reason not to accept bids. He stated the County does it all the time. Mr. Pierce asked what he needed to do. Commissioner Mosconis said the County needed to go ahead and start the process anyway.

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


_____ **CHERYL SANDERS, CHAIRMAN**


_____ **KENDALL WADE, CLERK**