

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
JANUARY 4, 2000**

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

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

(Tape 1-30) Commissioner Sanders made a **motion approving the minutes of the meeting held on December 21, 1999.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

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

**PUBLIC HEARING-REZONING REQUEST 3.95 ACRES R-2 TO R-4**

(Tape 1-61) Mr. Pierce informed the Board this request was submitted by Sammy Thompson. He said Mr. Thompson wants to rezone his property, 3.95 acres, at the corner of Bluff Road and Squire Road in Apalachicola. He explained the Planning and Zoning Commission recommended approval of the request. He said Mr. Thompson wants to place some mini-storage units on the property. He stated Mr. Thompson lives on the property so that is why it had to be rezoned from R-2, Single Family Residential, to R-4, Mobile Home-Home Industry. He explained this means they can live and work at the same residence. He said the density would not be increased. Mr. Pierce informed the Board certified letters were sent to all adjoining property owners and he has not received any objections. He asked if there was anyone in the audience who would like to speak in objection of the rezoning. After no one answered Commissioner Mosconis made a **motion approving the rezoning request submitted by Sammy Thompson for 3.95 acres at the corner of Bluff Road and Squire Road in Apalachicola from R-2 to R-4.** Mr. Pierce informed Ms. Thompson, who was present at the meeting, that a vegetative buffer should be placed around the backside of the project so that the residents would not see any traffic. Ms. Thompson said they do not intend to clear the back area anyway. Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

**PRENTICE CRUM-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-111) Mr. Crum said he would be leaving the last of this month. He explained after Hubert Chipman is promoted it is going to create an entry-level position at the Road Department. He asked the Board for permission to advertise for an entry-level employee. He said the only requirement would be that the person has a CDL License, be able to become a certified DOC Inmate Supervisor, and pass a drug test. Commissioner Mosconis made a **motion authorizing Mr. Crum to advertise an entry-level position opening at the Road Department.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

**VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-144) Mr. Johnson said it was good to be back from vacation. He stated he did not have anything for Board attention this morning.

(Tape 1-146) Commissioner Mosconis said he thought the Board should make Mr. Johnson the official Recreation Director for Franklin County. He stated Mr. Johnson would be the person to handle the upkeep or be in charge of all the ball fields being constructed in the County. He explained Mr. Johnson has been doing this anyway. Commissioner Putnal stated he thought that was what the Recreation Committee was for. Mr. Pierce said the Committee only meets once a month and really does need someone to take control of maintenance on the fields. He stated the Committee did not really know exactly what maintenance matters needed to be attended to at each field. He explained they did not have the personnel or authorization to use County personnel on these fields. He stated he really did not want the Committee to even get involved with that. Commissioner Mosconis said the County was creating a lot of infrastructure and needed a physical person to go to when repairs, etc. need to be addressed. He said Mr. Johnson handles the County work crews anyway. Commissioner Mosconis made a **motion appointing Van Johnson as Recreation Director for Franklin County.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 1-219) Mr. Pierce submitted the legal description and survey for the 26.93 acres the Board has given to the School Board. He said he has given a copy of the legal description and the bill from Roddenberry Surveyors to Ms. Barbara Sanders, School Board attorney. He said the bill totals \$650.00 and stated either the Library or the School Board will pay for the survey. He asked the Board who should be responsible for creating the actual deed or conveyance to the property. Alfred Shuler, County Attorney, said he had talked to Ms. Sanders about the deed. He stated he understood that she wanted to prepare the deed and then have him review it. He suggested the Board go ahead and authorize the Chairman to sign the deed when it is completed since everyone is on a strict time line. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Deed for 26.93 acres to be given to the School Board when it is completed.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-262) He said DEP has sent him notification they want him to announce there will be a meeting conducted by the Division of Recreation and Parks to receive public comment regarding the management and land uses for Bald Point prior to the development of the management plan. He informed the Board the meeting would be Tuesday, February 8, 2000, at 7:00 p.m. EST, at the Alligator Point Fire Station in Alligator Point. He stated the public is specifically invited and encouraged to attend. He said he was supposed to announce this meeting at the next County Commission meeting, but he was going to announce it today as well.

(Tape 1-291) He informed the Board the County was eligible for a flood mitigation program whereby the County will get up to 75% of the cost of buying out waterfront

properties that have been repetitively damaged by flood waters. He stated if the County participates they would be buying property, which is usually on the waterfront and permanently taking it off the tax rolls. He explained that traditionally Franklin County has not participated in buyout programs. Mr. Pierce said he knew there were several parcels on St. George Island that have been listed by FEMA as being repetitively flooded. He stated the property owners are not particularly eager to sell the property. He said when the County does buy this property it is removed from the tax rolls. Commissioner Putnal asked if there weren't several places on Alligator Point in the same shape. Mr. Pierce replied for various reasons those do not show up on FEMA's list. He said either they do not have flood insurance or the houses have already been destroyed. He stated the County could approach those owners if the Commissioners wanted to participate in this program. Commissioner Mosconis said these places would have had to have numerous flood damage claims. Mr. Pierce said most of the houses in Alligator Point have been elevated and therefore have not flooded. Commissioner Putnal said he has seen letters sent to the County in the past from people living on Alligator Point about their property being eroded away. Mr. Pierce stated generally what happens with these type programs is the County would buy the property, not the value of the house. He said so then the price is nowhere what the property owners think they deserve for their property. He stated most people on Alligator Point do not want to sell their property they just want the County to do something about the erosion. He stated he did not know anybody in the County meeting the criteria that even wants to sell their property. He said he would suggest the Board just discuss individual property when it arises. He stated the Board did not need to take any action today he just wanted the Board to know the County is eligible if someone asks.

(Tape 1-365) He said he received some agreements from the Gulfcoast Workforce Development Board for the Chairman's signature. He stated the County has always signed these Memorandums of Understanding with the Board. He asked Ted Mosteller, Franklin County representative on the Workforce Development Board, if he had any input on the agreements. Mr. Mosteller informed the Board he was not familiar with the agreements, but thought they were standard. Mr. Pierce said he had also received a budget they were asking the County to sign. He stated he could make copies of the agreement for each Commissioner to review. He said he would recommend the Board go ahead and sign the document, but he could not speak at length about what was in the document. Commissioner Putnal said he would like to wait until Mr. Pierce could read or study the document. Mr. Pierce agreed and said he would bring it back to the next meeting.

(Tape 1-463) Mr. Pierce presented the Board with the County's copy of the Hazards Analysis for Franklin County prepared by ARPC. He explained the County paid for the document a year or so ago. He said the report details the different hazards in the County. He stated it mostly deals with chlorine gas and where it is stored in the County.

(Tape 1-478) He said the Board tabled the decision to sign a contract with ARPC to conduct and complete the Hazardous Waste Management Assessment for Franklin County. He said he could not find anyone else in the County willing to do the

FCBCC MINUTES-JANUARY 4, 2000

assessment. He stated the cost for the assessment is \$2,000.00. He recommended the Board approve the Chairman's signature on the agreement. Commissioner Putnal made a **motion authorizing the Chairman's signature on the Agreement between Franklin County and the Apalachee Regional Planning Council for \$2,000.00 to complete a Hazardous Waste Management Assessment as required by law.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-510) He reminded the Board that interested Commissioners need to go to the Planning Office to look at the property the County is considering purchasing from St. Joe/Arvida in the Carrabelle-Lanark Village area. He encouraged Commissioners Sanders and Putnal to go to the Planning Office to look at the area.

(Tape 1-521) Commissioner Sanders asked Mr. Pierce if he heard from Amerigas on the County's offer to purchase their property in Lanark Village. Mr. Pierce replied he had not. He said Amerigas would probably consider the offer now since the holidays were over.

(Tape 1-527) Commissioner Mosconis asked Mr. Wade to discuss the symposium being held in Blountstown for the State's Regional Planning Councils. Mr. Wade said on January 11, 2000 all the Executive Directors and Chairman's from throughout the State will meet in Blountstown from 1 to 4 p.m. to discuss growth management throughout the State. He said it will be an open discussion and everyone can participate. Commissioner Mosconis asked if he thought Franklin County should have a representative there and made a **motion directing Mr. Pierce to attend the meeting in Blountstown.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

**KENDALL WADE-CLERK**

(Tape 1-643) Mr. Wade said he did not have anything to discuss with the Board this morning.

**ALFRED SHULER-COUNTY ATTORNEY**

(Tape 1-657) Mr. Shuler reported he has been working on the 4-wheeler ordinance. He said the Sheriff agrees such an ordinance would be helpful. He explained he talked to the Gulf County Attorney and was informed by him that Gulf County does not have such an ordinance. He said he also called the Walton County Attorney, but he has not talked to him yet.

(Tape 1-673) He said there is a problem some property owners have regarding Lot 7, Block 177 in Apalachicola. He stated he thought their name was Harrell. He stated they tried to sell the lot and discovered it had been foreclosed on by the County for back taxes from 1945. He said they had met with Robert Howell when he was clerk to clear up any back taxes. He stated to help these people the Board could accept \$50.00, which he was sure was more than what the taxes would have been back in 1945, and authorize him to remove that Final Judgment on the property. Chairman Williams said he would step down from the Chairmanship and ask Vice-Chairman Creamer to act as Chairman so he could make a **motion authorizing Mr. Shuler to accept \$50.00 and to complete the**

necessary paperwork to clear up the property for the Harrell's. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Chairman Creamer then returned the Chairmanship back to Chairman Williams.

(Tape 1-789) Commissioner Mosconis said he wanted to discuss the 4-wheeler situation a little further. He asked Mr. Shuler if he couldn't research State law and formulate a ordinance for Franklin County. Mr. Shuler replied yes he could, but the Board directed him to check with other County's to see if they had similar ordinances. He said he has a rough draft of a 4-wheeler ordinance, which would reinforce the existing State laws. He stated he would have it ready to present to the Board at the next meeting. He said one thought would be if the 4 wheeler is found parked law enforcement could confiscate the vehicle and hold it until someone came to claim it. He stated he knew that would be controversial, but everyone knows it is kids causing the problem. He assured the Board he would have something for them to review at the next meeting.

(Tape 1-852) He asked Mr. Shuler if he contacted the County's labor attorney about Ms. Margaret Barber, Animal Control Officer, and her resignation and complaint about Mr. Johnson. Mr. Shuler replied he did communicate with Ms. Turner, Carson & Linn, about how to prepare the record Ms. Barber had requested. He said as far as he knew Ms. Barber had not filed any formal complaints or grievances. Commissioner Mosconis said he just wanted to be sure Mr. Shuler was up to date on the matter.

#### **TOURIST DEVELOPMENT COUNCIL DISCUSSION**

(Tape 1-895) Chairman Williams said even though the representatives from the Tourist Development Board cancelled their time on the agenda this morning there were members of the community here to voice their opinions on the Tourist Development Tax or bed tax. Jack Depriest, Carrabelle, reiterated the things he said at the last meeting. He said he, as well as many other hotel-motel owners, were concerned about the expeditious manner in which the matter had been handled. He said he was totally unaware this matter was even going on. He said, again, he had problems with bringing people to Franklin County without having the necessary infrastructure. He stated everyone really needed to be involved in this to see if it is viable. Ms. Anita Gregory, Apalachicola Bay Chamber of Commerce, assured the Board and audience the two chambers got together to complete this study. She said the question came from Donnie Wilson about how much money could be made from the tax for infrastructure in Franklin County. She stated everyone was curious and a feasibility study was done and a copy furnished to each Commissioner. She said no one is trying to fast track this matter because this is a good opportunity for the County to earn some money on the people that come here to visit. She said they use the boat ramps, the roads, etc. and this money or tax could help keep these things up. She stated this is only the beginning of the process. Commissioner Mosconis said he felt the Board was under tremendous pressure to pass or adopt this proposal the first day it was presented. He asked Ms. Gregory what would happen if this tax passed and in a couple of years one or two of the innkeepers feel they are not receiving any benefit from the tax what would happen. He asked if there would be a mechanism to address this in the proposal. Ms. Gregory replied she really did not know all of the ins and outs of the tax. He stated this is the biggest fear the people he has talked to have. Commissioner

FCBCC MINUTES-JANUARY 4, 2000

Creamer asked if all of the innkeepers in the County were notified or contacted for their input. He said he was under the impression that everyone had been contacted. Ms. Gregory stated she didn't think that impression was given. She said she didn't want to have to answer all the questions. She suggested letting all of the citizens have their say then go from there. Gorrie Wilson, Breakaway Lodge, said he was against the tax. He explained it just meant extra paperwork with no benefit. He said his lodge is in the woods and the people that come to his lodge do not need a lot of infrastructure. He stated they come to his lodge to fish. Mark Rogers, Rancho Inn, said he too was not notified on this proposal. He stated most of the people that use his motel are everyday working people. He said for instance the company installing the new water and sewer lines are staying with him. He stated they are just there to do their job and then leave. He explained they get a daily per diem, but it does not cover the costs of their motel and meals. He said they may get \$35.00 a day and it costs them \$43.00 a day. He asked why should they have to pay for an tourist infrastructure when they are only here to work and will not be involved in. He stated he did not think it would benefit him since he caters mostly to the working class who has to come here to work. Mike Murphy, owner of the Seabreeze Motel, stated he was the past president of the Carrabelle Chamber of Commerce and head of the Economic Development and Tourism Council. He said he presented studies such as this to the Commissioners in the past. He stated he knows a little bit about what goes on in the community, but he did not know anything about this proposal. He stated he is not against advertising however the County does not have the facilities to support more tourism. Both he and Mr. Depriest stated they were paid members of the Chamber of Commerce and received no notification of this matter even being considered through their newsletter or by someone notifying them individually. He stated someone will need to know exactly what needs to be done with the money when it's collected. Frederico Fuentes, Manager of the Best Western in Apalachicola, said they were a member of the Chamber of Commerce as well and were not notified either. He too said they were against the tax. He stated they help many other businesses in Franklin County. He said people complain about having nothing to do after a few days here. He said what would happen if they had to go from charging \$30.00 to \$60.00 for rooms. He stated maybe someone should look into a tax on shrimp and oysters. He said all of the owners of these businesses should be consulted and at least get together to talk about this tax. He stated something needs to be created to keep the tourist in the area more than a few days. Commissioner Mosconis said he has noticed a big increase in traffic just in the last 3 years. Harry Andrews, owner of the Moorings in Carrabelle, said he is totally against the tax. He said he didn't know what would be done with the money the tax would generate. He stated he agreed that during the winter months it is mostly workers that use his facility and not tourist. After a lengthy discussion Commissioner Creamer said obviously nothing was going to be decided today and the Commissioners needed to move forward with the meeting. Chairman Williams said when and if this discussion is ever scheduled on the agenda again he would like for all of these people to be notified so they can come to the meeting. He said he would also like members of the press notified so they can broadcast the meeting date and time.

**KATHERINE JOHNS**

(Tape 1-3079) Katherine Johns appeared before the Board at this time and said she is at the meeting today to inform the Commissioners about a problem she is having with her daughter's medical problem at the County Jail. She said her daughter has been sick since Thanksgiving night when she was diagnosed with a gallstone the size of a golf ball. She stated she has been steadily taken to the hospital in Apalachicola to the Emergency Room and they have let her go. She said one time she had to be admitted when it became infected. She stated she went over and tried to talk to the Sheriff about this problem and he was very rude and nasty from the beginning. She stated he told her she was there to throw her responsibilities on the County for her daughter's medical attention. She said she asked him if the County had insurance to pay for her daughter's surgery. She stated he informed her the County did have insurance, but he did not want to pay it because it came out of his budget. Ms. Johns said they just didn't get anywhere with the problem. She presented the Board with copies of medical reports. She continued to express her concerns and problems about her daughter's medical condition. She stated her daughter has an appointment in Tallahassee tomorrow with their physician. Commissioner Mosconis asked how much the deductible was with the insurance. Ms. Varnes, Board Secretary, replied she thought about \$7,500.00. Commissioner Mosconis suggested having Dr. Junejo from the Health Department examine her. Commissioner Putnal asked what would happen or who would be responsible for her if she died. Mr. Shuler replied he was not at all familiar with this particular problem, but he would check into it. He explained the Sheriff was a Constitutional Officer and not under the Boards chain of command. He said the Sheriff is elected by the people and answers to the people. He stated on the other hand it is all County money. Commissioner Putnal said the girl evidentially needs some help and needs to get to a doctor her family will be satisfied with. Mr. Shuler said he didn't know, but the Commissioner could appoint someone to check into the matter. He stated he didn't know when this lady's discharge date from Jail was. Major Mock, present at the meeting this morning, said he had just gotten back off vacation. He said to the best of his knowledge the lady has been taken to the doctor several different times. He stated the Sheriff couldn't make appointments in Tallahassee or Panama City since most of those doctors require a person be referred to them. He stated all they can do is go on what the doctor here has told them. He said that is why they have doctors here to make that decision as to whether she needs immediate surgery or not. He stated he thought the Sheriff had told Ms. Johns that he would pay for whatever needs to be done. Major Mock said you can't force a doctor to do surgery when they do not think it is necessary or a life-threatening situation. Ms. Johns said she just wanted to make sure her daughter is taken to her appointment in Tallahassee tomorrow. Major Mock assured the Commissioners she would be taken to her appointment. He said the only thing they can do is go by what the doctors say. Chairman Williams stated he felt sure this matter would be taken care of. Major Mock said it is their obligation to take an inmate to the doctor or hospital when they need medical attention. He stated though they cannot go on what every inmate in their facility says about whether they need surgery or not.

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

Clarence Williams CLARENCE WILLIAMS, CHAIRMAN

Kendall Wade KENDALL WADE, CLERK