

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

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

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

**9:30 A.M.** Commissioner Mosconis came into the meeting at this time.

(Tape 1-30) Commissioner Sanders made a **motion to approve the minutes of the meeting held on March 21, 2000.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-35) Commissioner Putnal made a **motion to approve payment of the County bills.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-41) Mr. Wade, the Clerk, informed the Board that Commissioner Mosconis called to say he would be late to the meeting this morning.

**BIDS-1 GRIZZLY HEAVY DUTY ULV AEROSOL GENERATOR**

(Tape 1-43) Mr. Wade announced the opening of bids for one Grizzly Heavy Duty ULV Aerosol Generator for the Mosquito Control Department. The following bid was opened: Clarke Mosquito Control Products, Inc. in the amount of \$8,000.00. DeWitt Polous, Mosquito Control Director, said he would like to go ahead and get permission to purchase this machine since mosquito season was already here. He stated the bid meet all of the specifications and he recommended the Board go ahead and approve the purchase. Commissioner Putnal made a **motion accepting the bid submitted by Clarke Mosquito Control Products, Inc. and authorizing the purchase of one Grizzly Heavy Duty ULV Aerosol Generator for use by the Mosquito Control Department.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

**BILL MAHAN-COUNTY EXTENSION DIRECTOR**

(Tape 1-85) Mr. Mahan presented the Board with their package, which contained the newest issue of Fishing Lines, UF Water Works, and the new Florida Sea Grant Publication on Blue Crabs.

(Tape 1-133) He informed the Board the 4<sup>th</sup> Annual Florida Hard Clam Industry Meeting will be held in Gainesville on Friday, April 7<sup>th</sup>. He said topics to be discussed include; Implementation of Dry Tempering Regime and the Florida Marketing Campaign for Florida raised clams.

**FCBCC MINUTES-APRIL 4, 2000**

(Tape 1-146) He said he attended the Florida chapter of the American Fisheries Society meeting in Brooksville, Florida last week. He gave a brief report on the topic discussed at the meeting Harmful Algal Blooms.

(Tape 1-286) He said the Franklin County Extension Office has been selected by the UF to conduct a customer satisfaction survey of people using Extension materials and/or participating in Extension programs during the year 2000. He stated the survey would randomly select a cross section of walk-ins, call-ins, and program participants to be surveyed.

(Tape 1-325) Commissioner Putnal asked Mr. Mahan to check into scheduling a Hunters Education Class necessary for young people to get their hunting license. Mr. Mahan replied he would call the State Fish and Game Department with this request.

(Tape 1-359) Commissioner Sanders asked for an update on the Alligator Harbor Aquaculture Project. Mr. Mahan stated he had not heard anything from the State, but he would contact them again to see where the project stood.

**GT COM-BILL THOMAS**

(Tape 1-386) Mr. Thomas introduced himself to the Board and thanked them for allowing him to speak. He said he was here at the request of the Board to address concerns about the billing issues discussed at the last meeting. He explained most of the problem was caused by an Y2K problem. He said he felt the problems had been corrected and urged anyone with a problem to call GT COM. Ms. Joyce Napora, Carrabelle, asked Mr. Thomas several questions about the Internet and caller ID and informed him of the problems she had with these two services. Mr. Thomas addressed each of her questions and encouraged her to call GT COM repair if she experienced any further problems. Commissioner Creamer said he would like for Apalachicola, SGI, and Eastpoint to be able to call Panama City toll free just like Carrabelle can call Tallahassee toll free. Mr. Thomas informed the Board and the public they are under a Public Service Commission Order, which freezes any changes in rates, etc. for approximately two years. He assured the Board that just as soon as they can they would do something about this request. Ms. Virginia Haggerty, Lanark Village, asked if she could have her phone bill drafted from her bank account as she currently does with Florida Power for her light bill. Mr. Thomas replied that GT COM should be able to do this shortly maybe within the next couple of months. Mr. Pierce, Director of Administrative Services, said he would like the Board to go ahead and address the request by GT COM to place a cabinet, to replace the older conventional method of cable construction, on County property at the Apalachicola Airport. Commissioner Creamer made a **motion approving the placement of a cabinet as requested by GT COM, Travis Burge, Network Engineer, on County-Apalachicola Airport property near Bluff Road.** Ted Mosteller, Chairman of the Apalachicola Airport Advisory Committee, informed the Board the Committee approved this request. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

**JIM GREEN-PROPOSED REZONING-95 ACRES LANARK VILLAGE**

(Tape 1-808) Mr. Pierce said he would like to make an introductory statement about this issue. He stated Mr. Green is here this morning to request action by the Board to schedule a public hearing to consider rezoning his property, 95 acres in Lanark Village, to R-1A. He explained it was currently zoned R-1 and his request originally included two types of commercial development, but the action taken by the Planning & Zoning Commission was to recommend the rezoning to residential only. He informed the Board they had tabled action on P&Z's recommendation at the last meeting because of several concerns including the impact the project will have on the existing roads and the availability of water and sewer as to who will pay for the infrastructure. Mr. Pierce continued to say the Board has just received a letter from DCA stating that Mr. Green's project is not large enough to go through the DRI review. He reminded the Board their immediate decision was whether to schedule a public hearing for public comment on the project. Mr. Green said he had an alternate plan to present to P&Z. He stated he had his engineers with him today, Richard Musgrove and Justin Folk, to answer any questions the Board had. Commissioner Sanders said her first question was who is going to pay for the infrastructure for the improvements to the Lanark Village Water and Sewer District, the roads, etc. Mr. Green replied everything inside his property lines would be at his expense including getting the water and sewer lines put in to this property. Commissioner Sanders asked Mr. Green if he knew there were only two paved streets that go all the way back to his property. Mr. Green replied he felt there were sufficient streets to get to the project. Mr. Musgrove gave a brief presentation on the project and asked if there were any questions. Commissioner Putnal said, after hearing several members of the public speak, that he felt the Board was conducting a public hearing this morning. After discussion Commissioner Sanders said she thought since the Board had denied property owners in Apalachicola their project because there was no water and sewer available then she couldn't support a similar request. She stated she thought the Board should be consistent and made a **motion denying Mr. Green's request for rezoning.** Commissioner Creamer seconded the motion. Chairman Williams, Commissioners Sanders, and Creamer for. Commissioner Putnal against. 3-1 MOTION CARRIED. Mr. David Hinton, Carrabelle, expressed his concern over the aquifer and it's relation to this project.

**COMMISSIONER MOSCONIS CAME INTO MEETING AT THIS TIME**

**SUSAN FICKLEN-ADMINISTRATOR-WEEMS MEMORIAL HOSPITAL**

(Tape 1-1420) Ms. Ficklen updated the Board on the progress Centennial HealthCare had made at the Hospital. She introduced Dr. Nichols, Dr. Miniati, and David Parrish, Regional Director for Centennial HealthCare, and Dan Mowry, Maintenance Department with Centennial HealthCare to the Board. She stated her main reason she was here this morning was to update the Board on the Hospital improvements being made by Centennial. After she informed the Board of the many enhancements paid for by Centennial at the Hospital she stated the Hospital air conditioner must be replaced. She explained Centennial had done all the patchwork they could on the air conditioner and she asked Mr. Mowry to speak to the Board on this issue. She informed the Board she had received quotes to replace the air condition system in the range of \$200,000.00 to

\$450,000.00 and she asked the Board for input and assistance for replacing this system. She reminded the Board that last year, around April, the State of Florida closed the Hospital for a few hours due to the air conditioner malfunctioning. Mr. Mowry stated the unit is approximately 20 years old and the salt air has caused it to rust out. He said the pipes are leaking and sweating causing problems in the Hospital. He stated they had two air conditioning companies come to the Hospital to look at the problem. He said Ms. Ficklen had already told the Board how much the quotes were. He reiterated the system was beyond repair. Ms. Ficklen said the other thing she would like to discuss or have Dr. Nichols talk to the Board about is the Hospital's request for the Health Department building. She said the facility would be perfect for a Diagnostics Center, housing a CAT Scan, a Mammogram Machine, as well as a place to provide physical therapy. She asked Dr. Nichols to speak regarding this request. Dr. Nichols appeared before the Board and gave several scenarios regarding strokes and heart attacks and how a Diagnostic Center would greatly benefit the citizens of Franklin County. He also informed the Board he felt there were women in Franklin County who simply would not travel to Panama City or Tallahassee to have a Mammogram study done. He said he was sure if there were a machine in our County many more women would have a Mammogram preformed which should alleviate the growing numbers of breast cancer incidents. He stated a physical therapy program would also greatly benefit the County since so many stroke victims or accident victims had to travel out of town for their needed therapy. He strongly encouraged the Board to make the old Health Department Building a part of the Hospital facility when the new Health Department is completed. Commissioner Putnal said he felt a committee should be set up to discuss and present recommendations to the Board for consideration. He made a **motion to table this request until a committee, Dr. Nichols, Commissioner Mosconis, Ms. Ficklen, and the Clerk, can meet to discuss a plan of action for the Board to consider.** Commissioner Mosconis said it might take longer than two weeks to form a plan since this is such an enormous matter. Commissioner Putnal said that would be okay. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Chairman Williams said he felt something should be decided by the time Budget Workshops are held. Commissioner Creamer asked about the FmHA Loan. Ms. Ficklen said she did not know the status of that loan and for that reason she is before the Board this morning. She stated last April was when the air conditioning malfunctioned.

#### **PUBLIC HEARING-AIRPORT ZONING ORDINANCE**

(Tape 1-2198) Mr. Pierce explained the Apalachicola Airport Advisory Committee, as well as FDOT proposed this ordinance. He said the ordinance is very lengthy. He stated this ordinance would protect the air space around the local airports with respect to zoning the areas around the airports. He said the ordinance limits building heights to 35 feet, which the FAA and FDOT prefer to have a more comprehensive approach to airports. He introduced Al Roberts, FDOT, to the Board and said he was here along with Ted Mosteller, Chairman, Apalachicola Airport Committee, to answer questions about the ordinance. He said the ordinance is for a large town and is fairly complicated. He presented a copy of the ordinance to each Commissioner. Mr. Roberts said the County needed to adopt the ordinance to protect the County, the Federal Government, and the State have put into the airport system in Franklin County. He stated the ordinance

protects the airports from incursions into their air space, which allows the airports to prevent safe operation for it's continued use. He said it protects the airports and the citizens from noise that aircraft makes so the ordinance limits the kind of sound sensitive uses around the airports. He stated and the final thing it does it provides a public safety protection in the immediate ends of the airports. He said the ordinance complies with Florida Statutes, which requires the adoption of Airport Zoning. Mr. Mosteller said they have reviewed the ordinance. Mr. Pierce said the ordinance affects everybody in the County not just the residents near the Airport. He stated it does provide the County with some oversight at the airports with regards to development near airports. He said again it was fairly comprehensive and he informed the Board he did not expect them to take action this morning. Commissioner Putnal said he wanted to be sure the Carrabelle Airport Authority was involved in this decision. He made a **motion to table the decision to adopt the ordinance until May 2, 2000 at 10:00 a.m.** He said this would allow some workshops to be held between the airports in the County. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler, County Attorney, said he read the ordinance and felt it had a fairly wide noise zone around the airports. He said it shouldn't be a problem on SGI, but it could be in Carrabelle and Apalachicola. He stated when the public realizes the County is prohibiting mobile homes within the noise zone there would be a problem. He said he needed to know if the Board decides not to eliminate mobile homes within the noise zone. He stated he would have to make those changes in the ordinance. Mr. Pierce said he understood that Mr. Mosteller feels the mobile home prohibition is only in the clear zone. He stated it appears to him also that it does mention residential uses other than mobile homes have to have some noise reductions. Mr. Shuler read the following from the ordinance: permitted uses within the established noise zone shall be and it lists a number of uses, restricted uses are in the noise overlay zone are listed on page 7. He said when it comes to residential it states other than mobile homes. He stated the bottom line is that the ordinance needs to have clearer language regarding the mobile home issue. He said this is the sort of thing that will need to be worked out. Mr. Pierce said some of the areas around our airports are already zoned for mobile homes, which would create a problem. Commissioner Putnal suggested they hold several workshops between the airports, etc. so a recommendation could be made at the May 2<sup>nd</sup> meeting.

**BECKER BOATENREIDER-DOG ISLAND VOLUNTEER FIRE DEPARTMENT**

(Tape 1-2930) Chairman Williams called for Mr. Boatenreider to make his presentation at this time. Mr. Boatenreider was not present and so the Chairman moved forward on the Agenda.

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-2939) Mr. Chipman appeared before the Board at this time and said he would like to go ahead and make some changes at the Road Department. He said he didn't know if Mr. Henderson was going to come back to work at all. He asked the Board to promote Larry Brown to Assistant Superintendent and to raise his salary \$1,2000.00, promote Oscar Sanders to Mr. Brown's position and to raise his salary \$1,200.00, and to promote or formally make DeWitt Polous to Mosquito Control Director with a \$4,000.00 raise. He stated he knew the County had the money. He also explained that Mr. Brown's

position as Assistant Superintendent would only be temporary until Mr. Henderson came back or decided to retire. Mr. Chipman stated he would then like to advertise for two new employees at the Road Department with the requirement that they can become certified by the Department of Corrections. No discussion followed and Commissioner Mosconis made a **motion authorizing Mr. Chipman to make the following changes: promote Larry Brown to Temporary Assistant Superintendent-\$1,200 raise, promote Oscar Sanders to Mr. Brown's position-\$1,200 raise, promote DeWitt Polous to Temporary Mosquito Control Director-\$4,000 raise, effective April 1, 2000, and advertise for two vacant positions at the Road Department.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal said he would like to tell and thank Mr. Chipman for the outstanding job he doing at the Road Department. Mr. Chipman said his men are doing an excellent job as well.

### **VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-3142) Mr. Johnson said the County's Waste Disposal Agreement to operate the Transfer Station contains provisions for a price adjustment annually, based on the Consumer Price Index. The CPI rose 3.2% last year, which will result in the Tipping Fee for the disposal of household waste increasing from \$41.65 per ton to \$42.98 per ton. He explained this adjustment is automatic and is based on the County's agreement with the company. He said the Company is requesting the County allow them an additional, but temporary increase of 1.7% based on the Unusual Cost Section in Section 5.3(d) titled Compensation of the Waste Disposal Agreement. He said the temporary increase is based on escalating fuel cost and if granted, will bring the Tipping Fee for Household Waste disposal up to \$43.71 per ton. He said the residential and commercial customers of Waste Management are serviced under a separate agreement. He said the uniform rate for residential customers in Franklin County will be \$16.40 for the next twelve months and the company will bill the commercial customer based on the increase of 3.2% as well. He explained the request of Waste Management is in line with their contract and he informed the Board he attached a copy of the supporting contract information to his report this morning for each Commissioner to review. He requested the Board approve the Tipping Fee increase for Household Waste from \$41.65 per ton to \$42.98 per ton with the temporary fuel increase of \$.73. Commissioner Mosconis made a **motion approving the increase in Tipping Fees for Household Waste from \$41.65 per ton to \$42.98 per ton with a temporary fuel increase of \$.73 as stipulated in the Waste Disposal Agreement.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3368) He presented the Annual Full Cost of Solid Waste Management Report and Public Notice. He said the report details the full costs incurred by Franklin County for the solid waste management services provided during fiscal year 1998-99. He said it identified all costs, both direct and indirect, whether budgeted or not. He said the Statutes require the Notice be published in a newspaper of general circulation as a display ad of not less than one-quarter page size. He said a copy of the Notice, along with an executed Certification Form, must be sent to DEP. He asked for the Chairman's signature on the report. Commissioner Creamer made a **motion authorizing the Chairman's signature on the Annual Full Cost of Solid Waste Management Report**

and Public Notice Certification for FY 1998-99. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3416) He said he also needed the Chairman's signature on the Application for Recovered Materials Certification. He stated this application is for any dealer or processor in the State of Florida who handles, purchases, receives, or sells more than 600 tons of recovered material annually. He said Rule 62-772 requires us to be certified and report to the DEP annually. Commissioner Creamer made a **motion authorizing the Chairman's signature on the Application of Recovered Materials Certification.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3540) Mr. Shuler stated he thought, regarding the rate increase on the Waste Disposal Agreement, the County should be able to explain how the temporary increase of \$.73 will be removed and when. Mr. Johnson replied he would ask the Company to send the County a letter. He stated he would watch the gas prices himself and keep on top of the situation.

(Tape 1-3595 Continued on Tape 2) Dan Rosier, Chairman of the Carrabelle Recreation and Parks, asked the Board for some additional funds for Sands Field in Carrabelle. He said they need approximately \$20,000.00 to finish the fencing. He stated the fencing currently in place is very dangerous. He stated they would like to finish the project by April 16<sup>th</sup>. He said he needed the money immediately so the field could be finished by the 16<sup>th</sup>. Commissioner Creamer asked Mr. Rosier if he had talked to the City of Carrabelle Commissioners. Mr. Rosier replied yes, but they did not have any money for this project. He said the restrooms were also in a deplorable state. Michael Allen, WOYS, said he agreed the fence and area is dangerous for children. Mr. Pierce said he wanted to make sure all of the fields were playable in two weeks and he felt there was not way the County could buy and install \$30,000.00 in equipment in two weeks. He suggested the County get the fields playable and then address the issue through the budget process since everyone will want the same thing. Commissioner Creamer asked Mr. Pierce if he remembered just a couple of months ago whenever Eastpoint could not get \$5,000.00 for his District. Mr. Pierce said this matter should be addressed when everybody can be heard about his or her particular facility. Commissioner Mosconis asked Mr. Johnson to see if he could look over the fence to see if it can be fixed with the \$10,000.00. Mr. Johnson stated he felt this is what needed to be done, use the money already allocated. He said he knew there would be an additional request at budget time. Mr. Rosier said he thought most of the old fencing needed to be removed for safety purposes and new fencing installed. He said he again was asking for \$20,000.00 to add to the \$10,000.00 so the fencing project could be completed. Commissioner Creamer again asked Mr. Rosier if he had talked to his City Commissioners since he felt they should share in these expenses. Mr. Rosier stated he had talked to them, but they informed him they didn't have any more funds to expend on this project either. Mr. Johnson assured Mr. Rosier and the Commissioner he would personally look into the situation and report back to the Board. Commissioner Sanders said she was bombarded by telephone calls last week about the use of Sands Field by the City of Carrabelle's

Water Front Festival. She stated she felt this was going to cause a lot of problems especially since the County was paying for all of the improvements.

**SHERIFF BRUCE VARNES**

(Tape 2-232) Sheriff Varnes said he was here this morning to advise them of some problems he feels would be forthcoming, in the very near future, at the County Jail. He informed the Board the Jail is extremely overcrowded and because of this he feels his medical costs have sky rocketed. He explained the medical costs are just eating away at his budget. He said he realizes the County does have insurance, but he is afraid the company is going to raise the premiums due to so many claims. He stated it seems everyone brought to jail lately has a medical condition and most of these people are Violators of Probation, which means they stay in jail until the Judge can address their particular VOP. He explained that most VOP's do not have bonds set so they cannot be bonded out. He said the Board really needed to start thinking about these medical expenses. He stated the other thing, overcrowding, needs to be considered also. He said the overcrowding problem is not just in Franklin County, but also throughout the nation. Sheriff Varnes said there are 97 people in the Jail with inmates sleeping everywhere. He stated he couldn't find a way, although he has tried, to cut the number of inmates down. He said he didn't know if the State is going to renew the DOC Contract to house State inmates. He stated DOC has sent him a letter informing him they are not, but he has had a telephone call from DOC saying they are going to leave them here. He said he realized the County needed that income to help alleviate jail costs. He stated space is an issue and he said he felt County inmates should have the first priority. He invited each Commissioner to come to the jail to look at the situation. He said he wanted to make sure the Commissioners understood these issues are important and will need to be addressed soon. He stated he wanted to start working toward a solution as soon as possible and not wait until the last minute. He said he wouldn't be here if it wasn't a serious matter he has to deal he with on a daily basis. Sheriff Varnes stated his phone rings off the hook everyday regarding either one or more of these issues. He said he felt the Commissioners needed to know what was going on since the jail belonged to the Commissioners; he was just running it for them. He said he felt even if the State renewed their contract with the County they would probably just want the County to house Parole Violators. He stated most Parolees are trying to get back into jail especially if they have a medical problem. He said he wanted to encourage the Board that if this is the case then the County not renew the Contract since it would probably end up costing the County more money. Commissioner Putnal suggested the Sheriff, the Clerk, and he meet to discuss some solutions to these problems. Commissioner Mosconis said he felt maybe the Sheriff could negotiate with DOC. Commissioner Putnal made a **motion to establish a committee, Commissioner Putnal, the Sheriff, and the Clerk, to try to discuss some type of solution to the overcrowding and medical problems at the jail.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

**BECKER BOATENREIDER-DOG ISLAND VFD**

(Tape 2-535) Mr. Boatenreider appeared before the Board at this time. He said he was the DIVFD Chief. He said he was present this morning to ask the Board to consider allowing the DIVFD to take over, completely, the MSBU funds. He stated currently the



County has a contract with the Dog Island Conservation District, but he is asking, since the DIVFD is now a not-for-profit organization, the County to submit all of the MSBU funds to them exclusively. He reported they have ordered a new fire truck and he would like for the DIVFD Board of Directors control the Dog Island MSBU funds. He promised they would keep accurate records on the expenditures of the funds. Jackie Watts, Treasurer, Dog Island Conservation District, appeared before the Board to say she knew they would not have a VFD if it weren't for Mr. Boatenreider. She said the DICD are now in discussion with the DIVFD Board of Directors for the DIVFD. She stated these discussions would have to be completed in order for the MSBU funds to go directly to the DIVFD. She said the contract the County has is with the DICD, not with the Fire Department, and at this point in time the MSBU funds are used for the Fire Department and it's needs. She assured the Board the funds are going exactly where they are supposed to go. She said they are trying to clear up any problems the Fire Department has with the DICD, and, if the DICD Board decides to give total control to the DIVFD, then they will inform the Commissioners to be sure everything is done properly. Commissioner Sanders stated she felt this matter should be dealt with between the two groups, DICD and the DIVFD. She said they needed to sit down and decide what needs to be done then they can come to the Commissioners with a plan. Mr. Boatenreider said he had a problem with him not knowing how much money was in the MSBU account. He stated he understood that bills are not being paid on time. He said the insurance on the fire truck had even been cancelled before. Mr. Shuler said the contract between the County and DICD has no expiration date. He stated the County could terminate the contract if these two entities cannot work out their problems. He said the Board should give them a reasonable amount of time to work this out or if they can't then the County could terminate the contract or reach some other decision about the matter.

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 2-808) Mr. Pierce said he would move to item 9 on his report regarding Doug McKinney's location on County property on SGI. He said the matter came up last week when the County went over to SGI to begin road work for the new SGI County Park. He stated Mr. McKinney is a licensed vendor in Franklin County and has always parked his vendor trailer on County property where the new road is going to be located. He stated this is going to be a problem. Mr. Pierce stated he needed Mr. McKinney to move his trailer to the other side of the road where his trailer would be in the Gulf Beach Drive right-of-way, County property, where he would not be considered a traffic hazard. He stated one problem is the area is soft sand and the other problem is that there has always been a drainage problem there. He said the County may solve the drainage problem anyway with the new construction, but he just wanted Mr. McKinney to know he has got to move. Mr. McKinney said he did not mind moving, but he can't move over in the soft sand. He stated he thought the County, since he pays his peddling permit fee, should put some lime rock or something there to fill in the area. Mr. Pierce said the area was surveyed and is correct as far as he is concerned. He asked the Board for direction. Commissioner Putnal said he thought there was an ordinance against peddlers being on County property on SGI. Mr. Pierce replied there is against peddlers being in the parking area on SGI. Mr. McKinney said he is sitting on County right-of-way. Commissioner Putnal said why then was no one else allowed to peddle on County right-of-way and

stated he didn't think it was fair for the County to provide a place for his to park his trailer. Mr. Pierce said anyone who purchases a peddlers license could park on the same property. Commissioner Mosconis said he didn't see anything wrong with the County fixing him a little pad to park his trailer on. Mr. Pierce said he would take care of the matter.

(Tape 2-1046) Mr. Pierce informed the Board permits have been issued by DEP to the USCOE for the Two Mile Channel Dredging Project. He stated the project should begin this week. He said he has notified the "bird harassment" specialist Bernice Constantin.

(Tape 2-1060) He said DEP has approved the Scope of Work for the Alligator Point Erosion Study. He said the contract between the Board and DEP should be received by the next Board meeting. He said he has informed the contractor, Coastal Technology, they should be ready to begin work as soon as the contract is signed.

(Tape 2-1071) He informed the Board he met with William Bishop Engineering and Mr. Taylor Moore, a representative from the Alligator Point Resources District last week at Alligator Point regarding the proposed water improvement project. He recommended the Board allow the project to cut the pavement of Alligator Drive down by the Alligator Point Marina. He said the road is in terrible shape, and there would be more damage to the area if the water main was forced to go along the side of the road where it would destabilize sand dunes and cause erosion. He also recommended allowing the project to cut six residential roads just west of the Campground as long as the residents in the area, as represented by the Alligator Point Taxpayer's Association, supports the cuts. He explained the asphalt is not new in this area, and jacking and boring is going to be very difficult since the sand is so unstable that it is going to be difficult to do a jack and bore procedure. He said all of the roads that are being cut should be contingent on the contractor patching the cuts with asphalt. He stated the contract will be trenching along the side of the main road going to Alligator Point, and it might be necessary to have some of the stockpiled sand along the road moved, but the contractor is going to examine the situation again. Commissioner Sanders said she wanted to be sure the contractor places a good base material on the cuts made. Commissioner Sanders asked Mr. Harry Bitner, President of the Alligator Point Taxpayers Association, his opinion on the matter. Mr. Bitner replied he has not spoken to anyone else in the Association about the matter. He said he did talk to Mr. Moore, but no one else. He informed the Board there was an Association meeting this Saturday and he would talk to the membership then. Commissioner Sanders suggested the Board table this until after the Association meets this weekend. The Board decided to table this decision until after the meeting was held.

(Tape 2-1177) He asked the Board for authorization for the Chairman to sign the Governor's initiative that designated Franklin County and seven other counties as a "Rural Area of Critical Economic Concern". He said Board approval will allow the County to request any funds that might become available from the State. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the "Rural Area of Critical Economic Concern" Memorandum of Agreement between Franklin County and the State of Florida Office of Tourism, Trade and Economic**

**Development.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1224) He presented the Board with the owner's manual for the playground equipment the County installed at Vrooman Park in Eastpoint. He explained the County provided \$5,000.00 in recreation funds and the Eastpoint community provided the other \$6,100.00 for the equipment.

(Tape 2-1237) Mr. Pierce informed the Board he reviewed the County Ordinances and did not find one prohibiting bottles at the SGI County Park. He said he was going to gather some sample ordinances and present them to the Board at a future date.

(Tape 2-1291) He said Chairman Williams is interested in using some of the special allocation of recreation funds granted by the Board to purchase 55' long poles to begin the lighting of Sylvester Williams Park on 10<sup>th</sup> Street in Apalachicola. He said after speaking to the County Engineer it was agreed the Board should buy poles the correct length rather than trying to modify the concrete poles that were donated for the park. He said the donated poles were 45' long and can be used for light parking areas or sidewalks in the County.

(Tape 2-1316) He asked the Board to re-appoint two members, Billy Granger from Eastpoint and James Bunyon from Apalachicola, to the Board of Adjustment. He said they are interested in continuing to serve on the BOA. Commissioner Creamer made a **motion to re-appoint Billy Grange, Eastpoint, and James Bunyon, Apalachicola, to the Board of Adjustment.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1332) Mr. Pierce asked Commissioner Putnal if he had decided on a replacement for Freda White on the Planning and Zoning Commission. Commissioner Putnal replied he had not and asked for more time. Mr. Pierce asked Commissioner Putnal to let him know when he had someone in mind.

(Tape 2-1341) He informed the Board the County Engineer, David Kennedy, had investigated the request by Mr. William McCain to place a handicap parking space near his residence in Lanark Village. He said Mr. Kennedy recommends against designating any particular place for handicap parking since the space required for a legal handicap space on the side of the street is so large it could cause the County additional traffic problems in the area. Commissioner Sanders asked Mr. Pierce to send Mr. McCain a letter informing of this decision. Mr. Pierce replied he would send him a letter.

(Tape 2-1366) He presented a letter from FDOT informing the County they will be conducting a safety and operational study of the intersection of SR 377 (US 319) and SR 30 (US 98) as requested by the Commissioners.

(Tape 2-1380) He informed the Board that FDOT has inspected the new bridge at Syrup Branch. He said the good news is the FDOT says at this time the posted weight

restrictions of 32 tons is not necessary. He said the bad news is FDOT recommends the County clean and paint the bridge to protect it from surface corrosion. He said there was some displacement of the wing wall which will also need to be repaired. He stated an inmate crew should begin the work soon.

(Tape 2-1423) He asked the Board if they would like to make an application for a FDOT grant to build sidewalks from the Apalachicola City Limits to the new baseball complex at Ned Porter Park on Bluff Road. Commissioner Creamer said he would like to request, in the same grant, extending the sidewalks on US 98 in Eastpoint. Commissioner Mosconis made a **motion authorizing the application to FDOT for a grant to build sidewalks from the City of Apalachicola Limits to Ned Porter Park in Apalachicola and to extend the sidewalks on US 98 in Eastpoint.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he would include both of the requests in the application package.

(Tape 2-1463) He submitted a copy of the Release of Contract between the County and North Florida Woodlands regarding the harvesting of timber at the Apalachicola Airport. He said the County has already received between \$30 to \$40 thousand dollars for timber harvested at the Airport. Larry Parker, Dames and Moore, said they met with the Airport Advisory Committee last night and submitted a copy of the Apalachicola Municipal Airport Access Road Contract Plans-Phase I to each Commissioner for their review. He said it will be sent to FDOT for their review as well. He explained as soon as everyone has reviewed the plans then a final set of plans should be ready within a month. Mr. Pierce said the County needed to get started on the County's portion or in-kind match for the FDOT grant. Mr. Mosteller said they are waiting on the County at this point. Commissioner Mosconis said he didn't feel that they were waiting very long on the County. Commissioner Putnal said he felt the Road Department had been so short-handed that they just had not had the time yet. Commissioner Mosconis suggested Mr. Parker contact the County Engineer and the Road Superintendent and set up a time to begin this work. Commissioner Mosconis stated this type of in kind services had to be closely monitored and encourage Mr. Parker to make sure everything was done correctly. Mr. Parker said he would meet with the Road Superintendent so he would be sure to use the correct documentation for these services. Mr. Parker stated he furnished Mr. Chipman with a form he and his crew could use on a daily basis to keep up with the services the County was providing. Commissioner Mosconis said he would be looking to Mr. Parker and his company to make sure everything is done correctly. Mr. Parker assured the Board he would do everything he could to make sure the records were maintained properly. Mr. Mosteller said Mr. Ingram has requested his first draw from the County. He asked if there would be a problem with this. Mr. Pierce replied it would be a part of the County bills to be paid today. Mr. Mosteller said he was requesting a 30% draw. Mr. Pierce said Mr. Ingram had already submitted the necessary documentation to get the draw. Commissioner Mosconis informed Mr. Mosteller he was holding him responsible for signing off on the draw requests submitted by Mr. Ingram. Mr. Mosteller replied he knew this.

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(Tape 2-1686) He invited the public and the Commissioners to the public dedication of Ned Porter Park this Saturday, April 8<sup>th</sup>, at 8:30 a.m. He said a "Day of Baseball" will follow the dedication with all of the County teams participating.

(Tape 2-1702) He asked for Board action to approve a Letter of Credit submitted by William Poloronis to construct roads in Phase I of his subdivision "Rivers Edge". He said the County Engineer has estimated the cost of construction of the roads, including the asphalt, at \$91,416.00. He stated if the Board approves the LOC, then Mr. Poloronis can record the subdivision plat before he actually finishes all the improvements which means he can go ahead and begin to sell lots in the subdivision. Mr. Shuler said he had informed Mr. Poloronis the Board had done this before if it was a LOC from a local bank or a bank the County recognized. He suggest the Board approve the LOC contingent on his approval of the Bank and the amount of the LOC. He said the LOC will have to be 110% of the Engineers estimate to give the County a 10% cushion. Commissioner Mosconis made a **motion approving the acceptance of a LOC from William Poloronis in the amount of 110% of the County Engineers estimated costs of construction of the roads in "Rivers Edge" Subdivision contingent on Mr. Shuler's approval of the LOC and bank it is from.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1783) He said he needed Board action on a Hold Harmless Agreement with the Eastpoint Community Action Committee to allow the use of the Eastpoint Fire Station to be used as a shelter in the event the area is threatened by severe weather as defined by the Weather Service or during a tornado warning. He explained Tim Turner, Emergency Management Director, has been working to provide a shelter for non-hurricane events when people feel unsafe in their mobile homes. He said the station would be managed by fire department personnel, and would only be opened under the direction of Mr. Turner. Commissioner Creamer made a **motion authorizing the Chairman's signature on the Hold Harmless agreement with the Eastpoint Community Action Committee to allow the use of the Eastpoint Fire Station as a shelter in the event of severe weather as defined by the Weather Service.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1824) Mr. Pierce said he and the Clerk visited the EOC center to check to see how much room was actually out there. He said they discovered 5 bunk beds set up in one of the rooms. He stated they are new and the beds were used briefly during one of the hurricanes. He said Gulf County has submitted an offer to purchase the bunk beds for \$1,5000.00. He stated the County spent Emergency Management funds on the bunk beds and Mr. Wells is wanting to purchase all of them at once. He said this amount represented half of the amount the County paid for the beds. He asked the Board what they would like for him to do. He said they cost \$600.00 per pair, full size, upper and lower. Commissioner Mosconis asked Mr. Pierce to see if he couldn't get a better price for the beds. Mr. Wade asked the Board to hold off on this decision since this was just half of what they were purchased for. He said they have hardly been used. Mr. Wade stated they could be advertised for bids or proposals.

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(Tape 2-1894) He said Mr. Turner is setting up an Emergency Planning Council to assist him in coordinating emergency activities across the County. He explained this council will work on several long range issues including the use of school facilities, and the creation of alternate evacuation routes. He said the meeting will be held on April 11<sup>th</sup>, at 9:00 a.m., at the County EOC at the Airport. Commissioner Sanders said she thought Mr. Turner was doing a fantastic job.

(Tape 2-1924) Mr. Pierce stated he reviewed the Board Minutes, as instructed by the Board, relating to the dismissal of a County employee because the employee had lost his DOC certification. He said, based on the April 4<sup>th</sup>, 1995 minutes, the Board did not terminate the employee simply because of the certification alone, but terminated him after trying to find him an alternate position. He stated the County was unable to find any other place to put him since DOC was adamant about not allowing a non-certified DOC employee around the inmates. He stated the Board would probably have kept that person if another position could have been found for him. Mr. Pierce informed the Board he thought the Board's policies were not clear as to if an employee can be terminated if they lose their DOC certification. Commissioner Mosconis said Mr. Shuler needed to work on this language in the policies. Mr. Pierce read the following into the minutes: This is from the Board Minutes of April 4<sup>th</sup>, 1995. Ms. Lucy Turner was present at this meeting to announce the final termination of this employee. She informed the Board she had met with the employee, Mr. Crum, and Mr. Henderson to discuss the employee's option of continued employment with Franklin County. Ms. Turner said there really was not a viable option available for the employee and based on the County's attempt to find the employee a position they would recommend termination. Mr. Pierce said it was clear the Board did try to find a position for the employee. He stated it took the Board six months to even get the final termination hearing. He explained he was trying to save the Board six months. Commissioner Mosconis made a **motion directing Mr. Shuler to study the policies and present an amendment to the personnel rules regarding this type of situation to the Board for consideration.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1991) He presented the ALLTEL Communications, Inc. contract between them and the County regarding 911 and E911 services to the public. He informed the Board Mr. Shuler had reviewed the contract as instructed by the Board at the last meeting. He asked for the Chairman's signature on the document. Commissioner Sanders made a **motion authorizing the Chairman's signature on the ALLTEL Communications, Inc. contract with the County regarding 911 and E911 services to the public.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2018) Mr. Pierce said his last item was to bring to the Board's attention the fact that he is not seeing a lot of funds being spent by the SHIP Program. He stated he advised the Board of this a meeting or so ago and that it is still going on. He said the third quarter of the Fiscal Year is now on us and he said he just didn't want any confusion since he is fearful the administration money is going to be spent and the program money is not spent. He said that would leave money available, but no one to administer the program. He stated he has advised the SHIP Committee on these matters. Commissioner

Creamer said he was concerned about the fact that people were approved for the SHIP Program in 1997 and nothing has been done. He said some of them are being told they have to reapply even after being approved. He stated he didn't think the problem is finding someone to do the work. Chairman Williams said he did think that was the problem is that these contractors don't want the problems associated with remodeling these older homes. Mr. Wade agreed and said this is a problem in all of the surrounding counties. Commissioner Creamer said his problem was that people are being told they are approved and expecting to see something done. He stated he could not understand why they were being told they had to redo all of the paperwork. Mr. Pierce said he too felt the problem was with contractors and getting someone to do the work. He stated he suggested to the SHIP Committee was to allocated more money for down payment assistance and do small viable repairs, not the big rehabilitations which these contractors simply do not want to tackle.

(Tape 2-2116) Mr. Mosteller said he would like to report to the Board that the Apalachicola Airport had 204 operations in January, 20 of them came into Apalachicola, and 29 of them were here overnight. He stated in February there were 276 operations, 25 overnights, and 22 came into Apalachicola. He said in March there were 309 operations, 46 were overnights, and 7 came into Apalachicola. He stated these were just minimum log operations. Mr. Pierce asked him if operations meant someone landing at the Airport. He replied yes, coming and leaving by airplane.

#### **KENDALL WADE-CLERK**

(Tape 2-2163) He updated the Board on the telephone system at the Courthouse. He said it should be complete and running in another week.

(Tape 2-2169) Mr. Wade said he has attempted to get some estimates on the old jail for the roof and dumb waiter. He asked the Board for permission to bid the projects. He said he was informed the project would probably cost approximately \$7,000.00. He stated he did not have the specifications at this time, but would get them hopefully by the end of this week. Commissioner Mosconis made a **motion authorizing the Clerk to advertise the Old Jail Roof Project for bids.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis made a **motion authorizing the Clerk to advertise the Old Jail Dumb Waiter Project for bids.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2222) He said a Proclamation recognizing March 30, 2000 as Senior Citizens Council Donor/Volunteer Appreciation Day was prepared and sent to the Senior Citizens Center.

#### **ALFRED SHULER-COUNTY ATTORNEY**

(Tape 2-2290 Continued on Tape 3) Mr. Shuler said the main thing he worked on recently was the GRIT Bankruptcy and the problems it has caused the County. He said the County previously had work comp insurance coverage with GRIT and they have recently declared Chapter 11 Bankruptcy. He stated the County had two pending claims for Jackie Gay and Jerry Lolley at the time they declared bankruptcy. He explained after