

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
JULY 18, 2000**

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

**ABSENT:** Commissioner Sanders, Commissioner Creamer, and Bill Mahan, County Extension Director, who were all attending the International Shellfish Sanitation Conference in Scottsdale, Arizona.

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

(Tape 1-27) Commissioner Putnal made a **motion approving the minutes of the meeting held on July 5, 2000.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

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

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-45) Mr. Chipman said he would like to ask the Board to allow him to auction off an off track loader. He explained he would like to replace this off track loader with a rubber tire machine. He stated he checked into trading the loader, but thought he could get more money if he auctioned it off. He said he would be able to set a minimum bid or minimum amount the County would accept for the loader. Commissioner Mosconis asked how many hours the machine had on it. Mr. Chipman replied 1,500 hours. Commissioner Mosconis said he thought this would be a good idea because a lot of businesses like to buy good used equipment such as this. He said he would suggest a minimum bid of \$60,000.00 to \$65,000.00. Mr. Chipman stated he could use the money he made off the sale of the loader to purchase a new rubber tire machine. Commissioner Mosconis asked Mr. Chipman if he didn't have 2 trucks he wanted to auction off as well. Mr. Chipman replied if the Board would allow him to he would also like to auction the trucks off. Commissioner Putnal asked what would happen if there was an emergency such as a hurricane during the time the trucks were on the auction block. Commissioner Mosconis answered the County could rent some trucks. Commissioner Mosconis then made a **motion authorizing Mr. Chipman to place 1-Cat 963 Crawler Loader, Serial #21Z05615, 1-1996 Mack RB690S Dump, tandem axle, and 1-1996 Mack RB690S Dump, tandem axle in the auction being conducted by First Coast Auction, Tallahassee, Florida, on August 11, 2000 and setting a minimum bid acceptance of \$65,000.00 for the Crawler Loader and \$56,000.00 each for the Dump Trucks.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-374) Kendall Wade, Clerk, asked Mr. Chipman if he would send a crew from the Road Department with a backhoe to assist him and the County Engineer to begin the

process of restructuring the drains around the Courthouse. He stated there is a problem with flooding around and in the Courthouse. He explained when the drains were installed several years ago they installed ones that were just not large enough or angled enough. Alan Pierce, Director of Administrative Services, interjected he would want to make sure the County labor was well documented to provide the in kind services for the CDBG Drainage Project. He said he was going to ask the Board, in his report this morning, to authorize the County Engineer and his firm, Preble-Rish, to provide a plan to solve the Courthouse drainage and parking problems using these CDBG Hurricane Earl funds. He stated the plan would start at the Apalachicola River behind the Courthouse and work back up to the Courthouse. He said the drain between Miller Marine and the Rainbow Restaurant is completely stopped up. He stated that is where the Courthouse storm water is trying to drain. He explained he wanted it all done as one project so the County could use the in-kind services as matching funds. Mr. Wade asked if Mr. Kennedy, the Engineer, would be at the Courthouse Monday. Mr. Pierce replied that he would. Mr. Wade said then they could go ahead and at least meet with Mr. Kennedy.

**VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-432) Mr. Johnson informed the Board he would need an additional \$2,000.00 to purchase a Geo-Physical Logging System for the Landfill. He explained this is what the County Engineer will use to determine exactly what type of material the monitoring well point is encased in at the Landfill. He reminded the Board he discussed this matter with them at the last meeting. He said DEP is requiring the County to perform additional test on the monitoring wells. He stated he received permission from the Commissioners to ask for a 30-day extension to gather the information DEP requested in their letter to the County regarding this matter. He explained Mr. Kennedy informed him an additional \$2,000.00 would be needed to purchase the system. Commissioner Mosconis asked if Mr. Johnson had this amount of money in his Landfill Long Term Care Budget. Mr. Johnson replied yes. Commissioner Mosconis made a **motion authorizing Mr. Johnson to purchase and install a Geo-Physical Logging System for the Landfill to be paid for from the Landfill Long Term Care funds.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**BIX DURBIN-LANARK VILLAGE TRAVELERS, INC.**

(Tape 1-471) Mr. Durbin said he was here representing the Lanark Village Travelers, Inc. He explained this was a group of senior citizens who no longer can drive. He stated they own a bus and a garage in Lanark Village. He informed the Board this corporation was designed for insurance purposes. He explained the bus is 13 years old and in need of repair. He stated the air-conditioning is not working. He said they had it repaired, but it is inadequate. He said these senior citizens need this bus to travel to Carrabelle once a week to go to the grocery store, pharmacy, and to eat lunch at one of the restaurants. He said these elderly people need this bus for their basic needs. He stated they also go to Tallahassee to purchase other necessities such as clothing, etc. He said since it has been so hot this summer people are leaving the bus sweating. He asked the Board for assistance in procuring another, newer bus. He said they would like help from the Board in trying to acquire a grant, the County purchase a new one or repair the old one. He stated consequently they would at least ask the County to give them some assistance on

the repair cost of a new air-conditioner for the bus. Commissioner Mosconis asked if they had approached the Senior Citizens Council of Franklin County with this request. Mr. Durbin replied no, but at this point he thought of asking the Commissioners who would be more knowledgeable or have access to those who could obtain a grant, etc. Mr. Wade said he was Chairman of the Apalachee Regional Planning Council and they were going to meet on July 27, 2000 in Tallahassee. He suggested Mr. Durbin either go to the meeting or have a representative at that meeting to request their staff assist the Lanark Village Travelers, Inc. in acquiring a grant to purchase a new bus for their use. Mr. Durbin asked Mr. Wade to let him know the exact time, location, etc. for this meeting. Mr. Wade replied he would notify him. Mr. Durbin said he was not asking or begging, but they were limited with the age of the people involved and where to go for help. Commissioner Mosconis suggested they also contact the Senior Citizens Council too. Mr. Wade said he would assist Mr. Durbin every way he could. Commissioner Mosconis said he knew there were several state agencies that dealt with senior citizens. Commissioner Mosconis said the Council of Aging was another group they may want to check with. Mr. Wade asked Mr. Durbin to leave his telephone number with his office so he could telephone him with the information regarding these agencies.

#### **RICHARD & PAMELA SMITH-PROPERTY ENCROACHMENT COMPLAINT**

(Tape 1-786) Mr. Smith presented a photograph of the dog pen he feels is encroaching on his property. He also presented a survey of the property. He informed the Board he has been to the Planning & Zoning Commission meeting where they instructed him to come to the Commissioners with the problem. Mr. Pierce explained this dispute had been going on for some time. He said the dog pen is on neighboring property and Mr. & Mrs. Smith have presented their complaint to both the Planning & Zoning Commission and have filed a written complaint with the Board of County Commissioners several months ago. He stated the Planning & Zoning Commission did not regulate dog pens. He said they instructed the Smiths to come to the Commissioners with their complaint. He stated Mr. Shuler had previously been instructed to look into the problem during an earlier meeting. Mr. Smith said the Florida Building Code states that any structure 10 X 10 with a roof is considered a structure. He explained it is larger than 10 X 10 and has a roof over it so it meets the standard of being a structure. He said the eaves of the roof hang over onto his property. He stated there is also a 10-foot easement on any kind of structure. Mr. Pierce agreed the normal set back is 10-feet per structure. He said the underlying problem is without the roof over the pen the dogs could still be in the pens next to the Smith's property; it is just the roof that hangs over onto the Smith's property. He stated the Building Department does not regulate dog pens. Commissioner Mosconis asked if the structure was moved back 10 feet would that solve the problem. Mr. Smith replied yes it would. Commissioner Mosconis asked if Mr. Smith had tried to work this problem out with his neighbor, the Wards. Mr. Smith replied he had on numerous occasions, even when they were constructing the pen. He said he has not been able to reach an agreement with the Ward's. He stated they have gotten belligerent with him about this matter on several occasions. Buddy Ward, Ms. Cami Ward's son, appeared before the Board at this time. The recorder was unable to pick up Mr. Ward's statements due to the fact he is unable to speak very loudly. After further discussion with Mr. & Mrs. Smith and encouraging them to try and settle the matter Commissioner Mosconis

made a **motion directing Mr. Shuler to check into this matter and authorizing him to meet with the Ward's and the Smith's to try and resolve this matter to both of their satisfaction.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**JANICE HICKS-BUSINESS MANAGER-FCPHU**

(Tape 1-1378) Ms. Hicks said she was here today to request permission for the State of Florida-Franklin County Public Health Department to purchase a new 4 X 4 Explorer from Gulf Ford, Inc., in Apalachicola. She explained this vehicle would be used in the Environmental Health Department for their programs. She said they had the money in their budget to purchase the vehicle. She stated the vehicle would become the property of Franklin County and would need to be placed on the County's insurance and the County would also have to purchase the tag for the vehicle. Mr. Shuler said he was working on the new County Bid Policy and was going to have the Board adopt in later in the meeting. Commissioner Mosconis asked Mr. Shuler to go ahead and present the policy to the Board so they could go ahead and approve the purchase of this vehicle for the Health Department. Mr. Shuler said the proposed changes in the Bid Policy would allow the Board to determine it would be in the best interest of the County to negotiate rather than bid for vehicles priced up to \$25,000.00. He stated this would allow the County to buy trucks, etc. without bidding the vehicle and allowing negotiation in prices for these vehicles. He said sometimes there is an opportunity to purchase vehicles for less by negotiation than to bid the vehicle. Commissioner Mosconis made a **motion adopting the Amended Franklin County Bid Policy.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis asked if the Board could legally do this. Mr. Shuler said he talked to the County Auditor, Michael Tucker, and he agreed it was all right to adopt these changes. Commissioner Mosconis then made a **motion authorizing the purchase of a 4 X 4 Ford Explorer by the State of Florida-Franklin County Public Health Department for use by the Environmental Health Department and authorizing the purchase of insurance and a tag for the vehicle by the County.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1601) Commissioner Putnal said JoAnne Thomason, FCPHU, asked him to assist them in locating a facility in Eastpoint for the Health Department to conduct clinics in. He stated Ms. Thomason wanted the Board to contact the Florida Highway Patrol to see if they could use the Patrol Station in Eastpoint. Mr. Wade said he would call them, but he didn't think they would let the County use the building since the FHP used the building. He asked if they had contacted the Eastpoint Volunteer Fire Department to see if the Fire House could be used. He said he would check on that as well, but he would try to locate them a facility.

**ARLENE LAWRENCE-REQUEST TO USE SGI COUNTY PARK FOR BENEFIT**

(Tape 1-1683) Ms. Lawrence said she helped sponsor a girl's fast pitch softball team of 14-year-old girls. She stated they would like to use the County Park on SGI for a fundraiser. She said they would like to use the area around the basketball court to set up a small concession stand on Saturday and Sunday. She stated the purpose is to raise

money for them to go to the ASA National Competition. Commissioner Putnal asked Mr. Shuler if the Board needed to do anything. Mr. Pierce replied the Board has always required liability insurance. Mr. Shuler stated the Board usually requires liability insurance to cover the event. Mr. Pierce informed the Board this was a group of people from Leon County using our facilities. He said he felt it was important they especially furnish liability insurance. Ms. Lawrence stated the team had insurance to cover most events. Mr. Shuler replied he didn't think an event such as this would be covered. Commissioner Mosconis made a **motion authorizing the use of SGI County Park by Arlene Lawrence for a fundraiser on Saturday and Sunday contingent on providing proof of liability insurance to Mr. Shuler.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 1-1875) Mr. Pierce informed the Board that FEMA has sent the County revised flood maps for review. He explained FEMA has made the following changes: Gulf front property has had flood elevation requirements increased by 1 or 2 feet; there are more gradations in elevation requirements than before; in terminology V and A Zones are proposed to be called VE and AE respectively; C Zones are proposed to be call X Zones; and there has been some alterations in flood zones across the County. He said the maps are in the Planning Office for anyone to review. He stated the he thinks the County has 30 days to review any of these changes.

(Tape 1-1951) He asked for Board action to authorize him to sign SHIP mortgages on refinancing to have the SHIP mortgage subordinated to whoever the first mortgage becomes. He said he has been doing this for several years not realizing he did not have the authority. He explained he has done this because the SHIP mortgages are on a 5-year forgiven basis and intended not to stop someone from getting better financing. Mr. Shuler said he had prepared a Resolution authorizing Mr. Pierce to sign the subordinate SHIP mortgages for the purpose of facilitating private loans to SHIP program participants and ratifying or approving any document subordinating SHIP mortgages for Franklin County before the date of the Resolution. Commissioner Putnal made a **motion adopting a Resolution authorizing Mr. Pierce to sign subordinate SHIP mortgages and grand fathering those he has signed before today in.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Ms. Varnes, Board Secretary, asked Mr. Shuler if this Resolution shouldn't be recorded in the Official Records of the Clerk's Office since this is where the mortgages were recorded. Mr. Shuler replied the Resolution should be recorded. Ms. Varnes assured the Board she would have it recorded.

(Tape 1-2057) He requested Board action to approve the scope of work Preble-Rish has completed for the DEP approved Alligator Point Beach Erosion Study. He said there is not a separate contract with Preble-Rish because they feel they are completing this study under the general engineering contract they have with the County. He said he previously informed the Board about a revised scope of work for Alligator Point and had the Chairman sign the document after DEP approved it, but the Board had not actually voted on the revised scope of work. Commissioner Putnal made a **motion approving the**

**revised scope of work for DEP Preble-Rish has completed for the Alligator Point Beach Erosion Study.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2094) He presented the Board with a copy of the water rate increase request filed with the Public Service Commission by Water Management Services, the utility company on SGI.

(Tape 1-2104) He informed the Board the dredging of the 2-Mile Channel could last another 3 weeks. He said the bird harassment agents have decided it is no longer necessary to be stationed at the site, and they are now checking the bird population every couple of days. Mr. Wade stated 3 people who have businesses in that area came to his officer yesterday complaining about the USCOE, stating that while dredging the USCOE caused material to flush back into the seafood businesses around the docks so the boats cannot get in and out of the channel. He explained he called Terry Jangula, USCOE in Panama City, yesterday and was informed by him the USCOE will go completely back through to the end of the channel and dig it back out. He said they hope this will alleviate the problems.

(Tape 1-2185) Mr. Pierce presented the Board with a copy of a letter from FDOT about another program, County Incentive Grant Program, the County is eligible to participate in. He recommended the County not participate in this grant, but pursue the existing grant request, FDOT Small County Outreach Program, since he believed this grant was going to be very competitive. He said the Board could revisit this matter every year when the grant is made available.

(Tape 1-2240) He asked for Board action to approve an interlocal agreement with the City of Apalachicola and Franklin County to allow the County to work on drainage projects within the City of Apalachicola. Commissioner Putnal asked if this included the City of Carrabelle. Mr. Pierce replied no since there were no listed projects within the City of Carrabelle. Mr. Pierce said he would go ahead and ask that the City of Carrabelle be included in the motion. Commissioner Putnal made a **motion approving and authorizing the Chairman's signature on Interlocal Agreement with the City of Carrabelle and the City of Apalachicola for drainage projects within the cities.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2280) He stated, on the same subject, David and Bill Kennedy, Preble-Rish, are evaluating the various projects and it appears the best solution for the drainage of the Courthouse parking lot may also help in the drainage around the Courthouse. He said they have decided it would be best if the parking lot were tied into the main storm drain that runs between the Rainbow Motel and Miller Marine. He stated, according to the Kennedys, the drain is completely stopped up. He said they have looked at several other drainage problems in the City of Apalachicola, which appear to be related. He informed the Board since the deadline for the project application is so close he would suggest the Board direct Mark Curenton, Assistant Planner, and Preble-Rish to submit those projects which best meet the guidelines for these CDBG Hurricane Earl funds and not have the

County Commissioners actually list the sites. He said the number one priority would still be the Wilderness and Ridge Road area in Eastpoint with the second priority being the Courthouse drainage area. He said other projects may change depending on how interconnected the drainage solutions and problems appear to be. Commissioner Putnal made a **motion directing Mark Curenton, Assistant Planner, and Preble-Rish to submit the drainage projects which best meet the guidelines in the CDBG Hurricane Earl application.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2414) Mr. Pierce reported the Planning & Zoning Commission met in regular session on July 11, 2000 and recommends the following action: Approval for Kenneth Harrell to construct a private dock at 125 North Bayshore Drive in Eastpoint. Commissioner Putnal made a **motion approving the construction of a private dock for Kenneth Harrell on Bayshore Drive in Eastpoint.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for Lower Apalachicola Steamship, Ltd. to construct a private dock on Lot 5, Block 61, Unit 5, SGI. Commissioner Putnal made a **motion approving the construction of a private dock for Lower Apalachicola Steamship, Ltd. on SGI.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce assured the Board this was not a commercial dock.

The Commission heard a number of requests for zoning and land use changes. The Commission recommends the Board hold a public hearing on all of them. The Board action should be to authorize the public hearings, but direct myself to get with Ms. Varnes and figure out the appropriate time and date for the hearings. Dale Herndon to rezone Lots 1 & 2, Block 5, Unit One East, SGI from C-2, General Business, to C-4 Mixed Use Commercial. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a public hearing to consider the rezoning and land use request submitted by Dale Herndon.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Jimmy Miller to rezone 14.21 acres of land off Otter Slide Road from R-4, Home Industry, to R-2, Single Family Mobile Home. The Commission also recommends sketch plat approval for an 11-lot subdivision in this parcel known as Sand Acres. The lots will be one acre in size on a privately maintained road built to County standards. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a public hearing to consider the rezoning request submitted by Jimmy Miller.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis made a **motion approving a sketch plat of an 11-lot subdivision known as "Sandy Acres" as submitted by Jimmy Miller.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Nick Saporito, agent for Michael McLoad, to rezone and change the land use on 7 acre parcel of land between Eastpoint and Carrabelle from R-6, Rural Residential at one unit per ten acres, to R-1, one unit per acre. This parcel is 1 of 4 parcels about 1 mile east of "Emerald Point" and is surrounded by state land. This change would be a small-scale land use change. The Commission also recommends approving a 4-lot subdivision on this parcel for a subdivision known as "Sandy Shores Estates". The lots will have one access driveway to US 98. Commissioner Mosconis made a **motion authorizing Mr. Pierce to schedule a**

public hearing to consider the rezoning and land use change submitted by Nick Saporito, agent for Michael McLoad. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis made a **motion approving a sketch plat of a 4-lot subdivision known as "Sandy Shores Estates" for Nick Saporito, agent for Michael McLoad.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Walter Armistead, Jolene Armistead, and Jessica Armistead, to rezone and change the land use on 3 parcels of land up SR 65 adjacent to the Liberty County Line from R-6, Rural Residential, 1 unit per 10 acres, to R-3, one unit per 5 acres. Each parcel is ten acres in size and will be cut in half. Walter Armistead says the property will be used for hunting camps and he will record covenants that prohibit any further subdivision of the property. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a public hearing to consider the rezoning and land use change request submitted by Walter Armistead, Jolene Armistead, and Jessica Armistead.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Tom Hoffer and Harold Stewart to rezone and change the land use on two 2.39-acre parcels of land behind the nursing home in Eastpoint from R-7, Multi-family High Density, to C-4, Mixed Use Commercial. This will be a small-scale land use change. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a public hearing to consider the rezoning and land use change submitted by Tom Hoffer and Harold Stewart.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** St. James Bay Development to transmit to DCA the intent of the county to change the land use on 374 acres of land currently with a land use and zoning of Public Facilities to a land use of Mixed Use Residential and a zoning of St. James Bay Planned Unit Development. This will be a large-scale land use change and will require two hearings. The first hearing is called the "Transmittal Hearing", where the county transmits its intent to DCA and DCA reviews the intent. After reviewing the proposed land use DCA will send a report back to the county with recommendations, the county will then hold an adoption hearing to address the DCA recommendations. Because this development is going through the DRI hearing, it has been the Board's practice to hold the DRI hearing and the land use adoption hearing at the same time. This has been done on all the DRIs in the county. In order to do this, the county must transmit its intent to change the land use early enough so that DCA can make recommendations to the county comprehensive plan while they are reviewing the DRI document. The developers would like for this hearing to be scheduled for the second meeting in September. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a "Transmittal Hearing" regarding the St. James Bay Development.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said this concluded all of the matters from the Planning & Zoning Commission meeting.

(Tape 1-2660) Mr. Pierce said he received a letter and photographs from Mr. John Andrews, SGI, complaining about what he thought was a commercial activity being conducted in a residential area. Mr. Pierce read the following letter into the record: My name is John Andrews. I live on SGI near Sawyer Street on the Bay side. Larry Troy lives diagonally from me. We both live in the residential part of the island, not in the business area. Mr. Troy operates a fishing boat rental business. On any day of the week one may observe at least 3 or 4 boats and boat trailers on his property, some of them are

actually in the right of way next to the road. We have observed clients stop at his residence, park their vehicles on the road in front of his house, and then get into boats which Troy leaves in the bay in front of his house. Also, Troy has given them various items for them to use while they are fishing. On most occasions he will take his boats away for launching some place else. There is some sort of this activity on a daily basis. I may add that Troy does not own the land on the Bay side where people walk over to get into his boats. On one occasion Troy endeavored to pull his trailer with a boat on over the sand dune and got stuck so he had to be towed out, further damaging what little dune is there. I am sure many people have noticed his boats there because they are in plain sight, have his phone numbers on their side, and also stating that they are for rent. As I previously stated, all this is occurring in the residential part of the island. Mr. Pierce said he had talked to Commissioner Creamer about this complaint. Mr. Pierce stated he had visited the site and it is true Mr. Troy does have boats parked in his driveway that say Larry Troy Boat Rentals, but the house has no advertising anywhere on it or on the lawn. He said the boats are on trailers in the driveway belonging to Mr. Troy. He stated he does drive across the street on occasion to launch them in the Bay. He said the public has a right to do that since it is a public right of way. Mr. Pierce stated he thought this was another neighborhood dispute like the Board heard earlier this morning. He said there is not a lot the County can do to solve it. He said contractors and different companies are allowed to drive trucks and cars with advertisements on them and park them in their driveways. He said he just didn't think this was a violation where a commercial business was being conducted in a residential area. Mr. Shuler said he had looked at the pictures and talked to Mr. Pierce about the matter. He stated, he agrees with Mr. Pierce and does not think it constitutes a commercial activity being conducted in a residential area. He said if this is the case then there is an awful lot of this going on in the County. He stated he saw no need for the Board to take any action on the matter.

#### **HANK GARRETT-OPERATIONS MANAGER-SGI WATER SERVICES**

(Tape 1-3131 Continued on Tape 2) Mr. Garrett said he was here today to see if the Board would be interested in adopting an ordinance promoting landscaping practices that conserve water for SGI. He said the ordinance should require all yards on SGI to be planted with native vegetation and promote better landscaping techniques. He said this would conserve water plus the Island would be more natural looking. He informed the Board that if they are not interested in considering such an ordinance then please tell him so he won't spend so much time trying to come up with a proposed ordinance. Mr. Pierce asked Mr. Garrett how many of the new homes were installing wells. Mr. Garrett answered on a national average 90% of household water goes on the landscaping. He asked if he had tracked down the top 50 users on the Island to see how or why they are using so much water or even if they have a well for landscaping purposes. He stated he had not. Mr. Pierce said he was more concerned with the number of swimming pools being installed on the Island. Commissioner Mosconis said he thought the Board was wasting their time this morning. He said he would not direct the County Attorney to do anything regarding this matter. He stated when Commissioner Creamer came back Mr. Garrett may want to try to request this again. Mr. Shuler said he knew there was a Florida Statute regarding this matter called a "Xeriscape" Statute, which encourages this type of landscaping. Mr. Garrett said it was a specific condition of his water

management permit that he had to come to ask the Board to adopt such an ordinance. He said when he has to go to the water management district to inform them he is over his allotted amount of water he can honestly say he did ask the County Commission to adopt such an ordinance. Mr. Bob Burnett, Alligator Point, said he was a Master Gardener and agreed he did not think the county should be telling people what to plant in their yards. He stated he does like to see natural vegetation promoted for landscaping especially around the beach. He said the County does not have any business telling people what plants they can put in their private yards. Commissioner Mosconis said he wanted to move on to another matter.

**KENDALL WADE-CLERK**

(Tape 2-11) Mr. Wade said he had several Resolutions for Unanticipated Revenues he was requesting the Board approve this morning. He read the following Resolutions 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 \$5,868.00 from the Law Enforcement Equipment Grant No. 00-CJ-G3-02-29-01-122, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 1999-2000 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: 120.80.521.9306, Transfer Grant Proceeds to Sheriff, \$5,868.00. Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$5,868.00 for use in the FINE & FORFEITURE FUND in order to comply with FS 129.06(2)(d). THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 18<sup>th</sup> day of July, 2000. Clarence Williams, Chairman, ATTEST: Kendall Wade, Clerk. Commissioner Putnal made a **motion authorizing the Chairman's signature on the Resolution of Unanticipated Revenues in the amount of \$5,868.00-Law Enforcement Equipment Grant No. 00-CJ-G3-02-29-01-122.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-60) 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 \$10,000.00 from the Department of Health/Franklin County Health Department, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 1999-2000 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: 001.70.572.4602, Walk Path/Ned Porter Park, \$10,000.00, NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$10,000.00 for use in the GENERAL REVENUE FUND in order to comply with FS 129.06(2)(d). THIS

RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 18<sup>th</sup> day of July, 2000. Clarence Williams, Chairman, ATTEST: Kendall Wade, Clerk. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Resolution of Unanticipated Revenues in the amount of \$10,000.00-Walk Path/Ned Porter Park.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**ALFRED SHULER-COUNTY ATTORNEY**

(Tape 2-100) Mr. Shuler presented the recorded deed from James A. Harris and George S. Harris to the County for the land they were given to complete the Eastpoint Boat Ramp. He also presented the recorded deed from H. J. Garnand, III and his wife Susan V. Garnand of Leesburg, Virginia for the small parcel of land near Carrabelle Beach area.

(Tape 2-114) He said he prepared the new Bid Policy, a Resolution for the SHIP Mortgages, and requested a proposal from Garlick Environmental for an environmental survey on the Amerigas property in Lanark Village. He said he thought the estimate Garlick Environmental-he presented each Commissioner with a copy of the estimate-submitted was more than he thought it should be and he has requested a quote from the County Engineer.

(Tape 2-147) He informed the Board he sent a letter, as directed by the Commissioners, to the State Attorney, requesting they expedite the trial of the inmate in the County Jail undergoing dialysis. He said he sent a copy of the letter to the Public Defender also. Commissioner Putnal said this County sure needed a dialysis machine. Chairman Williams said when the new diagnostic center was built at the hospital it would have a dialysis machine in it. Mr. Shuler said he did look into the question of expediting the trial, but moving the case along did not only depend on the State Attorney, but the Public Defender as well. He said they would both need to do their official duty to the State and to the client. He stated he believed the Commissioners and the Sheriff had done all they could do.

(Tape 2-226) Commissioner Mosconis said he would like for Mr. Shuler to get the property the Harris Brothers were given by the County straightened out. He stated he thought the County needed to move on that property and the question of who really owns the property. Mr. Shuler said a Quiet Title Lawsuit could be filed which would determine the ownership of the property. Commissioner Mosconis said he would make a **motion directing Mr. Shuler to research this matter and file a Quiet Title Lawsuit if necessary to legally clear the matter up once and for all.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-257) Frank Latham, SGI, asked if the rezoning in the Commercial District on SGI mentioned in Mr. Pierces Planning & Zoning Commission Report this morning was the property just west of the church on the Island. Mr. Pierce replied yes it was. He said it was his understanding the property owners are planning to build an arcade on the property and as a possibility may serve alcoholic beverages there. He asked if there was a County Ordinance restricting the sale of alcoholic beverages within so many feet of a

church. Mr. Pierce replied no there was not one, but there may be a State Statute. Mr. Pierce said the property is in a Commercial zone and the church is also in the Commercial zone. Commissioner Putnal said that Mr. Latham might want to ask this question when the public hearing regarding the matter is conducted.

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

Clarence Williams CLARENCE WILLIAMS, CHAIRMAN

Kendall Wade KENDALL WADE, CLERK