

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
OCTOBER 3, 2000**

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

(Tape 1-24) Commissioner Sanders made a **motion approving the minutes of the meetings held on September 19, 2000, September 25, 2000, and September 29, 2000.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

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

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-44) Mr. Mahan reported he, at the request of the Board, researched the economic feasibility of clam hatcheries/nursery. He said he contacted Dr. Chuck Adams, Sea Grant Marine Economist, to see if anything has changed during the past ten years that would make a "stand alone" clam hatchery/nursery economically feasible. He explained Dr. Adams reported, due to the stronger demand for clam seed, and the lower technology costs a stand-alone clam hatchery/nursery is probably feasible. He said there is currently no paper available that summarizes the costs and earnings associated with a small-scale clam hatchery/nursery. He stated Dr. Adams added that anyone considering going into the seed business carefully consider the cost of buying seed from current suppliers as opposed to building a hatchery/nursery system. Commissioner Putnal said he felt the water would be the most expensive item in the project since it had to be constantly circulated. Commissioner Putnal said he had been to visit one of these projects and was quite impressed with it. Tom Hoffer, Franklin County Chronicle, asked if there should be some documentation from the Cedar Key Clam Aquaculture Project. Mr. Mahan replied that Dr. Adams had worked with the project in Cedar Key, but it involved going in and sitting down trying to get business information. He explained this it was very difficult to get people to discuss their business with someone. He said they really didn't know the bottom line cost to produce seed clams.

(Tape 1-233) He said Commissioner Mosconis asked him to check into the Federal Crop Insurance Program as it relates to clam aquaculture. He said he talked to Leslie Sturmer, Aquaculture Extension Agent in Dixie and Levy Counties and was informed by her the following four counties in Florida, Dixie, Levy, Brevard and Indian River, are participating in a three-year pilot study of Clam Crop Insurance. She also informed him there are several counties in Massachusetts, Virginia, and South Carolina in the program. Mr. Mahan said Ms. Sturmer said the programs have a list of defined losses, which can qualify the clam farmer to collect the insurance. He said those listed are: low dissolved oxygen, low salinity, freezes and diseases. He stated the farmer selects the level of coverage they want and purchases the insurance from USDA. He said she considers the insurance cost very reasonable and a very high percentage of farmers have purchased the

FCBCC REGULAR MEETING-OCTOBER 3, 2000

insurance. He said when the pilot program ends in 2002, if the USDA decides it likes the program, will offer it to all of the states where clam farming is taking place.

(Tape 1-293) He informed the Commissioners he will be attending the 25th Annual Seafood Science and Technology Society of the Americas Meeting in Longboat Key October 8th through the 11th. He said the meeting will have a special session on "Processing Controls for Vibrios in Raw Oysters" and stated one of the papers to be presented is "Draft Interim Voluntary Florida Vibrio Vulnificus Risk Reduction Plan for Shellfish," which will be presented by David Heil.

(Tape 1-321) He stated he wouldn't be here for the October 17th Board Meeting. He said he would be in Gainesville at the Annual Sea Grant Agent's Meeting. He informed the Board he would meet the 10 new agents hired, 3 in the panhandle, and the new Sea Grant Extension Program Leader who starts work on October 9th.

(Tape 1-346) He informed the Commissioners he attached a copy of UF's Extension Annual Report for 2000 in the form of a 2001 calendar. He explained this was the first time an annual report has been presented in a calendar format. He said because the new format, UF IFAS will be conducting a survey in the spring to determine the value of this type of annual report. He said he would be submitting each Commissioner's name and address along with a list of people who have received this report-calendar to UF IFAS in January. He explained that since the Commissioners may be one of the lucky people to be surveyed in the spring, he suggested they study the information.

(Tape 1-380) Commissioner Putnal asked if Mr. Mahan would get him some information from other states about their skimmer nets. Mr. Mahan replied he would. Ronnie Martina, a local shrimper, said the skimmer net would be the ruin of shrimpers. He explained the majority of shrimpers do not want the net. He stated he understands they want to use the skimmer nets in the whole Bay. He said he was totally against the use of the skimmer net in Franklin County. Commissioner Putnal assured Mr. Martina Mr. Mahan would gather some information on the use of these nets in other states.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-425) Mr. Chipman said the Road Department is having a hard time getting caught up after the storm damage. He said the Road Department did a fantastic job during the storm. He stated there are still some culverts out, but they are working to get them repaired as soon as possible.

(Tape 1-452) Commissioner Putnal asked Alan Pierce, Director of Administrative Services, if the County was going to be declared by the Federal Government. Mr. Pierce replied he had applied for Franklin County to be declared a disaster area. He stated he asked for approximately \$150,000.00 in reimbursements. He said the Governor has requested \$15 million dollars for the entire state and reported the request is now at the Federal level. He stated he has not heard if the County has been designated.

FCBCC REGULAR MEETING-OCTOBER 3, 2000

(Tape 1-475) Commissioner Creamer asked Mr. Pierce to send a letter to the adjoining property owners of the property on Hickory Street in Eastpoint that the County is building an easement on. Mr. Pierce replied he had called one of the neighbors. He stated he informed the neighbors the County is opening the street and asked them to remove any items they might have on the right-of-way.

(Tape 1-488) Commissioner Sanders instructed Mr. Chipman to ask DeWitt Polous, Mosquito Control Director, to double up on the mosquito spraying. She stated the mosquitoes were terrible.

(Tape 1-496) Mr. Pierce said he wanted to discuss a matter of importance while Mr. Chipman is here. He stated he needed the Board to establish procedures to test County workers suspected of drug or alcohol abuse on days when the Franklin County Health Department is unable to test them. He said this would primarily happen on Fridays, but it could also involve weekends if the County Employees were called out to respond to emergencies such as the recent storm. He explained the Health Department does not conduct drug or alcohol testing on Fridays. He said he talked to Ms. Susan Ficklen, Administrator at George E. Weems Memorial Hospital, and she informed him the Hospital should be able to handle these tests if necessary. Commissioner Mosconis said there would be no other choice. He stated there was a particular incident that happened last Friday that was worked out with the assistance of the Sheriff's Department by them having to conduct a breathalyzer test on the employee. Mr. Pierce said if the employee had refused the breathalyzer test then there would have been nothing else available to conduct the test. Commissioner Mosconis said then he would have been fired. Commissioner Mosconis stated he thought the new Superintendent, Mr. Chipman, did an outstanding job in handling this crisis last Friday.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-555) Mr. Johnson said the Board approved the application of a Playground Surfacing Grant at a previous meeting. He said the grant is awarded through the FDEP with the purpose of the grant to allow counties to purchase playground-surfacing materials made from Florida waste tires. He said the purpose is also to improve playground safety in Florida parks and schools while promoting waste tire recycling. He said the grant is for \$4,000.00 and requires a 50% match. He stated the match would be funded from the Parks and Recreation Budget or the Waste Tire Grant. He presented three samples of material to be used for the project. He explained he did not need any action from this morning since it had already been approved at an earlier meeting.

(Tape 1-587) He asked for Board approval for the Chairman to sign Part II of the Recycling and Education Grant Application. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Solid Waste Recycling and Education Grant Application, Part II.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-601) He asked for the Board to authorize him to seek bids for a new pick up truck for the Solid Waste Department. He explained this was a budgeted item of the

FCBCC REGULAR MEETING-OCTOBER 3, 2000

Franklin County Small County Solid Waste Grant. Commissioner Mosconis made a **motion authorizing the advertisement for bids to purchase a new pick up truck for the Solid Waste Department funded by the Franklin County Small County Solid Waste Grant.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-619) He informed the Board he hired Tyrone Evans to fill the Parks and Recreation position and Patrick Lane to fill the vacancy in the Animal Control Department.

(Tape 1-624) Commissioners Mosconis and Creamer asked Mr. Johnson the status of the lights proposed for the walking paths in Eastpoint and Apalachicola, Vrooman Park and Ned Porter Park. Mr. Johnson replied Florida Power informed him it would take between 3 to 4 weeks. He said he has already placed the work order and as soon as they can the lights will be installed.

(Tape 1-633) Commissioner Putnal asked Mr. Johnson about the recycling bins in Carrabelle. Mr. Johnson replied he was trying to locate a place to put them. He stated he was doing the best he could. He said he has talked with the City of Carrabelle officials to try and locate a spot to put them on. He stated it looks like it is going to take some time. Commissioner Sanders said the matter really needed to be addressed because the citizens from Carrabelle are carrying their recycling to Lanark Village. She stated that is a problem since there is only 1 dumpster at that site. She asked Mr. Johnson to at least double up on the pickups in Lanark Village. He stated the County might have to lease or purchase some land in Carrabelle to put these recycling bins on.

(Tape 1-690) Commissioner Mosconis said he wanted to discuss one small matter. He stated when a disaster such as a hurricane is approaching Franklin County he would like to assign Mr. Chipman to be totally in charge of both departments, Solid Waste and Road Department, during these times of disaster. He explained Apalachicola got a lot more rain than any other part of Franklin County. He said it was really important during these times of crisis to get everybody out and keep the water moving. He stated he thought there had been some communication problems between Mr. Johnson and Mr. Chipman. Mr. Johnson replied he certainly didn't think so. He said he and Mr. Chipman worked together, with their employees, to make sure the problems were addressed. Mr. Pierce said he thought everything worked really smoothly during the storm. Mr. Johnson informed Commissioner Mosconis someone must have given him some bad information.

(Tape 1-744) Commissioner Creamer said he wanted to discuss Amnesty Days at the Landfill. He stated the days are held during the workweek and end at 4:30 p.m. Mr. Johnson explained on Amnesty Days there are approximately 100 to 200 people at the Landfill and the gate has to be closed at 4:30 p.m. to process the report. Commissioner Creamer said he is proposing is to hold an Amnesty Day on a Saturday at least once a quarter. He stated the people who have to work couldn't get to the Landfill on workdays. Commissioner Mosconis asked Mr. Johnson if he couldn't work that out. Mr. Johnson replied he could. He said he felt he could certainly accommodate that request. He said

he would try to schedule and advertise one for next month. He stated he would advertise in the newspaper and on the radio when he decided exactly what day. Commissioner Creamer thanked Mr. Johnson.

(Tape 1-785) Mr. Pierce said he had two items from his report he would like to discuss before Mr. Johnson leaves the meeting. He said he needed Board action to dedicate \$18,750.00 as the local match for the purchase of the land for a recreation complex in Carrabelle. He said the Board has funds reserved for land acquisition, but if the Board eventually buys 40 acres of land from St. Joe on SR 65, the Board will need those land acquisition funds. He said his recommendation was one he had not had time to discuss with Mr. Johnson, but would be to reserve the \$18,750.00 from the Recreation Budget. He said the money would only have to be encumbered until June to see if the County gets the FRDAP grant. He said if we get the grant then it will be a logical expense of recreation funds to buy recreation land. He said if the County does not get the grant then the funds will be free to be used towards other recreation uses. He explained by encumbering the Recreation Budget funds it will insure the County has the match money and will still leave over \$32,000.00 to operate the program. He stated this means there can be no major capital improvements at any county facilities until we learn about the grant. He said there is no real need for major expenses at any County facility because both the Eastpoint and the Apalachicola facilities are in good shape. He asked the Board to approve this request. Commissioner Putnal made a **motion to approve the encumbrance of Recreation Budget funds in the amount of \$18,750.00 to use as a local match for a FRDAP grant until June.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Chairman Williams asked if this included his encumbered funds. Mr. Pierce replied no it didn't.

(Tape 1-868) Mr. Pierce said the other item is to ask the Board to consider allowing Mr. Johnson, in the capacity as Recreation Director, the discretion in spending the Recreation Budget, using the guidelines the County has followed these past several years. He said if Mr. Johnson had a question on an expenditure, or if the Recreation Committee members want to expand or change the type of recreation program the County is running, then the Recreation Committee could meet. He explained that otherwise Mr. Johnson would have the authority to make repairs and purchases necessary to keep the facilities operating on a daily basis. He stated the benefit would be fewer Recreation Committee meetings, which will be easier on the members since most of them work. Commissioner Mosconis said that needed to be a form of policy and he would go ahead and make a **motion authorizing Mr. Johnson the discretion in spending the Recreation Budget using the guidelines the County has followed these past years.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said this would allow Mr. Johnson to purchase things needed for day-to-day operation of the recreation facilities in Franklin County such as; weed killers, clay for the fields, etc.

FRANK VENABLE-COUNTY GROWTH PLAN

(Tape 1-926) Mr. Venable thanked the Board for allowing him to speak this morning. He stated he was here to discuss a County Growth Plan. He said it seemed to him, that over the past several years, the County has had to consider growth management

problems, in other words what was the County going to look like 5, 15, 20 years from now. He stated with all of the things the Board has to consider each month a County Growth Plan may be in the long run one of the most important things since it would dictate what the future would look like in this County. He said the County Commission, with it's own design plan, could make all of the decisions a lot easier. Commissioner Mosconis asked Mr. Venable what he was getting to. Mr. Venable referenced an article in USA Today about growth management with all of its problems. He stated he wanted the County to just be prepared by implementing some rules and restrictions before any big problems arise. He said he is asking the Board to consider a Comprehensive Growth Plan that doesn't just allow people to come in and totally destroy the integrity of this County. Commissioner Mosconis said the County had a Comprehensive Plan, mandated by the State of Florida, which he felt covered exactly what Mr. Venable was talking about. Discussion followed. Chairman Williams suggested that Mr. Venable schedule a meeting with Mr. Pierce to express all of these concerns to him. He said then Mr. Pierce could bring Mr. Venable's recommendation back to the Board. Commissioner Sanders said she understood where Mr. Venable was coming from and assured him that as long as she was a Commissioner Franklin County would not have this problem. Commissioner Creamer said he would not dictate whether a person can build on their property or not. Mr. Venable said the Board already does this through zoning restrictions. Commissioner Creamer said yes, the Board did regulate that somewhat. Chairman Williams said he was going to move on the agenda at this time.

TONY MILLENDER-AREA SUPERVISOR-DIVISION OF FORESTRY

(Tape 1-1231) Mr. Millender said it was a pleasure to appear before the Board with the Annual Fire Report as required in the Cooperative Franklin Fire Control Agreement between the Franklin County Board of County Commissioners and the Department of Agriculture and Consumer Services, Division of Forestry. He said he delivered a copy of the report to the Board Office for each Commissioner. Mr. Millender said the report covered activities for the protection of 45,949 acres for which the County's assessment was \$1,378.47 from July 1, 1999 through June 30, 2000. He said there was no change in the agreement. He said primarily 7 Forest Rangers, 3 Senior Forest Rangers and 1 Fire tower lookout carry out the Fire Control Agreement. He said there were 59 wild land fires during this period, which is an increase, burning 4,477.9 acres of land. He stated there were 8 incendiary fires this year. Mr. Ronnie Martina asked Mr. Millender if the State of Florida was going to schedule a control burn of the Apalachicola River marsh grass. Mr. Millender said that would be controlled by the State of Florida DEP. He said they do promote control burns. He stated they are natural and help keep the wild land fires in check. He said he would go ahead and inform the Board they would be conducting a control burn of 26,000 acres in Tates Hell Forest within the next 9 months.

WOODY MILEY-MGR-APALACHICOLA NAT'L ESTUARINE RESERVE

(Tape 1-1755 Continued on Tape 2) Mr. Miley said he was invited by the Board to discuss the closure of Dove Season on Little SGI. He explained the change was implemented by the adoption of the Apalachicola National Estuarine Research Reserve Management Plan 1998-2003. He stated due to the increased number of campers, tourist, Boy Scouts, etc. it became an increased liability problem. He said there were a number

FCBCC REGULAR MEETING-OCTOBER 3, 2000

of increased instances where youth groups, campers, hikers, eco-tourist, etc. were in the vicinity of hunters. He informed the Board they received a lot of complaints about the hunters and his department addressed them in their Management Plan. He stated hunting conflicts with the newer, other user groups such as campers, tourist, etc. He said Dove hunting on Little SGI is not good unless you bait them, which is and has been illegal. He stated there were over 300 Boy Scouts on the east end of the Island this weekend. He said he was concerned with their waste being a pollution source so Tuesday of last week he moved some port-o-potties over there. He stated the entire area at this site was littered with cracked corn. He said it is a conflicting use to Dove Hunt on the Island and the DEP wants all of the State lands under their management opened for any and all compatible uses for the public. He explained the Island is open to the public, however due to the population growth there comes more restrictions. Commissioner Mosconis said if you look at the mission of that particular part of the Reserve there is a little statement that says "preservation of the cultural and historical resources on the Island" means to him this should continue. He said they were Dove Hunting there long before he was even born. He stated the issue here today is the historical and cultural use of that Island up to the State of Florida obtaining it 25 years ago. He explained there is a conflict with this. Mr. "Bubba" Gander said he wanted to say he spent many happy years hunting on the Island. He explained this thing goes back many, many years. He said Dove Hunting is only allowed on the west-end of the Island now. Mr. Gander stated he, along with the other hunters, thought Dove Hunting was still allowed. He said Ms. Marshall, previous owner of the property, assured the local people they would always be able to hunt over there. Mr. Bobby Miller, a resident of Apalachicola, said what was done was underhanded at best. He said he called the Fish and Game Commission this morning and they didn't know anything about this new rule in the Management Plan. He said he was informed by them the Land Acquisition and Management Advisory Council (LAMAC) is the group who decided this. He stated apparently there is one person who represents the Game Department that sits on LAMAC and they didn't even know who that person was. He said they are not in favor of shutting down hunting on the Island. Mr. Miller informed the Board this document was 300 pages long and asked how did they expect the normal citizen to read all of it. Commissioner Mosconis admonished Mr. Miley for not letting the Board know this matter was even being considered much less adopted. He said anything affecting this County should be at least presented to the Board for consideration or review. Mr. Miller said the Game and Fish Commission told him they were not going to enforce this hunting restriction on the Island. He said LAMAC does not have the power to regulate hunting or hunting restrictions. Mr. Miley said they have the power to approve land use recommendations from a management agency. Mr. Fred Sawyer, Mr. Walter Armistead, Mr. Travis Stanley, Mr. Jim Philyaw, Mr. Jimmy Gander, and Mr. Gary Barber all expressed their opinions and concerns over this restriction of Dove Hunting on Little SGI. Commissioner Mosconis said he thought a letter and Resolution needed to be sent to these agencies strongly opposing this restriction. Mr. Miley suggested he schedule a meeting between the Fish and Game Commission representatives and these hunters before hunting season opened this weekend. The Commissioners instructed Mr. Miley to go over to the Clerk's Office and schedule a meeting, here in Franklin County, as soon as possible with the Game and Fish

Commission to discuss this matter. Mr. Miley left the meeting to make these telephone calls at this time.

SELENA MOORE-SHIP MORTGAGE

(Tape 2-23) Mr. Pierce said he had already addressed Ms. Moore's problem about a subordination agreement for her SHIP Mortgage. He said he hopes the problem can be worked out. He stated he is trying to work on a subordination of her SHIP mortgage to have her property refinanced. He said he does not have the authority to do anything else with this mortgage. He explained if she wants anything else done she will have to personally ask the Board. He assured the Board he is trying to handle this matter. Mr. Shuler said in all instances he would not recommend the Board remove the mortgage so she can get her property refinanced. He stated a subordination should be satisfactory.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 2-55) Mr. Pierce said he wanted to inform the Board it will cost \$200.00 per week for every week the County has to utilize the Gulf County Building Official to act as the Franklin County Building Official. He explained this could last up to 10 weeks. He said in order to pay this expense, which is not budgeted, he is not going to fill the new entry-level position in the Planning Office. He requested Board authorization to use the funds allocated for the entry-level position in the Planning Department to cover this unbudgeted expense of the Gulf County Building Official in the Building Department Budget. He explained Ms. Williams, the Finance Officer, would like the Board to authorize this line item transfer. He said the funds are all in the General Fund, but it will be a transfer of funds between the 2 departments. He said he expects the delay in officially hiring a person for this entry-level position will be postponed by 6 weeks. He explained Mr. Robin Brinkley, FC Building Official, will be taking his test on the computer. He said they just found out they can do this. He stated Mr. Brinkley will be going to Tallahassee next Wednesday to take the first half of the test. He informed the Board the nice thing about doing it on the computer is that he will know if he passed the test right away. Commissioner Mosconis made a **motion authorizing a line item transfer of funds between the Planning Department and the Building Department-General Fund-not to exceed \$2,500.00.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-108) He asked the Board to authorize the Chairman's signature on the FRDAP application to buy land for recreation in Carrabelle. Commissioner Sanders made a **motion approving the Chairman's signature on a FRDAP application for the purpose of purchasing land in Carrabelle for a recreation complex.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-118) He asked the Board to authorize him to schedule a public hearing for the consideration of the adoption of the DRI Development Order and the adoption of the land use change and rezoning change for St. James Bay. He stated he had already tentatively scheduled the hearing for December 5, 2000, at 10:30 a.m. Commissioner Sanders made a **motion authorizing Mr. Pierce to schedule and advertise a public hearing for consideration of the adoption of the DRI Development Order and the adoption of**

the land use and rezoning change for St. James Bay on December 5, 2000 at 10:30 a.m. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-136) Mr. Pierce informed the Board that October was "Child Health Care Month". He said he has been asked for the Board to consider adopting a Resolution of Appreciation for Dr. Shakra Junejo, Franklin County Public Health Department, for her efforts in child health issues. Commissioner Sanders made a **motion adopting and authorizing the Chairman's signature on a Resolution of Appreciation for Dr. Shakra Junejo in observance of "Child Health Care Month"**. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-154) Commissioner Creamer asked if Mr. Pierce had heard any complaints about the sewer system at the new health department. Mr. Pierce replied he had not. Commissioner Creamer said he understood none of the sewer lines were hooked up. Mr. Pierce said the new sewer system was not finished. Mr. Pierce said he would check into the matter.

KENDALL WADE-CLERK OF COURTS

(Tape 2-203) Mr. Wade said Gary Barber, Marks Insurance, was present this morning to bring a matter regarding the County's Health Insurance before the Board. Mr. Barber said that Blue Cross & Blue Shield (BCBS) advised them last week that the County would be receiving a 32% rate increase on the health insurance. He said he would like to introduce Jeff Darnell, BCBS, to address the Board at this time. Mr. Darnell explained that there had not been a significant rate increase in 4 years. He said as the County employees get older the claims are going to increase and BCBS is trying to make sure they are prepared for the increased claims. He stated the renewal date is November 1, 2000 and they are going to have to increase the premium for each employee from \$221.80 to \$293.00 and the family plan from \$584.60 to \$772.30. He presented the Board with a written Summary of Current Benefits document and a Renewal Explanation. Mr. Wade admonished Mr. Darnell about his company submitting a rate increase of 15% instead of 32%. He said it greatly affected the budget especially since the budget was just approved and began October 1, 2000. He stated the County had not prepared for doubling of the 15% in the budget. He stated it concerned him that BCBS is coming in today requesting a 32% increase when the budget only has 15% budgeted. He said the Finance Office was informed by BCBS that an increase of between 12% and 15% would be requested they went ahead and budgeted the full 15%. He stated now they are here wanting an increase of 32%. He said a letter regarding budget requests are sent out in June before the budget hearings even start. He stated the budget is finished and BCBS is wanting to double what they requested. Mr. Darnell said he would do better next year. He said one of the problems is that they are reviewing actual claim occurrence until August before budget in October so it is hard to determine what to request in June or July. Mr. Darnell said there are a number of things that can be done to reduce the 32% increase by changing some of the benefits. He stated there are about 40 different options that can be considered such as different deductibles, out-of-pocket, co-insurance, co-pay, etc. Mr. Wade suggested that Mr. Darnell prepare and provide some options for the

FCBCC REGULAR MEETING-OCTOBER 3, 2000

Board to consider. He said they could come back to the next Board meeting with their options. Mr. Darnell said he would prepare some options for the Board to consider.

(Tape 2-590) Mr. Wade said Mr. Pat Floyd, attorney, was present this morning to update the Board on the meeting in Tampa he attended regarding the GRIT bankruptcy case. Mr. Floyd said he went to the meeting representing Franklin County, the City of Apalachicola, and the Northwest Florida Regional Housing Authority. He explained he was splitting his charges 3 ways between these entities. He said the four-hour meeting was filled with suggestions by managers, public officials, lawyers and insurance employees as to how the assets of GRIT and the alleged liabilities should be handled. He explained the bottom line is there are a number of issues to deal with, and there is an adversarial situation in that the attorneys representing the Trust, which has filed bankruptcy, want to go back immediately and charge everybody an amount of money which has not been determined, without really determining the amount of assets there are. He said the big problem is without determining what the liabilities are how could they spend the assets. He stated the members of the group settled work comp cases on their own with their own funds and are now trying to get their money back from GRIT, etc. He said they don't even know how much money is left. He stated the other interesting development is that the two Trust members on the Board of Directors, who they believe are required to be elected officials, have either been defeated in their election or did not run for election. He said they had the member group to go ahead and decide to set up a sub committee comprised of members to address some of these issues such as the authority of the Trustees to act. He stated they have another meeting, by phone, on October 10th. He said he announced at the meeting that he represented Franklin County, the City of Apalachicola, and the Northwest Florida Regional Housing Authority so that those member names would be on record and on file. He said those members not at this meeting on September 16th will not be able to speak at the October 13th hearing being held for the Bankruptcy Judge to determine whether or not the debtors can go forward with litigation in suing every particular member or the Judge can stall until the additional documents to see exactly what the liabilities are. He said the key is to get a hand on these funds so they can be more economically directed. He asked the Board if they wanted him to continue to represent the County in these matters. He said he has volunteered to work with the Bay County attorney, John Emmanuel, on the issue of who has authority to form a new group to go where they want to go rather than where the debtors want to go. Commissioner Mosconis asked Mr. Floyd how much money the Trust had. Mr. Floyd replied approximately 5 million dollars in assets in the Trust. He said the approximate amount of liabilities appear to total around 7 to 12 million dollars. He said this includes Zenith Insurance who did a lot to go in and increase the liabilities by settling claims in a hurried manner. He said there might be some claims filed against them as well. Commissioner Mosconis said he would make a **motion authorizing Pat Floyd to represent Franklin County in the GRIT Bankruptcy case.** Mr. Floyd said the amount he will charge will be prorated between the City of Apalachicola, Franklin County, and the Northwest Florida Regional Housing Authority. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING-OCTOBER 3, 2000

(Tape 2-818) Mr. Wade said he would like to update the Board this morning on the Franklin Web Site. He informed the Board Ms. Clark, Bay Media, is working on the web site and is gathering the necessary information to place on the site. He stated Ms. Varnes sent a questionnaire out to each department to gather the information Ms. Clark's needs from each County Department. He said Ms. Clark should have the information in her hand by tomorrow or the next day. He stated he would continue to keep the Board updated.

(Tape 2-834) Mr. Wade said the final item was to inform the Board that Mr. Bill Henderson, Public Works Department, had submitted his resignation effective November 1, 2000. He stated the letter reflects that Mr. Henderson is resigning due to medical disabilities. Mr. Wade said Mr. Henderson had been out on Worker's Compensation for a while and is now pursuing his disability retirement. Commissioner Putnal asked if Mr. Henderson would be compensated for all his sick and annual leave as specified in the Employee Manual. Mr. Wade assured the Board he would get paid for all of his sick and annual leave he was entitled too as of November 1, 2000.

WOODY MILEY-MGR-APALACHICOLA NAT'L ESTUARINE RESERVE

(Tape 2-883) Mr. Miley came back to the Board meeting at this time. Mr. Miley said there would be a public meeting at his Eastpoint office on Thursday. He stated the meeting would start at 10:00 a.m. with representatives from the Fish and Wildlife Conservation Commission. He said they will discuss the dove hunting issue. He stated, after talking to them, it is their position that unless something in the Management Plan is adopted by rule or administrative code it doesn't have any teeth yet. He said he was positive that FDEP has never adopted his Management Plan through rule or Administrative Code. He stated after the meeting Thursday he will know for sure. He said he would encourage everyone interested in this issue to attend the meeting. Mr. Miley said Billy Sirmons, Fish and Wildlife, will be here along with whomever he decides to bring with him. Mr. Pierce asked Mr. Miley if there was anything else in his Management Plan for Little SGI that the Board really needed to be apprised of. Mr. Miley replied he didn't think so, but that means his Management Plan does not have legal authority.

(Tape 2-973) Mr. Pierce said he would like to bring the matter of the sewer problems at the new Health Department back into discussion. He stated the new Health Department building was built on top on the City of Apalachicola's sewer lines. He explained they had to relocate the sewer line during construction, a year or so ago, and during that relocation either the contractor failed to reconnect part of the line or the City failed to reconnect part of the line. He said they are working this problem out.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-989) Mr. Shuler said he telephoned Bruce McCormick, Technautics, about his request to lease a County constructed building at the Apalachicola Airport. He stated Mr. McCormick has sent him a proposal as to what he wants. He explained the lease would have to be long term so a building could be constructed for him and then he would pay the lease payment, which should cover the amortized amount of the costs of the building.

FCBCC REGULAR MEETING-OCTOBER 3, 2000

He asked and suggested that if the Board wishes to proceed with this project then they need to authorize him to advertise and hold a public hearing. He asked the Board to make a motion if they so desired. After no comment Mr. Shuler moved on.

(Tape 2-1030) He stated he prepared a letter to the Public Service Commissioner (PSC) requesting they address the water problem as it relates to fire service on SGI as directed by the Board.

(Tape 2-1046) He said he reviewed the contracts the County has with the Dog Island Conservation District (DICD) and the Dog Island Volunteer Fire Department (DIVFD). He explained the Board is free to contract with whomever they would like to. He said when the DICD contract was entered into the DIVFD was had not completed their requirements by forming a non-profit group. He said they had done all of that now and they are able to contract with the Board for fire protection on Dog Island. He suggested the Board asked both entities interested in a contract for providing the fire service come to a Board meeting to make a presentation to the Commissioners. He said the Board could then direct him to prepare a contract with the entity the Commissioners choose. Commissioner Sanders asked Mr. Shuler if he was recommending inviting the DICD and the DIVFD to a meeting to discuss the problems and try to reach a solution. Mr. Shuler said the Board should gather all the information and then make a decision.

Commissioner Sanders made a **motion directing Mr. Shuler to invite the DIVFD and the DICD to a Board meeting on November 7th to address the MSBU Fire Protection Contract.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Becker Boatenreider, Chief DIVFD, informed the Board the Fire Department has lost their insurance due to them DICD not paying the bill. He stated they do not pay the bills and he does not even submit them to them anymore. Ms. Varnes said she would schedule the presentation on November 7, 2000 at 10:15 a.m.

(Tape 2-1262) He said he assisted Mr. Chipman last Friday with the employee who came to work intoxicated. He stated he assisted Mr. Chipman in writing an employee warning report on the employee.

(Tape 2-1277) He informed the Board he has prepared a ditch easement for the ditch along the Living Waters Assembly of God Church on Bluff Road.

(Tape 2-1289) He said the closing on the Amerigas property in Lanark Village has been completed. He stated he has recorded the deed and mailed the check. He said he has confirmed they did receive the check in time to met their budget constraints.

(Tape 2-1305) He reported he filed a Motion to Dismiss in the lawsuit, Brownell vs. the Sheriff and Franklin County. He said the Clerk's Office faxed a copy of the complaint to the Pat Thomas Insurance Agency and he sent one as well. He stated they claimed they did not receive a copy of the lawsuit. He said he went ahead and filed the Motion so there would not be any confusion. He explained then if the insurance company does pick it up then he would just file a withdrawal notice.

FCBCC REGULAR MEETING-OCTOBER 3, 2000

(Tape 2-1337) He said he reviewed the plat for Beacon Ridge Phase III. He stated he had to prepare a Grant of Access to the owners in the subdivision since there was not a public road for their property.

(Tape 2-1355) He reviewed the letter from Mr. Patrick Floyd concerning the GRIT problems.

(Tape 2-1389) He said he prepared the Resolution as directed by the Board concerning hunting in the River Swamps.

(Tape 2-1406) He reported he attended a mediation session in Tallahassee regarding the Jackie Gay Worker's Compensation claim. He said he did believe Ms. Gay is totally and permanently disabled. He stated he entered into a stipulation to that effect. He said the County will have to pay her according to that. He said it appears they would consider a settlement of \$80,000.00 plus attorney fees of 10%. He stated he thought this was a reasonable amount. He asked the Board for permission to have Ms. Katherine Ronco-Miller, the attorney that assisted the County with the Lolley settlement, to review this proposal. Commissioner Mosconis asked Mr. Shuler if he would incur any more fees if he contacted Ms. Miller. Mr. Shuler replied he was sure she would charge for her time. Mr. Shuler said if the Board wanted to act on his experience then the extra expense could be avoided. He stated he was prepared to recommend this settlement to the Board, but he does like to check with someone experienced in these work comp lawsuits.

Commissioner Mosconis said he would make a **motion directing Mr. Shuler to contact Ms. Miller to see if the settlement was appropriate and if so go ahead and bring this matter to a close.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis asked Mr. Shuler to make sure he talked to the Clerk to see if the money was available.

(Tape 2-1521) Chairman Williams said he would like the Board to approve a Resolution of Appreciation for Mr. Willie Speed. He stated Mr. Speed did not run for reelection this year to the Franklin County School Board. He explained Mr. Speed is going to retire and is having a retirement party the first of November. He informed the Board Mr. Speed has 50 years invested in the education system. Commissioner Putnal made a **motion directing Mr. Shuler to prepare a Resolution of Appreciation for Mr. Willie Speed in observance of his 50 years in education and his retirement.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1550) Mr. Wade asked Mr. Shuler to back up to the Bruce McCormick, Technautics, discussion. Mr. Shuler said if the Board wants to move forward with Mr. McCormick's proposal then he needs to schedule a public hearing. He stated it would be a long-term lease and therefore a public hearing is required. Mr. Shuler gave the Board a brief background on how he arrived at wanting to schedule a public hearing for this lease. Commissioner Mosconis made a **motion authorizing Mr. Shuler to schedule a public hearing to consider a long-term lease with Bruce McCormick for his company Technautics at the Apalachicola Airport.** Commissioner Sanders seconded the motion.

FCBCC REGULAR MEETING-OCTOBER 3, 2000

All for. **MOTION CARRIED.** Commissioner Mosconis instructed Mr. Shuler to ask them for a copy of their financial statements for the company.

(Tape 2-1746) Mr. Pierce said he would like to update the Board on the new Airport Road. He stated actual construction has not started since there is still some permitting problems. He explained part of the problem may be there are 2 engineering firms working together. He said they are trying to work together, but have not always been successful. He stated the latest issue is a permit may not be forthcoming from the USCOE for the wetland alteration. He explained the USCOE has informed them the relocation of the road is part of the development of the Apalachicola Airport Industrial Park and as such they want to see the Industrial Park Master Plan because they want to know the overall impact of the wetlands before they issue any permits. He said he knows there will be some mitigation problems. Commissioner Mosconis said the park and road might have to be redesigned to work around the wetlands. He stated this could go on forever. Mr. Pierce said they are trying to separate the 2 items and if that can't be done then the road may have to be moved.

(Tape 2-1810) Mr. Ted Mosteller, Chairman of the Apalachicola Airport Advisory Committee, informed the Board there would not be a meeting on Monday as previously scheduled. He said Mr. Al Roberts was having surgery therefore they had to cancel the meeting. He explained that Mr. Roberts is with FAA and was invited to speak to the Committee Monday night. He stated since Mr. Roberts is not going to be here there would be no reason to have the meeting.

(Tape 2-1832) Commissioner Mosconis said there was some discussion at the last meeting about development around the Airport for housing. He stated a newspaper article reflected that he owned property on the East side of the Airport. He said he wanted the news media to know he does not own any property around the airport. Mr. Pierce informed the news media and public that St. Joe owns the property around the Apalachicola Airport.

MARILYN WALKER-DIRECTOR-FRANKLIN COUNTY EMS

(Tape 2-1857) Ms. Walker presented each Commissioner with a copy of the Federal Law regarding ambulance services. She said Commissioner Putnal wanted a copy of the law pertaining to rerouting patients who request to go to a certain hospital. She stated this subject had been discussed several times. She said this is the Federal Law regarding ambulances and diversions. Commissioner Putnal stated some people had asked for this law.

(Tape 2-1883) She explained the EMS Grant Application is in Tallahassee. She stated she felt really good about it and thought it looked really good for the County. She said they have 3.1 million dollars in applications and \$900,000.00 in funds. Ms. Walker informed the Board they would see a new ambulance in the County in the next couple of days. She stated the 3 existing ambulances have warranty problems and the manufacturer is sending a new ambulance to use while they are rotating the ambulances for repairs. She thanked the Board for their time this morning.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-1950) Mr. Shuler said he sent a letter to the Commissioners stating that the Shuler Family Partnership owns land adjacent to the Apalachicola Airport. He suggested the Board appoint another attorney to represent them on airport matters especially the consideration of the Airport Overlay Zoning Ordinance. He stated this would avoid any suggestion of a conflict or any impropriety on his part. He suggested this be done enough in advance so the attorney can familiarize himself or herself with the matter.

Commissioner Putnal said he would go ahead and make a **motion appointing Mr. Ben Watkins to represent the Board on any Airport Zoning matters.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he knew Mr. Watkins would represent the Board in these matters.

EILEEN ANNIE BALL-DIRECTOR FC PUBLIC LIBRARY

(Tape 2-2003) Ms. Ball said at the last Board meeting the Board instructed her to bring Ms. Cora Russ, the Board's prospective appointee to the Wilderness Coast Library Governing Board, to this meeting. She said Ms. Russ was asked to replace Michael Allen on the Board. She stated Commissioner Sanders has expressed interest in serving on the Board. She said she was suggesting the Board appoint Commissioner Sanders to replace Mr. Allen on the Wilderness Coast Library Governing Board. Commissioner Sanders stated she did not have a problem with serving on the Governing Board. She said it would be nice to have an actual County Commissioner on the Governing Board to represent Franklin County. Commissioner Putnal made a **motion appointing Commissioner Sanders to the Wilderness Coast Library Governing Board to replace Michael Allen.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

TED MOSTELLER-CHAIRMAN APALACHICOLA AIRPORT ADV CMTEE

(Tape 2-2053) Mr. Mosteller said he wanted to inform the Board that Florida Power no longer owns those towers mentioned at the last Board meeting. He stated another company owns them now.

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

Clarence Williams CLARENCE WILLIAMS, CHAIRMAN

Kendall Wade KENDALL WADE, CLERK