

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
MARCH 6, 2001**

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

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

(Tape 1-35) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-40) Commissioner Williams made a **motion approving the minutes of the meetings held on February 20, 2001.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-45) Kendall Wade, Clerk, informed the Board the Finance Office was experiencing computer problems. He said this means no checks can be prepared for payment of the County bills. He stated the repairs will be made as soon as possible, but right now he is asking for authorization to either make the necessary repairs or replace the system. He explained to the Board that this was certainly an emergency situation. He said someone is here this morning working on the system. Commissioner Putnal made a **motion authorizing Mr. Wade to do whatever is necessary to bring the computer system in the Finance Office back into operation.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-90) Mr. Chipman said he did not have anything for the Board to consider this morning. He stated everything seems to be going fine.

(Tape 1-105) Dan Rosier, a resident of Carrabelle, said the Board authorized him to assist the Sheriff's Department, Major Mike Mock, in cleaning up an area around Sands Field in Carrabelle. He said they named it the "Target Area", which includes 5<sup>th</sup> Street, 7<sup>th</sup> Street, and Sands Field. He stated the area was used primarily for illicit operations. He stated the Board gave them permission to have the debris removed by the Landfill and Road Department if it was carried to the City right-of-way. He said the County has stopped picking up the debris and asked the Board the status of the project. Commissioner Sanders said when this matter was first brought before the Board by Chairman Creamer it was decided to remove a few loads of trash and garbage. She informed the Board she had a list, which reflects fifty-four tons of debris has been removed from one place. She said this was privately owned land and should have been hauled off by a private enterprise. She stated she thought this was above the call of duty. Mr. Rosier asked Commissioner Sanders what the life of a kid or policeman would be worth to her. She replied it started off with just one block being cleaned up and now it's another block. Mr. Rosier said that wasn't true, it started off with two blocks.

Commissioner Sanders said there are three blocks being cleaned. She stated some of the neighbors in the area are upset. Discussion continued. Commissioner Mosconis asked Van Johnson, Solid Waste Director, to try to work with Mr. Rosier to resolve some of these problems and issues regarding debris removal.

**BILL MAHAN-COUNTY EXTENSION DIRECTOR**

(Tape 1-512) Mr. Mahan informed the Board he attached some information about three new UF/IFAS for sale publications now available. He said the titles are "Your Florida Guide to Shrubs, Selection, Establishment and Maintenance," "Your Florida Guide to Bedding Plants, Selection, Establishment and Maintenance," and "Common Florida Mushrooms." He informed the Board they were offering these for sale and they are not free. He explained due to budget cuts they have to charge for the publications.

(Tape 1-540) He informed the Board he also attached some information for the Second International Conference on Marine Ornamentals to be held in Lake Buena Vista, Florida November 26<sup>th</sup> through December 2001.

(Tape 1-587) He reported he attended the ISSC's Vibrio Vulnificus Education Subcommittee meeting on February 22<sup>nd</sup> and February 23<sup>rd</sup> at the Stennis Space Center in Mississippi. He said this was the first meeting for the committee to coordinate the ISSC's national Vv. education program and make recommendations to the ISSC's Vibrio Management Committee on Vv. education issues. He told the Board the topics discussed at the meeting included; available funding, prioritizing the committee's goals and establishing a time line, a national Education Program Coordinator, state funds for Vv. education efforts, and finalizing the "draft" Consumer Knowledge/Behavior Survey to be used to establish the baseline knowledge for at-risk oyster eaters in the core states about eating raw oysters. He said the main thing was they were informed the ISSC through this committee has been awarded two grants totaling 1.5 million dollars to do a National Vv. Education Program and said they may even receive 3.4 million dollars for this project.

(Tape 1-693) Chairman Creamer said, at some seafood dealers' and seafood workers' request, he wanted the Board to consider sending both he and Commissioner Sanders to the ISSC's annual Vv. meeting in Virginia. Commissioner Putnal said he would go ahead and make a **motion approving the payment of travel expenses, etc. for Chairman Creamer and Commissioner Sanders to attend ISSC's annual Vv. meeting in Virginia in July.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Mahan reminded the Board this meeting is not until July.

(Tape 1-728) He reported he talked to David Heil, DACS, yesterday to get an update on the State of Florida's Vv. Risk Management Plan. He said he was told by Mr. Heil that Dr. Martha Roberts, DACS, has approved the small work group's draft plan as written. He explained the plan is now in the DACS "Public Relations" section and the official word of the plan's adoption and implementation should be in the very near future. He stated the attendees of the meeting in Mississippi had good things to say about the State of Florida and how they have jumped ahead of the other Gulf States by putting a plan together.

(Tape 1-770) He said he received six requests for information concerning the Alligator Harbor Clam Aquaculture Project in the past two weeks. Commissioner Sanders said she would like to update the Board on this project. She stated she attended the Cabinet Aides Meeting on February 16<sup>th</sup> and the Governor and Cabinet Meeting in Tampa last week. She said they approved the aquaculture project for Alligator Harbor. She said a certain portion of the leases would be exclusive to Franklin County citizens. She stated the State of Florida would hold the title to the leases for three years. She said there had not been a decision made on how to award the leases. She stated they discussed bids, lotteries, and quotas. She said this would be decided on March 29<sup>th</sup> at the Cabinet Meeting. She asked the Board to allow her to go to this meeting. Commissioner Sanders said "Rock Aquaculture" was discussed at this meeting as well. Commissioner Putnal said he wanted Mr. Pierce to pursue a location for oystermen and trout fishermen from St. Joe Corporation around the 12 Mile area west of Apalachicola. He explained they are having problems with finding a place to unload their oysters, etc. Alan Pierce, Director of Administrative Services, said that traditionally the St. Joe Company has allowed Franklin County residents to use the area 12 miles west of Apalachicola. He said C30 is so close to the shore St. Joe Corporation doesn't have any room for development. He stated that might be an area to consider. He asked for action by the Board to pursue this matter. Commissioner Putnal made a **motion authorizing Commissioner Sanders to attend the Governor and Cabinet meeting on March 29<sup>th</sup> to represent Franklin County in Alligator Harbor Clam Aquaculture matters and authorizing Mr. Pierce to pursue some property west of Apalachicola for use by oystermen and trout fishermen.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

**PATRICIA "LINK" CARROLL-FCSO FINANCE OFFICER**

(Tape 1-900) Ms. Carroll said she was here this morning to discuss two grants for the Sheriff's Department. She stated the first one was the Victim Advocate Grant, Victims of Crime Act (VOCA), and FY 2001-2002. She informed the Board the County has one Victim Advocate, Clarice Gross, employed to represent victims of crime. She explained they did not need anything this morning on this particular grant. She said she was just making the Board aware the Sheriff's Department would be asking for the 20% match for this grant. She stated the request would be included in the Sheriff's Budget request for next Fiscal Year. She stated the next grant; the Local Law Enforcement Block Grant would need the Chairman's signature on the document. She presented the Commissioners with a copy of both grant proposals. She stated this year the Sheriff's Department would use the Law Enforcement Grant to purchase cameras for the patrol cars. She said the grant was used to purchase stop sticks for fleeing felons. She asked the Board to approve the Chairman's signature on the grant at this time. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Local Law Enforcement Block Grant to be used to purchase equipment for the Sheriff's Department.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis asked Ms. Gross, who was present at the meeting, to address the Board regarding the Victim Advocate Grant. Ms. Carroll said she wanted the Board to know the match amount for the VOCA Grant has been provided in an in-kind manner, however this next year the match amount would have to be 20% funded by the County. Commissioner Mosconis asked how the program was working. Ms. Gross

replied it has been very successful and informed them she now has an office in the Sheriff's Administrative Building. She stated she is on call 24-hours a day, 7 days a week. She said they deal with hundreds of clients by not only meeting their law enforcement needs, but any other assistance they can provide from different agencies. Chairman Creamer said he had heard a lot of good things about this program and Ms. Gross. Ms. Carroll explained that Ms. Gross assists deputies on scene when they need her to. She said Ms. Gross is especially beneficial in child custody, domestic violence, and rape cases. She stated Ms. Gross would actually go to the scene when needed. Ms. Gross informed the Board she works in conjunction with Refuge House, the State Attorney, etc. to assist victims in their time of need. Chairman Creamer thanked Ms. Gross and Ms. Carroll and continued with the meeting.

**VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-1006) Mr. Johnson said he didn't have anything to report to the Board this morning.

(Tape 1-1007) Commissioner Putnal said he had some complaints about dogs on the Beach in Carrabelle. He stated one dog chased a jogger into the water. He said this lady was very afraid for her well being. He stated he also received a complaint from someone on C30 about a bulldog. Mr. Johnson said he would take care of the problem. Chairman Creamer asked Mr. Johnson if the Animal Control Officer had been instructed to pick up strays. Mr. Johnson replied yes he had and as a matter of fact seven citations have been written this year. He said one of them is being taken to Court this month. Commissioner Sanders asked if the County didn't have a leash law. Mr. Johnson replied yes there was one, County Ordinance 88-4. Commissioner Putnal said this dog he is talking about was on a leash, but broke loose to chase the girl into the water. Mr. Johnson said according to Ordinance 88-4 that dog was considered "unconfined" and therefore violated the County Ordinance. Mr. Johnson asked Commissioner Putnal the name of the girl he was talking about. Commissioner Putnal replied Ms. Beth Millender and asked Mr. Johnson to contact her. Mr. Johnson assured Commissioner Putnal he would handle the situation. Commissioner Sanders said she always had strays in Lanark Village. Mr. Johnson said he would address that problem as well.

**BECKER BOATENREITER-CHIEF-DOG ISLAND VFD**

(Tape 1-1095) Mr. Boatenreiter reminded the Board they agreed to send the MSBU funds directly to the DIVFD instead of the Dog Island Conservation District (DICD). He reported they have received one check in the amount of \$882.00. He said it takes a lot of money to run a fire department and they were hoping they would get the money they deserved from the DICD. He stated they have been informed by the DICD the DIVFD owes them \$681.20. He said he sent them a letter asking for an accounting of the funds. He stated there have been letters sent back and forth. Mr. Boatenreiter asked the Board to have an audit conducted on these funds. Mr. Wade reminded the Board this would cost a lot of money and time. Alfred Shuler, County Attorney, said the only way to straighten this out would be to have an audit conducted. He stated the only other thing would be for these two groups to go to Court to have the matter litigated. He reminded the Board they did not have a supervisory authority over the DICD because they are a special district

established by the Legislature. He stated the Courts are available if the DICD and the DIVFD want to litigate these matters. He said he didn't know what the Board could do to help them since the County's responsibility only goes to the money being collected and distributed to the District and now the Fire Department. Commissioner Sanders asked Mr. Boatenreiter if the District was cooperating with the DIVFD in transferring the funds as instructed. Mr. Boatenreiter replied they are not. Commissioner Sanders said she adamantly informed the DICD and the DIVFD to cooperate with each other. She stated she wanted to make a **motion directing the County Attorney to send a letter to the DICD asking them, again, to cooperate fully with the DIVFD and informing the DICD the Board is going to consider raising the MSBU assessment on Dog Island.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Commissioner Mosconis said the underlying theme to these requests seems to be money. He stated they want the MSBU assessment raised for Dog Island only. Mr. Shuler reported the Board could impose a higher MSBU assessment for Dog Island, but there would have to be a factual determination as to why the increase was implemented. He said there would have to be a detailed expenditure record presented to the Board by the DIVFD. Commissioner Sanders asked Mr. Shuler to prepare a recommendation for the Board to consider in implementing a higher MSBU assessment for Dog Island. Mr. Shuler reiterated the assessment would have to be based on actual costs and would have to be justified by the Board. He said a public hearing would have to be scheduled to address the amendment to the MSBU Ordinance.

#### **JOHN MALFE-JCDTC PROBATION SERVICES**

(Tape 1-1561) Chairman Creamer asked if Mr. Malfe was present. After no answer or acknowledgment from anyone in the audience the Chairman continued on with the agenda.

#### **ALAN PIERCE-DIRECTOR OF ADMINSTRATIVE SERVICES**

(Tape 1-1583) Mr. Pierce said, at the last meeting, the Board agreed to open up the road between Island Drive and Begonia Street in Eastpoint for the commercial lots to have a back access, which would help the traffic flow on US 98. He said the County Engineer, David Kennedy, reports that the County would need a FDOT access permit to connect this road with Island Drive and approximately 300 feet of road to be de-mucked. He informed the Board he believed the road is necessary to minimize congestion on US 98 and he recommended the Board move forward with the project. He asked the Board to give Mr. Kennedy authorization for him to apply for a FDOT access permit.

Commissioner Putnal made a **motion authorizing the County Engineer to apply for a FDOT access permit to connect Begonia Street and Island Drive to US 98.**

Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1618) Chairman Creamer asked Mr. Pierce to discuss the FDOT-SGI Mitigation Project at this time. Mr. Pierce said he, as directed by the Board, sent a letter to Mr. Brian Estock, FDOT on-site rep for the new SGI Bridge, stating the Board has not directed Eastpoint Water and Sewer (EPWSD), to relocate their utilities at their expense to satisfy conditions for a State permit. He said the plans submitted to the County do not reflect the extent EPWSD's infrastructure would be impacted. He said Mark Kelly,

Sverdrup Engineering, and other representatives are at the meeting to discuss this matter. He also stated that Betty Taylor Webb and George Allen were here representing the EPWSD. Mr. Pierce said Jeff Toussant, Bill Philyan, and Brian Estock were also present at the meeting this morning. Mr. Kelly said the DEP, had required as part of the permitting process for the new bridge, that they provide Stormwater treatment for 23 acres as part of their mitigation process. He explained how this process works and informed the Board the State has approved approximately 3.9 acres on SGI for Stormwater mitigation. He said that leaves 19 or so acres to be mitigated. He said they were in a dilemma as to what they could do to satisfy the mitigation requirement of the permit. Mr. Pierce said the EPWSD had been asked to relocate, at their expense, sewer and water facilities to accommodate the Stormwater improvements being constructed in conjunction with the new SGI Bridge. He said these improvements were being constructed on North Bay Shore Drive, Franklin Street, Jefferson Street, Old Ferry Dock Road and Otter Slide Road, all of which are County roads. He said the Board has not directed EPWSD to relocate their lines on these roads and he said he does not anticipate the Board doing this. He said the District has limited resources and cannot afford the expense associated with moving all of this infrastructure. He said the Commissioners have also received several complaints from residents of these streets about the impact these Stormwater improvements would have on their property. He said these residents have expressed concern about standing water creating additional mosquito habitat and enlarged ditches leaving no room for cars to pull off the roadway. George Allen presented a letter to the Board and stated his staff has located all of the lines in question to see what problems or conflicts they will have with the project. He said the District has found problems or conflicts with this plan on a daily basis. After further discussion Commissioner Sanders said she would make a **motion to send a letter to DEP requesting they reduce the required area for mitigation by the developers of the new SGI Bridge.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2780) Chairman Creamer asked Mr. Pierce to interrupt his report at this time so the Public Hearing could be conducted.

**PH-CONTINUED REZONING REQUEST C-2 TO C-4-JERRY JOHNSON**

(Tape 1-2796 Continued on Tape 2) Mr. Pierce said this public hearing was continued from the last meeting. He said the person submitting the request was Jerry Johnston for 5 lots he owns on SGI to be rezoned from C-2 to C-4. He said he attended a SGI Civic Club meeting after the last Board Meeting and was met by an overwhelming objection to this rezoning. He stated they do not want anymore C-4 zoning on the Island. He did say they were not so opposed to the C-4 zoning; it was just the promise of the owner building 5 shotgun houses on the property. Mr. Johnston restated his reasons for requesting the rezoning. Steve Rash, co-owner and operator of the Blue Parrot Oceanfront Café, presented a letter opposing the rezoning. He stated he is an adjacent property owner and would not like to see shotgun houses beside his place of business. Jessie Doyle, Kurt Spangler, and Tom Adams voiced their opposition to the rezoning. After discussion Commissioner Mosconis made a **motion denying Mr. Johnston's request to rezone his**

five lots on SGI from C-2 to C-4. Commissioner Putnal seconded the motion. All for.  
**MOTION CARRIED.**

**SUSAN FICKLEN-GEORGE E. WEEMS HOSPITAL ADMINISTRATOR**

(Tape 2-379) Ms. Ficklen appeared before the Board to inform them that the new management company, DasSee Community Healthcare, would prefer the County allow a private company manage the Emergency Medical Service Department at the Hospital. She said she wanted the Board to read the information she provided them. She said the company, Emergystat, Inc., has been in business since 1988 managing ambulance services. She stated they would more than likely be asking the Board for a Certificate of Need (CON). She said their corporate offices are in Vernon, Alabama and have contracts in twenty counties in Mississippi and six counties in Alabama. Ms. Ficklen said Mr. Lake informed the Board he would prefer not to operate the ambulance service and he is looking or checking into a management company. David Paris, DasSee, said they started looking for a management company several months ago. He stated DasSee would be subleasing the ambulance operation as authorized in their lease. He introduced David Robertson, VP Emergystat, to the Board and the audience. Mr. Robertson asked the Board to read the information presented to them this morning concerning their company. He said they are primarily a rural EMS provider. Commissioner Mosconis asked who paid for the EMS services in these other states. Mr. Robertson replied usually the County subsidizes the program. He said they would prepare a proposal specific to the County. Mr. Paris informed the Board DasSee Community Health Care would add a \$5,000.00 subsidy to this company in addition to the \$5,000.00 subsidy the County provides the ambulance service. Chairman Creamer said he had discussed privatizing the ambulance service before. He said the County is still going to pay the bills. Mr. Paris said with the additional \$5,000.00 the hospital provides the total subsidy would be \$10,000.00. He stated it would be worth the \$5,000.00 for DasSee to have Emergystat operate the EMS service efficiently. He said there are different methodology for independent providers as versus hospital providers. He stated sometimes a private ambulance company could make more money than the hospital. Commissioner Sanders asked Mr. Paris why DasSee had relocated the sonogram machine from Weems to the hospital in Blountstown. Mr. Paris replied because the machine was not being utilized in Franklin County. He said it was a business decision since they were only scheduling two procedures a week, which was not cost efficient. He stated it was a \$30,000.00 piece of equipment just sitting in Franklin County when one was really needed in Blountstown. He informed the Board the machine did not belong to the County in any case. Commissioner Mosconis asked Mr. Ficklen if she could tell a difference in the hospital since the new management company had taken over. Ms. Ficklen said it had only been six days and she really couldn't tell in that short of a time span. Mr. Paris said the Board had to understand they had to pay a lot of outstanding bills because they had to keep the hospital operating. He explained when they called a company for supplies today they wouldn't send the items until the past due invoices had been satisfied. Commissioner Mosconis asked Mr. Robertson if he had analyzed the situation in Franklin County and, if he had, how long would it take for them to take over the operation of the EMS Service. Mr. Robertson said they had already agreed and decided to accept this new opportunity to operate the EMS Service in the County. Commissioner Mosconis asked how many key people would be brought in. Mr.

Robertson replied one at the most. Commissioner Sanders asked about the people presently employed by the ambulance service. Mr. Robertson replied he wouldn't want to have any displaced workers when the transition is made. He said some of the employees might even get a raise. He stated they have a set pay scale that is equal to the surrounding areas and if one of the employees are not making their scale then they would raise that employee to scale. He assured the Board their pay scale was comparable to all of the surrounding counties. He said they would implement their standard pay structure. Ms. Ficklen informed the Board there were eight patients in the hospital this week. Mr. Paris said they would be back with the sublease between DasSee and Emergystat, Inc. for the County to approve at a future date.

**ALAN PIERCE-CONTINUED**

(Tape 2-1057) Mr. Pierce said the Board, at the last meeting, voted to hire Preble-Rish to do a security study of the Courthouse. He stated the purpose of the study was to report on ways to provide greater security to the Courthouse, and specifically the judicial operation. He said the Office of the State Court Administrator provides, in conjunction with the US Marshall's Service, such studies to Counties without costs. He stated he has asked Mr. Bill Wells, Court Administrator's Office, to come to Franklin County with the appropriate US Marshall to evaluate the Courthouse and proposed annex. He informed the Board they should be here next week. He explained since this evaluation is free he contacted Preble-Rish and canceled the request for them to conduct a security evaluation. He stated Preble-Rish requested a letter from the Board canceling this request. He asked the Board to rescind the previous motion, or at least delay the request until further notice, until after Mr. Well's site visit. Commissioner Putnal made a **motion rescinding the action taken at the last Board Meeting requesting Preble-Rish do a security study for the Courthouse and proposed annex.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1098) Mr. Wade said that while this subject was being discussed he wanted to inform the Board the Courthouse was broken into on Friday, March 2, 2001. He explained they shattered a glass door to gain entry and then broke several door windows and locks trying to gain entry into the individual offices. He reported they did not take anything as far as he knows. He stated the Sheriff's Department was called and they came on Saturday morning to dust for fingerprints, etc. He said one of the ladies in the State Attorney's Office worked until 8:30 p.m. that night. He stated the break in must have occurred after 8:30 p.m. because she didn't notice anything. He stated he was glad the break in did not occur while she was in the Courthouse. Commissioner Sanders said she wanted to mention the need for security measures for the new FDOT building in Carrabelle the County is going to lease. Mr. Pierce informed the Board the site visit by Mr. Wells will only address security problems not alarm systems.

(Tape 1-1175) Mr. Pierce said that at the last meeting the Planning Office provided the Board with a letter for the record from Mr. Wade to Congressman Allen Boyd concerning the silting of Bob Sikes Cut. He stated, at this time, he would like to announce representatives from Congressman Boyd's office, and related USCOE personnel, should be here Wednesday to visit the Cut. He explained without Federal assistance the USCOE

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would not be dredging the Cut this Fiscal Year, because maintenance dredging was not budgeted. He said Congressman Boyd is on the House Appropriations Committee and hopes to be able to find some funds for this project somewhere. Mr. Wade informed the Board and the public the group Mr. Pierce mentioned would be leaving from Buddy Ward Seafood on Water Street Wednesday morning at 9:30 or 10:00 a.m. He invited the Commissioners to come and go with them to visit Sikes Cut. Commissioner Putnal said it would be a good idea if they would go look at the Eastpoint Channel too. Chairman Creamer said the Eastpoint Channel has almost filled in. He asked Mr. Pierce if an appointment had been scheduled for the meeting between DEP and USCOE to see if a spoil site can be determined. Mr. Pierce replied he had written the letters and had not heard from either group, but he would talk to them tomorrow when they came to visit Sikes Cut. Commissioner Sanders said she couldn't believe how the Eastpoint Channel had filled in. She stated she thought those people in Eastpoint have a terrible problem. Commissioner Putnal agreed and said people cannot even use the boat ramp. Mr. Wade said the County Officials have been trying to get this matter resolved for years now. He explained the problem is finding a spoil area both USCOE and DEP agree on. Chairman Creamer instructed Mr. Pierce to make whatever telephone calls he could make to schedule a meeting soon.

(Tape 2-1285) He said the Planning Office informed the Board both Robin Brinkley, Building Official, and Rachel Ward have been denied the opportunity to even take a State sponsored exam when they have both passed their respective Southern Building Code exams. He stated both of them were denied for lack of experience. He explained that now Ms. Ward has been informed she will be questioned as to why she has been reviewing plans the last twenty years without a State license, when it was not until 1999 the County even knew she needed a State license to do the same work she has been doing all this time. He informed the Board he has written a letter to Governor Bush, Senator Lawson, and Representative Kendrick about this matter. He submitted a copy of each letter for the Board record. He explained the Department of Business and Professional Regulation is regulated by the Governor's Office and so he is making inquiries about scheduling a meeting to resolve these issues. He said a representative from Gulf County admitted at a Regional Meeting he attended last week, that if their current Building Official were to leave, they would not have anyone available to meet current State experience requirements. He stated then they would be in the same predicament Franklin County now finds itself.

(Tape 2-1322) He stated the Board postponed action on the request of Ms. Josephine Kriehl; Let the Children Play Foundation, about using the old luau site on SGI for the proposed playground. He introduced Kim Norgren, Josephine Kriehl, and Jessie Doyle to the Board. Ms. Norgren stated they were here to asked the Board to allow them to install the playground equipment on county owned property on SGI, the old luau site. She said they no longer use the Let the Children Play Foundation. She stated this group did give them the funds they had collected for the playground. She said the property is the public park between Block 71 and Block 76 in Unit 5, or as it is known, the old luau site. She stated this area would provide much needed shade for the playground. Chairman Creamer asked this is the area the County was considering for a boat ramp.

Ms. Norgren said the playground equipment could be moved if necessary. Mr. Pierce stated the only provision he would like to see implemented is that the manufacturer of the playground equipment actually install the equipment. Ms. Norgren agreed and also asked the Board to take care of the site prep and maintenance of this park. She said she would also like to ask the County to let them submit the funds to the County and then allow the County to pay for the equipment, therefore bypassing sales tax. She stated the equipment would belong to the County anyway. Commissioner Mosconis made a **motion authorizing the use of the public park between Block 71 and Block 76 in Unit 5, the old luau site, on SGI for a playground and allowing this group to donate the money to the County for payment of the playground equipment.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Ms. Norgren said she would meet with Mr. Pierce to finalize the plans.

(Tape 2-1699) He asked permission to build a walking path at the Tillie Miller Park in Carrabelle, which is the Park across the street from the Franklin County Senior Citizen's Center. He said the money, \$10,000.00, would be provided through a grant from the Health Department. He said they would pay for the asphalt if the County would agree to provide the base material. Mr. Pierce said the path would be approximately ¼ mile in length, and would be similar to the ones at Vrooman Park in Eastpoint and Ned Porter Park in Apalachicola. He informed the Board the only difference is this path would be on the City of Carrabelle's property. He explained he had talked with Commissioner Sanders about this site, and the City of Carrabelle Commissioners have requested this site be approved. Commissioner Putnal made a **motion authorizing the construction of a walking path at the Tillie Miller Park in Carrabelle and for the County to provide the base material for the path.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1741) He said he needed Board approval for the Chairman to sign a Resolution authorizing the County Building Official to not allow permanent power to newly constructed structures unless it has the proper 911 address displayed in a visible manner so it can be seen from the street or road. He informed the Board this action was requested by the Building Official and Florida Power. Commissioner Sanders made a **motion authorizing the Chairman's signature and adopting a Resolution not allowing permanent power until the proper 911 address is displayed on the structure so it can be seen from the road or street-new construction only.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1807) He submitted the name of Ronald Grey to fill the vacant Alternate 2 position on the Construction Licensing Board. Commissioner Sanders made a **motion appointing Ronald Grey to fill the vacant Alternate 2 position on the Construction Licensing Board.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1818) He informed the Board the Construction Licensing Board reappointed William Poloronis to serve a second term as Licensing Board Chairman.

(Tape 2-1827) He reminded the Board of the continued Public Hearing scheduled for today at 1:00 p.m. concerning the issue of the County's adopted definition of wetlands. He explained he wanted the Board to know he would be seeking guidance this afternoon on any proposed revisions the Board wants regarding the current fifty-foot setback from wetlands, however at this time, there has been no advertising of wetland setbacks being changed. He said this afternoon's action, if any, should be to direct the Planning Office to advertise for whatever setback the Board thinks it wants and hold another public hearing to actually adopt such setback.

(Tape 2-1905) Commissioner Sanders said she wanted to appoint Harriett Beach to replace Barbara Revel on the Planning and Zoning Commission. She said she thought it was an alternate position. Commissioner Sanders made a **motion appointing Harriett Beach as Barbara Revel's replacement on the Planning and Zoning Commission.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1922) Chairman Creamer said he wanted to mention the problem he had brought to Mr. Pierce's attention earlier regarding the trailer on the beach in Eastpoint next to the NAPA store. He told Mr. Pierce there were people living in the trailer with no electricity or water. Mr. Pierce assured the Chairman he would take care of the problem today.

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

(Tape 2-1947) Mr. Wade said the Tax Collector, James Harris, Jr., has requested he present a Resolution to the Board for approval. He stated the Department of Revenue (DOR) for budget matters requires the Resolution. He read the following Resolution into the record; Whereas, Section 145.022, Florida Statutes provides the Board of County Commissioners, with the concurrence of the Franklin County Tax Collector as provided for in said section, shall by resolution guarantee and appropriate a salary to the Franklin County Tax Collector in an amount not to exceed that specified in said chapter, and Whereas, the Franklin County Tax Collector has requested and concurred with the FCBCC that said Tax Collector be placed on a salary as provided in said Section, and Whereas, the Tax Collector will pay all fees collected by said office to the FCBCC as provided in said Section. Now, Therefore, Be It Resolved: 1. The FCBCC pay the Franklin County Tax Collector a guaranteed salary as provided for in Section 145.022, Florida Statutes. 2. That said Board will provide funds according to the budget as submitted by said Tax Collector and approved by the Board, which will include each and every item of expenditure necessary, to operate said office, including the salary of the Franklin County Tax Collector. 3. That said Board will pay over said funds to the Tax Collector as provided by law or upon monthly requisition. 4. That a copy of this resolution be filed with the Florida Department of Banking, the Florida Department of Revenue and the Auditor General. Mr. Wade informed the Board this same Resolution has to be readopted every four years to provide for any changes in officials. He asked for the Board to adopt this resolution and allow the Chairman to sign the Resolution. Commissioner Putnal asked if anything had changed. Mr. Wade replied it had not, but this resolution had to be submitted every four years to the DOR by the Tax Collector informing them he would be submitting his budget to the local Board of County Commissioners. Commissioner Mosconis asked if Mr. Harris was trying to go to a fee

system in his office. Mr. Wade replied no he was not. Commissioner Putnal made a **motion authorizing the Chairman's signature on this resolution as requested by the Tax Collector.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said some counties do pay the Tax Collector depending on how much money they collect. Mr. Wade informed Commissioner Mosconis they did not. He said they do not get a salary based on the money they collect. Commissioner Mosconis said then why are they on a fee system. Mr. Wade replied they are not on a fee system. He said he would be going to a fee system soon as directed by the Legislature. He explained all Clerks would be going to this system before or by 2002. Commissioner Mosconis said some of them get more money that way. Mr. Wade replied this was not true since Constitutional Officers salaries were set by the Legislature. He said there is nothing that can be done about that and it wouldn't matter how many fees or how much money an individual office collected.

**ALFRED SHULER-COUNTY ATTORNEY**

(Tape 2-2080) Mr. Shuler said he would like to report on the GRIT case. He said Pat Floyd is representing the County in that matter. He stated, after speaking to Mr. Floyd, there has been a plan proposed along the lines the County wanted which is basically that the County would not have to pay the bill GRIT had sent the County. He said Mr. Floyd is going to vote for this plan to be approved. He said the old bill would not have to be paid and there would be a possibility of recovering some part of the worker compensation claims the County has already paid out. He stated it looked like to him, except for Mr. Floyd's ongoing fees, the County won't have exposure to pay old bills of the GRIT plan and the County may even get some money back.

(Tape 2-2167) He said he reviewed the resolution relating to 911 addresses being placed on newly constructed houses. He stated he discussed this matter with the 911 Coordinator, Pat McWhinnie, about requiring all addresses having 911 addresses placed so the emergency vehicles could see the addresses from the street or road. He said that would require an ordinance, which he had prepared, but since the Board has adopted this resolution he would not advertise the ordinance.

(Tape 2-2215) He reported he received a letter about the Franklin County Revolving Loan Fund (RLF) Program from ARPC asking guidance from the Board on how to proceed with the past due loans. He stated some people are paying and some, the majority, are not. He said he thought the Board was going to have to do something about the problem since this was public money. He stated he and the Clerk called the ARPC Attorney, Ed Blanton, and Mike Tucker, County Auditor, and they are going to discuss this matter further and bring a recommendation to the Board for consideration. He said Mr. Blanton might even come to a Board Meeting to discuss the matter. He stated some action would be needed to collect these loans.

(Tape 2-2273) Commissioner Sanders asked if the Amerigas Deed had been received. Mr. Shuler replied yes and it had been recorded. Commissioner Sanders said the residents in that area want the gas tanks removed. She stated she would meet with Mr. Johnson, Mr. Chipman and Mr. Pierce to see when and how this could be accomplished.

(Tape 2-2297) Commissioner Mosconis said he had a copy of a letter from FFWCC regarding hunting on Little SGI. He asked if everyone had a copy. The Board replied they did. He said the Board needed to respond to this letter and made a **motion directing Mr. Shuler to write a letter to Mr. Miley, his supervisor, and Mr. Bill Sermons, FFWCC, expressing the County's viewpoint on this matter.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he wanted the letter to reflect the County's objection to these changes.

#### **COMMISSIONER WILLIAMS-BRITTNEY SIMMONS**

(Tape 2-2354) Commissioner Williams said Ms. Simmons auditioned and was accepted into the Florida PRIDE team, the statewide leg of America's PRIDE. He explained this is an international drug prevention program for high school youth. He said she is asking for \$400.00 from the Board to enable her to travel to Louisville, Kentucky for the PRIDE Conference March 28<sup>th</sup> through March 31<sup>st</sup>. He stated he would like to make a **motion to use \$400.00 from his Recreation Budget to donate to Ms. Simmons for this trip contingent on Mr. Shuler's approval.** Commissioner Mosconis asked if the School Board was going to help. Commissioner Williams said they were. Mr. Shuler said this was a worthy cause; however there may be a legal problem with contributing public money to an individual. Commissioner Williams asked why he couldn't go through the Chamber of Commerce like had been done before. Mr. Shuler replied possibility, but he would have to check. Commissioner Sanders seconded the motion. Commissioners Williams, Sanders, Mosconis, and Putnal for. Chairman Creamer against. 4-1 **MOTION CARRIED.** Chairman Creamer asked if she had considered any type of fund raisers at all. Commissioner William said she really didn't have time to do any. Chairman Creamer said the Board gets these type of requests all the time from children, but the children have to finance it themselves.

#### **BUSINESS FROM THE FLOOR**

(Tape 2-2506) Commissioner Putnal said he had some people call him concerning the proposed beach driving ordinance. He said if the County does away with the County Ordinance then nothing will have changed in driving on the beach except for emergency vehicles and people who get permitted from the State. He asked Mr. Shuler if this was correct. Mr. Shuler replied the way he drafted the ordinance was just to withdraw the County Ordinance from the beaches the State regulates. He said there are some interior beaches the State still doesn't regulate and our ordinance would continue to apply to those, but the coastal beaches, SGI, Dog Island, Alligator Point, etc. are regulated by the State and County. He said the two layers are not needed so he proposed in the ordinance that the State regulate the coastal areas and the County the interior areas. Commissioner Putnal asked if the County would still regulate Carrabelle Beach. Mr. Shuler replied he didn't know whether the State enforces on Carrabelle Beach, but if they do it would be withdrawn. He said the County can't overstep the State. Commissioner Putnal said then it would be safe for him to tell people the County is not actually turning people loose, the public, loose on the beach. Mr. Shuler said that was correct. Commissioner Putnal said this is what people are concerned with, just turning people loose on the beach to drive like it used to be.

(Tape 2-2625) Commissioner Sanders said she wanted Barbara Bonowicz, MediaCom, invited to the next Board Meeting. She stated MediaCom has sent a lot of letters in the past few weeks about adding channels and rate hikes. She said she was concerned about this and wanted Ms. Bonowicz to come to a meeting to explain MediaCom's plans.

(Tape 2-2643) Mr. Pierce said his recommendation this afternoon would be for the Board to not take any action regarding the definition of wetlands until the matter has been properly advertised for the setback issue. He explained the Board did not want to approve one and not the other since it would be just to confusing and counterproductive.

#### **DAN ROSIER-CARRABELLE**

(Tape 2-2674) Mr. Rosier presented Mr. Pierce with a diagram of the City of Carrabelle. He said he would like to work with the County regarding this matter. He proposed some changes to the original agreement he had with the Recreational Committee. Mr. Pierce said he would work with Mr. Rosier to get this matter straightened out. He said he would not do anything until St. Joe deeds the lot in question to the County. Mr. Rosier said he was sure Mr. Barfield, owner of Lot 8, would swap Lot 8 for Lot 14, a County owned Lot, to give high visibility and keep congestion down at the ball field. Mr. Pierce said the County is going to get a Quit Claim Deed for Lot 1 from St. Joe. He stated Lot 1 had to be surveyed. He said all of these matters concern the recreational complex for the City of Carrabelle. Chairman Creamer said he did appreciate Mr. Rosier helping clean up that area.

**THE MEETING WAS ADJOURNED AT THIS 11:45 A.M.**

#### **1:00 P.M. PH CONTINUATION-FC COMP PLAN WETLAND DEFINITION**

(Tape 3-1 Continued on Tape 4) Chairman Creamer reconvened the meeting at this time. He asked the audience to fill out a speaker's card if they wanted to address the Board during this public hearing. Mr. Pierce said this hearing was a continued from the last Board Meeting. He reminded the Board this meeting was originally advertised to allow the County to address or change the definition of wetlands as it applied to the Franklin County Comprehensive Plan. He presented a copy of the "Notice of Change of Land Use" originally published concerning this matter. He said it was proposed to change Policy 3.1 of the Comp Plan to change the definition of wetlands. He stated currently the County has a definition that was created by the State of Florida in the mid 80's. He said the County adopted the definition without changing a word and then later on in the 90's the State changed it's wetland definition, but the County never changed ours or adopted another definition. He explained the Board is now considering changing the adopted definition to be consistent with the new State definition. He said more important to the audience and Commissioners is this is the County's opportunity to consider whether they want to change the setbacks also. He explained there are several policies in the Comp Plan, which would require a public hearing to be scheduled and advertised before they can be formally adopted. He said his recommendation, at this time, is that if the Board wants to change the definition of wetlands the Board not adopt the new definition until the County has properly advertised a change to the setbacks. He said at a properly

advertised public hearing the Commissioners could change the definition of wetlands and the setbacks all at the same time. He said he didn't know what the Board intended to do with the setback issue, but he certainly wanted it discussed so he could properly advertise the matter for public input. He stated there are at least three other policies in the Comp Plan, which deal with setbacks, but were not advertised. Tyler McMillan, NFWFMD, Dan Garlick, Garlick Environmental, Bill Hartley, Apalachicola Bay and River Keeper, Inc., Alex and Joann Meyer, SGI, Roy DuVerger, Alligator Point, Freda White, Carrabelle Properties, LTD., Tony Smith, SGI, Patti McCartney, SGI, Woody Miley, SGI, and Tom Adams, SGI all presented voiced their concerns about this matter. After a lengthy discussion and debate the Board decided to direct Mr. Pierce to advertise the following for consideration at a public hearing; 1. The Board would reserve the right to have a different setback for developments that go through the DRI or PUD process and, 2. Existing lots of record-those lots are eligible to go through the Board of Adjustment process for a variance based on a hardship on a lot-by-lot basis, for set back purposes only when this exception is adopted. Commissioner Sanders said she would make a **motion authorizing the scheduling of a public hearing to consider these changes to the Franklin County Comprehensive Plan.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he would be willing to discuss this matter with anyone who would like to and encouraged people to either call him or come to his office.

(Tape 4-228) Mr. Shuler said he would need the Board to authorize him to prepare defenses in the lawsuit the Apalachicola Bay and River Keepers, Inc. has filed against the County and Carrabelle Properties, LTD. Freda White, Carrabelle Properties, LTD., said she would offer her and her attorney's assistance to the County regarding this matter. Commissioner Mosconis made a **motion authorizing the County Attorney, Mr. Shuler, to prepare defenses for the County in the lawsuit the Apalachicola Bay and River Keepers, Inc. filed against the County and Carrabelle Properties, LTD.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 4-260) Commissioner Mosconis discussed the dove hunting issues on Little SGI with Woody Miley at this time. Mr. Miley said dove hunting was opened and now they are considering allowing all hunting. He stated he is currently in negotiations with the FFWCC and he said he could almost assure the Board that hunting would be opened soon on Little SGI. He said he felt the matter was almost worked out.

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

Eddie Creamer \_\_\_\_\_ **EDDIE CREAMER, CHAIRMAN**

Kendall Wade \_\_\_\_\_ **KENDALL WADE, CLERK**