

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MARCH 20, 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 1-30) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-33) Commissioner Putnal made a **motion approving the minutes of the meeting held on March 6, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-37) Mr. Chipman said due to the recent rainfall he had plenty to do this morning, and didn't really have anything which needed Board attention this morning. He did say some of the Road Department employees might have to work on Friday since there has been so much rain and the roads are in such bad shape. He informed the Board they would receive Comp Time for the hours they work on Friday.

(Tape 1-63) Chairman Creamer said Sgt. Randy Cook, Franklin Work Camp, was present this morning to request some new equipment for the DOC Inmate Crew to use on County property. Mr. Chipman stated Sgt. Cook really needed this new equipment. Sgt. Cook presented a list of equipment; 5 M624IC Mower Belts, \$494.08 each; 8 KLB23A String Trimmers, \$255.99 each; 2 #5-Spool Trimmer Lines, \$74.95 each; 6 N5600 Mower Service Kits, \$5.00 each; and 20-1513 24" Mower Blades, \$8.59 each; totaling \$4870.02, to the Board for consideration. Sgt. Cook said it had been a year or so since DOC had requested the purchase of equipment from the County. He explained these items were being purchased from the State of Florida State Contract and he presented the Board with the pages from the State of Florida Contract these items-amounts were listed on. He informed the Board this equipment would be used strictly on County property such as the Courthouse, Weems Hospital, Health Department, etc. He said he requested these particular weed eaters because they are supposed to be the top of the line and should last a while. Commissioner Mosconis made a **motion approving the purchase of the equipment requested by the Department of Corrections, Franklin Work Camp, Sgt. Cook for use by the DOC Inmate Crews on County property.** Commissioner Putnal asked Mr. Wade where the money would come from to purchase this equipment. Mr. Wade replied Courthouse Maintenance. Commissioner Putnal then seconded Commissioner Mosconis' motion. All for. **MOTION CARRIED.**

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-126) Mr. Wade said he would like to discuss the leaking problem at the Emergency Management Office at the Apalachicola Airport. He explained the roof is leaking and causing major problems out there. He said the computers and equipment have to be covered to keep the water off of them. He stated he would ask the Board to instruct the County Engineer, David Kennedy, to go look at the building and make a recommendation on what needs to be done. He said he knew the roof was going to have to be replaced he just didn't want to put a "flat" roof on the building. He stated he hoped the County Engineer could design a "hip" roof or something similar. Commissioner Mosconis said he knew about this situation several weeks ago and asked Mr. Pierce to check into it. Mr. Pierce said he had already talked to Tim Turner, EOC Director, about the problem and they decided the roof could probably be purchased with Emergency Management Funds. He stated he did not realize Mr. Wade was going to bring this subject up this morning. He said as long as the roof meets the hurricane wind load requirements then the roof could be paid for with Emergency Management Funds. He said he and Mr. Turner agree it should be a "hip" roof and probably a metal roof as well. Commissioner Mosconis said he would make a **motion declaring this an emergency situation and authorizing Mr. Pierce and the County Engineer to pursue the roof replacement project at the Emergency Management Office at the Apalachicola Airport and instructing Mr. Pierce to get at least three prices for the project.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-206) He said he attached the Winter 2001 issue of UF's Impact Magazine featuring stories on hydroponics, mole cricket control, water quality, and the Florida Sea Grant Program. He stated the highlight for him was reading in this issue that the Florida Sea Grant Program was rated #1 in the nation by the national review team.

(Tape 1-226) He informed the Board the NOAA Coastal Services Center will be offering a three-day Public Issues and Conflict Resolution Training Workshop April 17-19, in Pensacola. He said the training is for Extension Agents and other professionals who deal primarily with coastal and ocean issues. He stated the training is being offered as a Sea Grant Agent In-Service and being opened for members of the general public and government organizations. He informed the Board the registration is \$15.00 prepaid or \$20.00 at the door. He asked anyone interested in attending to contact him.

(Tape 1-280) He stated the Department of Agriculture and Consumer Services adopted the Florida Vv. Risk Management Plan on March 8th. He said the ISSC has posted a link to the plan on its web site and notified its members that Florida has adopted a Vv. Management Plan. He said the ISSC brochure presented to the Board is not up-to-date. He stated the Education Committee met and changed the brochure.

(Tape 1-306) He informed the Board the ISSC Gulf and South Atlantic Regional Meeting will be held in Biloxi, Mississippi beginning April 23rd through April 25th, with the Vv. Subcommittee meeting immediately after the regional meeting on April 25th and 26th, and the Vv. Parahamolyticus Subcommittee meeting April 26th and 27th. He stated if anyone is interested in going they need to go ahead and register to take advantage of

the early registration fees. He said he included a copy of the registration form in each Commissioner's package. He stated he didn't know if the Board wanted to send any representatives to this meeting or not, but this would be the last meeting before the National Meeting in Virginia this summer.

(Tape 1-362) He stated he understood there are concerns that DACS is considering making the leases in Alligator Point smaller than the standard two-acre leases they currently issue. He explained the reason begin given is there are already more applications on file than leases and DACS would like to maximize the number of people which can get a lease. Commissioner Sanders said she would be attending the Cabinet Aides Meeting tomorrow to discuss this matter. She stated DACS wants to reduce the leases from 2 acres to 1-½ acres so more people can get leases. She said Mark Barrigan, DACS representative, told her it would be on a first come, first serve basis. She stated she wanted them to place Franklin and Wakulla County requests first before they implement the first come, first serve plan. Commissioner Sanders said she planned to stay on top of this situation.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-474) Mr. Johnson informed the Board the Air-Curtain Incinerator is scheduled to be delivered on March 22, 2001. He said Ms. Williams, Finance Officer, has asked him to present a Budget Amendment to transfer \$94,915.00 from the Tipping Fee Fund to General Fund to increase the Solid Waste Budget for Capital Outlay. Commissioner Putnal made a **motion authorizing a Budget Amendment to transfer \$94,915.00 from the Tipping Fee Fund to increase the Solid Waste Budget for Capital Outlay.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-496) He said he received a fax from Rory Cassedy, Governmental Affairs Manager, Waste Management of Northwest Florida, notifying the County the garbage rates would be increasing, as specified in the contract, by \$1.46 a ton starting on April 1, 2001. He stated the contract between the County and Waste Management provides for a price adjustment on an annual basis, based on the Consumer Price Index, which rose 3.4% last year. He explained the uniform rate for residential customers would be \$16.95 for the next twelve months. He said the letter informed him the County would be billed at \$44.44 per ton beginning April 1, 2001. He stated the commercial customers would be billed based on an increase of 3.4% as well. Commissioner Mosconis made a **motion adopting the increase in tipping fees as specified in the contract between Franklin County and Waste Management of Northwest Florida.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-538) Commissioner Putnal asked Mr. Johnson if he had heard anything on the status of the State of Florida's budget cuts previously discussed regarding solid waste matters. Commissioner Putnal said he read in the newspaper that the Governor might be reconsidering moving the State inmates from the County jails. Mr. Johnson said he did know there had been some intense lobbying going on by each group being affected. He stated he hoped it would make a positive difference.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1- 570) Mr. Pierce requested the Board adopt a Resolution declaring March 25th through March 31st Juvenile Justice Week in Franklin County. He said Ms. Eileen Annie, Franklin County Library Director, had asked him to present the Resolution to the Board this morning. Commissioner Mosconis made a **motion authorizing the Chairman's signature and adopting a Resolution declaring March 25th through March 31st Juvenile Justice Week in Franklin County.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-648) He informed the Board the County is eligible for Flood Mitigation Assistance funds to be used to buy out, or elevate existing homes that have been repetitively damaged by floodwaters. He explained the County has applied for three in the past, but has only completed one, because in the case of the other two, the match requirements for the homeowners were more than either of them could afford. He said the deadline to applications was May 21st.

(Tape 1-669) He said the County would receive a small grant to help address coastal resource protection needs. He stated this is a onetime allocation of Federal funds becoming available October 1, 2001. He explained that every County in the State would get some funds, even interior counties. He said the funds would be based on population. He stated he estimated Franklin County's share would be less than \$10,000.00. He said there are fifteen authorized uses for the funds, including; conserving, protecting, or restoring wetlands, reduce or monitor coastal pollution, and protecting and restoring natural coastline protective features, such as dunes. He recommended the Board submit two projects, one very large in the event the County receives more money than expected and another one that would be in keeping with the expected fund amount. He said the large project would be to use the funds to pay for the drainage improvements in Lanark Village, which Preble-Rish is currently studying. He stated the justification would be these drainage improvements would reduce coastal pollution by reducing Stormwater runoff. He explained the Board would need at least \$100,000.00 to complete this project. He said the second project, which would take approximately \$10,000.00, would be to rebuild the dune walkover at the SGI County Park in conjunction with the ongoing bathroom and beach pavilion construction. He explained the purpose of this would be to help protect the sand dunes, and also admittedly provide the park project more funds to work with. He stated the Board has to submit a list of projects by June 5th, and must also solicit local input and public participation when the County submits the list. Commissioner Mosconis said he thought this was a good idea and made a **motion authorizing Mr. Pierce to do whatever is required for the County to receive these Federal funds.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** He said he might have to address this matter further at a latter date after he begins the process of securing these funds.

(Tape 1-778) He informed the Board the County received a letter from FDOT requesting proposed projects for the County Incentive Program. He explained this program provides some state funding for local projects, which relieve congestion on the State Highway System. He said the State provides 35% of such costs. He said Franklin County did not

participate in this program last year and he and David Kennedy's recommendation is the County not participate this year as well. He stated the County is not well situated to help relieve congestion on the State Highway System by transferring traffic to local roads.

(Tape 1-778) He said the County has received a letter from FDOT requesting proposed projects for the Small County Outreach Program. He said this program provides 75% of construction costs for projects meeting the SCOP criteria. He stated Franklin County is participating in this program, with the resurfacing of CR 67, which has yet to begin. He explained the County has the option of listing two more projects for consideration for funding in fiscal year 2002-2003. He said both he and David Kennedy recommend, based on the criteria which would give the County the best ranking, the submission of Patton Drive in Eastpoint and C-30. He explained the County can submit these projects, or others, and then FDOT will evaluate and rank the projects for funding. He said if the County ranks high enough, but does not have the 25% in matching funds, the County does not have to participate. He reminded the Board with this action, the Board has indicated it wants to do some paving of strictly local roads this summer, and that the timing of paving is contingent upon when we get the go ahead from FDOT to start the CR 67 project. Commissioner Putnal discussed the paving of CR 67. After discussion Commissioner Mosconis said he thought the County needed to take advantage of these funds and made a **motion directing Mr. Pierce to submit two additional projects for consideration for funding in FY 2002-2003, Patton Drive in Eastpoint, and C-30, to FDOT's Small County Outreach Program.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Alfred Shuler, County Attorney, reported he had a copy of the JPA from FDOT for the CR 67 project and had reviewed it. He said he would recommend the Board go ahead and approve the Chairman's signature on the contract. Mr. Pierce said he would like to have the County Engineering firm, Preble-Rish, review and approve the JPA as well. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the JPA from FDOT for the CR 67-project contingent on review and approval by Preble-Rish.** All for. **MOTION CARRIED.**

(Tape 1-979) He reminded the Board some additional paving needed to be done to some other local roads this summer. He said the timing of paving is contingent on when FDOT decides the exact date they will begin paving CR 67. He stated the County wants to have some idea of what roads or streets need paving so while the paving contractor is close to Franklin County they can pave the roads here. He said he would ask Preble-Rish to contact FDOT to see when they plan to begin the paving project. Commissioner Mosconis said he would suggest the Board do like they did last time "innovative financing". He stated they could either get the contractor to finance the paving program for free or get some extremely low interest rates from the local banks. He said the Board would bypass this bonding process. He stated the Board previously did a million to a million and one-half dollars worth of paving and had it paid off in about two years. He said the County west of Franklin County got a twenty-year bond. He told Mr. Pierce he didn't see where this would jeopardize the City of Apalachicola's work. He said again he would recommend some "innovative financing" or using the local banks for a low interest rate loan. He stated he has talked to representatives from the local banks and they are committed to helping the County. Mr. Pierce stated he was hoping the County

would end up with about \$700,000.00 in paving program; \$200,000.00 for CR 67 and \$100,000.00 per Commissioner for the rest of the paving projects for the rest of the County. Commissioner Mosconis said this could be easily done and maybe even a million dollars in paving projects could be completed. He stated he was sure this could be done without the County getting bogged down in some long-term debt. Commissioner Putnal said it looked like to him the Department of Corrections (DOC) should be responsible for some of this paving on CR 67. Commissioner Creamer said he, for one, didn't want to put a lot of pressure on DOC and cause them to stop the prison construction. The other Commissioners agreed. Mr. Pierce suggested the Board wait until the prison is built and then ask them to help the County pave Lake Morality Road. He said this road would be a direct route for many of the DOC personnel.

(Tape 1-1067) Mr. Pierce interrupted his report for the scheduled Public Hearing to begin at 9:30 a.m.

PUBLIC HEARING-DRIVING ON BEACHES AND DUNES

(Tape 1-1080) Mr. Shuler said he had prepared and advertised the following: An Ordinance prohibiting the operation of any motor vehicle on, over, across or through the dunes and beaches in Franklin County, Florida; Providing exceptions, penalties and an effective date, and repealing prior ordinances on the subject. He said this would prohibit motor vehicle traffic on beaches and dunes as provided in prior ordinance, which would be repealed. He explained on beaches and dunes which are coastal beaches and dunes on which traffic is regulated by the State of Florida, traffic permitted by the State would no longer be a violation of the ordinance. He said since the County enacted the original ordinance the State of Florida has adopted a Beach Driving Statute which regulates the coastal beaches; the Islands and Alligator Point. Ben Withers, Panacea, asked if the ordinance allowed emergency and utility vehicles on the beaches and dunes. Mr. Shuler replied it did not. Mr. Withers said he thought that was the whole purpose of trying to change this ordinance; was to allow utility and emergency vehicles on the beach. Mr. Shuler agreed and said he would add that to the ordinance. Mr. Shuler recommended the Board repeal the County Ordinances regulating beach traffic on the beaches and dunes and adhere to the Florida Statute, which applies to these matters. He stated if the Board adopts this ordinance this is what would happen. Commissioner Putnal said he would make a **motion adopting this ordinance and authorizing the Chairman's signature on the ordinance contingent on Mr. Shuler adding that the operation of emergency and utility vehicles was permitted on the beaches and dunes of Franklin County.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

DORIS GIBBS-SUPERVISOR OF ELECTIONS-REDISTRICTING MATTERS

(Tape 1-1545) Ms. Gibbs said she sent letters to both the Franklin County Board of County Commissioners and the Franklin County School Board on March 12, 2001 informing both groups that after the census bureau, within the next few months, releases their new data pertaining to population figures the County will have to deal with the redistricting process. She said she explained to both Boards that the School Board districts can only be changed in odd-numbered years according to FS 230.061 and advised, in the letter, the redistricting of the School Board districts will have to be

addressed this year. She said it is not the Election Office's responsibility to address redistricting matters, but the duty of the County Commissioners and School Board. She stated she felt it was her obligation to bring this matter to everyone's attention and she offered her assistance with this process. She reiterated she nor her office personnel would be involved in the actual drawing of the district lines. She said she is presenting both Boards with this information and hopes everyone works together. She asked the Commissioners to work with the School Board to see the district lines are the same for both County Commission and the School Board, thus eliminating confusion to the voter and also the extra expense to the County for ballot preparation or the need to create new precincts. Commissioner Mosconis said he knew Franklin County was under a Court Order, which required the County to go to single member districts. He stated he understood the State Supreme Court reversed those decisions by saying they were unconstitutional. Ms. Gibbs said she was not familiar with all of the legalities. Commissioner Mosconis said some counties in the State have at-large districts, some have mixed with both at-large and single-member, and some have just single-member districts. He asked her to find out what the rule or law was on that matter. He said every election people come up to him and tell him they went to a precinct to vote for a certain person only to discover they couldn't vote for them. Ms. Gibbs replied she felt this was something the members of this Board would not be able to do because it would have to be readdressed in the Courts. She said nevertheless she felt that would be Mr. Shuler's responsibility to advise the Board in these matters. Commissioner Mosconis said he wanted a letter sent to the School Board informing them the Commissioners would be interested in meeting and working with them on these redistricting matters. He made a **motion directing Mr. Shuler to send a letter to the Franklin County School Board members informing them the County Commission is willing and ready to work with them on the redistricting project.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Ms. Gibbs also informed the Board the costs of elections were going to increase due to the recent election year's problems. She said she was sure the State would force the County to purchase new voting equipment-precinct based. She stated she was not sure what type, but it would be whatever the Legislature dictates. She said if the Board decides to add precincts then she would have to know how much additional election equipment would have to be purchased. She stated she hoped the State of Florida would help the County purchase the equipment, but she really didn't know. She stated she knew Mr. Wade could also tell them he had received a letter from the Governor whether the State is going to help fund this equipment or not. Commissioner Mosconis said the equipment the County had was acceptable. Ms. Gibbs replied it was not. She stated everything was going to be precinct based. She said our equipment is considered an optical scanning machine, but would not work under the new requirements. She explained the new equipment would allow a citizen to place their ballot into the system and if there was an error on the ballot the machine would reject the ballot while the citizen is still there to correct it. Commissioner Mosconis said well then the State was going to have to pay for the equipment since the County didn't have the money. Ms. Gibbs said she was just waiting to see what the Legislature decides. She said if the County is forced to use the precinct voting system then it would be very important the election office knows how many precincts the County has. She stated this would be decided by this redistricting project. She encouraged the County to move on

this project as soon as possible and to keep the School Board and County Commission District lines the same. She reiterated her office would not redraw the district lines. Commissioner Mosconis said he wanted Mr. Shuler to check into the Court Order to see if the County can remain as it is, district wide voting or change to mixed district and at-large, etc. Commissioner Mosconis made a **motion directing Mr. Shuler to check into the status of the Court Order mandating district wide voting in Franklin County and how to change to either mixed voting districts or at-large districts.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 1-1931) Mr. Pierce continued his report at this time. He said he needed Board action to approve three dock permits approved by the Planning and Zoning Commission by telephone, as there was nothing else on the P&Z Agenda. He recommended approval of the following: Approval for Nick Yonclas to construct a private dock on Lot 6, Pelican Point Subdivision, SGI. Commissioner Sanders made a **motion approving a dock for Nick Yonclas on SGI.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for Charles Turner to construct a private dock on Lot 9, Block 65, Unit 5, SGI. Commissioner Sanders made a **motion approving a dock for Charles Turner on SGI.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for Marty Draper to construct a private dock and boatlift at 1978 US Highway 98, Carrabelle Beach. Commissioner Williams made a **motion approving a dock and boatlift for Marty Draper at Carrabelle Beach.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1976) He asked for Board permission to resubmit Phase III of the SGI Bike Path for funding to FDOT through ISTEAFunds. He said Phase III would carry the bike path from 11th Street to the State Park and has been repeatedly asked for by the Civic Club as well as residents on the Island. Commissioner Williams made a **motion authorizing Mr. Pierce to resubmit Phase III of the SGI Bike Path for funding through FDOT ISTEAFunds.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2109) Mr. Pierce said he would interrupt his report again for the public hearing scheduled at 10:00 a.m.

PUBLIC HEARING-AMENDING THE ZONING CODE FOR R-1A ZONING-REQUESTING A REZONING AND LAND-USE CHANGE TO R-1A ZONING

(Tape 1-2110) Mr. Pierce said this public hearing was scheduled to consider changing the Franklin County Zoning Code to allow the R-1A Single Family Residential Subdivision District to be established in the coastal building zone when it would result in a reduction in density. He stated then if the Board adopts this ordinance the next item would be for the Board to consider applying this new zoning to a 1.71-acre parcel in Lanark Village in Section 12, T7S, R4W. Commissioner Sanders expressed her concerns over opening up rezoning areas near the water to this type of zoning. Bob Anderson, owner of the adjoining property in Lanark Village, expressed his concerns about the zoning code being changed just to rezone this particular piece of property. Mr. Pierce

said Commercial Zoning allows up to 80% lot coverage which is fairly intensive or a fifty-room hotel without any special exceptions, which is also fairly intensive. He said there is a lot of C-4 Zoning south of US Highway 98 in Lanark Village. He stated he, as well as the Planning and Zoning Commission, believes that it is appropriate to consider allowing a subdivision housing project in areas currently zoned commercial because the density would actually be reduced. Mr. Shuler said this change in the Franklin County Zoning Code would only apply to Commercial Zones and it is in effect a down zoning as far as the maximum permissible density. He stated this would also apply to all property similarly zoned in the County. He said, as far as he knew, the same rational should apply because the Board would be acting to reduce the density. He stated the demand in Franklin County is for residential housing, but at some point the demand will be for Commercial therefore allowing a higher density for development. He said he thought the rational that it is only going to be grant when it affects a down zoning from a higher commercial density to this residential district. He stated it probably would not apply to the vacant lands owned by the St. Joe Corporation or anyone else who owns land presently zoned Agricultural or R-1. After discussion Commissioner Putnal made a **motion on the recommendation of the Planning and Zoning Commission adopting and authorizing the Chairman's signature on "An Ordinance Amending the Franklin County Zoning Ordinance to allow the R-1A, Single Family Residential Subdivision District, to be established in the Coastal Building Zone when it will result in a reduction in density."** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said since the Board adopted this Ordinance then the Board needs to consider the request submitted by Shawn Logan, owner of 1.71 acres in Lanark Village, to have his property rezoned to this new zoning category. He said the property is currently zoned C-4 so it would be a down zoning. He stated one of the adjoining property owners said he did not receive a certified letter informing him of Mr. Logan's request. He said this individual, Charles Bland, called him and so this proves he knew about the hearing today. Mr. Pierce explained Mr. Bland claims to own a fifteen-foot wide strip along the shore, 15' by 235' long. He said Mark Curenton, Assistant Planner, is accurate when he reviews these legal descriptions. He stated Mr. Logan's position is that this property has all washed away and therefore is considered reverted to the State. Mr. Pierce said this matter would have to be settled in Court if need be. He said Mr. Bland just wants to be on record as saying he owns this property along the shoreline. He stated Mr. Bland wasn't opposed to the rezoning, but he just wanted to let everyone know he feels like he owns this property. Commissioner Williams made a **motion approving the land use change from Commercial to Residential and the rezoning change from C-4 Mixed Use Residential Commercial to R-1A Single Family Residential Subdivision District as submitted by Shawn Logan for 1.71 acres in Lanark Village.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 1-2893) Mr. Pierce said he invited Doug Cox and Jeff Toussant, Sverdrup Engineering-SGI Bridge Project, to the Board meeting this morning to update the Board on the Eastpoint drainage work. He reminded the Board he had sent the letter they directed him to send to DEP at the last meeting asking them to reconsider their required

mitigation projects for the SGI Bridge. Mr. Toussant reported they have petitioned DEP to reduce the amount of compensatory treatment work they were required to complete by DEP. He stated that petition would agree to exclude all of the work in Eastpoint, all the work on Bayshore Drive, all the work on Otter Slide Road except for the extreme north end where they will do some driveway repair work. He stated he couldn't guarantee anything since the letter was just mailed to DEP. He said they have also requested a meeting with DEP about this matter. He said Mr. Cox was going to meet with FDOT this afternoon to see what precedence had been set on other projects since his company, Sverdrup, feels they are being over penalized on this project. Commissioner Mosconis and Commissioner Putnal said they wanted mitigation projects outside the delineation line imposed by DEP. Mr. Pierce said there are a lot of other mitigation projects in the County that could be done if DEP would allow it. Commissioner Mosconis said he was going to make a **motion directing Mr. Pierce to send a letter to DEP asking them to change their boundary lines for the mitigation projects to allow a larger part of the County to be included-telling DEP they are being to restrictive and ask a DEP representative working on this project to attend the next Board meeting on April 3, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Kurt Spangler and Mr. Bill Hartley, SGI, informed the Board there was a five-foot hole about two feet off of Gulf Beach Drive. Mr. Hartley said it would just be a matter of time before someone drove off into that ditch. Mr. Spangler asked Mr. Cox or Mr. Toussant to put a sign or something up to reflect the danger in this area. Mr. Cox and Mr. Toussant said they would go over to SGI to look at the area.

(Tape 1-3474) Mr. Pierce said he would wait until after the next item scheduled on the agenda was finished before he finished his report.

SUSAN FICKLEN-ADMINISTRATOR-WEEMS MEMORIAL HOSPITAL

(Tape 1-3494 Continued on Tape 2) Ms. Ficklen informed the Board she and David Paris, DasSee Health Systems, were here this morning because they invited the representatives from Emergystat, Inc. back to the Board meeting this morning. She said DasSee Health Care Systems, the new lessee of the Hospital, wants to sublease the EMS service to Emergystat as specified in their contract with the County. She stated she would ask the Board to sign the assignment of EMS Services to Emergystat and give them a Certificate of Public Necessity to run the ambulance service in Franklin County. Commissioner Mosconis asked Ms. Ficklen to inform the Board what Emergystat has to offer existing EMS employees versus what DasSee has to offer them. He asked her to sell him on the idea of the need to change EMS services. She stated she felt they could do a better job of managing the ambulance service than a hospital management company can. She said they have a lot more experience in operating an ambulance service. Skip Cormicle and David Robertson, Emergystat, Inc. representatives appeared before the Board to answer any questions at this time. Mr. Robertson said he knew there was a lot of apprehension from the employees. He stated he understood this since anytime a new company takes over running a operation things change. He explained the employees would have jobs with Emergystat. He said the issue is they will not have any tenure and stated this would be true of any other company assuming a company. He explained this same thing would happen if a private ambulance service from Panama City or

Tallahassee came in to run the ambulance service. He said employees would start at the bottom, but they would have job security. He stated small rural ambulance services are usually more profitable than a hospital or County run ambulance service. He said their benefit package and wages are comparable to the surrounding areas. Commissioner Mosconis said he noticed they did not offer a 401K Plan for their employees. Mr. Robertson replied they had tried to implement one several times, but the employees have not been interested. Mr. Paris said there are only three in their company, one in Franklin and two in Calhoun Counties, who participate in their 401K Plan. Commissioner Sanders said she would, under no circumstances, allow or vote to allow the transfer of the County's Certificate of Need so Emergystat could operate the ambulance service. The Commissioners all agreed that DasSee knew the ambulance service had problems when they agreed or sought to take over the hospital. Commissioner Mosconis suggested the Board table this issue until some employee matters could be settled. He said he understood and had been informed by the EMS employees they would all have to take a pay cut as well as lose their tenure. Albert Fincher, EMS employee, said every employee would take a pay cut, some as much as \$2.00 an hour, which is 20 to 25% of a person's salary. After further discussion the Commissioners urged Emergystat, Inc. to try to meet some of the EMS employees requests and then come back to the Board with some recommendations they both can agree on. Chairman Creamer said he needed to let Mr. Pierce continue his report at this time.

ALAN PIERCE-CONTINUED

(Tape 2-830) Mr. Pierce asked the Board to approve a Resolution adopting a fine schedule fee, approved by the Contractors Licensing Board, which imposes fines on individuals that do not purchase a proper building permit or scheduling inspections when the contractor is not really ready for inspection. He stated all of this causes an increase in cost of services to the County. Commissioner Mosconis said he had a problem with the fine schedule applying to individuals and not contractors specifically. He explained a contractor should know better whereas an individual may not even know a permit is needed to build a shed or similar building. Commissioner Putnal made a **motion adopting a Resolution imposing a fine schedule fee for contractor's who contract work and are registered contractors' in Franklin County as recommended by the Franklin County Construction Licensing Board.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1072) He asked the Board to approve the final plat of "Kinja Bay Subdivision" if it is ready, and contingent on Mr. Shuler having reviewed the appropriate documents including a bond for road construction. Mr. Shuler said the developers faxed a document to him for his approval. He stated he suggested some changes and faxed it back to them. He suggested the Board approve the final plat contingent on him verifying the appropriate construction bond. He explained the developers do not want to build the roads in the subdivision at this time. He said, according to the County's subdivision ordinance, they are required to post a bond or in some instance a Letter of Credit from a local bank. He stated all of this is to make sure the infrastructure in the subdivision is put into place. Commissioner Mosconis expressed his concerns over construction bonds and how long it takes to collect on one. He stated he felt a bond wasn't worth the paper it

was written on. After discussion regarding bonds Commissioner Putnal said he would go ahead and make a **motion approving the final plat of "Kinja Bay Subdivision" as recommended by Mr. Shuler and contingent on his approval of all the appropriate documents.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1486) He presented a letter from H. E. Prescott, FDOT District Secretary, regarding the recent letter the Board sent to him relaying concerns relative to safety issues at two areas along SR 30 US Highway 98. He said the letter informs the Board FDOT will schedule a study to consider extending the 45-mile per hour speed limit to include the Catholic Church at the end of Lanark Village on SR 30-US 98. He said the letter also advises the Board FDOT will install a "No Passing" zone on SR 30-US 98 between 4th and 10th Streets in Eastpoint within 30 to 60 days.

(Tape 2-1584) He said the developers of "Victorian Village" near Yents Bayou on Highway 98 has requested to re-plat two of their lots. He stated Planning and Zoning has reviewed the re-plat and asked Mr. Shuler to review the plat letter. He said the plat letter refers to the common area; some of the lots have been sold off. He explained he wanted to be sure it would be legal for the developers to re-plat after some of the lots have already been sold. He stated he would wait until he and Mr. Shuler reviewed and discussed the re-plat request.

(Tape 2-1607) He informed the Board the FRDAP rankings have been published. He said the County's project was ranked fifteen on a list of fifteen. He stated at least the County ranked. He said the State is only going to fund the first six and he asked the Board to encourage the Legislature to fund the entire list, which is what they did last year.

(Tape 2-1629) Mr. Pierce stated he had been approached about building a boat ramp on SGI using some of the material from the old SGI Bridge now being demolished. He said, if the Board so desires, he would send a letter to FDOT asking them for assistance in locating a site for and constructing a public boat ramp on SGI. Commissioner Mosconis asked Mr. Pierce if he didn't mean some type of revetment. He said he didn't understand how the material or debris from the old bridge could be used to build a new boat ramp. Chairman Creamer said the Board had already written a letter to FDOT about locating a boat ramp on the SGI. Mr. Pierce replied a letter had already been sent about a boat ramp on SGI. Commissioner Putnal said he would go ahead and make a **motion directing Mr. Pierce to send a letter to FDOT asking their assistance in locating a site for and constructing a public boat ramp-revetment on SGI.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1698) Commissioner Putnal said he asked Mr. Chipman to go to Eastpoint and remove the shells at the end of the boat ramp. He stated people can't launch their boats there.

(Tape 2-1720) He said he received a telephone call from someone asking him to check on something on a block, but he cannot remember what district it is in. He said if someone does complain to the Commissioners that he didn't do something he was supposed to do it was because he did not have all of the information he needed. He said the names were Butler, Boone, and Harris. He stated he was supposed to do something wherever these people live.

(Tape 2-1744) He asked the Board to allow Preble-Rish to prepare and handle the bidding of the purchase and installation of hurricane shutters at the Carrabelle Senior Citizens Center and the Fire Department. Commissioner Mosconis made a **motion authorizing Preble-Rish to prepare and over see the bidding and installation of the hurricane shutters at the Carrabelle Senior Citizens Center and the Fire Department.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

DAN JOYCE-US CELLULAR

(Tape 2-1776) Mr. Joyce said he was here today to inform the Board he was going to place a petition at the Apalachicola Bay Chamber of Commerce asking for the installation of cell towers in Franklin County. He said Apalachicola doesn't have the best cell service at this time due to the fact there needs to be a new cellular tower installed here. Commissioner Mosconis said he thought there needed to be better cell coverage in the County. Bill Hartley, SGI, asked Mr. Joyce if there weren't already towers located in Franklin County that US Cellular could use. Mr. Joyce replied they do have a tower in Eastpoint and one in Port St. Joe, but not one in between. He said there have been a lot of complaints about service in this area. Michael Allen, WOYS, asked who is being petitioned for the towers. Mr. Allen said private enterprise builds these towers and not governmental entities. Mr. Joyce stated he had no idea who builds the towers he is just informing the Board of the petition, which is being circulated. Mr. Allen said US Cellular or Sprint should build their own towers.

KENDALL WADE-CLERK

(Tape 2-1919) Mr. Wade presented a Proclamation recognizing the month of March as Franklin County Senior Citizens Council Donor/Volunteer Appreciation Month. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Proclamation recognizing the month of March as Franklin County Senior Citizens Council Donor/Volunteer Appreciation Month.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1942) He informed the Board and the public that the Franklin County Board of County Commissioners Web Site now provides their meeting minutes, agendas and building permit applications. He said the web site franklincountyflorida.com now includes a two-year archive of meeting minutes. He stated agendas are updated for the appropriate meeting. He stated the site, created by Bay Media Services in Apalachicola, would next include hurricane preparedness links including tracking maps, Red Cross procedures and evacuation maps.

(Tape 2-2051) Bill Hartley asked about Planning and Zoning Commission and Board of Adjustment Agendas being placed on the web site. Mr. Pierce answered he would look into that matter.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-2113) Mr. Shuler said he wanted the Board to know Mr. Andrew Smith, attorney for Apalachicola Bay and River Keepers, Inc., the Plaintiffs in a lawsuit filed against the County and the developers of St. James Bay, contacted him offering to dismiss the lawsuit if they are satisfied with the language the County may adopt relative to the setback issue in the Comp Plan. He stated he received a fax from Mr. Smith this morning reflecting this discussion. He presented the faxed letter to the Board for their information. Mr. Shuler said this matter would be discussed at the advertised public hearing scheduled for the next Board Meeting, April 3, 2001, at 1:00 p.m. Ms. Freda White, Carrabelle Properties, LTD., St. James Bay developers, asked Mr. Shuler if he shouldn't add, to that notice of public hearing, the probability that a settlement of this lawsuit would or could be discussed at the public hearing. He stated if the proposed language is acceptable to the Commissioners and the River Keepers then the lawsuit could be settled. Bill Hartley, Apalachicola Bay and River Keepers, Inc. said he felt his group was not trying to be unreasonable. Ms. White asked Mr. Shuler if the Board was going to consider settling this lawsuit at this meeting then wouldn't it have to be added to the Public Hearing Notice being advertised in the newspaper. Mr. Shuler replied yes and asked the Board to direct him to add this matter to the advertisement. Commissioner Sanders made a **motion directing Mr. Shuler to add the matter of the proposed dismissal of the Apalachicola Bay and River Keepers, Inc. versus Franklin County and Carrabelle Properties, LTD., to the public hearing advertisement for April 3, 2001 at 1:00 p.m.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2777) He reported he reviewed the proposed lease that Emergystat, Inc. had presented the Board with this morning. He said he did this at the request of Commissioner Sanders.

(Tape 2-2783) He said he read the Supervisor of Elections letter regarding redistricting matters. He stated he would advise the Board they are required to redistrict according to the law. He said it had to be done in odd numbered years which means this year the matter needs to be addressed. He explained this situation is further complicated by the fact there is a Federal Judgment obtained by some concerned citizens in Franklin County. He reported he would have to try to find a copy of that judgment because he does not have one at the present time. He stated he would review the matter.

(Tape 2-3012) He informed the Board he sent a letter to the Dog Island Conservation District and the Dog Island Fire Department reminding them of the Board's mandate they cooperate with each other in the matters of mutual concern to them.

(Tape 2-3036) Hank Garrett, Eastpoint, asked about the status of the Eastpoint Channel Dredging Project. Mr. Pierce replied he had not heard anything from DEP, but he had

FCBCC MINUTES-MARCH 20, 2001

spoken to Terry Jangula, USCOE, about the matter. He stated Mr. Jangula has failed to give him the telephone number of the person at DEP he needs to contact. He assured the Board and Mr. Garrett he would call them today.

(Tape 2-3059) Mr. Roger Butler, SGI, said he wanted to address the Board about the problem of the ditch on SGI next to the Bike Path. He said he lives on West Gulf Beach Drive. He stated he was out of town for about a month and came back to find a 5-foot ditch across the street from his property. He said he is very concerned about someone falling in the ditch and getting hurt. Commissioner Mosconis informed Mr. Butler the Board had already discussed this matter this morning when the SGI Bridge engineers were present. He assured Mr. Butler they had the matter under control. Mr. Butler said he just wanted the Board to be aware of the problem.

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

Eddie Creamer

EDDIE CREAMER, CHAIRMAN

Kendall Wade

KENDALL WADE, CLERK