

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
JULY 3, 2001**

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

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

(Tape 1-42) Commissioner Putnal made a **motion approving the minutes of the meeting held on June 19, 2001.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-46) Commissioner Sanders made a **motion to pay the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

KENDALL WADE-CLERK

(Tape 1-50) Mr. Wade said he needed to inform the Board, since he felt it was an emergency, that there was a severe problem with the two air-handlers on the roof of the Courthouse. He presented a proposal in the amount of \$14,987.00 from Parker Services, Inc. to the Board. He explained he needed the Board to declare this an emergency situation and authorize him to have these repairs done by Parker Services. He said Parker Services does all of the heating and air-conditioning work for the Courthouse. He informed the Board Parker Services could do everything but the necessary electrical work. He said he would ask Oscar Medley, who does all of the electrical work at the Courthouse, to do the necessary electrical work. Commissioner Mosconis made a **motion declaring the replacement of the two air-handlers on the Courthouse roof an emergency situation.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Then Commissioner Mosconis made a **motion authorizing the Clerk to have the repair work done.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-133) Mr. Chipman said he did not have anything to discuss with the Board this morning. He stated his department is running very smoothly.

DEWITT POLOUS-MOSQUITO CONTROL DIRECTOR

(Tape 1-153) Mr. Polous said due to the increased population of mosquitoes in Franklin County he wanted to inform the Board he has increased his spraying schedule. He stated he is trying to spray everything twice a week instead of once a week. He informed the Board he has received his new ULV Unit he ordered and has placed it in storage so if something happens to one of the other units on the trucks he can replace them immediately. Commissioner Sanders asked Mr. Polous is he was keeping informed about the Encephalitis problem. Mr. Polous replied he is keeping up with all of the

FCBCC MINUTES-JULY 3, 2001

information. He said he was trying to put every precaution into place so Franklin County does not have any problems with Encephalitis, etc.

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-240) Mr. Mahan said he arranged to go with Larry Mathis, ACOE, to meet with Harrison Peterson, Tate's Hell Forester, Division of Forestry to survey the tree damage around the Two-Mile Channel Spoil Site to prepare for the COE's tree restoration effort around the site. He informed the Board the site inspection-assessment would be on Friday, July 6th at 10:00 a.m.

(Tape 1-301) He stated Chris Merritt, Organization for Artificial Reefs (OAR) contacted him about beginning the paperwork involved with the permitting required for a site to place the SGI Bridge demolition rubble. He said Mr. Merritt informed him the first step is to identify a governmental entity that could serve as the reef's permit holder. He stated Mr. Merritt is on the next Board meeting agenda and will be here to discuss this matter further.

(Tape 1-413) He said he was asked to check on oyster harvesters qualifying for disaster relief through USDA. He stated he has talked to several people with FDAC about the matter and was told by them this was a very good question, however, they said he would need to speak to somebody in the Risk Management Section of USDA which is located in Kansas, MO. He stated he would continue to look into this matter.

(Tape 1-484) He reported he has learned that DEP is preparing to approve a three-year grant with the University of Florida Extension Program to begin two Florida Yards and Neighborhood Programs. He said one position would cover Bay, Franklin, and Gulf Counties and the second one would cover Okaloosa and Walton Counties. He said the program would concentrate on how homeowners, garden centers, and small business can impact local water quality. He stated the agent would be headquartered in Port St. Joe. He said once the grant has been approved the UF will advertise the position.

(Tape 1-535) He informed the Commissioners the USFDA is currently investigating a confirmed Vv. illness and death in Texas that "may" have resulted from eating a post-harvested treated (PHT) oyster. He said the PHT involved is a "low-temperature" pasteurization of a Louisiana oyster. He stated USFDA is currently working to confirm that it was a PHT oyster involved and if so, was the oyster properly "treated". He stated he is sure this matter will be discussed at the ISSC meeting this summer.

(Tape 1-657) He stated Grady Leavins, a seafood dealer in Apalachicola, has been appointed to the ISSC Task Force II. He said this task force would be addressing the Vv. issue at the ISSC meeting this summer.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-688) He said, at the last Board Meeting, he was instructed to prepare some costs for litter pick-up on SGI & Alligator Point as requested by the Keep Franklin County Beautiful Committee. He presented the Commissioners with a cost analysis for this

project. He said this project should cost approximately \$8,000.00 per year, but if this is implemented today the costs until the end of this fiscal year, September 30th, would be \$2,000.00. He said there are enough funds remaining in the Small County Grant, as well as the Litter Grant, to pay for this project. He stated these grants could also be used next year to pay for the project. He recommended the Board approve this request.

Commissioner Mosconis made a **motion approving the plan for placing twenty-five, nine-gallon carts, throughout SGI and Alligator Point and authorizing the payment, from the Small County Grant and the Litter Grant, for pickup by the County's waste hauler.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-747) Chairman Creamer said he has talked to Mr. Johnson about people traveling though out Franklin County with their garbage flying out all over the highway and into peoples yards. He stated he is concerned about this matter and asked if there was an ordinance addressing this problem or requiring people to place tarps over their garbage to prevent it from blowing out of vehicles. Mr. Johnson replied he didn't think Franklin County had an ordinance pertaining to this. He said he did know that in other County's if a vehicle comes to the Landfill to unload without a tarp being over the garbage an extra fee is imposed, which is then used to pay for right-of-way clean-up projects. Alfred Shuler, County Attorney, said he would need direction from the Board to check into similar ordinances. Commissioner Mosconis made a **motion directing the County Attorney to check into an ordinance requiring tarps being placed over garbage hauled to the Landfill and report to the Board at the next meeting.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-847) He said Miles and Bucky Creamer's construction company had their Landfill Charge Account inadvertently deleted from the computer. He asked the Board to authorize him to reinstate the charge account. Commissioner Mosconis made a **motion authorizing the Landfill Charge Account for Bucky and Miles Creamer's construction company to be placed back into effect immediately.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-865) He informed the Board two young men, Randall Johnson of Apalachicola and Robbie Register of Eastpoint, would be participating in the 2001 Dizzy Dean Baseball World Series. He stated both young men were selected to play on a Port St. Joe, fourteen and under Dizzy Dean traveling baseball team. He said this team captured the State Championship on June 27th and would now represent the State of Florida in the Dizzy Dean fourteen and under World Series. He stated the World Series would be held at Frank Brown Park on Panama City Beach starting July 21st through July 26th. Commissioner Mosconis said he knew Mr. Johnson was extremely proud since Randall Johnson was his son. He congratulated the young men and said Franklin County should be very proud of them. Mr. Johnson added that these young men went through the Franklin County sponsored programs.

PUBLIC HEARING-EDDIE CREAMER REZONING REQUEST

(Tape 1-939) Alan Pierce, Director of Administrative Services, said this public hearing was requested by Eddie Creamer to rezone Lots 8, 9, 24, and 25, Block 169, David Brown Estates Subdivision in Eastpoint, from R-2 Single Family Residential/Mobile Home to R-4 Single Family Home Industry. Chairman Creamer announced at this time that this was his property and he would not be participating in the discussion or voting on the rezoning request. He stated he would be completing and signing a Form 8B, Memorandum of Voting Conflict for City, Municipal, and other Local Public Officers. Mr. Pierce stated the Planning Department had not received any objections to the rezoning from the adjoining property owners. He said all of the adjoining property owners were sent a certified letter informing them of this rezoning request and the date of the public hearing. After no one from the public commented on the rezoning Commissioner Sanders made a **motion approving the rezoning request submitted by Eddie Creamer for Lots 8, 9, 24 and 25, Block 169, David Brown Estates Subdivision in Eastpoint from R-2 Single Family Residential/Mobile Home to R-4 Single Family Home Industry.** Commissioner Putnal seconded the motion. All for-Chairman Creamer abstained from voting. **MOTION CARRIED.**

PUBLIC HEARING-CAMP GORDON JOHNSON MUSEUM

(Tape 1-981) Mr. Pierce said the second public hearing was to address the request by the members of the Camp Gordon Johnson Museum Committee to have a tract of private real property in Section 12, T7S, R4W, land use to be changed from Residential to Public Facilities and rezoned from R-1 Single Family Residential to Z-1 Public Facilities. He said he had received several objections to this request. He said the objections were that people wanted to know what the entire plan was for the property and how it would be used to construct a museum. He stated, in his opinion, rezoning is one of the strongest controls the County has. He said he would recommend the County withhold the rezoning until the Planning Office knows what is going to happen on this property. He stated unless you know what is actually going to happen the rezoning doesn't need to be approved. He said after it is rezoned then the County doesn't have as much control. Commissioner Sanders said she had met with both groups, the Lanark Village Association and the Camp Gordon Johnson Museum Committee, about this. She stated she has heard peoples concerns about the liquor license, access, etc. She said she is mainly concerned about access to this property. She presented several letters of opposition to the Board for the record. David Butler, Vice-President of the Camp Gordon Johnson Museum, appeared before the Board at this time. He said their intent is to have a museum to show all of the memorabilia the CGJ Museum Committee has collected. He stated they would be a good neighbor. He introduced the new curator of the CGJ Museum. He said they had to hire a curator to even apply for a grant. Commissioner Mosconis stated he had heard two fears, one was a RV Park and the other was a liquor license. Mr. Butler stated he has written a letter to the state about the status of the liquor license and informed the Board they do not have any plans to serve liquor. He said he would want access for RV's, but not for them to stay overnight. Commissioner Sanders said she was concerned about access to the museum going right though residential areas. Mark Nolton, Lanark Village, said he owns the acre of land they want to put a road through. He stated he does not want a road though his land. Mr. Pierce stated they

would have to buy the property or an easement. Mr. Butler said there are three one-acre lots along Highway 98 that could be used for access. He stated before they go and buy property or an easement he would like to know if the property is going to be rezoned. Mr. Pierce said they needed to submit a site plan. Mr. Butler said they couldn't afford to purchase access unless they know the property is going to be rezoned. Commissioner Mosconis encouraged both sides of this matter to get together and come to some agreement. He said he would make a **motion to table this matter until July 17, 2001 at 10:00 a.m. to further address the request for a rezoning and land use change for the Camp Gordon Johnson Museum.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Sanders said she wanted all of these concerns addressed when the matter is discussed on July 17th. She stated she wanted the record to reflect she is not against the museum she just wants all these concerns addressed.

BEVIN PUTNAL-JACK OAKES-CARRABELLE RIVER

(Tape 1-1816) Commissioner Putnal said the Oakes' were here this morning to discuss a problem they have. He said they live on the New River and the "No Wake" zone stops just before you get to their house. He stated the jet skis are coming down and turning around before they get to the "No Wake" signs. He said they are throwing water up onto other people's docks, etc. Mr. Oakes asked the Board to consider extending the "No Wake" zone to include his house as well as the other houses there. Mr. Pierce said this is a process and takes some time. Commissioner Sanders said she would like to see this problem addressed in this entire area. Commissioner Putnal made a **motion directing Mr. Pierce and Mr. Shuler to begin the process of designating a "No Wake" zone near Mr. Oakes house on the New River in Carrabelle and addressing the problem in the surrounding area as well.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

PUBLIC HEARING-BONDS & CRUM REZONING-34.22 ACRES

(Tape 1-2012) Mr. Pierce said this was the last rezoning request to be addressed today. He said this request for a rezoning from R-2 Single Family Residential/Mobile Home to R-1 Single Family Residential. He stated the property consisted of 34.22 acres more or less and owned by Jeanne Bonds and Jamie Crum. He stated the Planning Office had sent certified letters to the adjoining property owners and no one has informed him of their opposition to the rezoning. After no public comment Commissioner Sanders made a **motion approving the rezoning request submitted by Jeanne Bonds and Jamie Crum for 34.22 acres more or less from R-2 Single Family Residential/Mobile Home to R-1 Single Family Residential, "Magnolia Ridge".** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

JEANNE YOUNT-COMPLAINT ABOUT PUBLIC ACCESS

(Tape 1-2106) Ms. Yount introduced herself to the Board and said she lived at 146 Florida Street in Lanark Village. She stated she was here today to ask the Board to keep public access areas in the area she lives cleaned up. She stated she also wanted the County to put up some signs in these areas informing people they are public access areas. She stated this really needs to be done throughout the County. She submitted several

photographs of public access areas that have been either landscaped by the adjoining landowners and public access areas that do not have any signs on them. She said one of the areas even has a double swing, carport, picnic tables, etc. on it. She stated the public can't access the area even though it belongs to the County. Commissioner Sanders said she had already addressed this particular problem. She asked Mr. Pierce to read the letter his office had written to Frank Frink, Seabreeze RV Park, about placing an aluminum structure in the public right-of-way. Mr. Pierce read the letter and stated Mr. Frink has already called him and informed him he would remove the structure. He said Mr. Frink thought they were doing something to enhance the property, but they had assured both he and Commissioner Sanders that they would remove the structure. Ms. Yount thanked Commissioner Sanders and Mr. Pierce for their prompt action. Commissioner Mosconis said this is an ongoing problem and the County has placed signs in some of these areas. He stated the County does not have the time or money to place signs on each and every County public access area. Commissioner Mosconis suggested having the Building Official keep an eye, as he is conducting building inspections throughout the County, on these public access areas to be sure nobody puts any structures on them. Mr. Pierce said he would inform the Building Official. Chairman Creamer thanked Ms. Yount for her presentation this morning and said she had given the Board something to think about.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-2590) Mr. Pierce informed the Board that FDOT would not need a management plan from the County to do the internal renovations at the Carrabelle FDOT building, and FDOT is in fact doing away with the language. He would be sending the lease agreement back to FDOT this week, with a required Resolution from the Board requesting a lease for the FDOT building from the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust. He asked the Board to authorize the Chairman's signature on a Resolution requesting this lease. Commissioner Putnal made a **motion authorizing the Chairman's signature on a Resolution requesting a lease for the FDOT building from the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** He informed the Board that the County Engineer, David Kennedy, would do some as-built drawings of the building next week, and then somebody will have to advise Mr. Kennedy on the changes wanted in the building so he can then look at the as-built drawings and determine how the changes can be made.

(Tape 1-2662) He presented a copy of a letter from DEP to DOC authorizing a swale exemption for additional work to be done at the prison site on CR 67. Commissioner Sanders said she was really concerned about what was going to happen in this area when a major storm hit. Mr. Pierce said the County Engineers have a contract with DOC to work on the problem. He stated he can't tell her what the solution is or if they have even found it.

(Tape 1-2745) He reminded the Board the Chairman needed to sign the DEP agreement the Board has already authorized for the \$82,000.00 worth of construction funds for Alligator Point. He said the Planning Office has received of copies of letters being sent between Alligator Point residents and DEP regarding the County's action on Alligator

Point. He said at this point DEP is supportive of the County's efforts to keep the road in drive able condition.

(Tape 1-2769) He provided the Board a copy of a proposed amendment to the SGI DRI submitted by George Mahr. He said Mr. Mahr is proposing to sell some land to the State in exchange for the right to create five additional single family lots in the unplatted land along Leisure Lane in Phase II of Casa Del Mar. He informed the Board they do not need to take any action today because this is just a proposal, which requires State review, first. He explained the Board would eventually be required to conduct a public hearing to consider the proposed amendment.

(Tape 1-2793) He presented the DCA Objections, Recommendations, and Comments (ORC) Report on the submitted Comprehensive Plan changes for St. James Bay and Mr. Bill Wells. He said DCA suggested some working changes for our definition of wetlands, which he would show to the County Attorney and any interested party. He said the DCA objects to Mr. Wells proposed land use change on a variety of issues. He stated he would inform Mr. Wells of the issues and leave it up to him to work out a solution with DCA. He explained the County has sixty days to adopt the amendments, but he recommended the Board schedule the adoption hearing for the first meeting in August, which is August 7th, at a time convenient on the agenda. He stated the Board could always table the hearing at that time if problems arise. Commissioner Sanders made a **motion authorizing Mr. Pierce to schedule a public hearing to consider adoption of the amendments to the Franklin County Comprehensive Plan for August 7, 2001.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2885) He informed the Board the Governor did approve the list of FRDAP projects as approved by the Legislature, which means Franklin County will receive \$56,250.00 to purchase land for a park in Carrabelle. He said pending arrangements with the County's legislative delegation, the County would receive an honorary check for that amount.

(Tape 1-2957) He said after review of the Apalachicola Airport Access Road bids the decision was made that C. W. Roberts Contracting, Inc. was the lowest bidder. He said it was recommended to accept the lowest bid and have the Board direct them to negotiate to bring the project within the approved budget. Mr. Pierce said the lowest bid was still approximately \$500,000.00 above the budgeted amount. Commissioner Mosconis made a **motion authorizing Mr. Pierce to negotiate with C. W. Roberts Contracting, Inc. regarding the bid price for the Apalachicola Airport Access Road.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2983) He stated FEMA representatives were at the Courthouse to display the new flood maps. He said Mark Curenton, Assistant Planner, attended the meeting, as well as local insurance representatives. He stated FEMA will now publish a notice in the local newspaper on the effect of the proposed new maps and property owners would have ninety days to file an appeal. He explained it appears to him that changes are not significant for Franklin County, but there would be some additional flood zones created

FCBCC MINUTES-JULY 3, 2001

on SGI, and flood elevation requirements could go up a foot or so in some areas. He said there are some proposed decreases. He said anyone interested in the matter should contact Mr. Curenton in the Planning Office for more details.

(Tape 1-3021) He asked the Board to allow him to schedule a public hearing to consider abandoning part of Hathcock Road in Southland Subdivision north of Apalachicola on Bluff Road. He said the abandonment should be done contingent on Michael Howze providing an access easement to Gordon and Michael Shuler's law firm, providing an access easement to the County, and then having Gordon and Michael Shuler provide an easement to the County for maintaining the existing Stormwater ditch. He stated the reason for the abandonment is to clear up some confusion with Mr. Howze and how he bought three acres of land, but now, in a recent survey, has less than three acres of land. He said it appears that Hathcock Road is primarily on his property. He explained the road dead ends at a railroad track and does not serve anyone but Mr. Howze and the Shulers. He said all he needs today is for the Board to allow him to schedule a public hearing. Commissioner Mosconis made a **motion authorizing Mr. Pierce to schedule a public hearing to consider abandoning a part of Hathcock Road in Southland Subdivision north of Apalachicola on Bluff Road.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3067) He informed the Commissioners that Rachel Ward, Planning Office, on her first try passed the State Building Inspector Exam, which the State Licensing Board had blocked her from taking for eight months. He said she is now a fully licensed Building Inspector and Plans Examiner. He stated Robin Brinkley, Building Official, would be taking his test today.

(Tape 1-3086) He said the County Engineer is going to schedule a meeting with DEP regarding the drainage problem at Earl Creamer's residence on Bluff Road. He stated he thought a survey might be needed, but recommends the County not pay for a survey right now. He said after DEP personnel conduct a site visit then a survey might have to be done.

(Tape 1-3122) He asked the Board to consider his request he made at the last meeting to allow the Emergency Management Director, Tim Turner, to hire a secretary for his office at the airport. He said he spoke to Mr. Mahan about sharing a secretary with Mr. Turner, but Mr. Mahan is not agreeable with that request. He asked the Board to go ahead and make a decision today. He said the position would be funded from the Emergency Management Grant. Commissioner Putnal made a **motion authorizing to advertise and hire a secretary for the Emergency Management Office to assist the Emergency Management Director, Tim Turner to be funded from the Emergency Management Grant.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3151) Commissioner Mosconis asked Mr. Pierce the status of the redistricting matter. Mr. Pierce replied Mr. Spitzer would be here in Franklin County on Monday, July 9, 2001, to visit with each Commissioner.

BOB HARPER-SGI

(Tape 1-3179 Continued on Tape 2) Mr. Harper, a resident of SGI and a Civic Club Board Member, said he would like to discuss two issues today, both related to redistricting. The following is a verbatim statement: "I really have two issues here both relating to redistricting, but the first one is and I am sure everyone is aware of this. SGI does not have representation commensurate with the amount of funding that the treasurer receives in the County from the Island. If we have 60% of the, we represent more than 60% of the, we represent more than 60% of the ad-valorem tax base... Kendall Wade, Clerk, interrupted Mr. Harper and said, "I think that's a misconception. SGI pays between 38 and 39% of ad-valorem taxes." Mr. Harper continued and said, "I'll accept that, that's very good. However, that's a large chunk and I think everyone will recognize we are not represented commensurate with the funding you receive from the Island. If we had our druthers under this redistricting plan that perhaps would be forthcoming shortly the Island would like to have it's own commissioner. We would like to be a district of our own. Whether that's practical or not I'm not going to voice an opinion, I'm sure that comes from other sources than myself. If there is no way that we can become our own district and therefore have reasonable representation as I mentioned it would be our position that we would like to be associated with a district, which has similar social-economic base to ours. I think you can read between the lines on that. We understand that there is going to be a meeting with your consultant sometime to have private sessions with each of the Commissioners and this may be premature, but our concern is that we'll get blindsided on the Island and it will not be the proper public forum or private forum which would also be of interest to us with your proposed consultant. The point here is that we would like to see an agenda which tells us what the steps are going to be, who is involved, whether we can have a private meeting with this gentleman, which we have tried to do, but he won't return our phone calls, and obviously be part of a public forum so that we can be heard because we are not being heard now. We would like that to be part of your consideration as we move forth here. The second part of this is related to the sense of urgency of redistricting. What I understand is that we have only to the end of the this year to place the redistricting in force if that doesn't occur then we have to wait, this will just go into limbo for another two years until we have an off election year again and I think we need to get this done now. I want to just express the Island's concern about seeing that this is promptly done and that we are part of the forum that helps make this decision. We would like very much to have you proceed on that basis. Thanks very much. Commissioner Mosconis said, "Along that line too, I am not for paying this consultant, what was the price he gave us thirty something grand." Mr. Pierce said "\$25,000.00 to \$30,000.00." Mr. Wade said this amount would be split between the FCBCC and the School Board." Commissioner Mosconis asked what the minimum thing he would do. Mr. Pierce replied he was working on the minimum right now. Commissioner Mosconis said once this preliminary think is done he felt the Commissioners could do the rest. Mr. Pierce said the primary reason for redistricting and he quoted Mr. Spitzer..."the primary responsibility of the government is to have equal representation the second responsibility is to make sure you do not dilute minority votes, but the number one priority is equal representation." Mr. Pierce said SGI does not have the 2,000 to 2,200 residents they need to be a separate district. Commissioner Mosconis said even if it had 2,000 residents SGI could probably

become a district. Commissioner Williams said he saw Mr. Spitzer at the Annual Florida Association of Counties conference and he said Mr. Spitzer said the main thing is to keep the County out of Court is the districts could not be over 10% different in the districts, from the largest to the smallest. Commissioner Sanders said Gulf County did the preliminary numbers with Mr. Spitzer and then they formed there own group, as did Wakulla County. Commissioner Putnal said after Mr. Spitzer has interviewed everyone then a public meeting needs to be scheduled to review the information. He said the Board didn't want to hide anything from the public. Mr. Pierce stated his only reservation is that the district boundary lines are so out of balance right now that the new lines could generate a tremendous amount of controversy in the County and he was not sure any County employee could survive this project.

BIDS-4 OPEN TOP CONTAINERS-CARDBOARD RECYCLING

(Tape 2-24) Chairman Creamer asked Mr. Wade to open the bids and the following bids were opened: Geneva Products National Manufacturing Company in the amount of \$7,660.00; Pro-tainer, Inc. in the amount of \$9,360.00. Mr. Johnson asked the Board to go ahead and authorize the purchase of the containers from the lowest bidder Geneva Products. He said he had purchased these same containers from both of these companies and would like to go ahead and order them. Commissioner Sanders made a **motion authorizing Mr. Johnson to award the bid for 4 open top containers for cardboard recycling to Geneva Products National Manufacturing Company in the amount of \$7,660.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

KENDALL WADE-CLERK

(Tape 2-105) Mr. Wade said he had a Resolution of Unanticipated Revenues in the amount of \$10,000.00 to be approved by the Board this morning. He read the following Resolution into the record: Whereas, Franklin County is a political subdivision of the state of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets and, Whereas, FS 129.06 provides for budget amendments for unanticipated revenues and, Whereas, Franklin County has received unanticipated revenues in the amount of \$10,000.00 from the Franklin County Public Health Department, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2000-2001 and, Whereas, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received and, Whereas, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of: 001.20.511.6300, Improvements Other Than Buildings, \$10,000.00. Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$10,000.00 for use in the GENERAL REVENUE FUND in order to comply with FS 120.06(2)(d). This Resolution Adopted by the Franklin County Board of County Commissioners this 3rd day of July, 2001. Eddie Creamer, Chairman Attest: Kendall Wade, Clerk. Commissioner Sanders made a **motion authorizing the Chairman's signature on this Resolution of Unanticipated Revenues in the amount of \$10,000.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-193) He said he conducted a site visit at the Old Jail behind the Courthouse with David Kennedy. He stated Mr. Kennedy was going to prepare a plan for the bottom of the old jail as far as placing some office's there. He stated \$100,000.00 in Article V funding has been cut from the State budget. He explained he was hoping to use that money for the proposed Courthouse Annex. He said he and Mr. Pierce are going to send a budget proposal in to Senator Al Lawson and Representative Will Kendrick requesting additional Capital Improvement funding for next Fiscal Year. He said this should help renovate the Old Jail and help with the Courthouse Annex.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-223) Mr. Shuler said he has discussed with Chairman Creamer his concerns about a dangerous boat ramp on SGI. He said this was an unauthorized use of this area and has been brought to the Board's attention that it is unsafe. He stated the County should not allow an unsafe condition to exist especially after the County has been notified. He said the County would be liable for use of the boat ramp therefore he would suggest the boat ramp be closed and a sign placed informing the public it has been closed. Chairman Creamer said it is on County right-of-way on Porter Street and is unsafe. Commissioner Mosconis said he would make a **motion directing the Road Department to close and post the unsafe boat ramp on the County right-of-way on Porter Street on SGI.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-398) He said he received a letter from the attorney representing the County in the lawsuit involving the juvenile that became pregnant while incarcerated at the Franklin County Jail under the previous Sheriff's administration. He stated the letter states the insurance companies have reached a settlement with the Plaintiff, the Johnson's, and asked the Board to authorize the Chairman's signature on the settlement agreement. Mr. Shuler said the settlement would be paid from the insurance companies. He recommended the Board go ahead and approve this settlement agreement. Commissioner Williams made a **motion authorizing the Chairman's signature on the settlement agreement between Johnston v. Franklin County Et. AL, Case No. 99-122-CA.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-484) Mr. Shuler said he again wanted the Board to know, in his opinion, it was all right for them to meet with Mr. Spitzer on and one-on-one basis. He said as long as Mr. Spitzer did not talk to two Commissioners at one time or act as a go between to the Commissioners.

(Tape 2-527) Commissioner Mosconis said he wanted to make a **motion directing Mr. Pierce to send a letter to the Governor about the Tri-State River Agreement-reflecting Franklin County's concern about the Apalachicola River and Florida in general were getting short changed in their newest proposal.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-632) Commissioner Mosconis said he was called about an oyster house being closed. He said he would like to see some educational programs for oyster houses. He stated he didn't think they knew exactly what was expected of them. He made a **motion**

directing Mr. Pierce to send a letter to DACS about conducting some educational programs for oyster houses, etc. on how to stay in compliance to keep them from being closed. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-726) Commissioner Sanders said she had several representatives here at the meeting to discuss the meeting she attended in Alligator Point on June 23, 2001 regarding the sand web-groin system. She said approximately one hundred people came to see the demonstration. The following residents of Alligator Point spoke regarding the sand web-groin system and how they thought it would help Alligator Point from further erosion. Bill Wargo, Bob Burnett, Linc Barnett, and Zack Shelly appeared before the Board to ask the Commissioners to consider approving this project or at least applying for a DEP permit. After a lengthy discussion Commissioner Sanders said she would go ahead and make a **motion directing Mr. Pierce and the County Staff to apply for a DEP permit to allow this sand webbing system, etc. as presented at the June 23, 2001 meeting at Alligator Point as soon as possible.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

COMMISSIONER MOSCONIS

(Tape 2-2198) Commissioner Mosconis said he would like to update the Board on the Vietnam Veterans Memorial for Franklin County. He presented each Commissioner with a handout entitled "Three Servicemen Statue South". He said the statue is going to be located in the City of Apalachicola. He stated they might need some site prep work done by the County, but that would all come later. The handout had a section entitled "Where Will The Statue Be Placed?" states as follows: In honor of Frederick Hart's wishes, the Vietnam Veterans Memorial Fund, Inc., and the Frederick Hart Estate decided to locate the first of the five replicas of the Three Servicemen Statue in the Southeast, the geographical region from which the majority of Vietnam soldiers hailed. Apalachicola, Florida will be the site of the first Three Servicemen Statue replica. Located in the Florida Panhandle region, Apalachicola is 85 miles south of the State capital of Tallahassee.

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

Eddie Creamer

EDDIE CREAMER, CHAIRMAN

Kendall Wade

KENDALL WADE, CLERK