

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
JULY 17, 2001**

**OFFICIALS IN ATTENDANCE:** Eddie Creamer, Chairman; Cheryl Sanders, Jimmy Mosconis, Bevin Putnal, 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 1-39) Commissioner Williams made a **motion approving the minutes of the meeting held on July 3, 2001.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-42) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-47) Mr. Chipman said he didn't have anything that needed Board action this morning.

(Tape 1-67) Commissioner Sanders asked Mr. Chipman and Alan Pierce, Director of Administrative Services, about the status of the roads through the forest that would be used as an escape route in the event of a hurricane. Mr. Pierce answered he has talked to Doug Dedrick, Division of Forestry, about the roads and was informed by him the Division of Forestry was placing lime rock on the roads. He stated Mr. Shuler, the County Attorney, should be working on the Hold Harmless Agreement Profundis, owners of some of the roads, had requested. He explained they want a Hold Harmless Agreement in case something happens while the public is using their roads through the forest.

**VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-127) Mr. Johnson said he didn't have anything that needed Board action this morning either.

(Tape 1-129) Commissioner Mosconis asked Mr. Johnson about the Dixie Youth Baseball Tournament. Mr. Johnson replied they were in the third night of baseball games tonight. He stated the attendance had been great.

(Tape 1-142) Commissioner Sanders asked Mr. Johnson about the article in the Tallahassee Democrat about Franklin County's Animal Control Ordinance. She said a lady from Alligator Point e-mailed her about the article. She stated the article informed the public dogs were welcome on the beaches of Franklin County. She said the ordinance reflects that dogs must be under voice command or on a leash. She stated there are people who are concerned about the turtle nests on the beaches. Mr. Johnson said he read the article and the article was somewhat inaccurate. Mr. Pierce stated the article quoted

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him inaccurately. Mr. Johnson said dogs are not allowed to just run free in Franklin County. He stated they are not prohibited from being on the beaches, but there have been several complaints about dogs on the beaches. He said this year there have been five dog bites reported by people on the beach. He stated he knew Ms. Varnes, the Board secretary, had received an e-mail complaint about dogs using the beaches as a bathroom. He said he and Mr. Shuler are working on a revised Animal Control Ordinance. He said Mr. Shuler would be updating the Board on revising this ordinance today.

(Tape 1-192) Chairman Creamer asked Mr. Johnson to contact Karen Brannon, Eastpoint Little League, about funding for the lights at Vrooman Park. He said they also needed some lights placed at the back of the walking path at Vrooman Park. Mr. Johnson assured Chairman Creamer he would take care of these matters.

(Tape 1-208) Commissioner Mosconis asked Mr. Johnson if he placed a sign at Vrooman Park in Eastpoint. Mr. Johnson replied he would in October when the new budget was approved.

**CHRIS MERRITT-ORGANIZATION FOR ARTIFICIAL REEFS**

(Tape 1-224) Mr. Merritt, OAR, said he was here this morning to update the Board on the status of using the demolition debris from the SGI Bridge as an artificial reef. He said OAR coordinates and assists local governments in these matters. He stated the local government, the Board of County Commissioners, would have to be the applicant for any permits OAR needs to move the debris to the selected reef site. He said they are considering the two nearest offshore artificial reef sites in Franklin County off of SGI. Mr. Merritt continued his presentation and informed the Board he would be back, at a time when the new SGI Bridge contractors are ready, to ask the Board to approve any permit applications. Commissioner Putnal asked Mr. Merritt if they could place some of the debris on the Eastpoint Breakwater. Mr. Merritt replied they could not. He stated their goal is to develop artificial reef sites. Mr. Merritt thanked the Board for their time this morning and said he would be seeing them at a future meeting.

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 1-675) Mr. Pierce presented the updated SHIP Plan to the Board this morning. He said Shirley Walker, SHIP Administrator, informed him the State SHIP Program has approved the plan. He said the Franklin County SHIP Committee made some changes in the plan, including reducing the down payment assistance program from \$10,000.00 to \$6,000.00, and reduced the rehab assistance program from \$25,000.00 to \$20,000.00.

(Tape 1-757) He submitted a copy of the DEP Stormwater permit for St. James Bay.

(Tape 1-766) He reminded the Board of the Florida Fish and Wildlife Conservation Public Workshop scheduled for July 30, 2001 from 2:00 p.m. to 4:00 p.m. at the Courthouse. He said the public workshop has been scheduled to receive comment on a proposed rule amendment that would limit the application of the current 3-inch minimum size limit for oysters (with current tolerances) to harvest and the possession while in or out of the state, and landing. Commissioner Putnal expressed his concern about the

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meeting being held in the middle of the day. He said the public concerned about this issue would not be able to attend the meeting because they would be working during these hours. The Board asked Mr. Pierce to contact the FWC and ask them to change the meeting time to sometime at night or late afternoon so the working public could attend the meeting. Mr. Pierce said he would try to call them and see what he could do and if the time couldn't be changed he would do his best to notify as many people interested in this matter as he could about the date and time of the meeting.

(Tape 1-888) He presented a copy of a letter from FAA regarding the construction of city water wells on the Apalachicola Airport property. He said he had given a copy of the letter to Ted Mosteller, Apalachicola Airport Advisory Committee, and Ella Mosconis, City Engineer. He stated, in summary, the City's project does not exceed any federal obstruction standards provided: no above ground installations (antennas, valves, etc.) are permitted within 250' of the runway centerlines; any future expansion of the water main, or protection of water main due to airport expansion should be done at City expense, and the airport should received Fair Market Value for the affected well site property, including the buffer zone around the wells. He said in this case the improvements being made by the City also benefit the County because the County utilizes the City water system.

(Tape 1-922) Mr. Pierce said Kurt Spitzer, KSA Governmental Consultants, had met with each Commissioner regarding the redistricting project in Franklin County. He stated Mr. Spitzer had submitted a proposal to complete the entire redistricting project for the Board in the amount of \$15,000.00. He stated the average district population size, according to Mr. Spitzer, should be 2,213. He said according the current districts are either above or below that number and are out of the accepted tolerance. Commissioner Sanders said she disagreed with the Census numbers. She stated she knew for a fact that she did not have 745 blacks. She said she Commissioner Williams district, which is predominately black, has only 778 blacks. Commissioner Mosconis said he had been through this before many years ago. He stated he felt \$15,000.00 was way too much to pay anybody to do this redistricting. He said he could not, in his good conscious, pay \$15,000.00 for this project. He stated the Census numbers are what Mr. Spitzer is working with and anyone could do the redistricting. He said he thought he could do this redistricting project for the County and charge nothing. He stated ARPC could assist the County with this matter. He said \$15,000.00 could buy a lot of recreation for this County. He stated there is not that much work for Mr. Spitzer to do for this \$15,000.00. He said Mr. Spitzer has already submitted a proposal for \$30,000.00. He said he thought his and Commissioner Williams' district would be the most complicated. He stated he is willing, if the Board so desires to do the redistricting. He said no one is going to agree with the lines in any case. He stated the County must use the Census numbers to create these districts. Mr. Shuler submitted a letter to the Board stating that, in his opinion, the Board should obtain expert advice as to redistricting. He said this would assure the redistricting is done timely, properly, and objectively, and by this Board as provided by law. He said also, in the event of a court challenge, the County would have expert testimony readily available. He reviewed the lawsuit filed in 1986 that originally resulted in the County being redistricted into single-member districts. Discussion continued.

Joyce Estes, Franklin County Republican Executive Committee, presented a letter to the Board urging the Board to do the following; not hold any further private meetings with hired consultants or other persons on issues regarding County Redistricting; hold public meetings at times, and with due notice given to all Franklin County residents through local news organizations or other means, so as to allow the broadest possible public input on Redistricting; and, adopt the State standard for redistricting, to-wit, base district lines upon "communities of interest", defined as areas united by race, income or lifestyle. Doris Shiver-Gibbs, Supervisor of Elections, said she wanted to remind the Board there was a strict time line involved in the redistricting process. She said the reason Wakulla County had already finished the redistricting process is because they do not have single-member districts. Ms. Gibbs said she thought the Board should seek expert advice as well. Commissioner Mosconis said he thought he was just as much an expert on redistricting as Kurt Spitzer. He stated again he thought he, with the assistance of ARPC, could complete the redistricting project. Bob Harper, SGI, appeared before the Board. Chairman Creamer said he wanted to say something to Mr. Harper before he spoke this morning. He read Mr. Harper's statement from the last Board meeting to him; "It would be our position that we would like to be associated with a district which has a similar social-economic base as ours. I think you can read between the lines on that." Chairman Creamer said he would not tolerate such statements. He told Mr. Harper he would not allow him to attack anyone's character and said he overlooked what he said at the last meeting, but he would not do that any more. He said he would have said something then, but he probably would have said more than he should have. Mr. Harper said there is a disparity in the economic make-up of Eastpoint and the Island. He stated he didn't think there was any dispute about that. He said they want to associate themselves with a district more inclined to the kind of economic and social position that the Island has. He said there is a large discrepancy in the County between districts. He stated SGI is probably more affluent than any other district and that was the point. Chairman Creamer told Mr. Harper he didn't know the status of anybody's bank account in Eastpoint. He said Mr. Harper didn't know what they have. He stated they probably have more money than he has. Mr. Harper said that might be true. He stated it was not his intention and he apologized for any misinterpretations. Commissioner Mosconis said the purpose of a Democratic society is that each person has a right to vote. Mr. Harper said he just wanted, again, to urge the Board to move forward with this process since there is such a tight time line. He said he wanted someone appointed to look at these issues and the alternatives to see what needs to be done. Chairman Creamer and Commissioner Sanders told the Board they would possibly be out of town for the next meeting. He said someone really did need to be looking into this matter. Commissioner Mosconis said he could get Ms. Gibbs to help him. Ms. Gibbs stated emphatically she would not have anything to do with this process or the drawing of district lines. Commissioner Mosconis said he would have a plan when the other Commissioners came back. Commissioner Mosconis said he would make a **motion directing Mr. Pierce to send a letter to the US Census about the disparity of the number of blacks in Commissioner Sanders district.** Mr. Pierce said the only problem with this is that the US Census Count Question Resolution, CQR, Program is not intended to create a process to challenge the March 6, 2001, decision of the Secretary of Commerce to release unadjusted Census 2000 redistricting data. He said the letter he received states "No changes will be made to the apportionment or

redistricting counts as a result of this program.” He stated he didn’t think the letter or appeal would matter, but he would do what the Board instructed him to do. After discussion Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he also wanted to make a **motion directing Mr. Pierce to send a letter to ARPC asking them for any assistance they could provide with the redistricting project.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce assured he would go ahead and submit the required paperwork to the US Census.

**PUBLIC HEARING-CAMP GORDON JOHNSON MUSEUM-REZONING**

(Tape 1-2280) Chairman Creamer announced the opening of the public hearing continued from the last meeting. He stated this was a continuation to address several issues that were not finalized at the last meeting. David Butler, CGJ Museum, said he was asked to see if he could acquire access to the proposed CGJ Museum. He stated he was instructed by the Board to acquire access to the Museum that would not cause traffic to go through the residential area of Lanark Village. He said there are only two, one-acre lots owned by Mark Nolton and Joe Killearn. He stated he spoke to Mr. Nolton, but has not heard anything from him. He said he contacted Joe Killearn and was informed by him he would like to work with the Museum Committee. He said Mr. Killearn explained to him he would be glad to help the Museum, but he did not want to lose his ability to build on his 1.1 acre. He said Mr. Killearn wanted to sell them half of the right-of-way or 30-feet or 10 yards, since an acceptable access is normally 60-feet. He said he hasn’t been able to reach Mr. Killearn to finalize this matter. He reported that he spoke, by telephone, to Debbie Pender, State of Florida, and was informed by her the liquor license is a Special Restaurant for a 4,000 square foot restaurant; able to seat 200 people. He said the license is for package and consumption. He stated they would not be building a 4,000 square foot building for a museum to serve people liquor. He said this license would not be used by the Museum. He stated the license was a “non-issue”. He stated on top of everything else the costs of reinstating the license and paying the back taxes would be too much of an expenditure for the Museum Committee. Mr. Shuler said the Board could go ahead and approve the rezoning request contingent on Mr. Butler furnishing the Planning Office documentation that the Museum has purchased or been given the easement from Mr. Killearn. Mr. Butler said he knew it was coming. Mr. Pierce said this would be okay with him. He said the best thing to do would be to continue the meeting until August to finalize this rezoning. Commissioner Sanders made a **motion tabling the final decision on the Camp Gordon Johnson Museum rezoning until August 21, 2001 at 9:30 a.m.** Mr. Pierce said Mr. Butler needed to have the access letter and a letter from the State of Florida regarding the status of the liquor license for this meeting. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3084) Commissioner Putnal said he wanted to make a **motion appointing Clarence Williams as Chairman to the Franklin County Board of County Commissioners while Eddie Creamer, Chairman, and Cheryl Sanders, Vice-Chairman are out of town for the ISSC Meeting in Virginia.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1- 3170) He presented the Board with a Resolution of Appreciation for Dr. Photis Nichols in honor of his 50 years in medical service to the community. He said the resolution would be presented to the doctor at a reception being held in his honor tonight. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Resolution of Appreciation for Dr. Photis Nichols in honor of his 50 years of medical service to the community.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3212 Continued on Tape 2) He said the Planning and Zoning Commissioner met in regular session on July 10, 2001 and recommended the following action: Approval for Cliff Kennedy to construct a multi-family dock to serve the lots to be created in the Clipper Bay Subdivision, a subdivision of Tract 47, SGI, which would contain 8 lots. Commissioner Putnal made a **motion approving the construction of a multi-family dock for Cliff Kennedy on SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Jeff Dykes to construct a private dock on Lot 22, Heron Bay Village, SGI. Commissioner Putnal made a **motion approving the construction of a private dock for Jeff Dykes on SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Grammercy Plantation to construct a multi-family observation pier across from Grammercy Plantation in Eastpoint. Commissioner Mosconis made a **motion approving the construction of a multi-family observation pier across from Grammercy Plantation in Eastpoint.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** The Commission tabled a request from Joe Worden to construct a single-family dock at 3030 US Hwy 98 East, in the St. Teresa area. The State permit had been issued, but there was some doubt about where the USCOE permit was. He said Ms. Worden might have contacted some of the County Commissioners about this matter. Commissioner Sanders asked Mr. Pierce if she had the necessary permit now. Mr. Pierce replied she did have the permit. Commissioner Sanders asked Mr. Pierce if he had a problem with the Board going ahead and approving her request. Mr. Pierce replied he did not. Commissioner Sanders made a **motion approving the construction of a single-family dock at 3030 US Hwy 98 East in the St. Teresa area for Joe Worden.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Planning and Zoning disallowed a used car dealership as a R-4, Home Industry, on a vacant lot on Jackie Whitehurst Street around the Two-Mile area of Apalachicola. The Commission agreed such a use does not meet the requirements of Home Industry. Public Hearing requests; Approximately 80 acres of land at the intersection of North Bayshore Drive and South of Twin Lakes Road from R-2 to R-1 requested by Jeannie Bonds. This rezoning would not change the density, but would prohibit mobile homes in the subdivision. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a public hearing to consider the rezoning request submitted by Jeannie Bonds.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** 6.18 acres of land from A-2 to R-1 along the New River in Carrabelle and a sketch plat for a 6-lot subdivision, known as New River Harbor. All lots would be at least one-acre and 100 feet wide. This is in the area previously rezoned to R-1. Commissioner Putnal made a **motion authorizing Mr. Pierce to schedule a public hearing to consider the rezoning request submitted by**

**Freda White for the New River Harbor Subdivision.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Final Plat Approval for Clipper Bay Subdivision, an 8-lot subdivision on Tract 47, SGI. Commissioner Sanders made a **motion approving the final plat for Clipper Bay Subdivision on SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Final Plat Approval for Phase Two of the River's Edge Subdivision. The developer Williams Polaronis, has provided the County with an irrevocable letter of credit for the cost of building the road, so that he can record the plat before the road is built. Mr. Pierce said Mr. Shuler had approved the LOC. Commissioner Mosconis made a **motion approving the final plat for Phase Two of the River's Edge Subdivision in Apalachicola.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Final Plat Approval for Phase One Grammercy Plantation was not specifically voted on by the Planning and Zoning Commission, but a discussion was held and a motion was passed to remind the Board of the conditions of the Green Point Abandonment Order, which created Grammercy, and to verify that Grammercy met those conditions before a final plat is approved. Mr. Pierce stated he reviewed the Abandonment Order and consulted with various agents for the developer. The following documents are provided to the Board; a letter from Preble-Rish stating the roads has been constructed to County standards. A Copy of a map from Dr. Jack Dodds indicating a DEP wetland in the area where the main road goes from US 98 into the project, but the road construction plans submitted by the developer indicated that only a USCOE wetland permit was needed. Dr. Dodds wetland delineation dates from 1990, and the developer's permits are dated 1998. A letter from Preble-Rish stating the Stormwater facilities have been designed and constructed in accordance with the Green Point Order and permitted by DEP. A copy of the pre-construction groundwater monitoring study done by Garlick and Associates, which has been reviewed and approved by DEP. There is a requirement in the Abandonment Order that lists two historical and archaeological sites are to be preserved in a manner acceptable to the Florida Department of State. The developer's attorney, Ken Tucker, informed the Board the sites mentioned are in Phase Two, which has not even been developed yet. Mr. Tucker assured the Board and agreed with Mr. Pierce that all of the requirements of the Green Point Abandonment Order have been met and asked the Board to go ahead and approve the final plat of Phase One Grammercy Plantation. David Tuplin disagreed and presented the Board with older documentation regarding the wetland areas. Mr. Tucker reiterated the newest documentation was dated 1998 and urged the Board to make a decision today. After discussion Commissioner Sanders made a **motion approving the final plat of Phase One Grammercy Plantation.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce informed the Board this was the only action the Board needed to take regarding the recommendations of the Planning and Zoning Commission.

(Tape 2-594) He said on June 19<sup>th</sup> the Board authorized Preble-Rish to submit plans to DEP for a permit to cover the emergency work the County Road Department did at Alligator Point in June. He stated the Board has already authorized spending up to \$7,500.00 for this project. He said he has a proposal from Preble-Rish for Phase 1 of the work not to exceed \$4,500.00. He informed the Board they did not need to take any further action on the matter at this time other than making sure the Chairman was

available to sign the proposal. He explained regarding the same matter Commissioner Sanders met with him and a large contingent of DEP officials on July 11<sup>th</sup> and with Greg Preble and Mike Dombrowski, to discuss the future of Alligator Point Road. He said Commissioner Sanders may very well have additional comments, but he wanted the Board to know he thought DEP might assist the County, to some degree, if the Board wanted to pursue sand fencing/groins, but that DEP did not guarantee they would permit such a system. He said because the residents of the Point have been told by various contractors that sand fencing/groins are virtually no risk to the County because the contractors have implied they would not expect to get paid if things did not work. He recommended, with suitable language drafted by Greg Preble, put out a Request for Bids for sand fencing/groins on Alligator Point. He said the Board would have the right to reject all proposals, but if in fact contractors are willing to work under the terms the public believes, then the Board should expect to see those proposals in writing. He asked the Board to direct Preble-Rish to draft suitable language, as well as determine the location of the area to receive the sand groins. He said the Alligator Point community should have input into the area they would like to see the groins, but he would suggest 3,800 feet, or approximately 1,000 feet on either side of the 1,800 feet granite rock revetment. After a lengthy discussion Commissioner Sanders made a **motion directing Preble-Rish to draft suitable language, as well as determine the location of the area to receive the sand fencing/groins, and prepare the request for bids for this project.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1200) He said it was mentioned at the DEP meeting that the USCOE is designing a structure to protect Alligator Point Road, but neither he nor Commissioner Sanders have been contacted about this.

(Tape 2-1230) Commissioner Mosconis asked Mr. Pierce the status of the Earl Creamer ditch repair project. Mr. Pierce replied the County Engineer is still working on the permitting issue. He said it appears either naturally or artificially one of the property owners on the backside of Mr. Creamer's property has been filling in the property. He said there is a little "rise" that has been created by filling in the area. He stated this has created a bottleneck type of problem. He said a USCOE permit is going to be pursued. He assured the Board he is continuing to work on the problem.

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

(Tape 2-1277) Mr. Wade said he had two Resolutions for the Board to adopt this morning concerning unanticipated revenues and read the following 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 \$10,775.67 from the State of Florida, Department of Revenue, Cadastral Mapping Grant, 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:

001.22.581.9100, Budget Transfer/Property Appraiser \$10,775.67 Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$10,775.67 for use in the General Revenue Fund in order to comply with FS 129.06(2)(d). This Resolution adopted by the Franklin County Board of County Commissioners this 17<sup>th</sup> day of July, 2001. Eddie Creamer, Chairman, Attest: Kendall Wade, Clerk. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Resolution of Unanticipated Revenues in the amount of \$10,775.67.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** 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 \$19,529.00 from the State of Florida, State Aid to Libraries Grant No. 01-ST-75, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2000-2001 and, Whereas, said FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures for the purpose of: To Replace the \$4,000.00 decrease in local contributions: 137.366.000 Contributions and Donations \$4,000.00 To increase the following line item expenditures: 137.37.571.5200 Operating Supplies \$8,129.00 137.37.571.6400 Machinery & Equipment \$7,400.00 Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$19,529.00 for use in the Franklin County Public Library Fund in order to comply with FS 129.06(2)(d). This Resolution adopted by the Franklin County Board of County Commissioners this 17<sup>th</sup> day of July, 2001. Eddie Creamer, Chairman Attest: Kendall Wade, Clerk. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Resolution of Unanticipated Revenues in the amount of \$19,529.00.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1410) Mr. Wade said he wanted to present the Board with their Budget Workbooks. He stated that Ruth Williams, Finance Officer, was present and asked them if they had any questions to please ask them at this time. After no questions Mr. Wade informed the Board the Budget Workshop would be held on Wednesday, August 8, 2001, beginning at 9:00 a.m.

(Tape 2-1560) He said he had placed a copy of a letter from Bay Cares, Healthcare Access Program, in Panama City requesting \$500.00 from Franklin County. He asked the Board to read the letter.

**MARY BETH HENRY**

(Tape 2-1546) Mr. Pierce said there was an item that was not discussed at the Planning and Zoning Commission meeting. He stated P&Z had reviewed Ms. Henry's sketch plat for "Pinewood Shores" a 4-lot subdivision. He said the property did not need to be rezoned. He stated the problem is that an error occurred, in his office, which caused Ms. Henry's request, for approval of the final plat, to not be considered at the last P&Z meeting. He stated it met all of the subdivision standards, but P&Z has not seen the final plat. He explained Ms. Henry is on a tight timeline and due to the error in his office he

would asked the Board to consider her request to approve her final plat this morning. He said he was sure the P&Z Commission would not mind. He said he needed the Board to consider this as a hardship case. Commissioner Putnal asked Mr. Pierce if he thought this would cause a problem with the P&Z Commission. Mr. Pierce replied he truly felt this was a hardship case and he didn't think anyone would object to approving her final plat since they had already approved and reviewed her sketch plat. Commissioner Putnal made a **motion declaring this a hardship case and approving the final plat "Pinewood Shores" as submitted by Mary Beth Henry.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**ALFRED SULER-COUNTY ATTORNEY**

(Tape 2-1680) Mr. Shuler said he was instructed at the last meeting to research the matter of trash being hauled to the Landfill without a cover on it. He stated he thinks if the County starts to penalize people for bring trash to the Landfill then they might stop bringing their trash to the Landfill. He recommended the Board not try to regulate this by imposing a penalty when they appear at the Landfill with no cover on their trash. He said there are extensive State Ordinances against hauling trash or material without covers and littering. Chairman Creamer said the Long Bridge to Apalachicola from Eastpoint is covered with litter today. He stated if there is a law or ordinance then the Highway Patrol and the other law enforcement agencies need to be notified and asked to enforce the law.

(Tape 2-1786) He presented several letters from Van Lewis, St. Teresa, regarding mosquito spraying. He said Mr. Lewis does not want the County to spray his property or anywhere near his property.

(Tape 2-1858) He said he had a conference with the State Attorney, the County Judge, and Van Johnson about the current Animal Control Ordinance. He stated the ordinance needs to be revised. He explained the State Attorney and the County Judge were concerned about some language in the penalty section of the ordinance. He said he is working with Mr. Johnson about the matter.

(Tape 2-2089) He stated the County received another bill from Bay Medical Center in Panama City for Jerry Lolley, a former Sheriff's Department employee. He reminded the Board they had settled a Workers Compensation Claim with Mr. Lolley. He said he contacted Mr. Lolley's attorney as well as the collection agency trying to collect the bill to inform them the County was no longer liable for any of Mr. Lolley's medical bills.

(Tape 2-2135) Mr. Shuler informed the Board he hoped this system being proposed for erosion control at Alligator Point does not cause the County to spend all of its money on something everyone at the State level considers "experimental".

(Tape 2-2142) He said he has talked to Mark Curenton, Assistant Planner, about delineation of State Jurisdictional Wetlands on plats before they are recorded. He presented a letter Mr. Curenton has sent to the surveyors who do the most work in Franklin County informing them that the County would require the wetlands shown on plats before they are recorded.

(Tape 2- 2224) Commissioner Mosconis told Mr. Shuler he wanted him to seek a resolution to the Harris Brothers property question. He said he talked to the Harris Brothers yesterday about their deal with the County. He stated the County had a good faith agreement with them when they did the work for the County. He reminded Mr. Shuler this was a property trade and a property dispute ensued. He urged Mr. Shuler to go ahead and do whatever is necessary to push this matter through. Commissioner Sanders said she too felt this matter had been hanging on too long.

**DONNA DECKER-ALLIGATOR POINT**

(Tape 2-2290) Ms. Decker said she wanted to encourage the Board to pursue the sand webbing/groin project at Alligator Point. She stated she felt this was not "experimental" and thought it would work on Alligator Point to at least keep the erosion down.

**TED MOSTELLER-APALACHICOLA AIRPORT ADVISORY COMMITTEE**

(Tape 2-2350) Mr. Mosteller asked the Board to write a letter to Brigadier General Hodgkins, Commanding Officer at Tyndall Air Force Base requesting assistance in communicating with Tyndall RAPCON. He said the Airport has a problem communicating with RAPCON unless the aircraft is at least 1,500 feet in the air. He explained this is very dangerous since it leaves a "space" between 0 and 1,500 feet before any communications can be furnished. He said they are requesting the Air Force install a radio at the Apalachicola Airport to allow communications with Tyndall before an aircraft ever takes off. Commissioner Mosconis made a **motion authorizing the Chairman's signature on this letter requesting assistance from Tyndall Air Force Base with radio communications at the Apalachicola Airport.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

**OTHER BUSINESS FROM THE FLOOR**

(Tape 2-2470) Commissioner Sanders asked Mr. Pierce to have Mr. Kennedy, the County Engineer, check into the problem the residents are having with Stormwater runoff on Hinton Street and Florida Avenue in Gulf Terrace. Mr. Pierce assured Commissioner Sanders he would ask Mr. Kennedy to check into this matter.

(Tape 2-2490) Mr. Wade asked Mr. Shuler if he had received a contract from either the hospital, DasSee, or EmeryStat, the ambulance service. Mr. Shuler replied he had not received anything from either agency. Mr. Wade said he had several requests for copies of the agreements, but he doesn't have one to give people. Commissioner Sanders said then one needs to be pursued.

(Tape 2-2536) Dana Holton, PA-C, presented a letter to the Board regarding the closing of the Carrabelle Clinic on August 1, 2001. He asked the Board to donate \$51,000.00 to carry the clinic for 90 days, which would stabilize the first critical 3 months of operation and assure the success of this needed service for all residents of Franklin County. Roscoe Carroll, a resident of Carrabelle, encouraged the Board to help Mr. Holton since they are in such a remote area of Franklin County. Commissioner Mosconis asked Mr. Holton if he had tried to negotiate with DasSee about keeping the clinic opened. Mr. Holton

replied he had and that was how he got them to keep the clinic opened for the last 3 months. After discussion Commissioner Mosconis made a **motion directing the County Attorney to send a letter to DasSee, Mike Lake, asking them to reconsider their decision to close the Carrabelle Clinic.** He asked Mr. Holton to get with Mr. Shuler right after the meeting to help him prepare the letter. He then asked Mr. Shuler to see that the letter got to the hospital today since this deadline date is fast approaching. Mr. Shuler assured Commissioner Mosconis he would prepare the letter and take it to the hospital today. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Harriett Beech, Lanark Village, asked the Board to try and find someone else to operate the hospital. She stated she thought this group was as bad or even worse then the last management group. Chairman Creamer said he could not resist telling the Board "I told you so!"

(Tape 2-3260) Commissioner Sanders said she was notified last week that she has been chosen to represent Franklin County on the Florida Counties Foundation's Board of Directors. She stated this group is comprised of 15 members from throughout Florida.

**JEANNIE TAYLOR-REFUGE HOUSE**

(Tape 2-3301) Ms. Taylor said she knew Ms. Williams would be making a budget presentation this afternoon to the Board. Chairman Creamer informed Ms. Taylor they had already received their budget workbooks. Ms. Taylor said, for some reason, their budget request for Refuge House was not included in the budget requests. She stated she has called her representatives this morning to try and find out why, but was unable to reach them. She said she would be submitting an addition to the budget workbooks. Chairman Creamer suggested, if one is submitted, then Ms. Williams could place it in their individual boxes.

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

Eddie Creamer

**EDDIE CREAMER, CHAIRMAN**

Kendall Wade

**KENDALL WADE, CLERK**