

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
AUGUST 7, 2001**

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

(Tape 1-42) Commissioner Sanders made a **motion approving the minutes of the meeting held on July 17, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

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

GRADY LEAVINS-ISSC MEETING UPDATE

(Tape 1-58) Mr. Leavins said he had the opportunity to attend the Interstate Shellfish Sanitation Conference, ISSC, meeting in Norfolk, Virginia along with Chairman Creamer and Commissioner Sanders. He thanked the Commissioners for sending Chairman Creamer, Commissioner Sanders, and the Extension Agent, Bill Mahan to the meeting. He said Franklin County spent a lot of money for this trip. He stated it was very important that they attended this meeting. He said they arrived in Norfolk late Saturday night, early Sunday morning to find they didn't have any place to stay due to the hotel overbooking the rooms. He stated they spent the night in the hotel lobby and after getting their room the next day stayed all week long to represent Franklin County and the needs of the oyster industry. He said, after all of this, they were promised by the State representative, Sherman Wilhelm, they would be allowed to speak at the General Assembly to explain how important the oyster industry was to the County. He said if it had not been for the Commissioners speech in Arizona these new restrictions on the oyster industry would have already been implemented. He stated he wanted the Board and the public to know that Sherman Wilhelm, State of Florida Division of Marine Resources, decided he would attend this meeting and use Florida's allowed two-half votes to vote as he saw fit to. He said he did have the authority to vote. He stated Mr. Wilhelm voted in favor of Post Harvest Treatment. He said the problem he has is that the only time the Commissioners could have voiced their opinion in this very important matter was during the General Assembly. He stated Mr. Wilhelm did not acknowledge them in any way nor did he allow them to speak. He said the Commissioners had been constantly assured, by Mr. Wilhelm, they would be allowed to speak on behalf of Franklin County's Oyster Industry. He said their rights were totally denied and as a result of that he is here this morning to ask the Board of County Commissioners, as a whole, to send a letter to the Commissioner of Agriculture, Mr. Wilhelm's employer, asking Commissioner Charles H. Bronson to terminate Mr. Wilhelm from his employment with the State of Florida. He said if he is not or cannot be terminated then he should be removed from the Division of Marine Resources. Mr. Leavins said he had been in the oyster industry and has been in Apalachicola for the last twenty-nine years. He stated he is proud of what he does. He said he has never had a person who treated

people as badly as Mr. Wilhelm has. He stated there have been some very good employees in this department who have resigned under pressure because of Mr. Wilhelm. He informed the Board he is concerned about the future of the oyster industry. Commissioner Putnal made a **motion approving a letter requesting the immediate termination of Sherman Wilhelm from the Department of Agriculture-State of Florida Division of Marine Resources.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Chairman Creamer said he talked to Mr. Wilhelm and was informed by him that regardless of who his supervisor was he was the "Head Cheese" in Tallahassee. He stated Mr. Wilhelm told him he didn't have to answer to anyone. Commissioner Sanders said she had personally written a letter to Charles Bronson, Commissioner of Agriculture regarding this matter. She stated she was very upset at the way things happened in Norfolk. She presented a copy of the letter to the Board for the record. She stated she was certainly disturbed at the fact that she nor Chairman Creamer were allowed to speak about a matter that so drastically affected Franklin County. Anita Gregory, Executive Director, Apalachicola Bay Chamber of Commerce, appeared before the Board to present a copy of a letter she had written to Commissioner of Agriculture Bronson. She said the Chamber is very upset and concerned about Florida's oyster industry. She suggested the Commissioners ask for a meeting with Lt. Governor Brogan, Commissioner of Agriculture Bronson, Office of Tourism and Economic Development, and other concerned citizens about this matter. She said they worded their letter so that someone would have to answer the letter or at the very least call the Chamber Office. Chairman Creamer said he wanted a request to have a meeting with Lt. Governor Brogan and other staff members included in the letter the Board had already approved.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-525) Mr. Chipman reported the Road Department had most of the roads repaired from Tropical Storm Barry. He said a car had run into one of the holes caused by the rain and now the owner-driver wanted the County to pay for her repairs. He stated the lady told him water had gotten into her engine. He asked the Board for directions.

Commissioner Putnal made a **motion authorizing this claim, if submitted, to be sent to the County's insurance carrier for consideration.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-606) Commissioner Mosconis asked Mr. Chipman to check with a Mr. Jackson who lives on Squire Road in Apalachicola. Mr. Chipman replied he would check with him.

(Tape 1-634) Mr. Chipman asked the Board for permission to refurbish his backhoe. He said it leaks, the doors are shot, etc. and it is in need of repair. He stated he had received an estimate of \$11,000.00 for the repairs. He asked the Board for permission to refurbish the backhoe. He said he did have the money in his budget. Commissioner Mosconis made a **motion authorizing Mr. Chipman to have his backhoe refurbished.** Commissioner Mosconis instructed Mr. Chipman to request a loaner to be used while this equipment is being repaired. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-676) Commissioner Sanders reported that the Alligator Point Road held up during the storm. She stated there was a problem with drainage at Lanark Village, but the proposed Stormwater drainage repair project would alleviate that problem.

JERRY LOLLEY-COMPLAINT ABOUT FLOODING

(Tape 1-688) Mr. Lolley, Eastpoint, said at the end of C. C. Land Road, next to his house, there is a severe flooding problem. He stated the water backs up there and there is nowhere for it to drain to. He asked the Board to install a culvert under C. C. Land Road directing the water to Highway 98 so it can drain into the Bay. He stated this area also creates a prime mosquito breeding ground. Alan Pierce, Director of Administrative Services, said the County Engineer, David Kennedy, went to look at the area yesterday. He stated there is an impediment in the corner of the curve at C. C. Land Road where the water ponds up on the South side of the road. He stated he would request the Board direct the County Engineer prepare a plan to fix this problem. Commissioner Putnal made a **motion directing the County Engineer to prepare a plan or recommendation for this area on C. C. Land Road in Eastpoint.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

DEWITT POLOUS-MOSQUITO CONTROL DIRECTOR

(Tape 1-899) Mr. Polous presented a memo to the Board requesting an additional \$15,000.00 to purchase additional mosquito pesticide and \$6,000.00 to hire an additional part time person to assist in larviciding and adulticiding for mosquitoes. He said he is trying his best to keep on top of the mosquitoes, but he has used all of his pesticide. Chairman Creamer asked Mr. Chipman if this was going to be an amendment to his budget so the additional pesticide would be included in his budget for the next fiscal year. Mr. Polous replied yes it would be, because he didn't see the problem going away any time soon. He stated the County is just growing. Commissioner Mosconis said he would agree to the pesticide funds, but he couldn't agree to the additional help. He asked Mr. Chipman to help Mr. Polous by providing someone to assist him. Mr. Chipman replied he would do whatever he could to help Mr. Polous. Commissioner Putnal made a **motion authorizing Mr. Polous to purchase additional pesticide, \$15,000.00, to be funded from the Reserve for Contingency Fund.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce informed the Board the State of Florida has called him wanting to know if the County wanted the conduct aerial spraying. He said the problem is the spray would get other things beside just mosquitoes. Commissioner Putnal stated he was against aerial spraying and said he didn't want this done right now. He said if it gets any worse then he will agree. Mr. Pierce said maybe the County could use some Emergency Management Funds to purchase the additional pesticide. He said he would check into that request. Mr. Polous said he was using the cheapest pesticide he could. He stated the pesticide does work.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 1-1109) Mr. Shuler presented a letter to the Board relating to Mr. Polous and the Mosquito Control Department. He said he spoke to Mr. Polous and Dr. Junejo, FCPHU, about the St. Teresa resident who is opposed to spraying on his property, and in the general area unless wind conditions assure that the airborne spray will not drift onto his

property. He said this resident's attorney informed him the County should do what can reasonably be done to accommodate this person. He said after consulting with Mr. Polous and Dr. Junejo the primary concern should be the prevention of mosquito borne disease. He said Florida Statutes, Chapter 338, gives the County broad authority to conduct mosquito spraying. He informed the Board Mr. Polous has not been spraying on the resident's property and does not intend to do so under present conditions. He stated the neighbor's property would be sprayed if they request with drifting spray minimized to protect the complaining resident's property to the extent feasible. He reminded the Board that protecting the public health by all appropriate means is the overriding goal of the Franklin County Mosquito Control Program, and it could become necessary to spray the subject property or anywhere in Franklin County in the future. He said he recommended the Board approved this as a policy of the Board. Commissioner Sanders made a **motion that these statements be made a policy of the Board concerning mosquito spraying on property in Franklin County.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Polous said he would like to say he has worked with this gentlemen in the past and he has done everything he can to accommodate this man. He stated this man has been known to be difficult. He stated people in the general area are asking him to spray their property and he said he intends to spray their property if they so desire.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-1216) Mr. Johnson said Ms. Peggy Miller, owner of C. E. Miller Seafood in Eastpoint, was here to address the Board this morning concerning waste tires. Ms. Miller said she was here to address the disposal of the tires she creates through her trucking business. She said she is here to ask the Board to give them some kind of break on the tires they have to dispose of. She stated the County does have an amnesty day at the Landfill and a person can take two tires on these days. She said when you have eighteen tires and twenty-two vehicles there are a lot of tires. She stated the only reason she takes tires to the Landfill is because they are of absolutely of no use to anyone. She said shrimpers use them after they have been discarded on the side of their shrimp boats. She asked the Board to allow businesses to have an amnesty day where they could bring ten tires to the Landfill at one time. She said she pays 12.3% in local fuel taxes every time she buys fuel. She said she purchases approximately 10,000 gallons of fuel a month. She stated that adds up to \$1,230.00 for this tax and in a years time she has paid \$14,760.00 for her local 12.3% tax. She said all of the companies in Franklin County that have trucks pay at least this much or more. She stated that is how the seafood gets in and out of the County. Commissioner Mosconis asked Mr. Johnson if he couldn't work something out with Ms. Miller. Mr. Johnson replied he just heard about this matter last week when he received a call from the Clerk, Mr. Wade. He stated he informed the Clerk the County actually pays to have the tires disposed off. He said it costs \$100.00 a ton to get rid of the tires. He stated a grant is being used to dispose of the tires and it has been depleted. He said he has tires stacked up waiting until the new fiscal year budget October 1st. He said this is why there is a limit to the number of tires that can be accepted on amnesty day. He stated he would probably have trouble getting rid of any more tires and the State of Florida could also cause some trouble. Mr. Wade said Ms. Miller was not the only one that he had heard from. He said several business owners called him just last

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week about this matter. Ms. Miller said she paid a local tax and asked what was she, as a citizen, getting for her taxes. Commissioner Mosconis instructed Mr. Johnson to meet with Ms. Miller and see if something agreeable couldn't be worked out. MR. Johnson replied he would talk with Ms. Miller.

(Tape 1-1611) Mr. Johnson informed the Board Kelvin Shiver, a Heavy Equipment Operator at the Landfill, was present today. He explained Mr. Shiver injured himself while operating the knuckle boom truck and has been on workers compensation since the accident, which occurred around the middle of April. He said Mr. Shiver's doctors have now released him to return to work with restrictions. He stated Mr. Shiver couldn't lift more than thirty pounds and cannot stand or sit for more than thirty minutes. He said his doctors want him in a work environment for a period of two months and then they would reevaluate him. He said his dilemma was that Mr. Shiver wants to return to work, however, at the present time there is not a position to fit his condition. He said he also wanted the Board to know that if Mr. Shiver does not recover he would need a Heavy Equipment Operator. He reported that the accumulated overtime is already wrecking his budget not to mention his workforce. He said he is torn between the needs of the job and Mr. Shiver. He asked the Board for guidance. He explained he attached a copy of his doctors release form to his report for the Board this morning. Mr. Shiver said the doctors have placed him on these restrictions. He said he thought he could operate his truck. He asked the Board to allow him to return to work. Mr. Shuler said he thought the Board needed to do was to request an opinion from the County's Labor Attorney, Lucy Turner. He asked the Board to direct and approve this request. He said they together would try to come to some solution. Commissioner Putnal made a **motion directing the County Attorney to check with the County's Labor Attorneys to see if Mr. Shiver can return to work.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Chairman Creamer said he noticed on the doctors note the twenty pound limit has been crossed out and thirty pounds has been written in. He asked Mr. Johnson to contract the doctor and request a new letter reflecting the thirty- pound limit. Mr. Johnson assured the Board he would take care of this matter.

(Tape 1-1823) He presented the final draft of the revised Animal Control Ordinance. He said originally the County had a total of three ordinances and a resolution regulating animals in Franklin County. He said all three have been combined and some additional sections added. He stated the fines and impoundment fees have been increased. He explained that most noteworthy change is a provision that gives Animal Control greater latitude in abating problems concerning nuisance animals. He said the only dogs the new ordinance would allow in a park or on a public beach would be dogs trained to aid the disabled or handicapped. He said the impoundment fee would increase from \$10.00 to \$25.00 for the first offense and a citation would increase from \$10.00 to \$25.00 for each violation of the new ordinance. He asked the Board to allow him to schedule a public hearing to consider adoption of the new Animal Control Ordinance. Commissioner Mosconis made a **motion authorizing Mr. Johnson to advertise the proposed "Ordinance Regulating Animals in Franklin County, Florida, and Repealing all other Ordinances in Franklin County Regulating Animals, Providing for**

Enforcement, Penalties, Appeals, and an Effective Date. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1912) He informed the Board he invited the two Franklin County members of the 14 year-old Dizzy Dean Baseball World Series Championship team to the Meeting this morning. He introduced Robbie Register and Randall Johnson. He said it is not every day the opportunity is given for a ball player, regardless of the sport or level of competition to participate in and to win a championship game. He said these two young men accomplished that task. He said as members of the Franklin County community they are to be commended and congratulated for their achievements. He asked the Board to adopt two Resolutions acknowledging, recognizing and congratulating these two young men on a job well done. He informed the Board that not only was Randall Johnson a member of the team, but was voted the Most Valuable Player on the 2001 14 year-old Dizzy Dean Baseball World Series Championship Team. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the two resolutions acknowledging and recognizing that Randall Johnson and Robbie Register were members of the 2001 14-year-old Dizzy Dean Baseball World Series Championship Team.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-2059) Mr. Mahan presented his report to the Board this morning. He said he attached the new IFAS Extension Bookstore 2001-2001 Catalog, a list of West Nile Virus Web Sites, the Fishing Regulations Newsletter, the UF WaterWorks Newsletter and a copy of the "Vibrio Vulnificus issue" which was adopted by the ISSC's General Assembly at this year's annual meeting.

(Tape 1-2424) Mr. Mahan said he agreed with the Board this morning about Mr. Wilhelm not allowing the Commissioners to speak at the General Assembly. He said he had no intentions of speaking, but felt it was unfair for them not to allow the Commissioners from Franklin County to speak.

(Tape 1-2490) He informed the Board the Food and Nutrition Program Assistant, Cherry Rankin, has to go to Gainesville, Florida for in service training in October. He stated part of the two-day session would cover all the record keeping requirements for the program. He said Christy Duncan, his secretary, does this paperwork and the Extension Service have agreed to pay for her travel expenses. He asked he Board if he could send her. Commissioner Putnal said he didn't see any problem with her going. The Commissioners agreed with Commissioner Putnal.

KENDALL WADE-CLERK

(Tape 1-2528) Mr. Wade said he would like to address the Board at this time since Commissioner Mosconis had informed the Board he would be leaving the meeting early today. He said there was a real problem with cleaning the Courthouse. He said this was an ongoing problem coming up from time to time, year to year. He stated he, as Clerk, has always been responsible for overseeing this activity. He said his "plate was full" he

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had plenty to do and could no longer oversee these employees. He stated the new building would even require more attention. He said it would become an even worse problem. He recommended the Board either privatize the cleaning of the Courthouse or use State DOC inmates. He said if he could get a used vehicle from one of the other Departments, the Landfill or Road Department, he would send Billy Moses, DOC certified inmate supervisor, to get some inmates to clean the Courthouse or help around the Courthouse. He stated they could be used to help clean the Courthouse. He explained this is done in quite a few counties. He said he has talked to several Clerks in other counties. He stated the cleaning responsibilities are either privatized or DOC inmates do the job. He said this building is getting older and then when the new building is built it would be an even greater responsibility. He said this is an ongoing problem and he just wanted to let the Board know it is becoming a "real" headache. He stated he would suggest privatizing the cleaning of the Courthouse. Chairman Creamer asked if anyone had anything on the Board had anything to say. After no response the Chairman moved on the agenda. Mr. Wade said this was his recommendation and thanked the Board for their time this morning.

(Tape 1-2619) Mr. Pierce said he would like to discuss the parking problems at the Courthouse. Mr. Wade stated there was a real traffic problem on the street, Leslie Street, beside the Courthouse. Mr. Pierce presented the proposed changes to the street. He stated Mark Curenton, Assistant Planner, prepared the drawing. Mr. Wade said it is difficult to get through the street since cars park on both sides of the street leaving a narrow area to travel through. He stated the Board needed to look at the possibility of moving the trees and making some diagonal parking spaces. Commissioner Mosconis said this was an age-old problem too. He said a lot of people work in the Courthouse. Doris Gibbs, Supervisor of Elections, stated there were a lot of people using the Courthouse parking lot not just employees or customers. She stated tourist use them a lot to park in and then walk downtown leaving their vehicles for long periods of time. Commissioner Mosconis said this was being blown out of proportion. He said what needs to be done is to have Mr. Wade figure out how many parking spaces the people in the Courthouse need and mark them. He said in Tallahassee if you park in a State employees parking lot your car would be towed. He stated it happened to him. He instructed Mr. Wade to designate enough parking spaces for the employees at the Courthouse period. He said if anyone parks in the parking spaces then they should have their vehicle towed. He stated that would eliminate that problem then the other places could be used for other parking. He said some signs need to be put up stating that unauthorized vehicles would be towed. Mr. Wade asked Mr. Mosconis for a motion directing him to that effect. Commissioner Williams made a **motion directing the Clerk to designate parking spaces for the Courthouse Employees.** Mr. Wade asked Commissioner Mosconis if he was telling him to actually count the number of employees in the Courthouse and then put signs up reflecting this was parking for Courthouse employees only. Commissioner Mosconis said Mr. Wade was the "Custodian of the Courthouse" and he knew what to do. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said this still would not solve the congestion on the side street. He asked the Board to give him permission to go ahead with the plans of creating some diagonal parking along Leslie Street at the side of the Courthouse.

Commissioner Williams said he would make the **motion authorizing Mr. Pierce and the County Engineer to go ahead with the proposed changes to Leslie Street on the side of the Courthouse.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he knew this couldn't be done until the next budget year anyway, but he thanked the Board for their permission to go ahead with the project.

DAVID MCCLAIN-APALACHICOLA BAY & RIVER KEEPERS

(Tape 1-2923) Mr. McClain said he wanted to thank the Commissioners for their letter regarding the water negotiations. He stated this was so critical for the Apalachicola River and Bay. He stated the letter was necessary to protect our part of the River System.

COMM. MOSCONIS LEFT THE MEETING AT THIS TIME-10:19 A.M.

PATTY CLEWELL-PHIL CROCKER-PARKER BCH RESTORATION

(Tape 1-2964) Mr. Crocker thanked the Board for allowing him to address the Board this morning. He said he wanted to discuss the Alligator Point Road issue. He stated if the Board decided to use their sand webbing system the County would still have their money if the system didn't work. He said it was something that had to be gambled on. He stated he was sure that many people had heard the saying or seen a sign stating "Do you want to speak to the man in charge or the woman who knows what's going on?" He stated he was not the man in charge so he brought the "woman in charge" to address the Board this morning. He introduced Patty Clewell to the Board at this time. Ms. Clewell, Parker Beach Restoration, said she normally doesn't get involved in these matters. She said she wanted to share some important facts with the Board this morning. She stated Parker Beach Restoration has sued for a patent to their sand webbing system. She said they don't usually discuss the lawsuit with their clients, but there are some things that are important and that the County has a right to know. Mr. Pierce reminded Ms. Clewell the County was not her client. Ms. Clewell agreed and said potential client. Mr. Pierce stated then did the County really want to know since we weren't her clients. Ms. Clewell replied yes the County did. She said Benedict Engineering has contracted with Eglin Air Force Base and they currently have a project in process there. She stated that Benedict Engineering has requested a summary judgment from the Court, which means that the lawsuit would be transferred to the Federal Claims Court. She said that probably doesn't mean anything to Franklin County. She stated she was going to tell the Board what that could potentially mean to the County. Chairman Creamer interrupted Ms. Clewell at this time and asked her to get to her point. She said she was, but this was very important. Chairman Creamer said they didn't want to hear anything about her company because this project was, more than likely, going to be bid out and it wouldn't be fair to another company to hear her presentation first. He stated he had to move on with the agenda. Mr. Pierce asked her if she had some idea how the County could get funding for this project then they would listen, but they didn't want to know any specifics. Ms. Clewell continued with her presentation and again Chairman Creamer interrupted her and asked her to stop her presentation. He thanked Ms. Clewell for her input.

MARTHA FLOWERS-REQUEST TO RENT OR LEASE COUNTY PROPERTY

(Tape 1-3545 Continued on Tape 2) Rachel Chesnut, attorney, appeared along with Ms. Flowers. She stated Ms. Flowers is requesting the County consider renting or leasing her some property. She said the property is the Northwest Half of Lot 6, Wharf Lot, and located near the Gorrie Bridge. She stated the property is between the old Mercury Building and Steve Anders dock. She said Ms. Flowers wants to put a mobile bar-b-cue pit on the property. She stated it would be a self-contained unit or it could be hooked up to City water and sewer. Ms. Chesnut said Ms. Flowers is wanting to provide a quick place for the local people as well as the oyster harvesters to pull up and get a quick bite. She stated it would be similar to the operation in Port St. Joe located right before you cross the bridge. She asked the Board to authorize a rental or lease agreement with Ms. Flowers. Mr. Shuler said he didn't know the County even owned that property. He stated there is a process to follow. He said he wasn't sure how to handle this situation. Commissioner Sanders said she would make a **motion directing Mr. Shuler to research this proposal and come back to the Board with a recommendation at the next meeting.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce stated the County needed to be careful about letting one-person use of County property to place a mobile restaurant on. He said it wouldn't be fair to the other restaurants because they have to provide parking and restroom facilities. Mr. Pierce said the City of Apalachicola occupational license are only issued to people who own private property. He stated this would be public property. He said Ms. Flowers might not be able to operate the business because of the City of Apalachicola's requirements. Ms. Chesnut said this would be a take out business only; not one where people could sit down and eat.

SGI CIVIC CLUB-CHARLES BRANNON-REDISTRICTING PROPOSAL

(Tape 2-95) Mr. Brannon presented the Commissioners with a written proposal for redistricting. He stated he was President of the SGI Civic Club and was respectfully asking the Board to create a committee; one representative from each precinct within each Commissioner's District for a total of four per district. He said then this committee of twenty people could prepare, with information from appropriate county departments, a proposal for the Board's approval. He said their main concern was citizen's input. Commissioner Sanders said she had written the Census and filed a Count Questions Resolution claim with the Census. She stated her district, according to the Census, had an extra few hundred people. She said she was told, by the Census representative, it would take four to six weeks to clear the matter up. She said she had written a letter to the Census Department asking them to clear up this matter as soon as possible. Doris Gibbs, Supervisor of Elections, appeared and reminded the Board the School Board must be kept apprised of what ever decision the Board makes. She said there was an error in the count in Commissioner Sanders' district. Commissioner Sanders said nothing could be done regarding redistricting until her census count was corrected. Ms. Gibbs agreed and said the census was wrong, especially in Commissioner Sanders' district. She said if a committee is appointed then the School Board would need to be notified. Tom Hoffer, editor of The Chronicle newspaper, said he had attended the School Board meetings and they had not even discussed the redistricting matter. Ms. Gibbs said the census reflects Franklin County has over 1,700 people institutionalized-prisoners. She stated she knew

this was incorrect. She again stated she didn't think anything could be done or any further steps should be taken until the census numbers are corrected. She stated her main concern is that the School Board be included in any discussions about redistricting. She said she has not heard anything from the School Board. She said she sent all of the information to the Superintendent of Schools, School Board Chairman and the School Board Attorney. She stated she has not heard anything from any of these people. Commissioner Sanders asked Mr. Shuler if he agreed with her that nothing needed to be done until the census count is corrected. Mr. Shuler said he did agree and reported he had talked to Mr. Doug Lee of the Census Bureau. He stated Mr. Lee informed him apparently Franklin County does not have full and accurate census figures to allow the redistricting process to move forward. He stated until these numbers are corrected then nothing can be done. He said if there is a mistake in Commissioner Sanders' district then the redistricting process can't be completed since all of the districts have to be equal. He said he didn't see how the County can proceed until reliable data is received from the Census Bureau. He assured the public hearings would have to be held so the public could have some input in this process. He stated he didn't think having a committee was a good idea since one person shouldn't have input anymore than the next one. He said if a person is on this committee he or she may be given more input as a committee than the other members of the public on an individual basis. He stated he does recommend a lot of public input before any final decision is made. He said the Board has to wait until sound data from the Census is received and made public. Ms. Gibbs reminded the Board redistricting can only be approved during odd numbered years. She said she if the redistricting process is not done this year then it would have to wait until 2003. She encouraged the Board to try and redistrict this year. She said the deadline was December 31, 2001. Commissioner Sanders said she was informed by the Census Bureau, Mr. Lee, it would take approximately four to six weeks to clear the matter up. Ms. Gibbs said she has tried to get some information from the Census Bureau, but they have told her Franklin County's information is incomplete. She stated she now knows why.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 2-358) Mr. Pierce informed the Board that the Road Department, Emergency Management, and the Sheriff's Office responded all day Sunday and Monday to damages related to Tropical Storm Barry. He said the Board declared a State of Emergency at 11:00 a.m. Sunday morning and Tim Turner, EOC Director, order evacuations of SGI, Alligator Point, and Dog Island at 1:00 p.m. He explained the evacuation order was given at this particular time and was based on the information available. He stated the storm had strengthened considerably early Sunday morning and for a while was on a northwest track toward Apalachicola. He informed the Board storm damage was limited to rainfall in the amount of 6-9 inches. He said several areas of the County experienced flooding, but the worst was the road damage done to Brickyard Road. He stated it appeared the area of Brickyard Road received approximately 14 inches of rain causing the road to be completely washed out in one place. He said a FEMA declaration would be dependent on how much damage occurs in the County's around us. He stated he did not expect a declaration at this time. Linc Barnett, Alligator Point resident, he would like to say whatever plan was used Sunday to notify residents of Alligator Point of the mandatory evacuation did not work. He stated no one knew of the evacuation. Mr.

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Pierce replied that Emergency Management did what it always does and notifies Alligator Point Volunteer Fire Departments. He explained it is the responsibility of the local VFD's to notify residents of the mandatory evacuations. He apologized to Mr. Barnett and reemphasized that it was the responsibility of the VFD. He said the residents of Alligator Point are more than welcome to form a "telephone tree" so everyone could be at least notified by telephone. He stated the Alligator Point Taxpayers Association could do this and informed Mr. Barnett the Emergency Management Department would be willing to assist them in any way to get this set up. He stated Steve Fling, Alligator Point VFD Chief, was at work early Sunday morning and was not on Alligator Point. Mr. Barnett said he thought a better system needed to be implemented. Chairman Creamer asked Mr. Pierce who determines when a mandatory evacuation is needed. Mr. Pierce replied the evacuation was done earlier than normal because of the information being furnished to Franklin County. He stated a conference call with the State officials was held at 11:00 a.m. and at that time the storm was headed right for us. He said there would not be another conference call until 5:00 p.m. Sunday afternoon and he, as well as Mr. Turner, felt that something had to be done to prevent anything from happening. He said it would be too late and more complicated to order an evacuation. He said when the County is placed under a hurricane warning something has to be done to evacuate these barrier islands.

(Tape 2-504) He reported that several months ago, when Marilyn Walker was Ambulance Director, the Board agreed to let Mr. Turner use emergency management grant funds to assist the ambulance in upgrading its communication equipment. He said that project appears to be no longer a priority with the ambulance service, and Mr. Turner would now like to use those same funds to work with the Sheriff's Office to upgrade the Sheriff's radio system. He asked the Board to approve this expenditure. He informed the Board there was approximately \$25,000.00 available for this project. Commissioner Sanders asked Mr. Pierce if the ambulance service had a appropriate radio communication system. She said she was concerned about the ambulances having communication with the necessary people when an emergency arises. Mr. Pierce stated Pat McWhinnie, 911 Coordinator, informed Mr. Turner the Sheriff's Office was having some difficulty with their communication system. He stated he didn't know if the private company needed new equipment. He said this money needed to be allocated before October 1st of this year. The Board asked Mr. Pierce to check into the matter and report back to the Board at the next meeting with his recommendation.

(Tape 2-602) He asked the Board to approve scheduling a public hearing to consider the approval of the St. James Bay Comprehensive Amendment for September 18th. He said the public hearing was scheduled for today, but several weeks ago the attorney for St. James Bay, Steve Lewis, requested the Board postpone the hearing. He presented a copy of a letter from Mr. Lewis asking the Board to reschedule the hearing. Commissioner Williams made a **motion authorizing Mr. Pierce to schedule a public hearing for September 18, 2001 to consider approval of the St. James Bay Comprehensive Amendment.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-655) He asked the Board to approve scheduling a public hearing to consider an amendment to the SGI DRI to create five additional building sites in Casa Del Mar II. He said the requested hearing date on September 18th. He stated he would schedule a hearing time with Ms. Varnes, Board Secretary, this afternoon. Commissioner Williams made a **motion authorizing Mr. Pierce to schedule a public hearing for September 18, 2001 to consider an amendment to the SGI DRI.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-675) He said Frank Frink would like to donate the pavilion located in the right-of-way of Carolina Street. He stated Mr. Frink also wants the County to allow him to purchase culvert pipe for the culvert on Carolina Street near Lanark Village. Mr. Pierce said he told Mr. Frink he needed to come to the Board meeting to make these requests. Commissioner Sanders said she wanted Mr. Frink to move the pavilion off the right-of-way. She stated before she would agree to the culvert she wanted Mr. Frink to come to the Board for permission. Jeanne Young, a resident in this area, said she was the person who originally brought this matter to the Boards attention. She stated she was totally against any person leasing or placing items on County right-of-way. Commissioner Sanders made a **motion directing Mr. Pierce to notify Frank Frink requesting he remove any items (the pavilion) he placed on County right-of-way at Carolina Street by August 20, 2001 and informing him if he wants a culvert he would be required to make that request to the Board personally.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-805) He presented the Board with a copy of a letter from USCOE regarding sand blocking the Breakaway and Bay City Lodges.

(Tape 2-813) He presented the Resort Village Development Annual Report to the Board. He stated there has been no activity during the last year.

(Tape 2-820) He said he needed the Chairman Creamer to sign the Finding of No Significant Impact on the Environment and Request for Release of Funds and Removal of Environmental Conditions for the Hurricane Earl CDBG project for Eastpoint and Apalachicola. He stated the Assistant Planner recommended this. He said Mr. Curenton also recommends the Board approve advertising for an engineering firm to design the project. He stated even though Franklin County has a contract with Preble-Rish the Federal guidelines require a separate decision for engineers for CDBG projects. He said the request for professional service had to be advertised. Commissioner Sanders made a **motion authorizing the Chairman's signature on the Finding of No Significant Impact on the Environment and Request for Release of Funds and Removal of Environmental Conditions for the Hurricane Earl CDBG project.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Sanders then made a **motion authorizing Mr. Curenton to advertise to accept bids for the professional services for this project.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

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(Tape 2-863) He presented a letter he sent to Larry Parker, Apalachicola Airport Engineer, regarding the Airport Road.

(Tape 2-894) He submitted a package of letters he sent to Marvin Stuckey, FDOT, regarding the County's request to waive the local match for FDOT projects in Franklin County.

(Tape 2-1111) Hank Garrett, SGI Water Management, said the seawall on the left side of the bridge going to the Island is about to fall. He said there is about 50-80 feet of the seawall has already fallen into the water. He suggested the Board contact FDOT about this matter.

(Tape 2-1186) Mr. Pierce presented a letter of response to Thom Lewis, SGI, about flooding on East Pine on SGI. He said Mr. Lewis wants a culvert placed under the road, but Dan Garlick, Garlick Environmental, advises that a culvert may very well cause a connection to be made to wetlands which are now currently isolated and draw them under the protection of the 50 foot setback. He stated a culvert would also require bringing in additional fill, which might back the water up even more. He recommended the Board ask David Kennedy to research the possibility of putting a section of concrete or rock in the area and try maintaining the road as a low water crossing, so the road does not hold water back as it does now. Commissioner Sanders made a **motion directing Mr. Kennedy to research the possibility of putting a section of concrete or rock in the area to try and maintain the road as a low water crossing to keep the road from holding water.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1272) He submitted a copy of the DEP permit for emergency work on Alligator Point. He said the permit was submitted to DEP on time.

(Tape 2-1282) He presented the package of information from FEMA regarding the changes of the flood maps in Franklin County.

(Tape 2-1294) He gave the Board members a letter about wetland restoration from the Two-Mile Dredging Project.

(Tape 2-1326) He submitted the Board with a copy of the DEP permit for wetland impacts on airport property related to putting the new Apalachicola Water System in place. He said he is just submitting a copy since the City of Apalachicola is handling all of the work and expense.

(Tape 2-1338) He said he was also submitting a copy of the application for Hazard Mitigation Program Funds (HMPF) for Lanark Village. He stated currently the County is eligible for approximately \$23,000.00 worth of funds, which should increase in October. He said these funds represent a percentage of the value of damages caused by last year's Tropical Storm Helene. He reminded the Board they had already authorized and paid for

procurement of plans and surveys. He said he informed the HMPF representatives the funds would be used for construction.

(Tape 2-1359) Mr. Pierce stated he sent a letter, a copy has been provided to the Board, to Mike Krehl, SGI, regarding some complaints he received from some of Mr. Krehl's neighbors. He said he met with Mr. Krehl about the complaints and was assured by Mr. Krehl he would work with his neighbors to alleviate some of these complaints. Mr. Pierce said he was also submitting photographs of some of the areas the neighbors were complaining about on Mr. Krehl's property.

(Tape 2-1378) He said he received a letter from Ms. Kim Shoemaker, Gulf Coast Workforce Board, Inc., asking the Board to reappoint Ted Mosteller to the Workforce Board. Commissioner Sanders made a **motion reappointing Ted Mosteller-Private Sector Representative for FCBCC-to the Gulf Coast Workforce Board, Inc. for a 3-year term.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1393) He informed the Board the Boating Improvement Trust Fund application for improvements at Battery Park Marina for \$81,000.00 was funded.

(Tape 2-1403) He asked the Board for approval of 3 Joint Participation Agreements between Franklin County and FDOT for improvements at the Airport. He said these agreements cover items requested by the Apalachicola Airport Advisory Committee. He said the agreement have match requirements and it is not clear who is going to pay for the match requirements on the following JPA's: Apron Fencing and Security Gate at the Airport, \$20,000.00 match; Update Master Plan at Airport, \$10,000.00 match; and Construction of Additional T-Hangars, \$90,000.00 match. He recommended the Board seek clarification from the Airport Advisory Committee on the sources of these cash match requirements before signing the JPA's. The Commissioners informed Mr. Pierce and Ted Mosteller, Apalachicola Airport Advisory Committee, they did not want to make a decision on this request since Commissioner Mosconis was not here today. Commissioner Sanders said Commissioner Mosconis knew more about and worked more closely with the Airport Advisory Committee. Mr. Mosteller said he didn't see where it matters because it would take time for these requests to even be approved. He stated by then the match funds could be allocated to the County by the State. Mr. Pierce said he knew there were enough funds for the fencing, gate, and Master Plan. Mr. Mosteller informed Mr. Pierce the additional T-hangars match amount was being furnished by the private sector. Commissioner Sanders said she didn't think there was a big rush to make this decision. Mr. Pierce and Mr. Mosteller agreed to wait until Commissioner Mosconis could be at the meeting.

(Tape 2-1514) He informed the Board the County cannot move forward with acquiring the preferred site in Carrabelle for the County recreation facility because the owner, as identified by the Property Appraiser's Office, admits they do not have clear title to the property. He said there is a hearing before a judge in September to see if they can get a clear title to the property. He said the problem is the County can't apply for a grant to

build the facility until the County owns the land. He stated the deadline for applying for a grant to build the facility is October 1st. He asked the Board to direct the Planning Department to submit an application for construction even though a site has not been selected. He said he hoped such an application would not be rejected before the County has time to amend the grant to include the ownership of the land. Commissioner Sanders made a **motion directing the Planning Department to submit the grant application for construction of a recreational facility in Carrabelle.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1692) He presented the Board with a copy of the letter he sent to the Census Bureau, the Count Question Resolution Program, regarding the problem with the number of citizens in Commissioner Sanders' district.

(Tape 2-1700) He said he received a letter from FDOT yesterday requesting the County designate an office to be a point of contact for FDOT to send plans to. Mr. Pierce stated he thought his office should be the one to receive this information. He said since the Planning Department handles all permits, etc. Commissioner Sanders made a **motion appointing the Alan Pierce-Planning Department as the point of contact for FDOT.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1788) Chairman Creamer asked Mr. Pierce if he knew what decision was made regarding the "Helping Hands" by the Board of Adjustment meeting yesterday. Mr. Pierce replied the matter was tabled because they did not have a quorum. He said the matter was very controversial. He stated one of the neighbors is extremely opposed to this proposal.

(Tape 2-1816) Commissioner Sanders asked Mr. Pierce if the County Engineer was proceeding on the request for bids on the Alligator Point Road project. Mr. Pierce replied he was working on the bid packages. He stated he has asked Greg Preble, Preble-Rish, to send him some information, but Mr. Kennedy has not received the information at this time.

(Tape 2-1826) Commissioner Sanders said she asked several months or so ago about requesting CDBG funds for sidewalks in Lanark Village. She said the CDBG funds couldn't be used because it was determined the residents in Lanark were not "economically depressed" and did not have enough low to moderate-income families in that area. She asked Mr. Pierce to check into any type of funding he could to see if something couldn't be done about the sidewalks in Lanark. Mr. Pierce said he would check into ISTEPA funding, etc.

(Tape 2-1845) Mr. Wade asked Mr. Pierce if the County could go ahead and start work on the FDOT building in Carrabelle. Mr. Pierce replied he was waiting for a recommendation from Preble-Rish, Greg Preble, regarding the rafters. He said he would check with Mr. Preble after this meeting. Chairman Creamer said Mr. Preble should have already answered these questions by now. Mr. Wade said something needed to be done as soon as possible so the County could stop paying rent on the office in Carrabelle.