

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
SEPTEMBER 4, 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.

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

(Tape 1-27) Commissioner Putnal made a **motion approving the minutes of the meeting held on August 21, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-34) Commissioner Williams made a **motion to pay the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**SHAKRA JUNEJO-FCPHU DIRECTOR**

(Tape 1-39) Dr. Junejo informed the Board that Commissioner Sanders asked her to come to the meeting this morning to update the Board on the West Nile Virus (WNV) and the Eastern Equine Encephalitis (EEE) in Franklin County. She stated three birds have tested positive, one for EEE and two for WNV, and said all three birds were found in or around Carrabelle. She said there is a problem and everyone needed to be aware of this situation. She said both viruses cause an inflammation of the brain. She stated the symptoms are basically the same. She described the symptoms to the Board and audience; fever, headache, disorientation, neck aches, fatigue, etc. She stated the symptoms are similar to flu symptoms. She informed the Board 3 to 15% of the WNV cases die and 50% of the cases from EEE die. She encouraged everyone to prevent their exposure to mosquitoes. She said use of repellent and clothing would help if you had to go outside. Dr. Junejo said the symptoms from either of these diseases should begin to occur two weeks after a mosquito bite. She stated the County has been spraying the mosquitoes and the State has offered to conduct aerial spraying. She said people needed to also minimize the areas where mosquitoes breed such as old tires, trash piles, stagnant water, etc. She presented some literature regarding reducing mosquito breeding sites on a person's property. She said other panhandle counties had used aerial spraying and announced it was available to Franklin County. She informed the Board she had been assured by the ecologists, biologists, etc. that aerial spraying would not have any effect on the rivers or bays. She said the Commissioners would have to request to be put on the list for aerial spraying. She stated the State recommended two sprayings, three weeks apart. She said the State had been spraying Wakulla County and the aquatic life has not been affected. She said the people with many years experience have assured her the fish, shrimps, etc. would not be affected by spraying. Commissioner Mosconis asked if DEP was breeding mosquitoes in their Stormwater ponds around the County. Alan Pierce, Director of Administrative Services, stated DEP has offered additional assistance to the County, but not with their Stormwater projects. He informed the Board a representative from DACS, Steve Rutz, would be at the next Board Meeting to discuss the possibility of

aerial spraying of mosquitoes in Franklin County. Discussion continued. Commissioner Sanders said one of the sick birds was found in Lanark Village and she informed the Board she asked Dr. Junejo to attend a meeting in Lanark to inform the citizens about the symptoms, etc. of the WNV and EEE. Commissioner Mosconis said this type of trash caused mosquitoes to breed easily and he wanted an emergency ordinance enacted to allow county employees to pick up or clean up the sources of breeding grounds for mosquitoes. He said the sources should be cleaned up. He stated this is an emergency situation and something needed to be done. He said the Health Department and the County should be able to give people a citation if they do not clean up their trash piles, tires, etc. which contribute to the mosquito population. He said this was a new epidemic and the Board needed to do something today. Brent Mabrey, FCPHU, said there are some people who are seasonal residents and some that are simply not able to clean up these places. Commissioner Mosconis said he had always gone the extra mile and the County would continue to do so. Mr. Mabrey said the ordinance needed to have some "teeth" in it for those people who simply refused to clean up their property. Commissioner Putnal said he thought the County already had a pretty tough litter ordinance. Commissioner Mosconis answered he thought the County was going to have to really enforce this matter. Dr. Junejo said there used to be a State Statute regarding these types of problems, but it was removed from the Statutes several years ago. Commissioner Mosconis said if there is a County Ordinance reflecting that such activities is a nuisance or a health issue then something can be done. Commissioner Putnal said the Board had to be careful and not try to infringe on a private property owners rights. Chairman Creamer interrupted this discussion to allow Judge Steinmeyer to address the Board at this time.

**JUDGE F. E. STEINMEYER, III**

(Tape 1-784) Judge Steinmeyer said he wanted to address the Board about the abused children in Franklin County. He asked the Board for \$3,338.00 to fund a Federal Grant for paying volunteers for the Guardian Ad Litem Program. He stated the Court system is an adversarial proceeding where daddies have lawyers, mamas have lawyers, but children do not. He said this is the purpose of the GAL Program, to represent the children in court proceedings. He stated this money would be used along with the other counties match amount to receive a substantial Federal Grant of approximately \$75,000.00 in order to pay a person in Franklin County to represent the GAL Program. He said he did believe the Children in Franklin County needed this representation. He stated he does depend on the reports provided to the Court by the GAL. He urged the Commissioners to approve this budget request. Dr. Junejo spoke up and informed the Board she would fund this request from her FCPHU Budget. She said she felt their budget was pretty tight, but she would use the County's allocation to fund this request. She stated this was an excellent program and she would reduce her budget by \$3,338.00. Commissioner Mosconis said he would make a **motion authorizing Dr. Junejo to fund the budget request submitted by the GAL Program in the amount of \$3,338.00 from the FCPHU Budget.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**PUBLIC HEARING-TOBACCO PRODUCTS ORDINANCE**

(Tape 1-945) Chairman Creamer announced the public hearing to consider adoption of a proposed "Ordinance Prohibiting Placement of Tobacco Products in Self-Service Displays Accessible to Minors; Providing Definitions; Providing for Severability; Providing for Penalties; Providing for Effective Date". The County Attorney, Alfred Shuler, said this ordinance had been duly advertised and reminded the Board this ordinance was proposed and requested by the local S.W.A.T. members. He said Temolyne Wintons was the director of the local S.W.A.T. group. He informed the Board the ordinance makes it illegal to put tobacco product vending machines where they are easily accessible to minors. Chairman Creamer asked if anyone in the audience would like to speak or voice an opinion about the ordinance. After no one replied Commissioner Putnal made a **motion adopting the "Ordinance Prohibiting Placement of Tobacco Products in Self-Service Displays Accessible to Minors; Providing Definitions; Providing for Severability; Providing for Penalties; Providing an Effective Date" and authorizing the Chairman's signature on the ordinance.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**DR. JUNEJO-DISCUSSION CONTINUED**

(Tape 1-1000) Commissioner Mosconis said he would be glad to make a **motion "to have the County Attorney to enact an Emergency Ordinance dealing with isolated pockets of trash in the County that need to be cleaned up to stop breeding these mosquitoes."** He stated he sees that people go through the trouble to load up a refrigerator or couch and take it to somebody else's land and illegally dumping it. He said all they have to do is to put it on the right-of-way and call him or their Commissioner or Van Johnson or Hubert Chipman and they would come get it. He said people would rather go through the trouble of loading it and hauling it off to the woods. He stated the County has the manpower and equipment to provide this type of service now. He asked Mr. Shuler to participate in this discussion. Commissioner Mosconis said he is talking about private property as well. Mr. Shuler said, to be clear, the type of trash Commissioner Mosconis was talking about was any type of thing that would hold water to breed mosquitoes. Commissioner Putnal stated he thought the Keep Franklin County Beautiful should meet with Dr. Junejo and Brent Mabry about this matter. He stated maybe some wording would have to be changed in the Litter Ordinance already in place. Mr. Shuler said the County has a very comprehensive Litter Ordinance for what is considered ordinary types of litter. He suggested in this case the County target placement of containers and objects that would hold water and breed mosquitoes. Commissioner Putnal said that covers everything. Van Johnson, Solid Waste Director, stated it doesn't take much rainwater, a drop or two, to breed mosquitoes. Commissioner Putnal said he didn't want to pass another ordinance when the County already had one. Chairman Creamer asked Mr. Johnson how much money he had in his Tire Abatement Grant. Mr. Johnson replied it was the end of the Fiscal Year and the money had been exhausted. He informed the Board he couldn't use that money for anything but amnesty day for tires at the Landfill. He said DEP is proposing to assist communities with tire abatement, but this ordinance needs to be clear on who is going to enforce the ordinance and some definite penalties. Commissioner Mosconis said the Public Health Department should be the enforcement agency. Chairman Creamer called for a vote on the motion by

Commissioner Mosconis and Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis instructed Mr. Chipman and Mr. Polous, Mosquito Control Director, to inform all of their employees to be on the look out for any of these areas.

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-1234) Mr. Chipman said he wanted to inform the Board he is behind with his work. He stated all of the rain has caused major road problems throughout the County. He said every time he thinks he is going to get caught up it rains again. He said he wanted everyone to know he is doing the best he can and people are just going to have to be patient.

(Tape 1-1272) Commissioner Sanders said she wanted to discuss a matter while Mr. Chipman was here this morning. She stated she called VMS, the company FDOT has contracted with to do all of their roadwork, etc., to tell them about all of the FDOT ditches along Highway 98 being stopped up. She said every one of them are in terrible shape and need to be cleaned out. She stated she was informed by a "man" he would get in contract with her last week. She said he still has not called her. Mr. Chipman said they just got the grass cut on the side of the roads. Commissioner Sanders said she would make a **motion to send a letter to VMS, with a copy to FDOT, and asked them to clean the ditches out along Highway 98 and any other State Road throughout Franklin County.** She stated this is what causes a lot of problems on the County roads as well as breeding mosquitoes. Commissioner Putnal said the County is keeping some of their ditches clean. Mr. Chipman said he really didn't think they had the equipment to work with. He stated he didn't know that for sure, but he has not seen any equipment just trucks driving up and down the roads. Commissioner Sanders said she wanted this letter sent to VMS as soon as possible and a copy sent to FDOT. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1365) Mr. Chipman said Mr. Lee Huesel, a resident of Gibson Road in Apalachicola, wanted to address the Board about a problem that occurred on his property several years ago before he was Superintendent. Mr. Huesel said several years ago the County installed a drainage pipe or culvert pipe on Gibson Road. He stated the County came onto his property with a backhoe and tore up his survey marker. He presented the Board with a copy of his survey. He said he is having a property dispute with his neighbor and needs the County to put the survey marker back where it originally was. He stated he didn't think the marker really mattered, but now he is trying to put up a fence and the next-door neighbor is disputing the property line. Commissioner Mosconis asked Mr. Pierce to direct the County Engineer, David Kennedy, to go out to Mr. Huesel's property and try to locate the survey marker. Mr. Pierce reminded the Board Mr. Kennedy is not a licensed surveyor, but he could certainly send Mr. Kennedy out to look at the area. Commissioner Mosconis made a **motion directing the County Engineer, David Kennedy; to go to Gibson Road and assist Mr. Huesel's in locating his original survey marker.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Huesel said he thought it would be easy to locate the spot since he already had a survey in his possession and could locate the other corner posts.

(Tape 1-1434) Commissioner Sanders said she had received quite a few calls from her constituents in Lanark Village about opening the roads on Maine and Iowa Streets. She stated she spoke to Mr. Kennedy about the matter and was informed by him he would rather a licensed surveyor actually do the site work. She would like to make a **motion to hire a surveyor to complete a survey for the purpose of opening the roads on Main and Iowa Streets in Lanark Village.** Commissioner Mosconis asked Commissioner Sanders who wanted the roads opened. She replied the people who purchased the property. She explained there are no roads opened to allow the new property owners to get to their property. She said they are land locked. Commissioner Mosconis asked if they weren't required to have a survey before they bought the property. Commissioner Sanders replied this was a County right-of-way and this is how the problem happened on Alabama Street in Lanark Village. Commissioner Mosconis asked if they had their property surveyed. Commissioner Sanders said this was on County property. Commissioner Sanders said Mr. Kennedy told her the reason he was recommending a licensed surveyor do the survey is because up in Washington County the County inadvertently took about one-thousand feet of a citizens property and they had to pay the property owner approximately \$100,000.00. She stated she would rather go ahead and pay for a surveyor to survey the County right-of-way and not have any problems with the survey. Commissioner Mosconis said he thought the County Engineer could take the people's survey and use it to complete a survey. Mr. Chipman said he thought Mr. Kennedy could use the survey markers on the adjoining property. Chairman Creamer interrupted this discussion for a public hearing.

**PUBLIC HEARING-ROAD ABANDONMENT PART OF HATHCOCK ROAD**

(Tape 1-1508) Mr. Shuler said he had advertised this public hearing to discuss a road abandonment of "All of Hathcock Road lying Easterly of Linden Road in Lots 11 and 12 of Southland, a subdivision recorded in Franklin County Plat Book 1 at Page 1." He read the following resolution into the record: Whereas, The Board of County Commissioners of Franklin County, Florida has heretofore acquired the below described road right-of-way for use and improvements as a public road. Whereas, the Board of County Commissioners of Franklin County, Florida has determined that the interest of the County and the public in said road should be abandoned and the road closed. Now, Therefore be it Resolved that the following described road right-of-way be closed and the interest of the public therein abandoned: All of Hathcock Road lying Easterly of Linden Road in Lots 11 and 12 of Southland, a subdivision recorded in Franklin County Plat Book 1 at Page 1. Notice of the adoption of this resolution shall be published once and proof of publication of the notice of public hearing, this resolution as adopted, and the proof of publication of the notice of the adoption of such resolution shall be recorded in the Office of the Clerk of Court. He said the history behind this is that Hathcock Road used to run through Southland and exit through the triangle area belonging to the railroad. He explained another road was opened and the railroad asked for Hathcock Road to be closed. He said the road was closed at the property line of railroad right-of-way and therefore is no longer a through road; it is the end that goes through Lots 11 and 12. He stated one of the property owners discovered he owned three acres, but found out, since the road was using part of his property. He said this problem caused him to be short on his three-acres. He stated this cuts the property owner out of one building unit, but if the

road is abandoned then he would have his three acres. He stated there is a ditch and the County needs to be granted an easement to maintain the ditch. He said the owners of the adjoining two lots need to exchange agreements for the County to have ditch easements. He stated he didn't see any problem with closing the road since it is a dead end. He stated no one is being denied access to their property. Mr. Chipman expressed his concerns about maintaining the road and the ditch. Michael Shuler, owner of Lot 12, said the other lot owner, Mr. Howze, is going to deed an access easement along the existing road so his lot can still be accessed. He said this would not be a problem. Mr. Shuler asked the Board to approve this road abandonment contingent on the recording of mutual easements for the lot owners and an easement to the County for maintaining the ditch. Commissioner Mosconis said he would make the **motion to adopt this road abandonment as stated contingent on the recording of mutual easements for the lot owners and an easement to the County for maintaining the ditch.** Mr. Pierce said he wanted the record to reflect the Southland Subdivision was recorded in Plat Book 1 at Page 4 not Page 1 as Mr. Shuler had stated. Mr. Chipman said he had a question about this matter. He asked how wide the right-of-way would be because this was a large area. He stated he had to be able to clean or dig out the ditch so he had to get his equipment into this area. He said he was really concerned about a large dump truck having to go into this small area. He stated he wanted to be sure he could get his equipment into the ditch to maintain it. Mr. Shuler said he was sure everybody would agree the County could have as much room as needed. Mr. Chipman said this ditch drains that whole area and has got to be maintained. Michael Shuler said the roadbeds in that area are typically 66 feet wide. He stated he thought Mr. Chipman could get his trucks through. Mr. Chipman said he wanted to be sure the easement was as wide as his dump trucks. Mr. Shuler said he would prepare or verify an easement equal to the amount of property or easement currently on this road. Mr. Chipman said that would be fine. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**COMMISSIONER SANDERS-DISCUSSION CONTINUED**

(Tape 1-1771) Commissioner Sanders asked Mr. Pierce to inform the Board of the discussion Mr. Kennedy had with them. Mr. Pierce said Iowa and Maine Street have been platted in Lanark Beach, Unit 1. He explained Mr. Kennedy recommends that before the County goes out to the area to actually cut the roads the right-of-way needs to be surveyed by a licensed surveyor. He said the County didn't want to be clearing private property as was recently done on Alabama Street in Lanark Village. He stated Mr. Kennedy estimated the cost would be less than \$5,000.00. Commissioner Mosconis asked Mr. Pierce if the property owners had their property surveyed. He answered he didn't know. Commissioner Sanders said she had several calls from the property owners asking her to have the County survey the area for the County right-of-way. She stated if the other Commissioners didn't see a reason to have it surveyed then the Road Department could just do a "hit and miss" survey. Commissioner Mosconis said he was concerned about the budget. She stated she understood that, but felt the survey was necessary. Mr. Pierce said there were 8 lots on Main Street and 15 lots on Iowa Street with all of them having different owners. He stated it would be difficult to get a consensus. He said he too had received calls from some property owners wanting to know how they were going to get to their property. Commissioner Mosconis said then

**FCBCC MINUTES-SEPTEMBER 4, 2001**

the County might have to "bite the bullet" and pay five grand for the survey he just couldn't see doing it now. He stated he wanted to see if anything else could be done. Chairman Creamer suggested waiting until the new budget year. Mr. Pierce said some money might be left over in several departments that could be used in combination to pay for the survey. Chairman Creamer said Mr. Chipman was extremely busy right now anyway. The Board agreed to wait on taking action on the surveying of Iowa and Maine Streets in Lanark Village.

(Tape 1-1911) Chairman Creamer said there was some damage to North Franklin Street in Eastpoint to the shoulders of the road. He stated they had been damaged by the SGI Water Department installing their pipes, etc. He asked Mr. Chipman to check into the matter and see what can be done about repairing the shoulders of the road.

(Tape 1-1922) He stated the ditches in Eastpoint that flow into Highway 98 need to be dug out instead of just cleaned out. He said there is a lot of grass and weeds that have them clogged up.

(Tape 1-1940) Commissioner Sanders said Taylor Moore, Alligator Point resident, approached her Saturday and said all of the roads and driveways had been repaired from the recent water enhancements. She stated if anyone complained about this problem then it would be the County's responsibility to repair them now that the water company has completed the work it was doing there.

(Tape 1-1958) Commissioner Putnal asked Mr. Pierce if FDOT was really going to do any work on Wilderness and Ridge Road in Eastpoint or were they just "shooting their mouths off". He said he wanted to know something since it had been at least a year and he hadn't seen anybody doing any work in these areas. Mr. Pierce replied he couldn't tell him whether they were "shooting their mouths off" or not. He said they have told the Board they were going to do the repairs and the County fully expects them to do the work. Commissioner Putnal said his constituents in that area have asked him numerous times about these repairs. Mr. Pierce stated there are two projects, one is the FDOT Project and the other one is the CDBG Project that have not been completed or even started. He explained since Franklin County got a share of Taylor County's CDBG funds, since they didn't apply, might be the reason FDOT hasn't done more. He said the CDBG Project should begin in about two or three months. He stated if by then FDOT hasn't done anything then the County might be able to amend the County Project and take care of the FDOT repairs. Commissioner Putnal said FDOT would have to do those repairs since it was part of the SGI Bridge Mitigation Project. Mr. Pierce said the bridge contractors are still negotiating with DEP about the mitigation projects, permitting, etc. He stated he felt it was just a matter of money and if the contractor can convince DEP the Stormwater Project in Eastpoint is not going to make any difference to the Bay and if they are successful then they will just cut the project. He said then they could just save their money. He stated he is sure this is what is going on. Mr. Chipman said that areas on Wilderness and Ridge Road with the drainage problems are a major contribution to the mosquito problem in the County. Commissioner Sanders said she would make a **motion directing Mr. Pierce to send a letter to the SGI Bridge Project Managers-copy**

**FDOT with the letter-about the proposed mitigation project on Wilderness and Ridge Road in Eastpoint.** Mr. Pierce said he would personally take the letter to the project manager's office on SGI. He stated they need to know the County agrees to work with them, but the County is expecting the project managers to work with them on this project in Eastpoint. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler said Mr. Pierce needed to also send a letter to DEP so they won't let the SGI Bridge Project Managers off the hook either. Commissioner Putnal instructed Mr. Pierce to mention the mosquito problem caused by the water retention in this area of Eastpoint. Mr. Pierce assured the Commissioners he would mention all of these problems in the letter and personally take it to the project managers at the office in Eastpoint.

**BILL MAHAN-COUNTY EXTENSION DIRECTOR**

(Tape 1-2100) Mr. Mahan said he had a quick update on the Clam Aquaculture Project. He said the following is the latest information he has received from the DACS Aquaculture Bureau: A total of 67 applications were received, 48 were from Franklin County residents and 5 were from Wakulla County residents. DACS has completed their initial review of the applications and last week, sent letters to the applicants informing them of their current status. DACS has also sent a letter to the Franklin and Wakulla County Property Appraiser Offices requesting they verify residency status of the applicants. He said, at this time, DACS is considering allowing 46 leases, which would be 1.5 acres in size. They are currently evaluating the site to confirm the number of lease sites. The next steps include scheduling a Lease Workshop in October when the applicants will select their lease sites and then present the list of leases to the Governor and Cabinet in November for approval. Commissioner Putnal asked how large the normal lease sites were. Mr. Mahan replied Leslie Sturmer, UF Sea Grant Agent, told him the normal lease size consisted of two acres. He said she was a little concerned about the 1.5-acre size, but thought it would work out. Commissioner Putnal said he was concerned about people being able to make a profit from the aquaculture project.

(Tape 1-2212) Commissioner Mosconis presented Mr. Mahan with a magazine, which contained an article about the Massachusetts Aquaculture Program and some of the problems they are having. Mr. Mahan thanked Commissioner Mosconis for the magazine.

**VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-2240) Mr. Johnson said he didn't have anything to report to the Board this morning.

**RENE TOPPING-HUMAN SOCIETY BUDGET**

(Tape 1-2271 Continued on Tape 2) Ms. Topping submitted and read into the record a lengthy seven-page letter. The letter contained a complete history of the Humane Society in Franklin County from its inception to the current status of the Humane Society and its Shelter Operation. Gayle Dodd, Director of the Humane Society Animal Shelter, appeared before the Board at this time to address them about the budget cuts imposed on the Humane Society Budget by the Commissioners. She said when she took over the



Animal Shelter there was no one who would do the bookkeeping for the shelter, etc. She stated she would run the shelter as a business as it should be. She said this is the fourth year she has appeared before the Board asking for an increase in their budget since there are always more animals being brought to the shelter. She stated they can't help the irresponsible level of animal care that is experienced in Franklin County. She said it is so rampant. She wished they could just close the shelter and say everything is fine here, but it's not. She stated she didn't know what the answer was to the problem. She presented several issues to the Board. She said the salaries seemed to be the big issue. She said, because of the amount of animals seen at the shelter, she included payment of one extra hour per employee in her budget. She said if the Board sees that is an extra she would cut the proposed budget back to the original amount of \$34,000.00, which would mean her employees would not get a raise. She stated if they would stay and work longer then she would just thank them for it. She said utilities costs \$800.00 a month, including the water bill which usually runs around \$83.00 to \$123.00 per month. She stated they do try to conserve the water. Commissioner Mosconis asked if they could hook into the water system at the Landfill. Mr. Johnson said he would do whatever the Board directed him to do. Chairman Creamer said he wasn't sure that could be done or allowed by the Eastpoint Water and Sewer District. Commissioner Mosconis said that could be a cost savings and he then suggested a well could be dug at the shelter. Ms. Dodds replied it really didn't matter as long as they had potable water. Commissioner Mosconis said the whole issue here was saving County Taxpayer's dollars. He stated he felt the shelter and the Franklin County Animal Control Department were duplicating services. Chairman Creamer interrupted this discussion to conduct a bid-proposal opening.

#### **PROPOSALS-CDBG ENG. SVCS. DRAINAGE PROJECTS**

(Tape 2-42) Chairman Creamer announced the opening of proposals for the CDBG Engineering Services for the Eastpoint and Apalachicola Drainage Projects. Mark Curenton, Assistant Planner, reminded the Board they had appointed a committee consisting of him, Mr. Pierce and Ruth Williams, the Finance Officer to review the proposals and then make a recommendation to the Board. Kendall Wade, the Clerk, opened the only proposals submitted, by Preble-Rish, Inc. Commissioner Mosconis made a **motion authorizing the proposals be reviewed by the appointed committee and then make a recommendation to the Board.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

#### **HUMANE SOCIETY BUDGET-CONTINUED**

(Tape 2-97) Ms. Dodd continued her presentation at this time. She informed the Commissioners how much she pays for pest extermination, bleach, pine-sol, medical supplies, dog and cat food, puppy and kitten food, etc. Chairman Creamer stated, after looking at her budget, salaries, with all the taxes, etc, consisted of a large portion of her budget request. He said it totaled \$34,233.00 per year. Ms. Dodd said she was asking for \$36,000.00 this year, but if that needed to be cut she would cut it. She stated she would just ask for the \$34,233.00 without an increase. Commissioner Mosconis again stated the Board was against raising peoples taxes and after further discussion Commissioner Mosconis said he wanted Ms. Dodd, Mr. Johnson, Mr. Ben Watkins, and Ms. Williams to meet and try to arrive at some amount around \$50,000.00 to be shared between the

Animal Shelter and Animal Control. Commissioner Sanders told the audience the County had to work with the budget because a lot of cuts came from the Governor's Budget cuts at the State level. Ms. Dodd said she would work with these folks to see if something couldn't be worked out. Mr. Wade reminded the Board the first Public Hearing regarding the finalization of the budget was scheduled for Monday, September 10<sup>th</sup> at 5:15 p.m. Commissioner Mosconis made a **motion directing Ms. Dodd to meet with Mr. Johnson, Mr. Watkins, and Ms. Williams to negotiate the budget for the Humane Society within \$50,000.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said some of this money was "phantom money". He stated the "phantom money" was the Tipping Fee Budget. Mr. Wade again reminded the Board the budget needed to be worked out very, very soon since the first public hearing was Monday night. Mr. Johnson said he would like to meet with these folks tomorrow at 9:30 a.m. at his office at the Landfill on Highway 65. Mr. Wade asked them that as soon as something is decided to let the Finance Officer know. Mr. Johnson said he would keep her informed about the decisions they made.

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 2-1308) Mr. Pierce presented the Board with a Preliminary Damage Assessment Report from Tropical Storm Barry. He said the report was turned in a timely manner. He said Tim Turner, Emergency Management Director, estimated the approximate countywide damages totaled \$250,000.00. He said he didn't know of any county that received public assistance for storm damage, but some counties did receive Small Business Administration Loan offers.

(Tape 2-1350) Mr. Pierce reminded the Board, as discussed earlier, there would be a representative from DACS, Steve Rutz, to discuss aerial spraying and the effect aerial spraying would have on the aquatic life in Franklin County at the next Board Meeting on September 18<sup>th</sup>.

(Tape 2-1355) He said he informed the Board several weeks ago about the request George Mahr submitted to create 5 more lots in Casa Del Mar Phase II. He said Mr. Mahr is ready to conduct the public hearing. He stated he has scheduled the public hearing for September 18, 2001 at 10:45 a.m. He said the next Board Meeting was going to be hectic, but this amendment to the SGI DRI appears to be acceptable to all parties, including the Plantation, and so the hearing should not last very long. Commissioner Sanders made a **motion authorizing the scheduling of a public hearing to consider a request submitted by George Mahr to create 5 more lots in Casa Del Mar Phase II on SGI for September 18, 2001 at 10:45 a.m.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1380) He stated at the last Board Meeting the Commissioners instructed him to investigate the impact of changing the County's regulations on under story construction from 200 square feet to 300 square feet. He stated 300 square feet is allowed by FEMA and so he is recommending the Board direct him to prepare an amendment to the County's Flood Ordinance which would allow up to 300 square feet of storage area in V-Zones. Commissioner Mosconis asked Mr. Pierce if this change would affect Flood

Insurance Premiums in Franklin County. Mr. Pierce replied no, because the County had 200 square feet requirement and FEMA allows 300 square foot for under story construction. He explained he needed authorization to schedule a public hearing to consider amending the County's Flood Ordinance. He said this change would make Franklin County's requirements consistent with FEMA's. Commissioner Mosconis made a **motion authorizing the scheduling of a public hearing to consider an amendment to the County's Flood Ordinance which would allow up to 300 square feet of storage areas in V-Zones.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1437) He presented a letter from Senator Bob Graham about the sand shifting around the Breakaway and Bay City Lodges. He said the letter was attached to another letter sent to Senator Graham from the USCOE. He read the following into the record: "The U. S. Army Corps of Engineers (Corps), Mobile District, has performed hydrographic surveys of the Apalachicola River upstream of the entrances to the Breakaway Lodge and the Bay City Lodge and compared the results to historical surveys of the same area. Unfortunately, the historic information available is limited and yields no definitive conclusion for the cause of the shoaling. Possibly as a result of flood events, it does appear that material from our disposal area has migrated and may have contributed to the shallow depths in the river near the entrances to the lodges. The Corps will proceed to seek environmental certification from the State of Florida to perform dredging of the access areas. This environmental certification will take a minimum of 6 months to complete before any work can begin. If the State of Florida concurs with our plan of work and provides the needed certification and the endangered species coordination can be successfully completed, the Corps will develop a dredging plan to address the problem. If the State of Florida does not concur with our plan, we will be unable to dredge."

(Tape 2-1522) He provided the Board a letter from Brigadier General William F. Hodgkins, which answers the Board's letter sent to him concerning the Tyndall RAPCON. He said the letter is to inform the County of the estimated cost of installing a radio and removing it to Tyndall RAPCON. He stated the costs would be as much as \$10,000.00 to \$15,000.00 per month for the interfacing each month and the equipment would cost between \$30,000.00 to \$40,000.00. Mr. Pierce said this would not be an option for Franklin County at the present time, but he said the Apalachicola Airport Advisory Committee would keep working on the proposal.

(Tape 2-1540) He presented a letter from DEP regarding additional assistance regarding the removal and processing of waste tire piles around the County. He said he had given Mr. Johnson a copy of the letter. Commissioner Putnal asked if this program would help Peggy Miller, Miller Trucking of Eastpoint, with her request to have her company's tires taken to the Landfill for amnesty days or at least at a reduced rate. Mr. Pierce replied this program might help and that is why he gave the letter to Mr. Johnson since this matter concerned his department.

FCBCC MINUTES-SEPTEMBER 4, 2001

(Tape 2-1574) Mr. Pierce said at the last Board Meeting the Commissioners tabled the approval of a preliminary plat for Magnolia Ridge Subdivision, located in Eastpoint, pending the engineer's review of the access road. He informed the Board the engineer did change the access road from North Bayshore Drive to Otter Slide Road, and now the Board can approve the preliminary plat with this change. Commissioner Putnal made a **motion approving the preliminary plat of Magnolia Ridge Subdivision, Eastpoint, reflecting Otter Slide Road as the access road to the subdivision.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1650) He informed the Board that Neil Fleckenstein, ARPC, and Tim Turner, EOC Director, successfully rewrote the Franklin County Comprehensive Emergency Plan (CEMP) to meet the state requirements. He said the Board would be receiving a copy of the plan shortly, and then he would ask the Board to adopt the plan by resolution. He presented the Board the approval letter from DCA.

(Tape 2-1668) He said the Board authorized the creation of a clerical position to be funded from the Emergency Management Grant Funds for the EOC Office at the Airport. He informed the Board he and Mr. Turner have offered the position to Vickie Lee Cryderman, also known as Vickie Moore. She will begin working at the EOC Office on September 17<sup>th</sup>, contingent on her passing the required drug test for new employees.

(Tape 2-1698) He submitted the Apalachicola Airport License for the period October 1, 2001 to November 30, 2002. He said the airport had passed its most recent FDOT inspection. He stated he would take the original license out to the airport for posting. Ted Mosteller, Chairman Apalachicola Airport Advisory Committee, said now that the trees have been removed the weeds are now an obstruction. He stated something would have to be done about them.

(Tape 2-1744) He stated the Board submitted a request for \$950,000.00 to fix the Stormwater System at the airport. He said he is waiting for some justification for the request from Bill Ruic, Fixed Based Operator, or Mr. Mosteller.

(Tape 2-1760) He said the fourth and last Joint Participation Agreement (JPA) came in for the Apalachicola Airport from FDOT Aviation. He said this JPA is going to be used to construct some maintenance hangars along the side of the existing main hangar. He informed the Board the estimated cost was \$67,000.00, with FDOT providing \$53,600.00. He stated Mr. Ruic has informed him he has private financing to provide the local match, and he and Mr. Mosteller are requesting this JPA be approved by the Board. He said he has held the other three JPA's until the Board acted on this one. Commissioner Mosconis made a **motion approving and authorizing the Chairman's signature on the JPA in the amount of \$53,600.00 to be used to construct some maintenance hangars at the Apalachicola Airport.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1791) Mr. Mosteller asked the Board if they would go ahead and authorize the Airport Committee to request bids for these projects. Mr. Pierce asked Mr. Mosteller if

the FBO and the Airport Committee was prepared to advertise the projects for bids. Mr. Mosteller replied they were ready. Commissioner Mosconis made a **motion authorizing the advertisement-request for bids for the FDOT Aviation-Apalachicola Airport Projects.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1816) Commissioner Mosconis asked about the status of the access road at the airport. Mr. Pierce replied he had requested and the Board approved, at the last meeting, an extension for the project. Commissioner Mosconis said he didn't want an extension; he wanted the project completed. Mr. Pierce said he needed a letter from the County informing DEP that the County owns all of the airport property. He stated he didn't know why they needed such a letter, but he is going to ask Doris Pendleton, Property Appraiser, to send a letter verifying that Franklin County does own all of the airport property. He stated the County is still in negotiations with C. W. Roberts, Inc. about the work to be done on the access road.

(Tape 2-1899) He said Ms. Shirley Walker, SHIP Administrator, has completed the annual reports for the SHIP Program for fiscal years 1998-1999, 1999-2000, and 2000-2001, as required by the Florida Housing Finance Corporation. He explained the reports have been reviewed by the State of Florida and Ms. Walker has made some changes based on their review. He said, based on Ms. Walker's assessment the reports are accurate, he would ask the Board to direct the Chairman to sign the certification form that Ms. Walker must submit to the State. Commissioner Sanders made a **motion authorizing the Chairman's signature on the SHIP Certification Form.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1940) He announced to the Board that the CDBG Committee just met briefly and decided to recommend the Board negotiate with Preble-Rish, Inc., the only bidder, regarding the proposal. He said this was regarding the CDBG proposals the Board just opened this morning. Commissioner Mosconis made a **motion authorizing negotiations with Preble-Rish, Inc. regarding their proposal.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1958) He said he had, for the Board file, the signed Florida Department of Environmental Protection Florida Recreation Development Assistance Program Project Grant Agreement-Acquisition between Franklin County and the State. He said this was the FRDAP Grant for the Carrabelle Recreation area. He stated the County is now ready to move forward with purchasing the land in Carrabelle as soon as the owners are ready. He stated he expects clarification from the owners very soon or at least by next week.

(Tape 2-1975) Chairman Creamer informed Mr. Pierce the camper trailer is back on the highway. He said he has already told his employees to have the power cut off and a "Red Tag" placed on it. Chairman Creamer said he was asked by Brent Mabrey, FCPHU, to be involved in this matter. Mr. Pierce assured the Chairman he would cooperate with Mr. Mabrey.

**FCBCC MINUTES-SEPTEMBER 4, 2001**

(Tape 2-2029) Commissioner Putnal asked about the access across the road from Florida Street in Lanark Village. He said there were some people who talked to him while he was eating lunch in Carrabelle about the County right-of-way being landscaped. He said they didn't know if it was public access or not. Mr. Pierce replied Mark Curenton was working on identifying all of the County right-of-ways around that area. Commissioner Sanders said she was staying on top of the matter. She stated some of the right-of-ways she thought the County owned; she has found out the County doesn't own. Commissioner Putnal said he told these folks that Commissioner Sanders was working on this problem.

(Tape 2-2085) Mr. Pierce said he wanted the Board to know the area in Lanark Village that was rezoned to R-1a for a subdivision was never completed and the new owners have talked to him about two things; the preliminary plat was approved four years ago-is only good for one year so they will have to go through that process again; and the problem of accessing the subdivision. Debbie Brett, new owner of the property, said her understanding was that the roads would be given to the County. She stated the back portion would use Debbie Lane as access for those people. She said she turned in the sketch plat last month, but has not been placed on the Planning and Zoning Agenda. She stated the understanding is that there would be no "hassle" with Oak Street and the way they would solve that problem would be to put "Pavement Ends" signs. Mr. Pierce stated he felt this was going to be a problem, which Planning and Zoning cannot address because the Commissioners control the roads through the Road Department. Commissioner Sanders said the only problem is the land is owned by several people. She stated Ms. Brett and a Mr. Simmons are involved in this matter. She said part of the road is owned by him. Ms. Brett told the Board she had title insurance on the whole thing. Mr. Pierce said if there is a dispute about the road the Commissioners are more likely to direct him to something. He stated this is a major problem that must be resolved. He asked the County if they wanted to maintain the through street there. Commissioner Sanders replied the County has maintained it in the past, but her only concern with this is that back part of Lanark is becoming more populated and she is concerned about access for emergency vehicles to that area. She said the County might have to do something else, but she felt it was very important to have access for emergency vehicles. Mr. Pierce said Bobby Winchester; her son owns one of the lots in this area, called him with her concerns too. He stated he really didn't know what could be done. Ms. Brett said that is why they left Infield Road and Debbie Lane to be used by the County for access. Mr. Pierce said Ms. Winchester was coming to his office to look over the sketch plat and then after she does that he said he would meet with Mr. Shuler to see what can be done about this problem.

(Tape 2-2353) Mr. Pierce said Ms. Mary Lawhon, Shell Point Realty, called him about a problem on Alligator Point. He stated the County has stockpiled sand along the Alligator Point Road (CR 370) for at least seven years. He said it is stored on the right hand side of the road, going toward the point. He explained this is done for convenience so the Road Department can have it readily available for damage done to the road during storms. He said Ms. Lawhon represents a client who has purchased a five-acre tract of land. He said the sand has been stockpiled across the entire front of that tract of land. He

stated he sent a letter to Ms. Lawhon informing her he didn't know how long it would take the County to move the sand. He said there is a possibility the County could move the sand to the other side of the road on St. Joe-Arvida owned property. Commissioner Sanders said she has talked to Ms. Lawhon about this matter. She stated she did tell Ms. Lawhon the County was in negotiation with St. Joe-Arvida regarding some property. She said she told Ms. Lawhon a representative from St. Joe-Arvida had approached her and informed her they did intend to let the County have two acres down at Alligator Point for a sand pit. She said she did not know when or where it was going to happen. Commissioner Mosconis said then he thought we needed to pursue getting the property from St. Joe-Arvida. Mr. Pierce said he called and left a message for Tim Edmonds, CEO St. Joe-Arvida, last week after he spoke to Commissioner Sanders. He said he still has not talked to Mr. Edmonds. Commissioner Sanders said she would make a **motion directing Mr. Pierce to send a letter to Tim Edmonds, CEO St. Joe-Arvida, asking him to move forward on providing two acres at Alligator Point for the County to use as a sand pit.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Ms. Lawhon asked Mr. Pierce to send her a copy of the letter. Mr. Pierce said he would send her a copy. Mr. Pierce said he didn't think the County would object to the property owner hiring someone to move the sand to the other side of the road either. Commissioner Sanders said she didn't have a problem with moving the sand, but she wanted to be sure the sand was where the Road Department had quick access to it in case of storms. Ms. Lawhon said all of the sand appeared to be the sand from the dredging project. She stated the property owner has no access to his property at all. She said there is additional property with sand on it as well that is for sale. Commissioner Sanders said the sand is being placed on the opposite side of the road now. Ms. Lawhon said when her client signed his contract to purchase this property there were no sand or dirt piles there. Commissioner Sanders said if Ms. Lawhon would meet her down at the site she would have enough sand moved so the owners could at least get in and out. Ms. Lawhon thanked the Board.

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

(Tape 2-2631) He said he had three Resolution of Unanticipated Revenues that he needed Board approval of this morning. He read the following resolutions 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 \$189,096.78 from Tropical Storm Helene, 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: 140.41.541.5300 Road Materials & Supplies \$20,000.00-140.99.584.9600 Reserve for Contingency \$169,096.78 Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$189,096.78 for use in the Road & Bridge Fund in order to comply with FS 129.06(2)(d). This Resolution adopted by the Franklin County Board of County Commissioners this 4<sup>th</sup> day of September 2001. Eddie Creamer,