

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
JANUARY 2, 2002**

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

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

(Tape 1-33) Commissioner Sanders made a **motion to approve the minutes of the meeting held on December 18, 2001.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-36) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-41) Mr. Chipman reminded the Board the mechanic at the Road Department, Raymond Hall, is retiring. He announced Rusty Putnal the Road Department's current assistant mechanic would be replacing Mr. Hall. He said he would need to then advertise the entry-level position created by Mr. Putnal transferring. He stated Mr. Putnal was the only person to submit an application after the vacancy had been posted at both the Landfill and the Road Department. Commissioner Sanders made a **motion promoting Rusty Putnal to entry-level mechanic, with benefits and salary, at the Road Department.** Commissioner Putnal stated he would abstain from voting on this matter since Rusty Putnal was his son. He said he would complete his Form 8B for the Board Secretary. Commissioner Williams seconded the motion. Chairman Creamer, Commissioners Sanders, Mosconis and Williams for. **MOTION CARRIED.** Mr. Chipman said he would now need the Board to authorize the advertisement of the vacant position created by Mr. Putnal's promotion. He said it would be an entry-level position at the Road Department. Commissioner Putnal made a **motion authorizing the advertisement of the entry-level vacant position at the Road Department.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-103) Mr. Johnson informed the Board the contractor responsible for removing white goods from the Landfill for recycling notified him they would no longer be providing this service outside of Tallahassee. He said this meant the County would be left without a provider for this service so he instructed the Landfill staff to seek out other companies willing to provide this service. He explained, after an extensive search and due to the decrease in the market value of this material, they could only find one contractor. He said the name of the company is Cumbaa Enterprises out of Blountstown. He asked the Board for approval to enter into a one-year agreement with Cumbaa Enterprises to provide White Goods removal service at the Franklin County Landfill for \$5.00 per gross tone. He also asked for the Board to approve the Chairman's signature

on this agreement. He informed the Board the County Attorney, Mr. Shuler, had reviewed the service agreement and approved it. Commissioner Putnal asked if there would be a difference in the funds. Mr. Johnson said the County was being paid \$12.50 by the previous contractor, Jimmy Crowder, and the new company, Cumbaa Enterprises, would be paying \$5.00. He assured the Board this was the best price he could get for the County. He said it shouldn't affect his department since he needed the material moved out of the Landfill more than he really needed the money. Commissioner Putnal made a **motion approving and authorizing the Chairman's signature on the "White Goods Diversion/Separation Agreement by and Between Cumbaa Enterprises, Inc. (Contractor) and Franklin County, Florida" for a minimum of one year.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-162) He asked the Board to approve the purchase of the equipment he requested during the Budget process. He said he wanted permission to purchase, from the Florida Association of Counties/Sheriff's Department Contract, the following equipment; 1 dump truck; 1 tag along trailer; and 1 pick-up truck. He said this equipment was approved and budgeted during the 2001/2002-budget process. Commissioner Sanders made a **motion authorizing Mr. Johnson to purchase the equipment budgeted for the Solid Waste Department during the 2001/2002 budget process-1 dump truck-1 tag along trailer and 1 pick-up truck.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-184) Mr. Johnson informed the Board he would be conducting interviews for the vacant secretarial/clerk position at the Landfill this Thursday and Friday.

DR. PHOTIS NICHOLS-HOSPITAL MATTERS

(Tape 1-205) Dr. Nichols said he would like to make several remarks if the Board would allow him to. He stated he is out of his office now and has retired. He said he is not practicing medicine anymore, but he is concerned about the direction the hospital is going. He stated he doesn't want the Board to feel threatened when these individual management companies who contract to operate the hospital threaten to leave and make the County operate the hospital. Dr. Nichols stated this can be done and has been done before. He said the County used to operate the hospital after all. He stated he felt the hospital wasn't gaining any ground. He stated he has advocated for a diagnostic center for many years. He said he and the Board were promised a diagnostic center from each of the most recent management companies at the hospital. He stated this hospital does not have a cat-scan, ultra sound, etc. which are basic tools used today for treatment by hospitals. He said the County sends more patients out-of-town to Panama City and Tallahassee for treatment. He stated at the very least some babies could be delivered at the local hospital. He told the Board of a patient of his that needed medical attention immediately. He said the patient had to wait to be transported, by ambulance, to Bay or Leon County to be treated. He said the patient needed immediate care and died a few days later in a Bay County hospital. He stated maybe this would not have happened if immediate care for this problem had been given to the patient. He said time is of the essence when you are dealing with some illnesses. He said the County could operate the hospital, if they needed to, with a good administrator. He asked the Board to strongly

consider this matter because he is concerned about the hospital. He said he is going to finish this discussion now and thanked the Board for everything they had done for him during the past. He stated he hopes something good can come out of this local hospital. Chairman Creamer said he wanted to make a comment. He said he was totally against sub leasing this hospital. He stated he has wanted to go in a different direction with the hospital for a long time. He said he didn't want this present administration at the hospital and he is still totally against them operating the hospital. He stated he thought if the County did have to begin operating the hospital he would say "So what, lets do it". He said Franklin County would not be the only County doing this. He stated his mother is in critical condition and time is of the essence with her health. He said he wanted the best care he could get for her. Dr. Nichols stated he thought the money is coming into the hospital from Medicare, Medicaid, and private insurances. He stated he just wanted the Commissioners to know they could operate the hospital if they had to.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-520) Mr. Pierce said on May 25, 2001 the Board directed him to write a letter of intent accepting Franklin County's allocation of Federal Coastal Impact Assistance Program (CIAP) funds. He stated on December 30, 2001 Franklin County received the "Coastal Impact Assistance Program Award Notification" of \$106,415.00. He stated the Board's letter of intent reflected the Board intended to direct all of the CIAP funds towards the long-term recovery and shoreline stabilization of Alligator Point. He explained, over the next few weeks he would be getting better direction from the CIAP program as to what they will allow the funds to be spent on. He asked the Board to approve the Chairman's signature on the award document so he could return it to the program administrator. He said, at this time, he believed this would be a onetime allocation of CIAP funds. Commissioner Sanders made a **motion authorizing the Chairman's signature on the "Coastal Impact Assistance Program Award Notification" in the amount of \$106,415.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-566) He presented the Board with a letter from DCA stating the Department approves the budgets for surveying, \$18,000.00, and environmental permitting, \$3,500.00, projected by Preble-Rish, Inc, for the CDBG project that would clean out the big ditch in Apalachicola.

(Tape 1-578) He said FEMA has notified the Planning Office the new FEMA Flood Maps for Franklin County have been approved and are to be used immediately. He presented the letter from FEMA to Franklin County reflecting this information.

(Tape 1-587) He informed the Board he has a contract from The Ingram Group for construction of the Franklin County Courthouse Annex in Apalachicola. He asked the Board to approve the Chairman's signature on the contract contingent on Mr. Shuler reviewing and approving the contract. Commissioner Williams made a **motion approving the contract and authorizing the Chairman's signature on the contract between The Ingram Group and Franklin County for construction of the Franklin County Courthouse Annex in Apalachicola contingent on approval by the County**

Attorney. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-605) He informed the Board Mark Curenton, Assistant Planner, has received notification, by e-mail, from the USCOE that an Aid to Navigation would be placed at the shoal at the junction of Scipio Creek and the Apalachicola River. Mr. Pierce said this would be some type of "green colored" buoy. He stated the information did not give an estimated installation date. Commissioner Mosconis asked Mr. Pierce to instruct Mr. Curenton to call USCOE and see if he could get an installation date from them. Mr. Pierce agreed and said he would give Mr. Curenton the message.

(Tape 1-617) He said the Governor has delayed implementation of the new statewide building codes until March 1, 2002.

(Tape 1-623) He informed the Board he has been asked to be a member of a six-member panel appointed by the Secretary of State, which is responsible for reviewing all state applications for acquisition and development applications for historical resource grants. He said he is the only panel member from the panhandle since the other members are from Sarasota, West Palm Beach, Deland, and 2 from Coral Gables. He said he would be in Tallahassee for 3 days during the second week in February. He told the Board the state would reimburse him for travel expenses.

(Tape 1-642) He asked the Board to approve a Supplemental JPA with FDOT for additional funds to construct an addition to the Maintenance Hangar at the Apalachicola Airport. He said this supplemental agreement increases the FDOT authorized costs from \$81,000.00 to \$118,400.00. He said this project had originally been bid, but no contractor bid on it. He stated an informal estimate submitted by Polaronis Construction was well beyond the original funds available. He explained he did need Board action to accept the Supplemental JPA and action to direct him to contact Preble-Rish, Inc. to negotiate a fee for the JPA administration and construction supervision for this project. He said this project would have to be properly bid, and most likely construction plans would have to be drawn. Commissioner Mosconis made a **motion authorizing the acceptance of a Supplemental JPA with FDOT for additional funds to construct an addition to the Maintenance Hangar at the Apalachicola Airport from \$81,000.00 to \$118,400.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he would also make a **motion authorizing Mr. Pierce to negotiate with Preble-Rish, Inc. for administration and construction supervision for this project.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce stated he might need to discuss this matter with the Apalachicola Airport Advisory Committee or the current FBO at the Airport. Ted Mosteller, Chairman, Apalachicola Airport Advisory Committee, said the airport already had a designed engineering firm, URS, formerly Dames and Moore, under contract at the present time. He stated he didn't know if this would be a problem or not.

(Tape 1-704) He reported the County had received the annual contract from Apalachee Regional Planning Council (ARPC) for them to continue to perform the Hazardous Waste

Assessment for Small Quantity Hazardous Waste Generators. He said the state normally reimburses the County for this expense although he does not believe the County has received the state contract yet. He explained the ARPC contract is for \$2,500.00 and asked the Board for approval of the contract contingent on the Clerk, Mr. Wade, a member of the ARPC, confirming that the ARPC would not expect to receive their funds until the County receives its funds from the state. Commissioner Putnal made a **motion authorizing the Chairman's signature on the annual ARPC Hazardous Waste Assessment for Small Quantity Hazardous Waste Generators in the amount of \$2,500.00 contract between ARPC and Franklin County contingent on the Clerk verifying ARPC will not expect their payment until the County receives their reimbursement from the state.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-725) Mr. Pierce and Mr. Wade said they wanted the Board to know the current hospital management group, DasSee, was 2 months behind in their rent. Mr. Wade stated DasSee needed to pay the County \$20,000.00 for the months of November and December, \$10,000.00 for each month.

(Tape 1-740) He stated the last item for discussion on his report is to request the acceptance of a Letter of Credit for road construction in "Magnolia Ridge, Phase 1" subdivision and the Final Plat of the subdivision contingent on the County Attorney approving them. He stated normally most developers build their own roads in the subdivisions, but in this case the developers want to record the plat before, which means they must furnish the County a Letter of Credit to build the roads, therefore the County has the assurance there will be funds available to build the roads in case something happens to the project. He presented the Board with a copy of the Letter of Credit from Gulf State Bank dated January 2, 2002 and the actual plat of the subdivision for the Board to consider. He said he needed a motion to accept the LOC for the road construction in the subdivision. Commissioner Putnal made a **motion accepting the Letter of Credit for road construction in "Magnolia Ridge, Phase 1" subdivision from Gulf State Bank dated January 2, 2002 in the amount of \$100,000.00 contingent on approval by the County Attorney.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler said the LOC is furnished by the developers and then the County Engineer would have to look over the road plans to see if they meet County specifications. He stated if the road plans meet all of the requirements then the LOC is furnished to the County. Commissioner Putnal said he would also make a **motion approving the final plat of "Magnolia Ridge, Phase 1" subdivision contingent on approval by the Planning and Zoning Commission and the County Attorney.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

KENDALL WADE-CLERK

(Tape 1-841) Mr. Wade said he didn't really have anything to report to the Board this morning other than DasSee being behind on their rental payment for the hospital. Commissioner Sanders said she wanted to discuss this matter. She stated this seemed to be a pattern and asked Mr. Shuler what could be done. Mr. Shuler said he usually sent

them a letter demanding they bring their rent current. He stated this usually works. He suggested the Board direct him to write them a letter demanding the rent be brought current. Commissioner Sanders said she would make a **motion directing the County Attorney to send a letter to DasSee demanding the rental payments for the hospital be brought current and instructing Mr. Pierce to call the hospital and ask the current administrator to come to the next Board meeting.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

MR. PIERCE-CONTINUED

(Tape 1-888) He stated the developers of "Magnolia Ridge, Phase 1" are requesting the County pave part of Cedar Street. He explained Cedar Street is currently a platted road only 200-foot long, but it part of Magnolia Bluff's plats. He said the road has never been opened and the developers are going to open it up and pave the road. He stated they need permission to pave what is an existing County Road. Chairman Creamer asked Jamie Crum, the developer of this subdivision, if this is where the culvert needs to be fixed. Mr. Crum stated the culvert needed to be replaced. Chairman Creamer asked if anyone had contacted the Road Department Superintendent Mr. Chipman since the culvert belonged to the County. Mr. Crum replied he had talked to Luberto's Sand and Stone, Inc. and they were going to call Mr. Chipman. Commissioner Putnal made a **motion authorizing the opening and paving of Cedar Street by the developers of "Magnolia Ridge, Phase 1" subdivision.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

KENDALL WADE-CONTINUED

(Tape 1-920) Mr. Wade said he was going to check into purchasing a storage building to store the lawnmowers, weed eaters, etc. now stored in the little building beside the Courthouse. He said they should begin construction on the new Courthouse Annex before too long and the little storage shed would have to be torn down. He stated he thought it would be cheaper to just purchase a storage shed instead of block up the windows in the Old Jail.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 1-947) Mr. Shuler said the lawsuit the Alexis Group has filed against Franklin County regarding the SGI Beaches is continuing. He stated the attorney's for Alexis have been late in filing their answers to his request for admissions.

(Tape 1-963) He said he approved a LOC from Gulf State Bank for the Airport Hangar Contract. He stated he understands from action taken this morning the County was going to have to go through the bid process again.

(Tape 1-977) He stated he read and approved the new White Good Contract between the County and Cumbaa Enterprises as requested by Mr. Johnson.

(Tape 1-987) He explained he attended a fee hearing for three cases where conflict attorneys had been appointed for indigent defendants.

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(Tape 1-996) He reported he worked with the Building Official Robin Brinkley regarding a problem he has with the Department of Business and Professional Regulation that occurred before he received his final building license.

(Tape 1-1007) He said he had prepared a Resolution of Appreciation for Raymond Hall and read the following into the record: Whereas, Raymond Hall has declared his intention to retire from the Franklin County Public Works Department as of December 31, 2001, and Whereas, Raymond Hall has been a good and faithful employee of Franklin County for over ten years, and Whereas, Raymond Hall has proven himself skillful and dedicated, and Whereas, Raymond Hall's competent maintenance of Franklin County's heavy equipment and vehicles is much appreciated and will be sorely missed. Now, Therefore, Be It Resolved by the Franklin County Board of County Commissioners that this Resolution is presented to Raymond Hall in appreciation for his service to Franklin County. This Resolution adopted by unanimous vote by the Franklin County Board of County Commissioners this 4th day of December 2001. Eddie Creamer, Chairman Attest: Kendall Wade, Clerk. Commissioner Putnal said he would like to thank Mr. Hall for the job he has done for the citizens of Franklin County. Mr. Hall thanked the Board for the resolution.

(Tape 1-1053) Commissioner Mosconis asked Mr. Shuler the status of the Harris Brother property. Mr. Shuler answered he had the subpoena ready and he didn't have it served over the holidays, but would be put in the hands of the Sheriff's Department for service this week, probably tomorrow. Commissioner Mosconis asked him if the matter was close to being finalized yet. Mr. Shuler replied yes it was.

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

Eddie Creamer EDDIE CREAMER, CHAIRMAN

Kendall Wade KENDALL WADE, CLERK