

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FEBRUARY 19, 2002**

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

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

(Tape 1-27) Commissioner Putnal made a **motion to approve the minutes of the meeting held on February 5, 2002.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-33) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERIENDENT OF PUBLIC WORKS

(Tape 1-40) Mr. Chipman said at the last Board meeting he and DeWitt Polous, Mosquito Control Director, requested permission to advertise for the vacant position, paid for equally by the Road Department and Mosquito Control. He stated, after thinking about this matter, he has decided he wouldn't use this employee during the winter months. He said in the winter months there is not as much grass to be cut or ditches to be cleaned, etc. He informed the Board he would ask Mr. Polous, who was present at the meeting, to explain to the Commissioners how he would like to solve this problem. Mr. Polous explained he would like to create two part-time positions to conduct the mosquito spraying throughout the County. He stated this would save the County approximately \$9,000.00 in salaries. He said he and Mr. Chipman decided this would be better for the County and in the long run save the County some money. Commissioner Mosconis made a **motion authorizing Mr. Polous to hire two part-time employees for the Mosquito Control Department instead of hiring one-person fulltime as authorized at the last Board meeting on February 5, 2002.** Commission Williams seconded the motion. All for. **MOTION CARRIED.**

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-95) Mr. Mahan said he needed approval from the Board to send a letter of support of the National Sea Grant Program remaining under the authority of NOAA and not being transferred to the National Science Foundation, as being proposed by the President. He explained the major concerns about this are the National Science Foundation does not conduct education and extension work. He stated they also just perform basic research, which has no immediate applications. He said he was asked by the Florida Sea Grant Program Director, Dr. Jim Cato, of Gainesville to request this action of the Board. Commissioner Sanders made a **motion authorizing the Chairman's signature on a letter of support of the National Sea Grant Program remaining under the authority of NOAA instead of the National Science Foundation**

as proposed by the President. Commissioner Putnal seconded the motion. All for.
MOTION CARRIED.

(Tape 1-240) Mr. Mahan said he included two new Florida Sea Grant publications title "Submarine Groundwater Discharge" and "Nutrients and Florida's Coastal Waters."

(Tape 1-255) He said the meetings two weeks ago between Mike Travis, NMFS, and area shrimp industry representatives went very well. He said they greatly appreciated the information provided by the fishermen and the discussions on a wide range of topics. He explained the shrimp industry representatives like the idea that a NMFS economist was taking the time to travel throughout the Gulf to meet and talk to the industry representatives. He said one of the most discussed topics was the NMFS proposal to increase the size of the TED "grid" and the "shooter" opening so that larger turtles are less likely to get hung up in the trawl nets.

(Tape 1-288) He said he would like to update the Board regarding the Alligator Harbor Clam Aquaculture Project. He said Baskerville-Donovan representatives met with Mark Berrigan (DACS) and several members of the Lease Survey Committee in Alligator Harbor to begin the survey work. He explained he understood the way the process would work is that a draft survey would be completed, drawn and sent for review and approval by DACS and DEP. He said once the draft is approved, the corner poles of the leases would be put in place and the final surveys would be drawn and recorded. He said he also heard the turn around time would be thirty days.

(Tape 1-316) Commissioner Sanders asked Mr. Mahan about the status of the signs for the aquaculture project. Mr. Mahan replied he did bring it to the clammers attention and he has sent them some e-mails, etc. on the signs. He stated he was informed by Hubert Chipman, Superintendent of the Road Department, that the Road Department had blank green signs, but not white ones as required by DACS. He said he talked to Leslie Sturmer, DACS, and she is going to get some information from the Levy County Road Department about where the County could purchase some blank white signs.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-343) He said he wanted to inform the Board about the information he received when he attended the meeting in Tallahassee the other day with Commissioner Mosconis regarding the proposed solid waste grants cuts. He said, due to the efforts of the Small County Coalition and various State and County officials, House Bill 851, which originally proposed a total cut in the Solid Waste Grant Program has been amended to allow at least 4-million dollars for the thirty-four small counties in the State. He informed the Board, as it now stands, Franklin County can expect to receive a little more than \$117,000.00, approximately \$14,000.00 less than the County currently receives.

(Tape 1-377) Commissioner Sanders thanked Mr. Johnson for attending the meeting of the Lanark Village Association. She said County Ordinance 97-17 helps define some of the problems happening out there. She stated up until now the County has allowed people in LV to put trash and debris on the side of the road, but according to the

ordinance it is not allowed. Mr. Johnson said he is trying to locate a central location to pick up yard trash in LV.

ALAN PIERCE-DIRECTOR OF ADMINSTRATIVE SERVICES

(Tape 1-415) Mr. Pierce said at the last meeting he asked the Board for permission to work with the County Engineers on the issue of Stormwater and the filling of individual residential lots. He advised the Board there is currently language in the Zoning Code, specifically Section 465, which deals with the review of Stormwater associated with single-family houses. He said it has not been enforced because without a funding mechanism no engineer is going to review a Stormwater plan. He stated he is still seeking the advice of the County Engineer, David Kennedy, on how to review Stormwater and filling of existing lots.

(Tape 1-440) He informed the Board he had said the County would be signing Interlocal Agreements with both cities, but the County does not have to sign with either city. He said everybody signs with the State of Florida, and then the State coordinates who helps during a disaster.

(Tape 1-450) He asked for the Board to authorize the Chairman's signature on the DEP Stormwater Permit for the Apalachicola Airport T-Hangars project. He explained Dan Garlick, Garlick Environmental, is taking care of all of the paperwork at no charge for the County. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the DEP Stormwater Permit for the Apalachicola Airport T-Hangars project.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-460) He said he would like to discuss the Courthouse Annex telephone system today. He said now is the time to address two issues, which were not specifically part of the bid package for construction. The two issues are; computer network capabilities, and telephone service. He explained, at this time, GT COM maintains the Courthouse telephone system. He asked if the Board if they wanted to ask GT COM to a bid on the project or did the Board want to seek other vendors. He said if GT COM is not used whatever system is used would have to be compatible since it would have to be connected to the main Courthouse. He said David Kennedy recommended only a simple conduit for computer services leading out of the building, because non of the proposed uses are going to have heavy computer networking demand tied back to the main Courthouse. Kendall Wade, the Clerk, said he would get with Mr. Pierce and Mr. Kennedy about how the networking process would be implemented in the new Courthouse Annex.

(Tape 1-577) He presented the Board with the FDOT Bridge Inspection Report for Syrup Branch Bridge on the New River. He said the report reflects the bridge is in pretty good shape although there is some minor decay of the timber walls and caps, which need repairing. He stated the State of Florida FDOT conducts these inspections as a service to the County.

(Tape 1-595) He asked the Board to authorize the Chairman's signature on the amended FRDAP contract with the State of Florida to extend the completion date of the acquisition of land in Carrabelle to August 31, 2003. He reminded the Board this is the FRDAP contract for the Carrabelle Recreational Park. He said, after the last meeting, he and Mr. Curenton went to Carrabelle to try and locate some property around Carrabelle owned by St. Joe/Arvida. He said he and Mr. Curenton submitted some suggestions to Doug Delano, St. Joe/Arvida, and he is preparing a proposed recreational complex for the area that we could give to a surveyor to create a legal description, which in turn would be sent to the State for permission to use this FRDAP money to purchase the land.

Commissioner Sanders made a **motion authorizing the Chairman's signature on the State of Florida-DEP Amendment #1 extending the Carrabelle Recreational Park, Project #F02090, to August 31, 2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-620) He asked the Board to approve the Chairman's signature on a letter and form to FDOT deactivating the helipad on SGI. He said the County stopped using the SGI Helipad almost two years ago. He explained within sixty-days of signing this letter the Board would need to paint a big red "X" on the helipad. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a letter and form to FDOT deactivating the SGI Helipad.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-675) He provided a copy of a letter from a property owner on SGI request a certain pedestrian access point to Gulf Beach be opened by the County. He said he believed this request relates to a previous request. He stated, at this point, the County has never opened up these access points. He said in this case he thought it was going to be necessary to hire a surveyor to make sure the County does not encroach on private property, because the County has been threatened by the adjoining property owner. Commissioner Mosconis said he thought the person requesting the access be opened should be asked to pay for the survey. Mr. Pierce stated he would ask the property owner requesting the access pay for the survey. Chairman Creamer said, in his opinion, the County was going to have to pay for surveying a lot of these accesses due to encroachments that have happened throughout the years. He asked the County Attorney, Mr. Shuler, if he should write this person and inform him of the Board's discussion and decision this morning. Mr. Shuler replied it wouldn't hurt to see if the property owner would pay for the survey and then if they refuse then the Board would have to do something. Mr. Pierce said he felt there would be an additional problem with DEP since this property was seaward of the Coastal Control Line.

(Tape 1-735) He informed the Board an additional \$60,000.00 has been received by the County from FEMA for road work the County needs to do in Eastpoint. He said he knew these projects were outstanding he had not made a request because the County Road Department has not worked on these roads yet. He stated the funds were unsolicited by the County.

(Tape 1-749) He asked the Board to direct Mr. Shuler to advise the Planning Office on the best way to handle a request by Ms. Helen Spohrer, SGI, to change the direction of some platted lots in the Commercial District on SGI. He explained there is an existing building on the front half of the lot and Ms. Spohrer wants to make some changes. Commissioner Mosconis made a **motion directing the County Attorney to assist Mr. Pierce and the Planning Office in handling a request submitted by Ms. Helen Spohrer, SGI, to change the direction of some platted lots in the Commercial District on SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-765) He said David Kennedy has informed him the County needs a more complete survey of the Alligator Point Road before DEP will issue the emergency permit the County was required to apply for last August when the Road Department placed rocks and dirt there to prevent the road from washing out during a storm event. He said he instructed Mr. Kennedy not to proceed with this survey at this time because the County would be trying to purchase the house on Alligator Point called "My Blue Heaven". He stated if the County is successful then the County would most likely try to place rocks in the gap where "My Blue Heaven" is, which would require a permit from DEP. He explained he is trying to keep the County from having to pay for two surveys in the same area. He said he knew the Board had a very full agenda today, but in the near future the Board would be confronted with removing "My Blue Heaven". He said then a decision would have to be made on how to fill in 100 feet of wood wall, which would most likely fall down when the house is removed. Commissioner Mosconis said he was going ahead and make a motion anyway to allow Mr. Kennedy to move forward with securing a permit and survey if necessary. Commissioner Mosconis made a **motion authorizing David Kennedy and Mr. Pierce to move forward with securing a survey and a DEP permit for this project.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-887) He said the Board asked him to inform them of the distribution of seats on the Planning and Zoning Commissioner by County Commission District. He read the following into the record: Commissioner Sanders-Vicki Barnett, Tony Millender, and Harriet Beach; Commissioner Putnal-Gayle Dodds, Dan Rosier; Chairman Creamer-Mary Lou Short, Jack Prophater; Commissioner Williams-Roxie Allen; Commissioner Mosconis-Ruth Schoelles. He said there is a vacant seat for a member-at-large and a seafood worker. He stated either Ms. Beach or Mr. Rosier could fill the vacant member-at-large seat if the Board wanted to do so. He said this would promote one of them from alternate, then there would just be an alternate and a seafood worker seat vacant. Commissioner Mosconis said the Board should consider this and make a decision at a future meeting.

(Tape 1-943) Chairman Creamer interrupted Mr. Pierce at this time to conduct a public hearing.

PUBLIC HEARING-"HIDDEN HARBOR" ALLIGATOR POINT

(Tape 1-945) Mr. Pierce said this is a public hearing to consider the adoption of "An Ordinance of Franklin County, Florida, Relating to the Zoning Code; Approving the Hidden Harbor Master Development Plan; Providing for Repeal of Conflicting Ordinances; Providing for Severability; and Providing an Effective Date." He said he recommended adopting the ordinance as advertised. He stated this language was stated at the last Board Meeting and he furthered recommended the developers include on the "Hidden Harbor" Subdivision Plat a note stating that individual docks are not permitted in the subdivision. He said there are twenty-nine lots in the subdivision. He read the following portion of the ordinance into the record: SECTION 1. The attached Master Development Plan is approved and incorporated as part of this ordinance subject to the following limitations: 1. Single-family docks, seawalls and bulkheads are prohibited. 2. Community docks are prohibited with the exception of a single observation deck and canoe launch associated with the boardwalk intended to ultimately connect the peninsula platted as part of this ordinance with the property owned by the south of the peninsula. 3. Pervious materials shall be used for driveways, walkways, and other surfaces to the maximum extent possible. The impervious surface on the individual residential lots shall be limited to a maximum of six (6) percent of the lot. Commissioner Sanders asked the members of APECO and APTPA if this is the language they wanted in this ordinance. Paul Johnson, APECO, and Kevin Griffin, APVFD, said a lot of their questions have been answered by the developers. Mr. Griffin said there were seven home sites on the western end of the development they were concerned about access to. He said the road reduces from twenty-feet to twelve-feet and he stated he has been assured by the developers there would be plenty of room on the shoulders to allow fire trucks and other emergency equipment. Linc Barnett, APTPA, said they agreed to the language in this ordinance as well. Commissioner Sanders asked if other people would be able to access their property through the roads the developer has. Debbie Holton, representative of the developers, answered Commissioner Sanders by saying "yes" they would. After this discussion Commissioner Sanders made a **motion authorizing the Chairman's signature on and adopting "An Ordinance of Franklin County, Florida, Relating to the Zoning Code; Approving the "Hidden Harbor" Master Development Plan; Providing for Repeal of Conflicting Ordinances; Providing for Severability; and Providing an Effective Date."** Commissioner Putnal seconded the motion all for. All for. **MOTION CARRIED.** Commissioner Sanders then made a **motion approving the "Hidden Harbor" Sketch Plat.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 1-1161) He said the Planning and Zoning Commission met in regular session on Monday, February 18, 2002 and recommends the following action: Approval for Leonard McPherson to construct a private dock in Section 11, T7S, Range 5 West, Carrabelle on the New River. Commissioner Putnal made a **motion approving the construction of a private dock for Leonard McPherson.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for Rick Donahoe to construct a private dock in Eastpoint on Highway 98, or property described as in Section 3, T8S, R6W. Commissioner Putnal made a **motion approving the construction of a**

private dock for Rick Donahoe. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Elaine Woodward to construct a private dock on Lot 5, Sandpiper Village, SGI. Commissioner Sanders made a **motion approving the construction of a private dock for Elaine Woodward.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for John Lee to construct a private dock at 497 Mill Road in Carrabelle, on the New River. Commissioner Putnal made a **motion approving the construction of a private dock for John Lee.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Thomas Block to construct a private dock on Lot 13, Blk 76, Unit 5, SGI. Commissioner Sanders made a **motion approving the construction of a private dock for Thomas Block.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for William Schmidt to construct a private dock in Lot 20, Bay Cove Village, SGI. Commissioner Sanders made a **motion approving the construction of a private dock for William Schmidt.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Jay Stelzenmuller to construct a private dock Section 2, T7S, Range 2 West, Alligator Point. Commissioner Sanders made a **motion approving the construction of a private dock for Jay Stelzenmuller.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1370) Action on the request for the scheduling of a transmittal hearing for a large scale land use change from Agriculture to Mixed Use Residential. At the meeting, Doug Delano, St. Joe/Arvida, officially withdrew the marina from inclusion in the proposed Mixed Use Residential Land Use category. While the public wanted to discuss the marine issue, the Commission chose not to enter into a long discussion on the item. The Commission is a 4-1 vote recommends the Board move forward on holding the Transmittal Hearing on the proposed change to Mixed Use Residential, which does not include a marina. The Commission withheld approval on the marina and turned the marina issue over to the Board of County Commissioners with the expectation the Board hold a public hearing on that issue with suitable public testimony and expert witnesses. The Board's action this morning would be to authorize a public hearing for the Transmittal Hearing. If this is done, then he would recommend the Board set the public hearing for March 19th, a regularly scheduled Board Meeting, at a time suitable to the Board. There are three other minor changes to the Comprehensive Plan that he would submit at the same time he would submit this change if approved. Commissioner Sanders said thought the public felt their input was not allowed last night at the meeting. Mr. Pierce informed the Commissioners the Planning and Zoning Commission is not a forum for the public to be heard, it is only to assist the Commissioners in making a decision about a development, etc. Discussion continued and after the Board heard many complaints about how the Planning and Zoning Commission conducted the meeting Gayle Dodd, Chairman of the Planning and Zoning Commission, said they did the very best under the circumstances. She said they felt they were under attack last night. Commissioner Mosconis said he wanted to at least hold a Transmittal Hearing for this project and made a **motion to schedule a Public Hearing to consider this Transmittal Hearing and to consider three other changes to the Comprehensive Plan on March 19, 2002 at 5:05 p.m.** Commissioner Williams seconded the motion. All for. Mr. Pierce

said the three additional things to be considered were: 1. Update the plan to change the dates in the Coastal/Conservation Element as proposed back in 1999; 2. Amendment of the Comprehensive Plan's Capital Improvement Element to include the purchase of the Carrabelle Recreational Park; and 3. Identify improvements the County might want to make to existing parks in the Comprehensive Plan. In conclusion, Mr. Pierce said there were a number of objections to the St. Joe/Arvida Project and he stated he left those letters of objections in the original P&Z Commission Minute file. He submitted one letter just submitted to him this morning from William F. Herrnkind for the Board record.

DR. JUNEJO-FCPHU

(Tape 1-2281) Chairman Creamer said he was going to interrupt the meeting at this time to allow Dr. Shakra Junejo to address the Board this morning. She said she is currently seeking a company to come into Franklin County to conduct a Dialysis Program. She stated she has spoke to several different companies and each of them requested a "number". She stated she was disseminating a form "Need Assessment for Dialysis Program In Franklin County". She asked the press to get this information out into the public. She submitted a copy of the form to the Board. She said one company she located has approximately forty units in the State of Florida, including one in Panama City and Marianna. She stated they wouldn't even discuss coming into Franklin County until they knew how many patients they would see. She asked the Board for their help. The Commissioners said they would inform everyone they could and asked the press, present at the meeting this morning, to disseminate the information. Commissioner Mosconis asked the present hospital administrator, Barry Gilbert, to assist Dr. Junejo with this problem. Commissioner Mosconis made a **motion directing Dr. Junejo and Mr. Gilbert to meet and discuss this need assessment for a Dialysis Program in Franklin County, to research how the hospital might assist with getting a dialysis machine in Franklin County and requesting they report back to the Board with their findings.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2831) She presented a news release regarding the West Nile Virus. She said the first cases of the West Nile Virus has been reported for this year. She stated a wild turkey in Calhoun County, a hawk in Alachua County, a sentinel chicken in Volusia County, and three horses in Marion County have tested positive for WN Virus. She said she was going to contact Mr. Polous and inform him of these findings. She stated it was very important to make every effort to minimize people's exposure to mosquitoes. The Board thanked Dr. Junejo for this information. Commissioner Mosconis asked Dr. Junejo to send Mr. Polous a memo regarding this information and impress on him the importance of these finding.

EMERGYSTAT, INC.

(Tape 1-2926) D. Montie Moore, Jr., Director of Marketing and Governmental Relations, Emergystat Inc., appeared before the Board at this time. He informed the Board that DasSee and Emergystat are having ongoing contractual problems. He said DasSee has not paid their subsidy to Emergystat and is currently three months behind in their payments. He explained, due to this shortfall, Emergystat must present some

options to the County. He said Emergystat is cannot continue to operate without payments from DasSee. He stated one of their options is to turn the ambulance service back over to DasSee, as required in their contract with the County. He said the other option is for Emergystat to ask the County to assume the contract, which would mean the County would, effective February 1st, pay DasSee's subsidy, \$5,000.00 per month, and pay an additional \$4,000.00 per month to assist Emergystat with their operating costs. He said this would be in addition to the \$7,500.00 subsidy the County gives them, for a total amount of \$16,500.00 per month. Commissioner Mosconis interrupted Mr. Moore and asked him if he had any financial information to present to the Board this morning. Mr. Moore replied he did not. Commissioner Mosconis reminded Mr. Moore his contract was with DasSee and not with the County. He also reminded Mr. Moore of the fact that Emergystat came to this Board asking for this contract. He said someone had to have done a financial study to make a decision as to whether they even wanted the Franklin County contract. He said after Emergystat looked over the operation, the financials, the ambulance runs, the brand new ambulances, etc. then the Emergystat decision makers agreed to this contract with DasSee. He said the people working for the ambulance service, at this time, were highly upset their salaries were going to be cut so the County agreed to provide an additional amount to fund these salaries. He stated, at that time, Emergystat didn't think they would need these additional funds and said now all of a sudden everybody at Emergystat wants more money to operate the ambulance service. He said he felt like someone was trying to "blackmail" this Board. He stated he didn't think the Board ought to even be discussing this matter with someone from Emergystat since their contract was with DasSee and not Franklin County. He said he had rather be talking with Mr. Gilbert or someone else from DasSee. Mr. Gilbert stated he thought many of the things Emergystat eludes to could be true. He said the costs of running an operation is extremely high since health care seems to keep going up. He stated the County has a need for a hospital and an ambulance, but he was not prepared to challenge or question Emergystat or the numbers. He said he is only present this morning to share with the Board that this community is growing and he is more than willing to work on a panel with Emergystat to work things out. Commissioner Mosconis said Emergystat also provides services to several other hospitals in the area leased by DasSee. Mr. Shuler said the County did need to have another plan ready to go if Emergystat discontinues its service to Franklin County through the DasSee contract. Commissioner Sanders said she totally agrees with Commissioner Mosconis in that Emergystat knew about the finances before agreeing to the contract. (Tape 2-93) Commissioner Mosconis instructed Mr. Gilbert to call an immediate meeting of the "Blue Ribbon" Committee to see what if anything could be done about these financial problems. He stated maybe they could help Mr. Gilbert work through this process. Mr. Gilbert said there are things he would like to see improved and he is aware of shortfall in finances. Mr. Shuler said the legalistic approach is for the Board to call on everybody to live up to their contractual obligations. He said if they cannot meet them then the contract can be declared void. He stated then the County could find somebody else to run the hospital and ambulance. Mr. Moore reminded the Board they are working on a deadline date of March 7, 2002. Mr. Gilbert asked the Board and Emergystat to honor their promise of having all of these payments brought current within thirty days. Commissioner Williams and Commissioner Sanders said they would be glad for an emergency meeting to be called if necessary to see that

ambulance service is not stopped for any time in Franklin County. Chairman Creamer said he doesn't think Centennial, the original contractor for the hospital, knows what is happening with their sub-lease with DasSee. Mr. Wade informed the Board that DasSee is currently 5 months or \$50,000.00 behind in their rent with the County. Mr. Shuler said he would send a letter today to DasSee informing them of their delinquencies and then he would send a copy of the letter to Centennial as well. Commissioner Mosconis again instructed Mr. Gilbert to contact the members of the "Blue Ribbon" Committee and schedule a meeting with them immediately. Commissioner Mosconis made a **motion directing the County Attorney to send a letter to Centennial and DasSee expressing the importance of upholding their contractual obligations with Franklin County for the local hospital and operation of the ambulance service.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal said he was going to make a **motion directing the Hospital Administrator, Barry Gilbert, to contact the members of the "Blue Ribbon" Committee and schedule a meeting with them and Commissioner Mosconis as soon as possible to address these financial matters.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Ms. Gayle Dodds, Eastpoint, said she thought there was real problems with this ambulance service as well as the hospital operators. She stated these problems needed to be addressed now and not later. She stated she had received a bill from a collection agency for a bill from many, many years ago. Chairman Creamer said he had people call him about this matter too. He stated most of the bills would have been paid by insurance, Medicare, Medicaid, etc. and the claims were filed too late. Ms. Dodds said this is what happened to her and now she has been turned over to a collection bureau. She stated if her insurance had been properly billed they would have paid the bill. Commissioner Sanders said she had a constituent who received thirty-four notices. She stated he was elderly and his bills were from 1998. Mr. Gilbert replied these notices were being sent from a collection agency hired by Centennial not DasSee. Many of the employees of Emergystat were present at this meeting and informed the Board they thought Emergystat was going a great job in running the ambulance service. They said they have plenty of gas, equipment and supplies to run a proper ambulance service and they encouraged the Board to continue their contract with Emergystat. Commissioner Sanders said she felt like somebody was "pulling the wool over the Commissioner's eyes" and she stated whoever it was the Commission was going to get to the bottom of it.

ALAN PIERCE-CONTINUED

(Tape 2-807) Mr. Pierce said he would like to inform the Board he sent a letter to DEP Secretary Struhs regarding the request for dredging of the Eastpoint Channel. He said on February 6, 2002, after receiving no response from Secretary Struhs or anyone else at DEP he wrote another letter to him. He said he did receive a telephone call from Catherine Florcko, DEP, informing him they were working on the problem. He stated he felt they were bothered by this letter and are attempting to find a solution. Commissioner Putnal said this is a huge problem in Eastpoint. He said he hopes some type of response will be received by the next meeting.

(Tape 2-926) Mr. Pierce stated he would continue his Planning and Zoning Commission report at this time. He read the following into the record: Action on a request for a small

scale amendment for property known as the Tom Mitchell Alligator Farm to Residential on 10-acres. The 10-acres is not contiguous, and there is no support from the neighborhood for this proposal. Submitted by Garlick Environmental, as agent for Jimmy Meeks. The Commission tabled this request pending further investigation about the access to the property. Action on a request for a sketch plat approval for Tarpon Bay, a 5-lot subdivision on Alligator Point. Request action to be tabled as the Board of Adjustment attorney has asked the Planning Office to put this subdivision on the March BOA Meeting, as there has been a request for the BOA to reconsider the variance, which created 5 lots, 92-feet wide, instead of 100-feet wide-the request was submitted by David Story. The Commission tabled this item pending BOA review. Action for a request to rezone 10-acres of land from A-2 to R-1 for a single-family subdivision off of Mill Road in Carrabelle-requested submitted by Freda White. The Commissioner recommends approval for the rezoning and sketch plat. The Board's action this morning would be to authorize the setting of a public hearing. After discussion Commissioner Williams made a **motion authorizing Mr. Pierce to schedule a public hearing to consider this rezoning request submitted by Freda White for 10-acres off of Mill Road in Carrabelle for 10-acres from A-2 to R-1.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Action for a request to define home industry to allow a dog kennel on Lot 18, Indian Mound Shores in Eastpoint. Lot 18 is 2-acres in size. The property is zoned R-4, which allows for Home Industry, but Home Industry does not specifically mention kennels as Home Industry-request submitted by Mason Bean, agent. The Board table this until Mr. Bean has time to contact the neighbors. Action on a request to rezone 10-acres of land on Hickory Hammock Road from Agriculture to R-1 Residential-request submitted by Bill Wells. One phone call from a property owner in Hickory Hammock was received in the office opposed to the rezoning. The individual wants the County to take over the roads before any more development is authorized. The Commission would like clarification from the Board on whether there should be road standards for private roads in agricultural areas that are being converted to residential densities. The risk is that while the roads remain private, public uses such as ambulances, fire trucks, and school buses, may have problems negotiating these roads and the County has no road standards for developments that created parcels greater than 5-acres. One suggestion is to examine what adjoining counties do. Commissioner Sanders instructed Mr. Pierce to check with the adjoining counties to see how they handle this situation. Commissioner Mosconis said developers should be able to bring the roads to standards. He asked Mr. Wells how much the 10-acre tracts he owns sell for. Mr. Well's replied approximately \$115,000.00 and this property would be on the river. Commissioner Mosconis said something probably needed to be formally adopted because all of this seems to be falling through the cracks. Chairman Creamer stated he felt this was the cause of the County having to maintain private roads. Commissioner Sanders suggested Mr. Pierce report back to the Commissioners. Action on a request for final plat approval for Phase II Clipper Bay, a subdivision on the east end of SGI-as submitted by Garlick Environmental, agent for cliff Kennedy. The Commission recommends approval. Commissioner Sanders made a **motion to approve the final plat of Phase II Clipper Bay Subdivision on the east end of SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Action on a request for a small scale land use change from R-3 to R-1 for Lot 1 of "The Soundings" and the south half of Lots 6, 7, 8, and 9 of

"The Soundings". The Department of Community Affairs placed a requirement in the settlement of the R-3 zoning that any future zoning changes in this area would require a comp plan change and a feasibility study to determine whether it would be feasible to run central sewer and water to the site. At this time I am still researching what kind of feasibility study DCA is going to require, which might affect whether DCA is going to require "The Soundings" to be part of a large scale change or whether they can move forward as a small scale change-as requested by George Heitman and family. The Commission recommends approval, and the Board can authorize the scheduling of a public hearing, but I will not schedule the hearing until I have determined what kind of hearing the Board will need to hold. I may need to consult with the County Attorney on the proper format. Mr. Shuler suggested the Board wait until he could meet with Mr. Pierce to discuss this matter. The Commissioners instructed Mr. Pierce to wait until he consulted with Mr. Shuler and he could come back to the Board with a recommendation.

(Tape 2-1270) Commissioner Sanders asked Mr. Pierce about the port-o-potty in Lanark Village. He replied he asked Mark Curenton, Assistant Planner, to contact HRS. He said a representative from HRS called Jim Lawlor, LVW&S District, and it looks like everything has been worked out. He said Mr. Taglia is supposed to come into the LVW&S District Office and pay his water bill. He explained Mr. Lawlor is willing to set up a payment schedule for the rest of the fees he owes. Ms. Wilson, Wilson Septic Tank, will retrieve the port-o-potty tomorrow morning.

(Tape 2-1284) Commissioner Sanders asked him about the other problem on Gulf Shore Boulevard at Alligator Point regarding the vegetative buffer. She asked if the Road Department could plant some type of vegetation there. She suggested the County plant some Pampas Grass at that location. Commissioner Sanders said she thought this would be better than planting Spanish Bayonets. Vicki Barnett, Alligator Point, said she is afraid people will simply drive over these plants and asked the Board to put some type of traffic bump there. Mr. Pierce said the County could possibly be sued if someone damages their car or themselves. Mr. Shuler said something could be built to stop a tank, but he would not recommend anything be placed there unless it is approved by the County's Engineer, David Kennedy. He stated it has to be approved as a safety standard. Commissioner Sanders said Mr. Kennedy had already suggested to her a vegetative buffer would be the best thing for this area. Mr. Pierce said he would contact Mr. Chipman about planting this vegetative buffer in this area.

(Tape 2-1400) Ken Osborne, Alligator Point, said he would like to know if the public hearing to address the transmittal of the St. Joe/Arvida Summer Camp proposal be in a large enough place to accommodate the public. He said the lights and microphones should be addressed as well. Mr. Pierce assured Mr. Osborne the public hearing would be held in the Courtroom, which is the largest room in the Courthouse, and the lights and public address system would be operating. Mr. Osborne said he thought the Commissioners needed to give the Planning and Zoning Commission some guidance and input about the public being able to speak at their meetings. He stated he should not have to feel guilty because he wanted to make a public statement. He said he felt the whole meeting was out of hand last night. He stated it certainly was not a "mob" scene as

Commissioner Mosconis had eluded to earlier in the meeting. He said it was just citizens who wanted to be heard regarding this important matter. He stated they had an interest in this proposal. Commissioner Mosconis said the purpose of the P&Z Commission is to hear these proposals and then make a recommendation to the Board for approval or disapproval. He said then if a public hearing is scheduled the public has the right to speak and be heard. Chairman Creamer said he is going to meet with Mr. Pierce and Ms. Dodd to formalize some guidelines for the P&Z Commission. He said he thought the P&Z Commission was doing a great job. Commissioner Sanders said she would comment on one thing and that was a lot of the citizens had a problem with members of the P&Z Commission actually turning their backs on them. She stated next time there needs to be a large enough room, etc. Ms. Dodd said she felt like the P&Z Commission held meetings in a "workshop" type of atmosphere.

KENDALL WADE-CLERK

(Tape 2-1961) Mr. Wade said back in January he brought to the Board's attention a request by William N. Meggs, State Attorney, to move \$2,000.00 from the Expert Witness Fee Budget to the Library Services Budget. He said the Board instructed him to contact them about this request and he assured the Board he has discussed this matter with Pat Owens, Fiscal Administrator for Mr. Meggs' office. He said he would suggest the Board allow him to move \$1,000.00, instead of \$2,000.00, from Expert Witness Fees to Library Services. He stated he would contact Ms. Owens and inform her of the Board's authorization to move \$1,000.00 instead of the requested \$2,000.00. He informed the Board there are several high profile cases, which will be tried in the near future. He said he is sure it would take most, if not all, of the budgeted amount for Expert Witness Fees. He stated the County still might have to end up adding to this budget, but he would recommend transferring \$1,000.00 instead of \$2,000.00.

Commissioner Mosconis made a **motion authorizing the Finance Office to transfer \$1,000.00 from the State Attorney's Office Expert Witness Fee Budget to the State Attorney's Office Library Services Budget.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1960) He informed the Board he received a fax from Edwin "Ed" Blanton, attorney for the Apalachee Regional Planning Council, ARPC, regarding the revolving loan fund program in Franklin County. He said Commissioner Mosconis had asked for Mr. Blanton and Charles Blume, Executive Director, ARPC, to come to one of the future Board meetings to discuss their administration of the low interest loan program or the revolving loan fund program. He said he talked to Mr. Blanton and Mr. Blume. He said every time Mr. Blanton comes to Franklin County he charges approximately \$700.00 to ARPC and they turn around and bill the County. He stated there is already an invoice outstanding to ARPC for this program in the amount of \$3,700.00. Commissioner Mosconis interrupted Mr. Wade and asked him to repeat what he said. Mr. Wade said every time Mr. Blanton comes to a meeting in Franklin County he bills ARPC approximately \$700.00 and then they bill Franklin County. Mr. Wade said he just couldn't see Mr. Blanton coming down here again and being billed \$700.00. Commissioner Mosconis asked about the Executive Director, Charles Blume. Mr. Wade replied he doesn't charge the County. Commissioner Mosconis asked why Mr. Blume

couldn't come. Mr. Wade replied he talked to Mr. Blume over the telephone and explained to him that this program needs to be closed out. He said he told him the sooner the better. He stated the letter states the ARPC, through Mr. Blanton's letter, informs Franklin County they are not going to do any further servicing of these loans unless the County agrees to pay for their services. Mr. Wade stated he and Mr. Shuler discussed this letter yesterday. He said Mr. Blanton in his letter "respectfully request that the Commission agree to continue paying the ARPC its costs incurred in the servicing of the loans. If the Commission is unwilling to do so, we must regretfully exercise our right under Paragraph VI of the agreement and terminate the agreement." He asked Mr. Shuler if he had looked over Paragraph VI in the original contract between ARPC and Franklin County. Mr. Shuler said he realized, after he went back to his office, he didn't have a copy of this contract and would have to look at the one in Mr. Wade's office. Mr. Wade encouraged Mr. Shuler to get with him so this thing could be finalized. Commissioner Mosconis said ARPC was doing cartwheels to get this contract so they could make \$50,000.00. He stated they gotten the \$50,000.00 and now don't want to finish their job. He said maybe the County should think about withdrawing from the ARPC and quit paying them any dues. He stated he was not going to let them off the hook. Mr. Wade said this could be a possibility, but asked the Board to allow Mr. Shuler to look over this particular paragraph in the contract. He said they would report back to the Board at the next meeting.

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-2093) Mr. Shuler said most of the work he was presently working on was a continuation from the Board's first meeting.

(Tape 2-2098) He stated he wanted to let the Board know that on March 5th the "Motion to Dismiss" hearing between the Alexis Group and Franklin County will be held.

(Tape 2-2111) He said on March 7th there would be a meeting of the State of Florida Licensing Board for Building Inspectors. He stated he hoped they would approve a recommended settlement regarding Franklin County's Building Inspector conducting inspections when the State of Florida had not authorized him to. He said the State of Florida has filed a proceeding, which has been settled with staff, but must be approved by the State of Florida Licensing Board for Building Inspectors on March 7th in Davie, Florida. He said the Franklin County Building Inspector, Robin Brinkley, and Rachel Wade, the other Building Official, will attend this meeting with him. He said hopefully the matter will be finalized.

(Tape 2-2148) He said he wanted the Board to know the P&Z Commission Meetings are public meetings and considered "sunshine" meetings. He stated the public is allowed to attend these meetings, but he doesn't know whether public participation or debate is allowed is a matter of discretion. He said the Commission does not have to entertain participation or debate if they don't want to. He stated that is the function of the public hearings and the Board of County Commission Meetings. He said they are "sunshine" meetings and the public is allowed to attend. Commissioner Putnal asked if it wasn't up

to the Chairman to allow people to speak or not. Mr. Shuler replied it was totally up to the Chairman.

(Tape 2-2205) Vicki Barnett, Alligator Point, asked Mr. Shuler if since the public has a right to attend these meeting, but just to listen then does that imply the Board is responsible for speaking so the public can hear them. She explained, that at the meeting last night, the audience could not even hear the members of the P&Z Commission. She said if the public has a right to listen then this was not done last night. She said she herself had to ask for the people to speak up so she could hear because they were whispering. Mr. Shuler said a "sunshine" meeting is supposed to be discernable. He stated if someone cannot hear at a meeting they have a right to move closer to the where the members of any commission is sitting.

(Tape 2-2249) Commissioner Putnal asked Mr. Shuler about the status of the request of Mr. and Mrs. Oaks about the "No Wake" sign moved down to the next channel marker in New River. He stated they were being bothered by the jet-skis, etc. He said Mr. Shuler told him this was a lengthy process, but he hasn't heard anything from Mr. Shuler. He replied he was not sure he placed a "No Wake" sign anywhere. He said if this area was within the City of Carrabelle then it would be up to the City to pursue this. Commissioner Sanders told Mr. Shuler this was not in the City of Carrabelle, but way up the River. Mr. Shuler said someone needs to sit down with him and a map of the City of Carrabelle and see if this area was considered in the City of Carrabelle. He said he didn't recall the County ever setting "No Wake" zones in the water. Commissioner Putnal said these signs are just past the Oak's house on the wrong side. He stated people come down the River and make a big circle at their house. He said the Marine Patrol told her they could move the signs up to the next channel marker, but the County had to do it for them. He said he didn't know what process needed to be taken, but Mr. Shuler was supposed to do this six months ago. Commissioner Mosconis said Commissioner Putnal should just tell Mr. Chipman and his crew to just move the sign up to the next channel marker. Commissioner Putnal said he didn't think you could just move "No Wake" zone signs. Mr. Shuler agreed and said the County can establish a "No Wake" zone. He stated there is a procedure for areas within the County boundaries to be followed. Commissioner Putnal asked Mr. Shuler to please check into this matter immediately and report back to the Board.

MATTERS FROM THE FLOOR

(Tape 2-2457) Paul Johnson, APECO, said he wasn't clear as to what happened regarding the St. Joe/Arvida Summer Camp Proposal. He asked if there was a motion to transmit the language as amended by St. Joe/Arvida to the State. Mr. Pierce replied there was a motion authorizing him to schedule a public hearing to address this proposal on March 19th at 5:05 p.m. He said, at this hearing, the Board will consider transmitting the proposed development and ordinance to the State for their approval. Mr. Pierce stated the St. Joe/Arvida group did delete the marina from the original proposal. Mr. Johnson said their interest was amending the language and if St. Joe/Arvida was not wanting to have a marina as part of this project, then have specific language in the text amendment as part of the land use change so the citizens don't have to attend each and every meeting

FCBCC MINUTES-FEBRUARY 19, 2002

concerning this project. He said they, APECO, don't need to get the public concerned about an issue if it is a non-issue. He stated if the County doesn't want a marina as part of this land use change then specific language needs to be added into the text amendment. He said there is a lot of concern in this County about this marina. Commissioner Mosconis said he thought the marina was a moot issue now. Mr. Johnson replied no it was not. He asked if the Board every received any copies of the letters citizens sent in mostly opposing this project. Mr. Pierce again stated the letters were kept in the P&Z Commission Meeting file. Mr. Johnson said he had a problem with the P&Z Commission taking testimony, only if they wanted, and accepting letters opposing these projects and then not forwarding any of this material to the Board of County Commissioners. He said they should at least make some sort of summary recommendation on projects such as this. He encouraged the Board to think about the role the P&Z Commission plays in the decision making process of developments such as these.

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

Eddie Creamer

EDDIE CREAMER, CHAIRMAN

Kendall Wade

KENDALL WADE, CLERK