

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
JUNE 4, 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 1-33) Commissioner Sanders made a **motion to approve the minutes of the meeting held on May 21, 2002.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

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

**KENDALL WADE-CLERK**

(Tape 1-41) Mr. Wade said he would be presenting his report early today because he had to leave as soon as possible for a Doctor's appointment. He said he had received the State of Florida Department of Revenue Standard Rate Agreement. He stated this is an agreement between the County, the Sheriff, and DOR/CSE for service of process and writ's for child support cases handled by DOR. He said the agreement becomes effective beginning July 1, 2002 and ends June 30, 2005. He stated this is a three-year agreement instead of a one-year agreement as it was before. He asked the Board to authorize the Chairman's signature on this document. Commissioner Sanders made a **motion authorizing the Chairman's signature on the State of Florida Department of Revenue Standard Rate Agreement for Service of Process and Writ of Bodily Attachment's for IV-D cases handled by DOR/CSE for the period July 1, 2002 through June 30, 2005.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-67) He presented an original Grant-in-Aid Agreement between Franklin County and the Office of the Court Administrator, Second Judicial Circuit of Florida, for reimbursement from the State of Florida to Franklin County for Juvenile Dependency Counsel. He stated the Count was going to be reimbursed the fees expended for three quarters ending March 31, 2002. He said all he needs is for the Chairman to sign the Dependency Court Representation Reports so the County can be reimbursed an amount not to exceed \$2,708.42. Commissioner Putnal made a **motion authorizing the Chairman's signature on the Office of the Court Administrator, Second Judicial Circuit of Florida, Grant-in-Aid Agreement for Child Dependency not to exceed \$2,708.42 for the period July 1, 2001 to June 30, 2002.** He said the Finance Office would be submitting other reports for reimbursement. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

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(Tape 1-83) He said he had mentioned this next matter to the Commissioners at an earlier meeting. He informed the Board he had received an invoice from GT COM for the necessary work to be performed at the new Courthouse Annex in the amount of \$15,546.00. He explained he asked the County Engineer, David Kennedy, to review the costs. He stated Mr. Kennedy thought the costs were very reasonable. Mr. Wade recommended the Board pay this invoice from the Contingency Budget. Alfred Shuler, County Attorney, suggested the Board also declare GT COM a sole source provider if they intended to use them and not bid the project out. Alan Pierce, Director of Administrative Services, explained GT COM already has the phone, computer, etc. system for the Franklin County Courthouse and it would be much less expensive to use them than to change the whole system out. Commissioner Mosconis said he would make a **motion to declare GT COM a sole source provider and to pay their invoice in the amount of \$15,546.00 for the necessary work to be performed at the new Courthouse Annex.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-126) Mr. Wade informed the Board he had placed a copy of a letter he received from Mayor Wilburn Messer, City of Carrabelle, requesting the County assist the City in paving the City of Carrabelle Post Office parking lot since the County is paving Tallahassee Street nearby. Mr. Pierce said he didn't have any idea how much this project would cost the County. Commissioner Mosconis suggested the Board direct the County Engineer to review this area and formulate a plan, an estimated cost, etc. for paving this parking lot. Commissioner Putnal made a **motion directing the County Engineer to review this area and formulate a plan, an estimated cost, etc. for paving the City of Carrabelle Post Office parking lot.** Chairman Creamer asked if the Federal Government wouldn't pay for the project since it is on Federal property. He stated they paid for paving the parking lot in Eastpoint at the Post Office. Mr. Wade suggested the Board allow Mr. Kennedy to just check into the matter so everyone would at least have some idea how much the project would cost. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-175) He said BayCares Healthcare Access Program of The Bays Medical Society has submitted a letter requesting \$1,500.00. He stated the letter states BayCares accepts referrals from the Franklin County Health Department and provides donated health care services for 15 of Franklin County residents from January 1, 2001 through April 30, 2002, which constitutes 02% of the total BayCares patient base. Mr. Wade asked the Board if they wanted this budget request included in the 2002-2003 Franklin County Budget to be considered at the Budget Workshops. Commissioner Mosconis made a **motion authorizing the inclusion of a request for \$1,500.00 submitted by BayCares Healthcare Access Program of The Bays Medical Society in the new Franklin County 2002-2003 Budget to be considered at the Budget Workshops.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-213) Mr. Wade informed the Board the traffic ticket issued the Road Department employee has been suspended. He reminded the Board this was the ticket issued to the County for a limb hanging out of the back of a County truck.

**SHELLIE ROWELL-CARRABELLE**

(Tape 1-219) Commissioner Putnal asked if Mr. Rowell's matter couldn't be discussed at this time. Chairman Creamer asked Mr. Rowell to go ahead and address the Board. Mr. Pierce said he would speak for Mr. Rowell. He stated the problem was Mr. Rowell owns three lots and one-acre on River Road. He said the problem is he needs forty-acres of land to build a house on. He explained Mr. Rowell could not even purchase any more land around his property because the State of Florida has purchased it all. He suggested the Board direct the Planning Department to go ahead and move forward with rezoning Mr. Rowell's property, one-acre, to R-1, one house per acre. He said this way he could build a house and if he needed the permit immediately then the Board would need to direct the Planning Department to issue the permit while the rezoning request is being processed. Mr. Rowell said he didn't want it rezoned to R-1. He informed the Board he purchased this property 12 years ago and he intended to put a mobile home on the property. Mr. Pierce said then it would need to be rezoned to R-2. Commissioner Putnal asked the County Attorney if this could not be considered a "hardship" case since Mr. Rowell needs to put a mobile home on the property as soon as possible. He said it is not Mr. Rowell's fault he cannot even purchase additional property because the State has purchased it all. Mr. Pierce agreed the property could be rezoned to R-2 instead of R-1, which would allow Mr. Rowell to put a mobile home on the property. Mr. Rowell agreed this is what he wanted to do. Mr. Shuler said the property could be rezoned, however the rezoning process would still have to be completed. Mr. Pierce stated this process would take approximately two weeks, but if Mr. Rowell wanted to go ahead and put the mobile home on the property then he would need direction from the Board to issue the necessary permits. Commissioner Putnal made a **motion directing the Planning Department to issue Mr. Rowell a mobile home permit for his property while pursuing the rezoning of his property.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-314) Mr. Chipman said he would like to ask the Board a question this morning. He said he wanted the Board to know how much this County was growing. He stated he has more driveways, new roads, ditches, etc. and just a lot more people. He assured the Board he was trying to stay caught up with everything, and then he asked the Board if they had any problems with the way he was doing his job. He said he wanted to know if he was doing his job up to their standards. He stated he just felt like he needed to ask the Board this question. Chairman Creamer said he could speak as to his experience with Mr. Chipman. He stated Mr. Chipman has always done anything he could to assist him and his District. He said when he asks Mr. Chipman to do something in his District he always gives it his immediate attention. He stated he appreciated it. Commissioner Mosconis said he never calls Mr. Chipman unless he needs something and when he does talk to him he immediately takes care of the matter. The Board agreed that Mr. Chipman does a good job.

(Tape 1-358) Commissioner Sanders said she discussed the opening of Titi Street in Gulf Wynn Subdivision, Lanark Village and the possibility of the County having a survey done for the purpose of opening the street. She stated she wanted to inform Mr. Chipman

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and the Board the property owner was going to have a survey done on the property to assist the County. She stated the property owner informed her she would provide the County with a copy of the survey so the County could use the legal description to locate the actual County owned property.

(Tape 1-368) Commissioner Sanders said she wanted to discuss a matter with the Board and Mr. Chipman this morning. She stated at the last meeting the Board, very briefly, discussed the milled asphalt that is being removed from Highway 98 during the repaving of the highway. She said Commissioner Mosconis informed the rest of the Board he was working on a "deal" to get some of this asphalt for the eastern end of the County. She stated she called Edward Prescott, FDOT Chipley Office, and Steve Barnark, FDOT, and they didn't seem to know what she was talking about when she mentioned the milled asphalt to them. She said they told her to call Tom Shaffer, FDOT, and Mr. Shaffer informed her that there was some milled asphalt being used on some projects, but he wasn't aware of anyone actually receiving the milled asphalt. She said he suggested that she speak to the County Engineer, David Kennedy, and the Contractor for the project, C. W. Roberts Contracting, Inc. She stated she called Mr. Kennedy and he didn't know of any projects in the County using milled asphalt. She said all this time milled asphalt is being placed on driveways throughout Apalachicola in Commissioner Mosconis' District. She stated she finally reached George Roberts with C. W. Roberts Contracting, Inc. she was told by him he didn't know that C. W. Roberts was giving any of the milled asphalt to the County since they had to pay \$5 per ton for milled asphalt. She stated still milled asphalt is being placed in and around Apalachicola. She said when she spoke to Mr. Shaffer on Wednesday and again on Friday he informed her FDOT had given the milled asphalt to Franklin County. She said she asked him who requested the milled asphalt for Franklin County. She stated he informed her Commissioner Mosconis had requested the milled asphalt for Franklin County. She said, all this time, the milled asphalt has been placed in Commissioner Mosconis' District and nowhere else in the County. She stated her question is if the milled asphalt was going to Franklin County why didn't the other areas in the County get any of it. She asked why none of the other Commissioners even knew anything about the milled asphalt being given to the County. Commissioner Mosconis said they did know about it. Commissioner Sanders said even if the other Commissioners knew about it why didn't some of the other areas in Franklin County receive any milled asphalt. She stated Mr. Shaffer told her he assumed Franklin County was getting the milled asphalt. She said she asked Mr. Shaffer if he knew this milled asphalt was only going to the Apalachicola area. She stated Mr. Shaffer informed her he didn't know this, he thought it was being delivered throughout the County. Commissioner Sanders asked him when the other parts of the County could expect some milled asphalt. She said he told her they didn't have anymore; that they had already delivered over 100 loads of milled asphalt to Franklin County. Commissioner Sanders said she had a "real" problem with this because there are many, many times when she and the other members of the Board have assured the public they are a "County Commission" not "District Commissioners". She said yet the work and all of the milled asphalt is being done in Apalachicola, Commissioner Mosconis' District. She stated Mr. Shaffer called her back Friday and informed her he had been able to get 100 loads of milled asphalt for the rest of the County. She said so that means the other 3 or 4 Commissioners

are going to have to share the 100 loads, when Commissioner Mosconis has received and placed over 100 loads in his District alone. She said this sends a bad message to the public. Commissioner Mosconis said he thought he was doing a service and he still thinks he did. He stated his thinking was if "you try to truck that stuff all the way down to the eastern end of the County from where it was, almost 50 miles, you've got a heck of a freight bill." He said they have a bunch of it stockpiled in the eastern end of the County and that is where this other batch is coming from. Commissioner Sanders disagreed and said they would be sending it from Eastpoint according to Mr. Shaffer, when Patton Drive is resurfaced. She stated she understood his concern about the trucking costs, but when she asked for the milled asphalt from the resurfacing at the eastern end of the County they weren't giving it away. Commissioner Putnal said he asked for it too and they informed him they weren't giving it away either. Commissioner Sanders said she wanted to remind Commissioner Mosconis and the rest of the Commissioners that back when Carrabelle had a repaving project, 3 or 4 years ago, half of the asphalt, 29 loads, was sent to the State yard in Apalachicola to be stored for use at a later time. She said Commissioner Mosconis got the use of their milled asphalt. She stated Commissioner Mosconis "disrespected" the Commissioners and the people of Franklin County by not trying to supply milled asphalt to the whole County and just supplying and doing the necessary work in his District. Commissioner Sanders said she was very "upset" by what Commissioner Mosconis had done. Commissioner Putnal said he knew for a fact that Chairman Creamer has had constituents call him complaining about not receiving any of the milled asphalt for their driveway entrances. He said at the last meeting or two there have been people complaining about the dust on their roads and he knew this asphalt would stop some of the dust at least. Commissioner Putnal said he has had several complaints too. Commissioner Mosconis said this would be the best way to deal with the dust problem is to put some of this milled asphalt on the roads. Commissioner Putnal said it seemed to him he couldn't get the milled asphalt for his District. Commissioner Sanders stated the other Commissioners had not received one bit of the milled asphalt for their dusty roads. Commissioner Mosconis said the rest of the Commissioners were going to get 100 loads. He stated he received 93 loads and it looked like to him 100 loads would be enough. Commissioner Sanders reminded Commissioner Mosconis said the 100 loads would have to be divided amongst them, which would give them approximately 25 to 30 loads each. She said this just wasn't fair. Commissioner Mosconis said Commissioner Williams didn't need any because he had "taken care" of him. Commissioner Sanders said then each of the other remaining 3 Commissioners would received 33 or so loads while Commissioner Mosconis received 100 loads in his District alone. Commissioner Sanders said the next time Commissioner Mosconis does something like this he needs to be fair about the matter. Commissioner Putnal said he thought, "Fair was fair" and Commissioner Mosconis had not been fair to the rest of the Commissioners. Commissioner Mosconis stated he thought he was being fair since he got rid of all or most of the dusty roads in Apalachicola. He said a lot of the projects he did helps keep the Road Department from having to go back, week after week, and do the same work. Commissioner Sanders said she agrees with Commissioner Mosconis regarding this, but she still didn't think what was done was fair. Commissioner Mosconis asked her to let him speak since she had already gotten on her "little soap box". He stated the County might consider, instead of buying so much lime rock, purchasing some

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milled asphalt. Commissioner Sanders said she had already checked on the price of milled asphalt and it cost \$5.00 per ton, the same as lime rock. Commissioner Mosconis said the road contractors expect to use the milled asphalt as a recycled material. He explained FDOT gets part of it and then they give part to the County. He stated he felt the County needed to start buying some of this milled asphalt. Chairman Creamer said he wanted something cleared up. He stated he wasn't getting 100 loads, Commissioner Sanders a 100-loads, etc. they were only going to get 100 loads to split 4 ways between the remaining Commissioners. Commissioner Sanders said she would only get approximately 33 loads and asked Commissioner Mosconis how many loads he got for his District alone. She stated he got a total of 100 or more loads. Mr. Chipman said Commissioner Williams had some roadwork done as well. He stated he also put some of the milled asphalt on a road on SGI. Commissioner Sanders asked Chairman Creamer if he asked Mr. Chipman or Commissioner Mosconis to work on a road in his District, SGI. Chairman Creamer replied he had not talked to either of them about doing any work. Mr. Chipman stated he had some extra asphalt so he just decided to put it on the road on SGI. Commissioner Putnal asked him if he had more then Commissioner Mosconis even needed in his District. Mr. Chipman replied they didn't. Commissioner Putnal said he had some roads in his District in desperate need of repair. He stated there is a road by the Senior Citizens Center in Carrabelle that is so dusty the people going in and out of the Center have to use a rag to cover their faces. Commissioner Sanders said Commissioner Mosconis had been to the Carrabelle area twice this week. She stated he knows what kind of shape the roads in Carrabelle were in. Commissioner Mosconis asked Commissioner Sanders if she was saying she just saw him over there two times, he said she didn't know how many times he had been over there. Commissioner Sanders replied she had seen him at a funeral and at graduation. She said it didn't matter because he knew how bad the roads were. She stated if there is a need in the County the Board needs to look at the problem and needs as a whole body. She said it should be share and share alike and the Board shouldn't act like a bunch of "greedy kids" around here. She stated it is not an "east-west thing"; it is the needs of the people being met like they should be. Commissioner Putnal said he knew there were a lot of people angry about this situation. Chairman Creamer suggested the Board check with FDOT to see if they can donate more than 100 loads of milled asphalt to the County. Commissioner Mosconis he would make some more calls and maybe they would even sell the County some. Mr. Chipman stated the majority of Commissioner Mosconis driveways and "stuff" was fixed "pretty good". He said not all of them, but the majority of them won't have to be repaired for a while. Commissioner Mosconis said he didn't realize how good this material was, but the problem is there is not enough of it to go around. He stated the County needed to find another source for the material. Chairman Creamer suggested the Board send a letter to FDOT requesting more than 100 loads of milled asphalt for the rest of the County. He stated the letter could be faxed to them today. Commissioner Mosconis said he would make a **motion to fax a letter to Edward Prescott, FDOT Chipley Office, requesting more than 100 loads of milled asphalt.** He stated if they couldn't provide more than 100 loads then request they sell the County some. He asked Mr. Pierce if he could do this today. Mr. Pierce replied he could if so directed by the Board. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Sanders said the whole point of this discussion is that when the Board needs to do something it needs to be

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done as a group and one commissioner doesn't need to act on behalf of the Board. She stated if a commissioner wants to do this then they need to ask the rest of the commissioners if they could be allowed to act on behalf of Franklin County. She said anytime she or Chairman Creamer or Commissioner Williams has gone to any meeting or attending any function representing Franklin County they always asked the Board at a regular Board Meeting for permission to represent the Franklin County Board of County Commissioners. She said she wanted this to be very clear to Commissioner Mosconis. She stated then there won't be any misconceptions like the one FDOT had by thinking they were giving milled asphalt to the County and not Commissioner Mosconis. She stated they thought they were dealing with the County when in reality they were just "dealing" with Jimmy Mosconis. Commissioner Mosconis asked Commissioner Sanders if she was accusing him of taking and selling the milled asphalt. Commissioner Sanders replied she certainly was not. Commissioner Mosconis said he thought Commissioner Sanders was "beating this horse a little too hard". He stated every bit of that "stuff" went on County property. Commissioner Sanders said she had told him the main problem she had with this whole thing was that Commissioner Mosconis "disrespected" the people and the other commissioners. She reiterated that she was very upset at the "disrespect" he had shown the other commissioners and the people of Franklin County.

Commissioner Mosconis said he hears other commissioners talk about their Districts all the time. Commissioner Mosconis said he did agree with her and initially he was elected Countywide. He stated he would respond to anybody that called him no matter what District they were in. Commissioner Sanders said she felt the same way especially when her constituents called her wanting to know "where their asphalt was at?" She stated when it was a project of this magnitude then the other commissioners needed to have input and Board action needs to be taken so all of the Commissioners, Department Heads, etc. are clear on where the asphalt is to be placed, etc. Commissioner Mosconis suggested the Board direct the County Engineer to handle these type projects in the future. Commissioner Sanders said she was informed by FDOT the Franklin County-County Engineer was handling or in charge of this project. Commissioner Sanders said she knew she wasn't getting anywhere with Commissioner Mosconis since that was just the way he was. She stated she felt like he patronized her sometimes. Commissioner Mosconis said he just said the County Engineer should handle these matters for now on. He stated he could then work through the Road Department. Commissioner Putnal said again he did know "fair is fair" and he felt like, in this situation, the rest of the County had not been treated fairly. He stated he didn't know if this was legal or not, he said he didn't know if he could get a bunch of stuff, representing the County, and put every bit of it in his District. He said he felt like he would get in trouble with the Ethics Commission or somebody. He stated people are coming up to him and saying, "look they've got all new driveways in Apalachicola." He said he has still got the dust and the dirt and asked Commissioner Mosconis where his asphalt was? Commissioner Mosconis asked Mr. Chipman if they had started putting the asphalt out. Commissioner Sanders answered the State didn't have any more asphalt and wouldn't be getting anymore until they began to pave South Bayshore in Eastpoint. Commissioner Putnal said people told him "he better do something" and he told them he didn't have any milled asphalt to do anything with. Commissioner Mosconis said Mr. Chipman was getting better and better and would soon be able to pave a road. Commissioner Sanders said she would like to get off this subject

and discuss another issue. She stated McIntyre Road is considered an evacuation route and asked Mr. Chipman to be sure it was drive able all the way through for a two-wheel drive vehicle. Mr. Chipman assured her it was drive able at this time. He said a two-wheel drive vehicle could easily pass through.

(Tape 1-867) Mr. Pierce said the City of Carrabelle had many years ago requested a lot from St. Joe in the City of Carrabelle to use as a parking lot. He stated St. Joe, a period of time ago, gave the lot to the County instead of the City of Carrabelle. He said the County has cleaned the area off and he was going to have recycling bins on the property. He stated the City of Carrabelle has reminded him they wanted to use that land as a parking lot. He asked the Board what they would like to do with the property? He said it is a single lot, 60' X 100'. Mr. Pierce said the Board needed to decide what they wanted to do with this lot. Commissioner Putnal suggested the County request permission to leave the recycling bins on part of the lot and then use the remainder for a parking lot. Commissioner Sanders suggested another ideal would be to ask the City of Carrabelle if the County could leave the recycling bins where they are if the County works with them on fixing the lot. Mr. Pierce and Van Johnson, Solid Waste Director, both expressed this would be the best thing to do. Mr. Pierce stated he would request this of the City of Carrabelle.

(Tape 1-938) Commissioner Mosconis said he would need permission from the County Attorney to give the County ten or fifteen loads of milled asphalt he bought a few years ago. He stated he was going to develop a piece of property and was going to use the milled asphalt for the roads. He said he is not going to develop this property now and the asphalt needs to be used. He said the asphalt is on his private property and so he would need permission from the Board for the Road Department to go onto his property and get the asphalt. He said Mr. Shuler could prepare the necessary hold harmless agreements, etc. that needed to be signed. Commissioner Mosconis said he wanted to apologize for any "heartburn" he had caused the other Commissioners. He stated he would be glad to donate this asphalt to the County. Commissioner Putnal said it was not the Commissioners it was the public who was upset. Commissioner Putnal made a **motion to accept the milled asphalt Commissioner Mosconis offered to give the County, ten or fifteen loads, and directing the County Attorney to prepare the necessary documents to allow the Road Department to go onto Commissioner Mosconis' private property to pick-up the asphalt.** Commissioner Williams asked who was going to get this asphalt and where was it going to be placed. Commissioner Mosconis said Commissioner Williams could have it if the Board agreed and Commissioner Williams then seconded the motion. All for. **MOTION CARRIED.** The Board agreed to allow Commissioner Williams to have the asphalt.

**PUBLIC HEARING-AN ORDINANCE AMENDING ORDINANCE 93-9**

(Tape 1-1024) Mr. Pierce said this public hearing was scheduled to consider amending Ordinance 93-9, The Flood Plain Management Ordinance to allow 300-square feet of enclosure with breakaway walls below the base flood elevation in V-Zones. He said the current ordinance is not consistent with Federal Guidelines, which allows 300-square feet of storage area, but the County Ordinance adopted almost ten years ago limits this storage

area to 200-square feet. He said this would make the County Ordinance consistent with the Federal Guidelines. He stated some of the contractors who are licensed in numerous counties like Gulf, Wakulla, etc. come to Franklin County with plans already designed to meet the other County standards and then they don't meet the guidelines for the storage areas. He stated it doesn't change the size of the house or any other specifications. He asked the Board to adopt this ordinance amending Ordinance 93-9. Commissioner Sanders asked if this wasn't a FEMA guideline. Mr. Pierce replied it was. He said the Construction Licensing Board also recommends the Board adopt this ordinance. Chairman Creamer asked if anyone in the audience or any member of the public would like to voice their opinion as to whether the Board should adopt this ordinance or not. After no public input Commissioner Sanders made a **motion to adopt "An Ordinance Amending Ordinance 93-9, The Flood Plain Management Ordinance, to Allow 300-Square Feet of Enclosure with Breakaway Walls Below the Base Flood Elevation in V-Zones"**. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**CHAD GUNTER-ADVANCED ENVIRONMENTAL TECHNOLOGIES**

(Tape 1-1116) Mr. Pierce introduced Chad Gunter, Advanced Environmental Technologies, LLC., to the Board. He informed the Board Mr. Gunter met with the Apalachicola Airport Advisory Committee last night to discuss a six-month to a year lease for a paved area just inside the Apalachicola Airport gate. Mr. Gunter thanked the Board for allowing him to address the Board this morning. He said his company is interested in leasing some property on the Airport Road for a staging area to collect waste for hauling to the landfill or incinerator. Mr. Pierce presented a letter from Ted Mosteller, AAC Chairman, recommending the Board approve the lease. He said the letter does contain the following considerations: Some form of bonding or insurance coverage and a lease amount of approximately \$100 per month for this temporary lease. Mr. Gunter explained the waste would be contained in appropriate containers to be transferred to trucks. He said the containers would be parked in a designated lease area on the airport property. He stated his company was requesting use of an area of unused paved road to the right just inside the main gate at the airport. He stated 80% of his companies work, environmental engineering, was through the State of Florida. He said they are actually paid by the State of Florida. He explained they were looking for an operation consistent with the environmental contracting his company does. He stated they do "waste hauling", which would benefit a lot of the construction companies in the County. He said they do a lot of the drum hauling as well. He explained this is the contaminated soil derived from in and around Franklin County and the surrounding areas. He stated his company provides this service from Gainesville to Jacksonville, Atlanta, South Alabama and Pensacola. He said they are only requesting the use of a small area at the airport to stage some of the containers. He stated the containers would be empty when they are on County property and the other containers would not touch the ground, but simply sit on a truck. He said the containers would be dumped everyday when loaded. He stated they have made arrangements with the Franklin County Landfill and the Gulf County Landfill to handle this material. He said they would like to move a lot of their operation down to Apalachicola, which would entail the employment of sixty-seven people at the present time. He stated eventually they would like to relocate to the new

industrial park being constructed at the airport. He said this would be in their five-year business plan. Commissioner Putnal stated he thought this sounded good, but he was very concerned about toxic waste or something dangerous being brought into Franklin County. He said the Commissioners had to be careful and not create an illegal dumping site. He stated if the material remains on the trucks then that probably wouldn't be a problem. He said he wanted to be sure the Solid Waste Director kept the Commissioners informed and up to date about this project. Mr. Johnson, the Solid Waste Director, said he met with Mr. Gunter's representative and was informed by him they wanted to bring the C & D, because the other materials they discussed bringing into the Landfill, the Landfill does not accept. He stated the Landfill does accept the dry treated sludge. He said if they just want to use the airport site to store the material on the trucks then it would be all right, as long as the material is not ever placed on the ground. Mr. Gunter assured the Board there was a number of State regulations they had to abide by and a lot of other regulations they had to adhere to. He said his company is very regulated and must maintain tons of paperwork. Mr. Shuler, the County Attorney, reminded the Board they needed to be careful what materials is placed on this site and how they are handled. He stated this area is very close to residential areas as well as to Apalachicola Bay and the oyster beds in the area. Mr. Gunter reminded the Board there is no water available at this site so there would be absolutely no cleaning done there. Commissioner Putnal asked Mr. Johnson, if the Board approved this, to be sure to go by and monitor this site. He said he would go ahead and make a **motion authorizing the lease of an area at the Apalachicola Airport to Advanced Environmental Technologies, LLC, for six-months to a year in the amount of \$100.00 per month; with the provision the company provides environmental insurance reflecting the Franklin County Board of County Commission as Loss Payee, and directing the County Attorney to prepare the necessary paperwork for this lease with all the conditions mentioned by the Commissioners.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Gunter informed the Board his company had a \$5 million dollar liability policy and would be glad to add Franklin County as a Loss Payee. Mr. Johnson asked Mr. Gunter if all of the material would be in drums on trucks and not touch the ground. Mr. Gunter assured the Board the material would be in drums and on semi-truck trailers so it would not touch the ground. Mr. Gunter said he would like to see this done as soon as possible. He stated his company is definitely looking for property in the area so they can relocate to Franklin County. He said they are definitely interested in the Industrial Park at the Apalachicola Airport.

**VAN JOHNSON-SOLID WASTE DIRECTOR**

(Tape 1-1563) Chairman Creamer said Mr. Johnson had already left the meeting since he reported he did not have anything to discuss with the Board this morning.

**PUBLIC HEARING-REZONING AP BEACH CLUB TO PUD**

(Tape 1-1558) Mr. Pierce said this public hearing is for the Board to consider adopting "An Ordinance relating to the Zoning Code; Approving the Beach Club at Alligator Point Master Development Plan; Providing for Repeal of Conflicting Ordinances; Providing for Sever ability; and Providing an Effective Date." He said the rezoning would rezone the Beach Club to a PUD. He explained the purpose for this rezoning request, consisting of

approximately 3-acres, is to allow for development of a multi-family structure instead of a motel, restaurant, or other commercial uses the surrounding neighbors oppose. He said, Debbie Holton, Whitestone Consulting Group, was here to represent the developers this morning. Mr. Pierce presented a letter of opposition from John Murphy. Mr. Pierce read Mr. Murphy is concerned about two things; one is fire protection and the other is the water resources. He said Mr. Murphy also expressed his concerns about the high-density development in this area changing the character and nature of Alligator Point and Bald Point Communities. He informed the Board the Planning and Zoning Commission recommended Board approval of this project. He said this Beach Club has been a problem for the community and the option presented by the developer was to build a compatible residential community. Ms. Holton said she was here to inform the Board the residences would contain sprinkler systems. She stated the developer would also do everything to work with the community on their turtle nesting project, dune protection and restoration projects, etc. She said the exact water system as the developers are using at the new "Pelican Bay" resort down the road from this development is what they would be using. Commissioner Sanders said she received several telephone calls from her constituents in the Alligator Point area. She stated, while no one was truly opposed to this project, people still had concerns about fire safety, the water pressure, etc. Ms. Holton assured Commissioner Sanders they would do everything to work with the community regarding these matters. She said they are not asking for any variances for this project, it would meet all of the County Codes including the height restrictions. She stated the developers could put 50 motel units, without any rezoning, on this property, but the developers have decided to put 26 condo units there. Linc Barnett, ATPA, said he felt, as most of the other residents in this area, that this would be the lesser of 2 evils. He stated they had decided this would be better for the community than a 50-unit motel where people just come and go on a daily or weekly basis. He said these condos would have the same residents and hopefully they would become productive members of the Alligator Point community. Mr. Shuler said he did have a concern about the County setting a new precedence with a "condominium" type development. He stated the Board needed to be fully aware of what they were doing this morning if the ordinance was adopted. He said it is already Commercially Zoned, which is a distinction in itself. He stated once the County approves this development then there might be other developers wanting approval for such a development. Discussion followed. Commissioner Sanders said she wanted to make absolutely sure the developer realized what an environmental sensitive area this was. Ms. Holton, representing the developer J. Don Nichols, promised the Board the developer would promise on record this development was being developed with a decreased density, wastewater treatment-advanced aerobic system required by the State of Florida for coastal zones and many other advantages another development on this commercially zoned property would not have. Commissioner Sanders said she would go ahead and make a motion, since this is a downzoning, downsizing, etc. She said she would make the motion adopting "An Ordinance of Franklin County, Florida, Relating to the Zoning Code; Approving the Beach Club at Alligator Point Master Development Plan; Providing for Repeal of Conflicting Ordinances; Providing for Severability; and Providing an Effective Date." Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**LINK CARROLL-FINANCE OFFICER-FCSO**

(Tape 1-2547) Ms. Carroll said she was here this morning on behalf of Sheriff Bruce Varnes to present a letter. She introduced Sarah Marich, FCSO Investigator, to the Board. Ms. Carroll presented a letter from Sheriff Varnes as recommended by the County Auditor, Michael Tucker. She stated the letter is presented annually after the audit. She said the FCSO is requesting the FCSO FY 2001-2002 Budget be amended to reflect the amount of money received from the three grants for the current year, a delayed reimbursement from the 2000-2001 Narcotic Task Force Grant, and the match amount received from the Apalachicola Police Department for a total amendment of \$149,743.67. She listed the following grants, etc. and the amount of each as follows: Narcotic Task Force \$61,515.00; VOCA Grant \$31,681.00; Resource Officer \$32,000.00; NTF Reimbursement \$8,808.50; Apalachicola Police Department \$6,441.00; and Franklin HOPE Grant \$9,298.17 for a total amount of \$149,743.67. She said this request is presented to the Board each year at this time. Commissioner Mosconis made a **motion to amend the FCSO FY 2001-2002 Budget by a total amount of \$149,743.67 from the following listed grants: Narcotic Task Force \$61,515.00; VOCA Grant \$31,681.00; Resource Officer \$32,000.00; NTF Reimbursement \$8,808.50; Apalachicola Police Department \$6,441.00; and the Franklin HOPE Grant \$9,298.17.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2602) Ms. Carroll said she the Board also needed to approve the annual Narcotics Task Force Grant. She stated the grant has increased from \$69,000.00 to \$106,730.00. She asked the Board to approve the Chairman's signature on the necessary documents for submission to FDLE for their approval. Commissioner Sanders made a **motion authorizing the Chairman's signature on the annual Narcotics Task Force Grant in the amount of \$106,730.00 for submission to FDLE by the FCSO.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2632) Ms. Carroll said Officer Marich would like to present a new grant request to the Board. Ms. Marich introduced herself to the Board. She stated she was an investigator with the FCSO. She said the Sheriff had asked her to check into the Community Oriented Policy Services Grant or the C.O.P.S. Grant, which provides matching funds from the Federal Government to hire new law enforcement officers. She said the total amount of Federal Funds being requested was \$184,836.00 with a County Funds match of \$62,235.00. She stated this program for Federal Funds would last 3-years and provide 90%, 75%, and 61% each year to fund 3 law enforcement officers for Franklin County. She said these officers could be officers already working at the Sheriff's Office or 3 newly hired officers. She said the officers had to be involved in a Community Policing Program. She stated the Sheriff's Office, basically, already performing these duties. She said the deadline for the grant was June 21, 2002. She explained the County could apply and receive all 3 officers or just might receive 1 or 2. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Community Oriented Policing Services (C.O.P.S) Grant application as requested by the FCSO.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**RAY WILEY-REQUEST TO ABANDON CUL-DE-SAC UNIT 1 AP S/D**

(Tape 1-2950 Continued on Tape 2) Mr. Wiley said he was here this morning to ask the Board to either grant him abandonment or a partial abandonment of a cul-de-sac, Unit 1, Alligator Point Subdivision. He presented a "Plat of Boundary and Topographical Survey" completed by James Roddenberry, Surveyor and Mapper. He said Commissioner Sanders has come to look at his property. He said he is asking for this abandonment so he can build a house on his lot. He stated he had rather the Board allow this abandonment so he can have the property to build closer inland than building closer to the water. He explained the lot measures 65' from the cul-de-sac to the water. He said if you subtract the 50-foot requirement from that then it only would leave him 15' to the cul-de-sac, which leaves not room for him to build on this lot. He stated he thought this was planned in 1973. He said he has a map, which reflects this cul-de-sac as being the only one in the whole area. He said the cul-de-sac is just used as a party place for people. He said they vandalize the area and just sit around partying. After discussion Commissioner Sanders made a **motion directing the County Engineer, Mr. Shuler, and Mr. Pierce meet and discuss this matter and come back to the Board with a recommendation.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**MAJOR MIKE MOCK-FCSO**

(Tape 2-128) Major Mock said he would need just a couple of minutes to discuss a matter with the Board. He said he was here to ask the Board to allow the Chairman to sign a letter authorizing the Franklin County Sheriff's Office to act as Franklin County's agent for the purpose of applying for and receiving moneys from the Crime Stoppers Trust Fund. He said this request is made per requirements in Florida Statutes Subsection 16.555(5)(b) 1998 Supp. He stated Franklin County used to be involved with the Crime Stoppers Program, but somehow the County was removed from the Big Bend Crime Stoppers list. He said he attended a meeting of the Big Bend Crime Stoppers in Tallahassee with the intention of asking for assistance with putting Franklin County in line with their program. He stated they supply a TIPS Line, media coverage, rewards, etc. to assist the FCSO in apprehending people who are wanted by Law Enforcement. He said there are 9 counties involved in the Big Bend Crime Stoppers Program and Franklin and Liberty Counties had been removed from the list. He stated he was asking the Board for this letter so the FCSO could be fully assisted by the Big Bend Crime Stoppers Program. Commissioner Putnal made a **motion authorizing the Chairman's signature on a letter allowing the Franklin County Sheriff's Office to act as Franklin County's agent for the purpose of applying for and receiving moneys from the Crime Stoppers Trust Fund per requirements in Florida Statutes Subsection 16.555(5)(b) 1998 Supp.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 2-215) Commissioner Putnal said he wanted to ask Mr. Pierce about something. He asked Mr. Pierce if he remembered when he mentioned the road at Porter's Bar Bridge in Eastpoint. He said this road is still in bad shape. He stated he is receiving more and more complaints about the road. He said the road needs to be repaired.

Chairman Creamer replied the reason they are waiting to finish the road is because Eastpoint Water and Sewer has to place pipe there and they didn't want EPW&S taking any heavy equipment across the new pavement. He said he understands EPW&S has finished this project and now they are supposed to come back and place a whole new cap over the highway. Commissioner Putnal said he thought something in this shape for 4 or 5 months should be fixed so the public won't be afraid to drive on the road. He stated people's vehicles could be torn up. He said his personal car has been torn up from a road in Carrabelle. He stated he has over \$1,000.00 in damage to his car due to the bad roads in Franklin County. Mr. Pierce said he had contacted the paving company about the roads and they still haven't done anything about it. He stated the paving company would be responsible and not the County for any damages.

(Tape 2-270) He said he wanted to give the Board a copy of DCA's Objections, Recommendations, and Comments (ORC) Report. He said they list 9 objections to the "Summer Camp" project submitted by St. Joe/Arvida for a 784-acre parcel located at Turkey Point in Franklin County. He said all 9 of the objections are significant and the County has 60-days to respond to the objections. He stated, in all probability, the County would request an extension. He said he has notified Doug Delano, St. Joe/Arvida, the ORC Report is in and that it is St. Joe/Arvida's responsibility to work out the problems. Commissioner Sanders said she would like a copy of this report. Mr. Pierce said he would provide her with a copy for her review.

(Tape 2-424) Mr. Pierce said he wanted to mention his next two items while the Road Department Superintendent and the Solid Waste Director was here. He said he was asking for the Board to give direction on policy regarding the payment of workman's comp claims. He read the following into the record: Currently when an employee makes a workman's comp claim, the County continues to pay the employee, and then when the claim is paid off a check comes to the County and the County reimburses the employee's sick leave or vacation account for whatever funds come in. The workman's comp representatives have recommended the County stop paying the employee after the first seven days, and have the workman's comp claim be paid directly to the employee. The reason for this change is to remove the County from being involved with paying or not paying a workman's comp claim. He said he also needed Board direction on the following matter: Directing all Department Heads that a drug test is a requirement for a workman's comp claim to be paid. The Department Head must inform their employee they need to take a drug test at the time they seek treatment for their work related injury. The Health Department will do drug tests in the morning, at other times or after hours the George E. Weems Memorial Hospital Emergency Room would do the test. He said if the Board does approve these requests he would need permission to inform or send a memo to the Department Head's informing them of these decisions made by the Board this morning. Ruth Williams, Finance Office and Ethel Jenkins, Assistant Finance Officer, were asked to come to the meeting to answer some questions. Mr. Pierce informed the Board Ms. Jenkins is primarily the person who deals with workman's comp claims and the workman's comp insurance company. Ms. Jenkins said, at this time, the County has a policy, which allows the County Employee to use their vacation and sick leave time and then when worker's comp pays the claim, which is reimbursed at 67.33%, they send the