

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
OCTOBER 1, 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 1-40) Mr. Wade, the Clerk, said in the previous years, the Board has scheduled a meeting at the end of the Fiscal Year, usually on the last day of September before the new budget year begins on October 1st. He said the Finance Officer, Ruth Williams, and he agreed that there would not be an extra meeting next year for payment of bills at the end of September. He said that is what he was doing this morning, while all of the Department Heads were present, is informing them and the Board of this fact. He stated the Department Heads would have to plan more carefully so grants can be expended by the second meeting in September. He stated he was just notifying everyone this morning verbally, but he would be sending a memo out to each Department Head in the County.

(Tape 1-70) Commissioner Sanders made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-76) Mr. Chipman reported the roads were in pretty bad shape due to all of the rain. He said he was trying to make sure they were graded sufficiently before he put any lime rock on the roads. He stated there was also another hurricane on the way therefore he was going to wait to patch a lot of the holes. He explained he knew some of the roads on SGI were in bad shape, but he was going to fix them after the threat of this next hurricane came through. He said he is grading them and putting some lime rock on them.

(Tape 1-104) Commissioner Sanders said she wanted to commend the Road Department and the Landfill on their hard work performed during the last tropical storm. She stated the employees did a good job.

(Tape 1-110) Commissioner Mosconis asked Mr. Chipman if he had given or assisted Jimmy Hilton some relief for his problem. Mr. Chipman replied he had taken care of the problem. Alan Pierce, Director of Administrative Services, said the problem was a clogged culvert underneath 2nd Street in Eastpoint. Mr. Pierce reported he called the Eastpoint Fire Department to see if they would unplug it with their hoses. He said he guessed they did because he didn't hear anything else.

(Tape 1-126) Commissioner Putnal asked if the Engineers had done anything at the end of River Road in Carrabelle. Mr. Pierce said he didn't know anything about it.

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(Tape 1-134) He asked if Mr. Chipman if he had ever done anything with the culvert on the East side of that road. Mr. Chipman said he hadn't cleaned it out yet, but he was going to. Mr. Chipman asked Commissioner Putnal if this was about what they talked about that day. Commissioner Putnal said it was. Commissioner Putnal said it concerned the end of River Road.

(Tape 1-145) Commissioner Sanders said when the tropical storm hit, it demolished the dock in front of the KOA in Alligator Point. She stated the dock was determined to belong to the County. She said the platform was totally destroyed and it needs to be either totally removed or repaired. She explained she thought it was a hazard. Mr. Chipman reported he had blocked the dock off so no one could get onto it. Commissioner Sanders said she thought people were still fishing around it.

Commissioner Sanders asked the Board to make a decision as to whether the County wanted to keep the dock or not. Mr. Pierce said he would suggest the Board authorize the Road Department to go ahead and remove the entire structure. He stated he thought it was a liability to the County and would be the responsibility of the County to maintain the dock. Mr. Chipman suggested the Board go ahead and approve the removal of the dock. He said since the tidal surge is so bad in that particular area he didn't think the County would ever be able to keep the dock repaired. Commissioner Sanders said she would go ahead, since Mr. Chipman recommended it, and make a motion authorizing the Road Department to remove the dock and platform in front of the KOA in Alligator Point. Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-227) Commissioner Mosconis asked Mr. Chipman if he had received a copy of the letter FDOT sent to Sandra Rickards concerning the operational and safety study on SR 30 (US 98) at CR 67 (Tallahassee Street). Mr. Chipman replied he had received a copy of the letter and was aware FDOT recommended the County replace several pavement markings, which are missing on the County's portion of this roadway. Commissioner Mosconis stated he wanted to be sure Mr. Chipman had a copy of the letter from FDOT so he could take care of the deficiencies listed in the letter.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-251) Mr. Johnson informed the Board he had filled the two budgeted positions within the Solid Waste Department. He said he had selected Jesse Brannan for the Mechanic's position and Travis O'Neal for the Equipment Operator I position. He stated both applicants exceeded the requirements for the positions.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-270) Mr. Pierce asked Commissioner Putnal if he wanted to address the issue with River Road at this time. Commissioner Putnal replied if he wanted to. Mr. Pierce informed the Board there were some residents who lived on River Road that think the Board is going to discuss the issue of sewer on River Road this morning. He stated he received a telephone call last week when he was on vacation from the Engineers, Baskerville-Donovan Engineering, for the City of Carrabelle Sewer Project informing him they would not have a representative at the meeting this morning since they had not

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been able to meet with him. He said one of the matters of concern is whether the County has ever granted the City of Carrabelle a Sewer Franchise on that side of the River. He explained at this point River Road is County property. Amelia Varnes, Secretary to the Board, reported she, along with Mr. Shuler, the County Attorney, had researched the records yesterday afternoon and could not find an ordinance granting a franchise for the City of Carrabelle. Mr. Pierce stated, at this point, the City of Carrabelle must first create and have a franchise area approved before any sewer lines are actually laid out. Stute Whitbaker, a resident of River Road, said he had a question for the Board this morning. He said if the County grants a franchise to the City of Carrabelle will he and the other citizens living on River Road have a chance to be involved, informed, questioned, etc. Chairman Creamer replied there would be public hearings held. Mr. Pierce explained the franchise would have to be adopted through an ordinance, which requires the date, time and location be advertised in the local newspaper. He stated the actual proposed ordinance would have to be reviewed before it was advertised and the Commissioners would actually have to make a motion to have the issue scheduled for a public hearing. Mr. Whitbaker thanked the Board for their information.

(Tape 1-354) Mr. Pierce asked the Board to approve a Resolution to the County's Legislative Delegation requesting funding for the construction of the Carrabelle prison this Legislative Session. Commissioner Sanders made a motion authorizing the Chairman's signature on a Resolution to the County's Legislative Delegation requesting funding for the construction of the Carrabelle prison this Legislative Session. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-364) He said Frank Venable, Eastpoint, would like the Board to direct the County Attorney to advise Bob Allen, Eastpoint, that his tenant has erected posts too close to Mr. Venable's property line. He explained the tenant was denied a variance to erect a pole bar/shrimp peddler shed near the corner of US 98 and South Bayshore Drive in Eastpoint. Mr. Pierce said the Planning Department posted a Stop Work Order at the site to stop construction. He stated then the tenant applied for a variance so he could continue construction, but his variance was denied. He informed the Board neither this gentleman nor Mr. Allen have removed the posts or structure. He said the Board of County Commissioners is the enforcer of zoning matters. Mr. Pierce said there is a required set back of ten-feet and this gentleman has put the posts right on the property line. He stated there is not a set back for a regular fence, so a fence can be put up on the property line. Chairman Creamer asked if a survey had been presented. Mr. Pierce said he has not asked anyone to submit a survey. Mr. Venable said he thought the issue was the substantial creosote posts put up on the property line, with no observance of the ten-foot setback. He stated he wanted to protect his property by asking the County to do what they needed to do by instructing the County Attorney to send a letter to the owner of the property giving him a deadline to remove the posts. He said the owner is responsible, not the tenant. He informed the Board the Stop Work Order was issued on August 26th and the construction did not stop then. He said they put up an additional walls and the top was put up in the last five or six weeks. He stated he is asking the County to enforce their own zoning ordinances. After discussion Commissioner Mosconis made a motion directing the County Attorney send a letter to property owner(s) informing them

they must move the posts and structure in thirty days and if it is not removed then the County would take whatever appropriate action is needed to have it removed.

Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-675) Mr. Pierce said he would interrupt his report so Judge Russell could address the Board.

JUDGE VAN RUSSELL

(Tape 1-678) Judge Russell said he was present at the Board Meeting this morning to address the Board about the situation with the Courthouse. He stated the Judicial System had originally planned to construct a third courtroom along with the State Attorney's Office when the Courthouse Annex was constructed. He said the State Attorney has moved to the new building. He stated a couple of things have happened, one is that he is not as familiar with Courthouse space allocation as the Clerk is, but the question has come up about why are they going ahead with a third courtroom when this annex is not being utilized as a courtroom. He explained he thought there was a plan, in the future, for the County Court Judge to be using this courtroom in the new annex. He said his current space in the Courthouse is going to be used by other people, including the new Circuit Judge. He stated the new Circuit Judge called him last week and indicated to him she expects to use the Courtroom for all of her hearings. He said, what he is planning to do is to move the County Judge's Office into the Conference Room in the new annex. He stated this would allow the Court system to have both Courts all of the time and free up that additional space in the main Courthouse. Commissioner Mosconis said he hadn't heard anything about a Third Courtroom. He stated this is the first thing he has heard about this matter. Mr. Pierce said the whole ideal was to convert the State Attorney's Office, when they moved to the new annex, into a small hearing room, which would be a part of the Judicial Suite. He explained this would allow for one large Courtroom, the Main Courtroom, and the smaller room for the second Courtroom. Commissioner Mosconis said this is what this room was historically used for. He said the State Attorney's Office needed additional space so several years ago the County allowed them to expand into the adjoining offices. Mr. Pierce stated there used to be two hearing rooms, but the State Attorney's Office opened up the area and made a larger office. Commissioner Mosconis said the ultimate goal was to build another facility and move the State Attorney's Office to the new facility to move them out of the Judicial Suite of the Main Courthouse. He asked if the State Attorney's Office is out of the Judicial Suite then why can't the room be converted back into hearing rooms like it originally was? Judge Russell replied what is happening now is the new Circuit Court Judge is going to use the Main Courtroom for everything so the County Court matters would need another Courtroom large enough for them. He said they want to use this Courtroom. Commissioner Mosconis said this room was not designed with the Judge in mind. He said this process of construction has been going on for a year or year and a half. He stated when this new facility was built it was under the direction and with approval from the Chief Circuit Judge. Mr. Wade said he could maybe clarify this situation. He stated when the construction process began he talked to the Chief Judge Reynolds and the ideal of Article V Funding was so the County could use some of this funding to help the Judicial side of the Court system, which would be the Courtroom or the Judge's

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Chambers. He informed the Board he told Judge Reynolds, on a conference call with Judge Russell and Judge Steinmeyer, the County had budgeted some funds for a Capital Outlay Project. He said he asked him to allow the Article V Funding to be combined with the Capital Outlay Project Funding for Franklin County then the County could build a facility, which could be used as a Boardroom/Courtroom for Judicial functions. He stated Judge Reynolds agreed as long as the facility could be used for a Courtroom as well as a Board Room. He explained two-thirds of the money that went into building the facility came from Article V Funding with the permission of the Chief Circuit Judge to allow the Judicial system to use the annex for a Courtroom. Commissioner Mosconis said he remembered another controversy about the State Attorney's Office moved from near the Judge's Office. Mr. Wade said the Chief Judge, at the time, wanted the State Attorney's Office and the Public Defender's Office out of the Courthouse. He said the agreement was, if Article V Funds were used, the State Attorney's Office would be moved to the new annex and the Public Defender would be moved to the old Planning and Zoning Office building behind the Courthouse. Judge Russell said it is very confusing when both Courts are being conducted at the same time. He stated the Judicial Suite is overcrowded and the way the County is growing it is going to get worse.

Commissioner Sanders said she knew there was a lot of overcrowding at the County Jail. Mr. Wade said the new Circuit Judge has made it perfectly clear, when she has her first court dates in January, 2003, she intends to use the main Courtroom for all of her functions. Commissioner Mosconis asked if the new Judge shouldn't be communicating with the Board since they are required to provide her the proper space? Mr. Wade replied in the State of Florida the Chief Judge in the individual Circuit's has the responsibility for the Courthouse. He stated they decide who is allowed office space, Courtroom's, etc. He said they could actually come and move everyone from the Courthouse and leave only Court functions in the Courthouse. He stated this happened in Jefferson County. He said the County had to find office space for everyone except the Clerk's Office and the Judge's. He reiterated the Chief Judge of any Circuit is in charge of the Courthouse.

Commissioner Mosconis said he clearly understands this, but this project just didn't happen. He stated he puzzled as to why, now the Judge has to be moved. Judge Russell said he didn't see this was a big problem and agreed this was something everyone should have foreseen earlier, but it wasn't done. He stated, again, he didn't see where it was a big problem. Mr. Wade said he has spoken to Judge Russell's Judicial Assistant, Tricia Evans, and she is well aware of the dates the Commissioners hold meetings, Public Hearings, etc. and she is willing to schedule the Judge's calendar around the County Commission and their functions. He stated the big Courtroom could be used at night for Public Hearings if needed. He said he thought the County had plenty of room to conduct two Courts and do what is needed to move cases through the Court system. Judge Russell said he promised to be a good neighbor and cooperate with the Commissioners. Chairman Creamer said he has spoke to Mr. Pierce about this matter. He stated they discussed Emergency Management Operations and the plan to move them to this facility. He said the County is going to have to have a room to put the Emergency Management Office in. He stated there is nowhere else to put them except the Airport and Mr. Pierce's Office. Commissioner Putnal asked why they had to be moved from the Airport?

Chairman Creamer replied the building at the Airport needed a lot of work. He said it wasn't but a few weeks ago the sewer system was not working. Mr. Pierce said he had

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informed Tim Turner, Emergency Management Director, that there was work to be done on the facility at the Airport and he thought it would be better for everyone concerned if they moved the EOC Office to the new annex building. He stated he also informed Bill Mahan, County Extension Director, he would be moved as well. He said the County had not budgeted for maintenance of three buildings, the Courthouse, the Annex, and the Airport building, which houses the EOC and the Extension Director's Office. He said the EOC Budget does pay for some of the maintenance, but not enough. Commissioner Sanders asked if the EOC Budget paid for a new roof for the Airport building a couple of years ago? Mr. Pierce replied it had, but the roof was still leaking. Commissioner Sanders asked if there wasn't a warranty on the roof? Mr. Pierce said there was and he was working on getting the roof fixed under the warranty. Commissioner Sanders said she didn't have any problem with the Judge moving his office to the Annex. She stated this was taxpayer's dollars and if the Judge wanted to move there wasn't much to discuss. She said this was Article V Funding and the Judge did ask for permission to move. She stated she agreed with having two Courtrooms. Mr. Pierce said no one is disputing this is a Courtroom; the question is does the Judge need to be in the same building the Courtroom is in. Judge Russell replied "Absolutely, no question." He said the County has grown and when Court is held the Judge's are in and out of the Courtroom several times a day. He stated his office is on the third floor of the main Courthouse and this Courtroom is on the bottom floor in the new annex. He said if this annex Courtroom is going to be utilized then the Judge needs to be in the same building. Commissioner Mosconis what about a scheduling problem with the Commissioners and the Judges. Mr. Pierce said the County Commission has only had one room in the past for any of the meetings they needed to schedule. He stated sometimes the rooms would need to be used by the Commissioners. He said this might cause problems with the Commission intruding into the Judicial space. He stated this was the benefit of the new Courthouse Annex having a Conference Room in the first place. Judge Russell said it was always anticipated that at some time in the future, when the Court began to use this Court facility, a Judge would be in the same building. He said that is just not a practical use of space at this time and for the Courthouse Annex Courtroom to be utilized a Judge needs to be in the same building. Commissioner Mosconis said he disagreed with this statement and stated there was never, ever any discussion about putting Judge's Offices in this building. He stated the big deal about building this new building was to have the State Attorney's Office moved out of the Judicial Suite in the main Courthouse. He said this is what has been done. He stated he didn't really care if the Judge had the office however he was wondering why the building has been used for one month and then all of a sudden we have to have a new Judge's quarters over here. Chairman Creamer said he always knew this was going to be used as a Courtroom. Commissioner Mosconis stated he knew this too. Chairman Creamer said he didn't know about the Judge having to move over to the new building. Judge Russell stated it wasn't talked about at the time. He said it wasn't something that was talked about at the time. He stated it was always anticipated that at some time a Judge would move over to the building to use the Courtroom. Commissioner Putnal said he agreed with the Judge and he remembered when all of this was discussed. He stated the County wouldn't even have this new building without the Judge's being involved in the project and providing the funds to build it. Commissioner Sanders said she agreed with Commissioner Putnal. He stated he

was sure the Commission couldn't deny the Judge his request. Commissioner Sanders said she wasn't going to deny the Judge his request. Commissioner Sanders then made a **motion approving Judge Russell's request to convert the Conference Room in the new Courthouse Annex to an office for him and his Judicial Assistant.**

Commissioner Mosconis said he wanted to have approval by the Chief Judge. He asked Judge Russell to call Chief Judge William Gary and have him send a letter authorizing this move and these changes to the building. Judge Russell assured the Commissioners he would provide this letter to them. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 1-1430) Mr. Pierce informed the Board Nick Yonclas, attorney for Ron Bloodworth, was here with Mr. Bloodworth with some additional information regarding his client's use of the Porter Street Canal on SGI. Mr. Yonclas said he represented Mr. Bloodworth and several other individuals who live in Unit 5, SGI. He explained the Board elected to close this canal for boat ramp usage several months ago. He said his client asked him to do some research and based on this research he has discovered some other information pertinent to the canal. He stated the Board might not have been brought to the Board's attention when the matter was decided. He said he would like to present this information to the Board this morning and also request the Board reopen this boat ramp. He stated the Porter Street and the canal involved is part of a platted subdivision in Unit 5, SGI. He said the original plat was filed in 1960 by the then developer and owners of SGI. He stated they dedicated the street and the canal for public use, which has two significant results; one is when the residents bought the property they received certain rights, through the plat, to use the streets and canals designed therein. He said if this plat has been approved by the County then it has become subject to the right of the County to reasonably regulate those streets and canals. Chairman Creamer asked if Mr. Bloodworth had leased the canal. He said if he had then it wouldn't be for public use anymore. Mr. Yonclas replied this is where it gets rather technical, but the fact of the matter is this is a public canal unless the Board, by action has abandoned it by placing a barrier there. He stated it has been abandoned the plat has reverter language on it sending the canal and everything else abandoned back to the original developer, Gene Brown. He said the original rights have been succeeded to by an entity controlled and owned by Mr. Brown. He stated Mr. Brown has entered into a lease with Mr. Bloodworth allowing him to use the canal and a small strip of land between the street and the canal. He said if this is true the position would be the canal reverts back to Mr. Brown and then Mr. Brown can lease it. He stated there is a lease to be used only if the access to the canal has been cut off. Discussion continued. Mr. Shuler said he didn't think the County had abandoned any property since there was a procedure that had to be followed. Commissioner Putnal said he is tired of wasting public material and time opening and closing this boat ramp. He stated he would like to make a **motion directing the County Attorney to schedule a meeting with Mr. Yonclas and Mr. Pierce to research this situation and come to the Board with a reasonable recommendation to the Board that everyone can live with for use of the Porter Street Canal, Unit 5, SGI, as a public boat ramp.** Commissioner Sanders seconded the motion. All for.

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MOTION CARRIED. Joe Felice and Dick Bernhard, SGI, expressed their opposition to the reopening of this canal as a public boat ramp.

(Tape 1-2532) Mr. Pierce requested the Chairman's signature on a letter to DEP regarding the Carrabelle Recreational Park FRDAP Grant. He said the letter requested an amendment to the FRDAP Grant to change the location of the property to be purchased. There are three items, a boundary survey, a 30-year title search, and an appraisal by a State Certified Appraiser, that have to be completed before the funds would actually be sent to the County. Mr. Pierce informed the Board this was for the eighty-eight acres the County would use the FRDAP funds to purchase for the Carrabelle Recreation Park. Commissioner Sanders made a motion authorizing the Chairman's signature on the letter to DEP requesting an amendment to the Carrabelle Recreational Park, FRDAP Project F02090. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** The Board directed Mr. Pierce to contact St. Joe and asked them where the Option to Purchase is for the land. Mr. Pierce said he presumed they were going to send it ASAP and assured the Board he would contact them.

(Tape 1-2594) He said he received a letter from FEMA he had requested regarding the revetment at Alligator Point. He stated he had actually asked the USCOE to seek confirmation from FEMA that any project the USCOE completed on the Alligator Point Revetment would be reimbursable or refundable and would protect the County's interest if they got any FEMA money. He said FEMA informed him if USCOE constructed the system the County would be responsible for maintenance of the system as well as any repairs required for the system in the future. He stated FEMA did state in the letter FEMA would approve, on a case-by-case, eligibility of funding for disasters.

(Tape 1-2683) He said the Board needed to approve the Chairman's signature on a SHIP Certification Report prepared by Michael Moron, SHIP Administrator. He said the Board annually receives reports from the SHIP Administrator and then certifies them to the State. He stated the Board relies on the SHIP Administrator to complete them properly. He said he believes the reports are correct, but he has asked Mr. Moron to come to the meeting to answer any questions the Commissioners might have. Mr. Moron said he thought the program was running much more smoothly now. After his presentation Commissioner Mosconis made a motion authorizing the Chairman's signature on the annual SHIP Certification Report prepared by the SHIP Administrator, Michael Moron. Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2908) He informed the Board he had received a copy of a letter from Preble-Rish, Inc. to URS Engineering, Larry Parker, Project Manager, regarding URS's payment for services since June 10, 2002. He said the letter states URS owes Preble-Rish a total of \$8,000.00. He submitted a copy of the letter to the Board for the record.

(Tape 1-3000) He said the JPA FIN PROJ#41375119401 has been returned from FDOT Aviation Program Manager, Joe Smith, fully executed. He said the JPA is for the purchase of a tractor with implements-sweeper, mower and loader, for the Apalachicola

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Airport. He said the JPA provides \$47,279.00 in funding for the purchase of this equipment.

(Tape 1-3013) He provided a letter of response from Ben Withers Contracting regarding the Franklin County Carrabelle Library Branch. He said he put a copy of the letter in each Commissioners mailbox. Mr. Pierce stated his only concern was a deadline for Mr. Withers to complete the "punch list" for the Library. The Board directed Mr. Pierce to send a letter to Mr. Withers requesting he have a response or the repairs completed within 30 days.

(Tape 1-3082) He informed the Board there would not be a Visioning Workshop this afternoon as originally thought. He said Barbara Linczenski, DEP, could not fit the Workshop into her schedule. He reported he is going to Tallahassee to meet with Ms. Linczenski soon and then maybe a Workshop can be scheduled.

(Tape 1-3097 Continued on Tape 2) He said he would like to ask the Board for some direction. He stated he wanted to do whatever the Board wanted him to do. He said there was a brief discussion about relocation of the offices at the Airport, the County Extension and EOC, being moved back to the Courthouse for economic purposes. He stated Mr. Mahan does not work for him, however the other employees do. He said at some point the Board is going to have to decide whether the Offices at the Airport should be kept opened or moved back to the Courthouse. Chairman Creamer asked how much the electric bill is every month at the Airport Offices. Mr. Wade, after checking, replied \$563.00 a month. Mr. Pierce said this would be a cost savings to the County. Commissioner Sanders said she was not in favor of moving the offices back to the Courthouse. She stated they have meeting room and the EOC operates more efficiently at the Airport. Commissioner Putnal said Mr. Mahan had informed him he didn't want to move since he is already settled. Chairman Creamer stated this was up to the Board not Mr. Mahan. Commissioner Putnal said he felt Mr. Mahan's feelings should be considered. Mr. Pierce said he would meet with Mr. Mahan to discuss this matter. Gathena Parthemas, American Red Cross, said she would like for the Board to allow the EOC and the Extension Office to remain at the Airport. She stated they allow her and her staff to use the area when they need to. She asked the Board to not move the offices back to the Courthouse. Commissioner Sanders said the elderly people in her District who use the services of the Extension Office also have asked him not to move the office back to the Courthouse. She explained they told her the traffic is not so bad going to the Airport and the Offices do not have any stairs.

KENDALL WADE-CLERK

(Tape 2-2) Mr. Wade said he would like to address the Board about using or rehabilitation of the bottom floor of the Old County Jail. He suggested the Board direct the County Engineer check into this proposal. Commissioner Mosconis said he would make a motion directing the County Engineer and Mark Curenton, Assistant Planner, to check into the rehabilitation of the bottom floor of the Old County Jail for office space and to seek grants for this project. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

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(Tape 2-80) Commissioner Mosconis said he wanted to address Affordable Housing in Franklin County. He stated with the new Comprehensive Plan should help the County. He said these new developments and their developers were going to have to assist the County in Affordable Housing. Anita Gregory, Apalachicola Bay Chamber of Commerce, said there is definitely a need for Affordable Housing. She stated a lot of people can't afford to move to Franklin County because they can't afford a house or rental here. Commissioner Mosconis made a **motion directing Mr. Pierce to contact Peter Rummell, St. Joe Company, and request the St. Joe Company's assistance in providing more Affordable Housing in Franklin County.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

JIMMY MEEKS-DOCK APPLICATION

(Tape 2-552) Mr. Pierce reminded the Board Mr. Meeks' dock application was tabled from the last meeting. Commissioner Sanders left the meeting at this time. Commissioner Putnal said he wanted to discuss this dock permit. He said Mr. Meeks has both his Federal and State Permits for the dock. He asked Mr. Meeks if he would move his dock to the North side of the existing boat ramp. He said he didn't want the new dock in the bend of the Carrabelle River. Mr. Meeks said he would cooperate with the Commissioners, however he would prefer to move the dock South of the approved site. Mr. Meeks said he would also place reflectors on the dock so people could see it before they really got on top of the dock. Commissioner Putnal made a **motion approving a dock for Jimmy Meeks contingent on him moving the dock further South of the proposed approved site plan from Dan Garlick Environmental.** Mr. Meeks agreed to do this. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

KENDALL WADE-CLERK

(Tape 2-871) Mr. Wade asked the Board to address the monthly subsidy to EmergencyStat Ambulance Service. He said the year ended yesterday and the Board agreed to pay the subsidy for another month until the end of October. He stated he needed a decision on whether the Board intended to continue to pay this subsidy, an additional \$3,000.00, to EmergencyStat Ambulance Service to help them continue operating in Franklin County because the local hospital operators, DasSee, could not pay their portion of the subsidy. He said if the Board wants to pay this subsidy beyond the month of October he would need authorization to do this. Commissioner Mosconis made a **motion authorizing the Clerk to pay the \$3,000.00 subsidy to EmergencyStat Ambulance Service for another Fiscal Year, 2002-2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-900) He presented a request for a Budget Amendment in the amount of \$58,055.86 for the furniture/fixtures ordered for the Courthouse Annex. He said he needed the Board to approve an increase in Operating Supplies, 001.20.511.5200, in the amount of \$58,055.86 and decrease Reserve for Contingency, 001.99.584.9600, in the amount of \$58,055.86. Commissioner Williams made a **motion approving a Budget Amendment to increase Operating Supplies 001.20.511.5200 in the amount of \$58,055.86 and decrease Reserve for Contingency 001.99.584.9600 in the amount of**

\$58,055.86 for the furniture/fixtures ordered for the Courthouse Annex.

Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-924) He presented the following Resolutions to the Board for approval and the Chairman's signature: Whereas Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets and, Whereas, FS 129.06 provides for budget amendments for unanticipated revenues, and Whereas, Franklin County has received unanticipated revenues in the amount of \$5,000.00 from the Dodd Title Company, for Payoff of David Duncan SHIP Down Payment Assistance Loan, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2001-2002, and Whereas, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and Whereas, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of: 180.335.500, SHIP Program Revenue, \$5,000.00, Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$5,000.00 in the Affordable Housing Assistance (SHIP) Fund in order to comply with FS 129.06(2)(d). This Resolution Adopted by the Franklin County Board of County Commissioners this 1st day of October, 2002. Eddie Creamer, Chairman, Attest: Kendall Wade, Clerk. Commissioner Sanders made a **motion authorizing the Chairman's signature on this Resolution of Unanticipated Revenues in the amount of \$5,000.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-973) Whereas, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets and, Whereas, FS 129.06 provides for budget amendments for unanticipated revenues, and Whereas, Franklin County has received unanticipated revenues in the amount of \$48,539.00 from the State of Florida DCA for FEMA Project FMA-PJ-04FL-2001-01, Acquisition/Demolition of the Jolly Residence, and Whereas, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2001-2002, and Whereas, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and Whereas, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of: 001.65.539.3400, Hazard Mitigation/Other Contract Services, \$48,539.00, Now Therefore, Be It Resolved, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$48,539.00 in the General Fund in order to comply with FS 129.06(2)(d). This Resolution Adopted by the Franklin County Board of County Commissioners this 1st day of October, 2002. Eddie Creamer, Chairman, Attest: Kendall Wade, Clerk. Commissioner Putnal made a **motion authorizing the Chairman's signature on this Resolution of Unanticipated Revenues in the amount of \$48,539.00.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1026) He said the last item he had to present to the Board was the Franklin County Narcotic Task Force 3, 03-CJ-5A-02-29-01-122, award in the amount of \$106,730.00. He asked the Board to authorize the Chairman's signature on this

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Certificate of Acceptance so it could be returned to FDLE within 30 days of the date of the award. Commissioner Putnal made a **motion authorizing the Chairman's signature on the Franklin County Narcotic Task Force 3, 03-CJ-5A-02-29-01-122, Certificate of Acceptance in the amount of \$106,730.00.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-1046) Commissioner Putnal asked Mr. Shuler about the request the Board made to have the one-cent sales tax placed on the November election ballot. Commissioner Sanders said maybe it could be placed on a special ballot in the Spring. Commissioner Putnal said he wanted it placed on the ballot in November. He said he realized there wasn't enough time to get it on the ballot for November.

(Tape 2-1070) Mr. Shuler reported he received a copy of a recent Federal Court Ruling in which Washington County was allowed to go back to Countywide voting instead of Single-Member District wide voting. He said it provided the basis for dissolving the Court Order requiring Single-Member Districts for elections in Washington County. He said he would check into this matter further. Commissioner Sanders instructed Mr. Shuler to proceed with the redistricting process for Franklin County. She said next year was an odd year and redistricting could be completed in 2003. She stated she did not want it delayed.

(Tape 2-1261) Commissioner Mosconis said he was informed by Doris Shiver-Gibbs, Election Supervisor, they could conduct a mail in election for the sales-tax issue. He stated the ballots could be mailed out to the voters and it should be inexpensive. He said the voters could also address the redistricting matter. He stated a question could be included on this ballot asking the citizens if they want to redistrict and if so whether they want to go back to County Wide voting. He asked Mr. Shuler to get more information on the Washington County case and report back to the Board with the information. Commissioner Mosconis said he would make a **motion directing the County Attorney to check into a Spring Referendum and what it would take to get these questions on a ballot and to check into the Washington County decision.** Commissioner Sanders seconded the motion. All for. **MOTION CARRIED.**

REPRESENTATIVE WILL KENDRICK

(Tape 2-1492) Representative Kendrick said he was here today to introduce the new Representative for the areas of Franklin County from the Apalachicola River Westward. He said due to redistricting this area would have Alan Bense for their representative. He said Representative Bense would assist him in representing Franklin County since he would still be the Representative from the Apalachicola River Eastward. He said Representative Bense would like to address the Board and audience this morning. He informed the Board Representative Bense would be the new Speaker of the House in two years. Representative Bense said he was honored to represent Franklin County. He stated the two County Commissioners, Mosconis and Williams, had districts within his district. He said Commissioners Sanders and Putnal and Chairman Creamer were still in Representative Kendrick's District. He stated he has nothing but respect for

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Representative Kendrick and said he felt like Franklin County was getting two for the price of one. Chairman Creamer asked Representative Bense to assist the County with the proposed prison. He said the State has promised a prison in Franklin County for several years. He stated there are a lot of people who drive a long way to the nearest prison. He said they are having to drive sixty to sixty-five miles one way to work at a prison. He urged the Representative's to help the County get this prison as promised several years ago. Mr. Pierce asked about the funding of the DEP FRDAP Program. Representative Bense replied he didn't think there would be many cuts in funding the FRDAP Program. He said he is always supportive about making sure funds are maintained to help children be involved in activities. He stated the more recreational opportunities provided for children and families the better. He assured the Commissioners he would represent the portion of Franklin County he is representing to his best ability. He thanked the Board for taking time to allow him to introduce himself and speak this morning.

(Tape 2-1730) Mr. Shuler said there was a hearing scheduled in the Meeks versus Franklin County scheduled for November 19th at 1:30 p.m.

(Tape 2-1750) He stated he is working on a letter from the County to DasSee to inform them they need to pay their rent and subsidy to EmergyStat as specified in their contract with the County. He said he is going to warn them they need to closely follow all of their contractual obligations.

(Tape 2-1853) He said Deputy Kit Mashburn needs another operation on his ankle. He said Deputy Mashburn injured his ankle on the job and the claim remained open when the County's Worker Compensation carrier (GRIT) went into bankruptcy leaving the County with the financial responsibility. He stated the Board needed to approve or authorize this operation. He said there are some questions as to if the costs of the operation shouldn't be paid by his current health insurance instead of Worker's Compensation, which the County would have to pay. He stated he was going to recommend the Board authorize the operation subject to trying to have the health insurance company pay for the operation. He said if the health insurance won't pay then the County would have to recognize this as an outstanding obligation of the previous Worker's Compensation carrier. Mr. Wade asked Mr. Shuler if the costs for this surgery was negotiated on so as to get the lowest price possible. Mr. Shuler replied it had been negotiated with the Doctor and hospital and they did cut their prices. Commissioner Mosconis made a **motion to pay for and authorizing the necessary surgery for Deputy Kit Mashburn on his ankle subject to submission of the claim to his health insurance.**

Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1936) He reported on the Sumatra Cemetery. He stated this situation is in limbo since there is no chain of title. He explained this is a problem and there is only a reference to the cemetery in some of the deeds being researched by the title company. He stated there is no actual title reflecting County ownership of the cemetery. He said the Property Appraiser, Doris Pendleton, has checked and she cannot find any or much reference to the cemetery in the records as well. Mr. Wade informed the Board he has

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invited the Liberty County Attorney, Shalene Grover, to come to one of the next Board Meetings to discuss this matter. He explained Ms. Grover is also researching this matter for the Liberty County Board of County Commissioners. He said maybe she could share her information with Franklin County.

(Tape 2-2113) Commissioner Mosconis said he would like a copy of the response of the grant agency the Sheriff applied to for the C.O.P.S. grant. Commissioner Mosconis said he would try to run this request up the "Political Chain" to see if he couldn't do something about it. He informed her Ruth Williams, Finance Officer, would provide him a copy of it if he would ask her. Commissioner Mosconis said he would see Ms. Williams for a copy of the letter denying the grant.

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

Eddie Creamer **EDDIE CREAMER, CHAIRMAN**

Kendall Wade **KENDALL WADE, CLERK**