

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

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

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

(Tape 1-26) Commissioner Sanders made a **motion to pay the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-35) Chairman Creamer informed the Board and the audience Commissioners Mosconis and Sanders would be sworn into office by County Judge Van Russell. After each Commissioner had taken the oath of office Chairman Creamer said it was time to select a new Chairman for the year. Commissioner Mosconis made a **motion electing Commissioner Cheryl Sanders as the new Chair of the Franklin County Board of County Commissioners and electing Commissioner Bevin Putnal as the new Vice-Chair of the Franklin County Board of County Commissioners.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

At this time Chairman Sanders took over the meeting as Chair.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-101) Mr. Chipman said he had already received the new 12H Motor Grader and has put it into service.

(Tape 1-112) Alan Pierce, Director of Administrative Services, said he had something on his report to discuss this morning, which involved the Road Department. He said, at this time, the Road Department is engaged in a full assault on hauling the necessary fill out of the spoil site to build up the base of the Airport Road. He said the fill material from the spoil site is useable, but the volume of fill necessary to build the road to its current design is going to require constant work by the County, and even then the County may come up short on its matching requirements, which means the County might owe C. W. Roberts Contracting, Inc., up to \$600,000.00 to build the road as it is currently designed. He explained the \$600,000.00 shortfall would have to be funded out of the County Local Gas Tax Option Budget. He informed the Board there is approximately \$40,000.00 in the Airport Fund, unless the road can be re-designed. He said informally the Board has been advised by Preble-Rish that the road could be built with less fill, and with perhaps other deductions that would bring the project closer to being completed for the \$1 million dollars the State is providing. He said however, URS has said the road cannot be redesigned. He stated Preble-Rish disagrees. He said the current funding is as follows: The County has a contract with C. W. Roberts Contracting to build the road for \$1.5 million dollars. There are 0.13 million dollars in engineering and design costs on top of construction for a total of 1.63 million dollars in cost for the project. The State is

providing \$1 million dollars and the County will owe \$0.63 million dollars if C. W. Roberts Contracting completes all of the work. He said the County Road Department is doing some of the work, which is providing the fill, worth \$250,000.00 and doing some other work so the County would probably owe \$300,000.00 unless the road is redesigned. He said the two main areas to consider is the amount of fill, which costs the County employees, equipment, etc., and also C. W. Roberts Contracting because they are charging the County to compact and move this tremendous amount of fill, and a friction coarse, which is the rock filled layer only used on FDOT highway projects. He stated Preble-Rish believes both can be negotiated, but they are not authorized to do either because URS is the engineering firm of record. He said he would recommend the Board authorize him and the County Attorney to evaluate the current contract with URS, and if URS is unwilling to examine an alternative design, then if it is legally prudent, recommend the Board cancel the contract with URS and assign the project to the County's Engineering firm, Preble-Rish. Commissioner Mosconis made a **motion authorizing the County Attorney and Mr. Pierce to meet and discuss this matter and come back with a recommendation at the next Board Meeting in December.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-225) Mr. Chipman said he wanted the Commissioners to be aware that his crew and equipment is tied up with this Airport Road Project.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-293) Mr. Johnson said during the 2002-2003 budget development the Board allocated in the Parks and Recreation Budget, \$25,000.00, to provide lights for an additional Little League Baseball Field at Ned Porter Sports Complex in Apalachicola. He stated, in addition, the Board allocated an additional \$10,000.00 to turn the Pony League Field around for a total allocation of \$35,000.00. He informed the Board he has requested estimates from Jerry-Pybus Electric, Inc. in Panama City. He said Pybus has proposed to provide all material and labor necessary to accomplish the work of lighting one additional field at \$27,800.00. He said there would be an additional \$17,300.00 to turn the other field around. He explained the lowest estimate to do the fence work was received from Bracewell, Inc. out of Blountstown. He said this proposal included taking down the backstop, dugouts, gates and fence and reinstall them for \$4,750.00. He stated the total cost of both projects was estimated at \$49,850.00. He stated, after discussing the cost of this project with League Officials, it was decided they were eager just to have the Pony League Field moved at the cost of the estimated \$22,050.00. He asked the Board if this met with their approval then he would like to proceed with the fence work. He said the fence work estimate is below the County's Bid Policy and therefore he can commence with the project immediately. He said the estimate from Pybus exceeds the limit of the Bid Policy and would need to be advertised for bids. Mr. Johnson said he asked David Kennedy, the County's Engineer, to provide a sketch of the improvements so he could submit to these companies for their estimates. Commissioner Putnal asked why the fence couldn't be bought by the County and installed by the State DOC Inmate Crew. Mr. Johnson replied he didn't think there was anyone on these crews qualified to do this type of work. Commissioner Mosconis said he thought it would be cheaper for the County just to leave that field where it was and just construct a new one. Mr. Johnson replied it

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would probably be cheaper to do that. Mr. Johnson said he would check into this matter further and report back to the Board with a recommendation at the next meeting.

(Tape 1-423) Mr. Johnson reported he had a personnel matter to bring to the Board's attention this morning. He said this past Veterans Day one of his most recently hired employees, Travus O'Neal, requested that day off and was approved to use earned compensatory time instead of having his pay check docked. He said he approved this request, because Mr. O'Neal had earned the time by working on Saturdays Amnesty Days and because newly hired employees are not eligible for paid holiday leave. He said even though Mr. O'Neal had the time and management approved his request for the day off the Finance Office docked his paycheck. He stated, in addition, another newly hired employee, Jesse Brannan, had his paycheck docked even after showing up for work. He explained Mr. Brannan reported to work on Veterans Day, as requested, to make repairs on the Landfill Compactor, which was not working in order to use the machine the next day everyone reported back to work. He said he is now left with the task of trying to console two disappointed employees as to why their paychecks were docked. He stated neither employee requested nor was given holiday leave for Veterans Day. He said one employee wanted to burn compensatory time and the other employee actually came to work on Veterans Day. He asked the Board for a motion authorizing Travus O'Neal and Jesse Brannan be compensated for their time. Mr. Wade said the Finance Office Payroll Clerk Ethel Jenkins is at the meeting this morning. He asked her to address the Board at this time. Ms. Jenkins explained she has to follow the Board employee rules and policies. She said the policy is that if a person has been employed for less than ninety-days the employee is not entitled to holiday pay. She stated she is not aware of a Department Head having the authority to promise employees they have a choice as to whether they can work or use comp time. She said the rules are very clear on this matter. She asked the Board for direction since the holidays were coming up in the very near future. She said last week she followed the rules and policies and said if the Board wants to change them then the Board needs to change them. She stated the County's Workers Comp Insurance frowns on employees being at a job site by themselves. Commissioner Mosconis said he thought the issue in this situation was that Mr. Johnson worked a temporary employee on a holiday. Mr. Johnson informed Commissioner Mosconis this employee was a probationary employee not a temporary employee. He said a temporary employee is someone who works less than forty-hours a week and a probationary employee is a full time employee working forty-hours or more. Commissioner Mosconis said then this employee was working under the time frame where they were not eligible to receive all of the benefits regular employees receive. Mr. Johnson replied this was correct. He stated Mr. Brannan worked because there was a need to have the Landfill Compactor repaired so it could be used the next working day. He said Mr. Brannan went to Tallahassee to pickup the part for the compactor then came back and repaired the equipment. Ms. Jenkins said there was a newly hired employee on probation in the Planning and Zoning Office that wasn't given the opportunity to work or use comp time. She stated she docked his paycheck as well. Mr. Johnson stated he had a need for this employee to work. Mr. Wade stated his office has to follow what the Franklin County Employee's Personnel Rules and Polices reflect. He said nobody has the option, except the Commissioners, to change these rules. He stated the Department Heads can't just

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arbitrarily decide these things. He said they are not supposed to do anything that deviates from the rules and polices unless it is pre-approved at a Board Meeting by the Commissioners. He stated the auditors scrutinize these records. Ms. Jenkins responded that she is the one who faces the auditors when then ask her why she deviated from the policy and procedures manual. She stated if she has the proof for the auditors in the minutes then there isn't a problem, but if the Board has not approved it then the auditors have a problem with it. Commissioner Mosconis asked Mr. Johnson if this was an emergency situation. Mr. Johnson replied he thought it was. He stated he thought the assignment of personnel was a management decision. Mr. Wade stated the assignment of the employee is up to the Department Heads, but the payroll is his office's responsibility. Chair Sanders said the rules state situations like this are to be approved on a case-by-case basis by the employees Department Head. She asked Mr. Johnson if he wasn't a Department Head. Mr. Johnson replied he was and he felt he made a management decision. Commissioner Mosconis said if Mr. Johnson asked Mr. Brannan to work that day then he should be compensated. After discussion Commissioner Mosconis made a **motion directing the County Payroll Department to pay Jesse Brannan for working on Veteran's Day at his regular pay rate.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal made a **motion directing the County Payroll Department to pay Travus O'Neal for his Compensatory Time he used for Veteran's Day.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Ms. Jenkins asked what the Board wanted her to do about these type situations. The Board informed Ms. Jenkins this would be considered on a case-by-case situation. Mr. Shuler, County Attorney, said he would be glad to consult Ms. Lucy Turner, with the County's Labor Attorney's, regarding this matter. Commissioner Putnal made a **motion directing the Clerk, Mr. Johnson, and Mr. Shuler call Ms. Turner for a telephone conference seeking her advice on this matter.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

BIDS-FRANKLIN COUNTY ROAD IMPROVEMENTS

(Tape 1-1298) Mr. Wade said he had received two bids for the Franklin County Road Improvements project. Mr. Pierce informed the Board this bid would include three projects: resurfacing of South Bayshore Drive, Patton Drive, and Water Street. Mr. Wade opened and announced the following bids: C. W. Roberts Contracting, Inc. in the amount of \$264,519.00: Anderson Columbia Company, Inc. in the amount of \$318,873.62. Commissioner Mosconis made a **motion to submit the bids to the County Engineering Firm, Preble-Rish, Inc., for review and recommendation.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-1407) Mr. Mahan said he attached a copy of the Florida Sea Grant Program Director 2002-2004, which gives a brief overview of Florida Sea Grant Programs and Projects.

(Tape 1-1421) He stated he also included a copy of the Florida Sea Grant College Program Strategic Plan for 2002-2005, which explained the Florida Sea Grant's mission and the major strategic issues currently being addressed.

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(Tape 1-1435) He said he has arranged for John Gunter, DACS, to be at the Board Meeting this morning at 10:00 a.m. to provide the Board with an overview of the annual oyster resource inventory recently completed in Apalachicola Bay. Mr. Putnal said if after hearing from Mr. Gunter the Board decides to hold a public information workshop he would like it scheduled in the afternoon so everyone could attend after work.

(Tape 1-1482) Mr. Mahan said he attached some information on a piece of property which is currently up for sale in the Two-Mile Channel area, 461 Highway 98, and is listed by Coastal Connection Realty Group. He said the site has an old oyster house on it, but the building has burned down. He informed the Board the property has 180-200 feet of frontage along U. S. Highway 98 and Two-Mile Channel. He said the property is listed at \$500,000.00. He informed the Board the property the old Suwannee Swifty store was located on across the street is also for sale via an auction. He reported he has also continued discussions with DEP staff members on potential boat ramp sites for SGI. He said, at this time, DEP said the most potentially suitable sites are on the left and right-hand sides of the SGI Bridge as you drive onto the Island. He explained one idea discussed was the possibility of locating a ramp on the left-handed side of the current bridge after FDOT turns the two end pieces of the old bridge over the County for "fishing piers". Commissioner Putnal said he thought the price of this property Mr. Mahan mentioned earlier was priced to high. He stated there is some other property available down in that area, but it would have to be located. Commissioner Mosconis asked Mr. Pierce if there were any street ends down in this area. Mr. Pierce replied there were none. Commissioner Mosconis asked Billy Buzzett, St. Joe/Arvida, if they could assist with some property for a boat ramp. Mr. Buzzett stated he has asked George Wilson of his office to check into property they own in the Nine-Mile area to see if they can do a long term lease to the County for a boat ramp. He stated DEP has to be notified and consulted about this property. He said there might be some environmental issues regarding the property. He stated he has asked Mr. Wilson to come to a meeting and discuss the matter with the Board.

JOHN GUNTER-DEP-APALACHICOLA BAY ASSESSMENT

(Tape 1-1770) Mr. Gunter presented the "Population Estimates from Field Surveys on Selected Winter Harvesting Apalachicola Bay Oyster Bars" to each Commissioner. He stated he had just finished doing the normal Winter Assessments for the Winter Bars. He said there are a number of sampling stations on most of the major Oyster Bars throughout the Bay where they sample the oysters during the year. He stated this gives them a idea of what kind of resource is in the Bay. He said the table he presented highlights the Cat Point, East Hole, Dry Bar-St. Vincent, Porters Bar and Eleven-Mile Oyster Bars. He stated he has included the date and the amount of bags caught on these bars from 1990 through November, 2002. He said there is a lot of fresh water in the Bay, which has caused conchs, sea urchins, and other things that prey on the oysters. Commissioner Putnal suggested the State open the Winter Oyster Bars for one season to scatter the boats the Bay could be saved. Mr. Gunter replied he thought spreading the boats out is a good idea, but he the issue would be which areas within the Summer Months could be opened as well from a water quality standpoint. Commissioner Putnal said he thought this matter could be openly discussed with the State. He stated he had also talked to some of the

older oystermen who informed him they would be willing to close the Summer Oyster Harvesting Season like it used to be if the whole Bay could be opened in the Winter Oyster Harvesting Season. Mr. Gunter said he thought these matters could be discussed. At this time he finished his presentation and thanked the Board for the opportunity to address and present this information to them this morning.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-2233) Mr. Pierce said at the last meeting the Board listened to several people discuss the possibility of re-opening one or both of the nursing homes in the County. He said he has spoken to Bill McCort, Agency for Health Care Administration, about this matter. He stated Mr. McCort has in turn talked to their general council. He stated because the owner of the nursing homes surrendered his Certificate of Need (CON) for the nursing homes without making any effort to put the certificates in an inactive status, the Agency can not reinstate the CON's by themselves. He said he believed Mr. McCort informed him the County could ask Representative Will Kendrick and Representative Alan Bense to introduce legislation to lift the moratorium, implemented by the legislature, in counties where there are no nursing homes operating in the County. He asked the Board if they wanted to authorize him to contact or write the Representatives to make this request. Commissioner Mosconis said he wanted Mr. Pierce to fax this request to the Representatives since the legislature was meeting this week or next week. Commissioner Mosconis made a **motion directing Mr. Pierce to send and fax a letter to Representative Alan Bense and Representative Will Kendrick requesting their assistance in lifting the moratorium placed on nursing homes by the legislature and asking them to assist Franklin County in getting the CON's reinstated for the nursing homes in the County.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2349) Mr. Pierce said he and the County Attorney send a letter, as directed by the Board, to the ARPC regarding the non-payment of the Revolving Loans. He reminded the Board DCA had audited the County and had written a letter stating they wanted these loans collected if possible.

(Tape 1-2544) He informed the Board bids would be opened on December 17, 2002 for the removal or demolition of two houses on Alligator Point, which were purchased with FEMA funds.

(Tape 1-2565) He stated the advertisement for County Attorney Proposals had been submitted to the local newspaper for consideration on December 3, 2002. He said it was his intention that either he or the Clerk would inform the Board at that meeting how many applicants had sent in proposals. He said the Board would then have to decide if the Commissioners wanted to interview all the applicants or set up some sort of screening committee. He asked if the Board wanted him to invite the County's Labor Attorney, Lucy Turner, to attend the interviews when they are scheduled. Commissioner Creamer made a **motion authorizing Mr. Pierce to invite Ms. Turner to the interviews for County Attorney when they are scheduled.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

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(Tape 1-2652) He said he informed the Commissioners, at the last meeting, no local gas tax money was used on the CR 67 Project. He said he wanted to tell the Board this morning that \$183,000.00 from this budget had been used. He stated Preble-Rish, Inc negotiated the price of the project down. He said the County has used \$646,000.00 in State funds and \$183,000.00 in County funds.

(Tape 1-2685) He stated he needed the Board's to authorize the Chair's signature on the contract with DCA regarding the school sighting issue discussed at the last Board meeting. He said the contract with DCA was only \$6,000.00 instead of \$10,000.00 DCA had originally told the County would be available. Commissioner Putnal made a **motion authorizing the Chair's signature on the County's Contract with DCA in the amount of \$6,000.00 for the School Sighting Project.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2703) He explained in order to improve the County's score on the recent FRDAP applications to build a sports complex in Carrabelle and a tennis court at Ned Porter Park in Apalachicola the Board needs to adopt a Resolution supporting these projects. Commissioner Putnal made a **motion adopting and authorizing the Chair's signature on the two resolutions of support for the Carrabelle Sports Complex and the tennis court at Ned Porter Park in Apalachicola projects for the FRDAP applications.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2779) He stated the CDBG coordinator, Deborah Roumelis, would like for the Board to approve a letter to DCA regarding the Lanark Village Drainage and Improvement Project, FEMA Project 1344-022. He said Ms. Roumelis felt the Board needed to send a letter to DCA regarding this project informing DCA of the progress the County has made on this project. Commissioner Putnal made a **motion authorizing the Chair's signature on a letter to DCA regarding the Lanark Village Drainage and Improvement Project, FEMA Project 1344-022, regarding the plan or progress the County has made on this project.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2929) He submitted the Northwest Florida Water Management District Five-Year Capital Improvements Plan and the Five-Year Water Resource Development Work Program.

(Tape 1-2040) He requested Board action regarding the renewal of the lease between Franklin County and the United States of America, Tyndall Air Force Base, for the use of the tower at the Apalachicola Airport. He said the lease is for five-years or until June 30, 2008. He stated the County has had a lease for use of the tower by Tyndall since the County took over the Apalachicola Airport property from the Government many years ago. Commissioner Mosconis made a **motion authorizing the Chair's signature on the lease between Franklin County and the United States of America, Tyndall Air Force Base, for the use of the tower at the Apalachicola Airport for a five-year period.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3051) Mr. Pierce informed the Board Larry Witt has submitted plans for three houses on a piece of land known locally as "Lanark Reef". He said he has told the Building Department that a permit can't be issued for those houses because there is no zoning for "Lanark Reef", since the property does not appear on the County's Zoning Map. He said he had talked to the Planning and Zoning Commission attorney, Michael Shuler, who has in turn talked to Nick Yonclas, who represents Mr. Witt's clients, about whether the land is really land or considered State submerged land. He said it appears the land is not State submerged land, but at this point the County must go through the process of applying some land-use and zoning category to it. He stated unless the Board has some idea, the Planning and Zoning Commission would hear a request for land-use and zoning when Mr. Witt provides them with a written request for consideration. He said he would imagine this would take place in January. Paul Johnson, APECO, presented a letter from the US Department of Interior sent to Hurley Booth, Jr. and owner of the subject property, regarding the property. He said in 1956 was sold by the Trustees of the State of Florida to a gentlemen for approximately \$300.00. He stated the property contains 1.7 acres of land and spread out over a series of sand bar islands. He said this habitat is very significant for migrating shore birds and also has a critical marine habitat adjacent to it. He said he would like to recommend, when this matter is presented to the Planning and Zoning Commission, the Zoning, if changed, should be changed to an agricultural zoning. He said there is not enough land to build a residence on and no way to establish even a fifty-foot wetland buffer as required by Franklin County. He stated he just wanted to bring this matter to the Board's attention.

(Tape 1-3226) He said the Planning and Zoning Commission did not have a meeting in November since there was not a quorum present. He said part of the reason for not having a quorum is the Commission is short two members, a seafood dealer representative and a seafood worker representative. He said is asking the Board this morning to appoint Joseph "Smokey" Parrish and Steve Davis to these positions. He stated Mr. Parrish would represent the seafood dealer representative and Mr. Davis would represent the seafood worker representative. Commissioner Mosconis made a **motion appointing Joseph "Smokey" Parrish, as the seafood dealer representative, and Steve Davis, as the seafood worker representative to the Planning and Zoning Commission.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3260 Continued on Tape 2) He explained because there was not a quorum for the P&Z Commission meeting no action was taken on any of the items on the agenda. He stated the Chairman has called a special meeting for Thursday, November 21, 2002 to deal with these items, and there would also be a meeting in December. He said he knew there were several people here this morning who were on a strict time line that wanted the Board to go ahead and approve their requests. Commissioner Creamer said he understood that these developers wanted to go ahead and present their request to the Board this morning since their projects couldn't be approved until December. Mr. Pierce said the Board did have the ability to approve these projects, but without P&Z Commission recommendations. Jamie Crum, the developer for "Magnolia Ridge" in Eastpoint, said

he would like to have the Board approve his Final Plat of "Magnolia Ridge" Phase 2 this morning. Mr. Pierce said P&Z had approved all of the preliminary steps for this project as well as the one Freda White was going to seek final plat approval for. Commissioner Creamer made a **motion approving and authorizing the Chair's signature on the final plat of "Magnolia Ridge" Phase 2 Subdivision as requested by Jamie Crum.**

Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said Ms. White's development "St. James Bay" had been under even more scrutiny by the State and the County. Ms. White asked the Board to go ahead and approve her final plat for "St. James Bay" this morning as well. Ms. White assured the Board she and the developers of this project had jumped through many, many "hoops" to have this project approved. Commissioner Mosconis made a **motion approving and authorizing the Chair's signature on the final plat of "St. James Bay" Phase 1 as requested by Freda White.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he would make sure the County Attorney and Mark Curenton, Assistant Planner, approved and reviewed these plats as well.

(Tape 2-103) He informed the Board two Stop Work Orders were issued in Lanark Village. He explained one has been modified to meet the restrictions of the Village, and a permit has been submitted for review by the Lanark Village Review Committee. He said the other one remains in effect since the property owner has not made any effort to comply. He asked the Board to direct the County Attorney to review the situation including obtaining the necessary survey to see whether the illegal structure exceeds the boundary of the property, which the residents of Lanark Village believe is the case. Commissioner Mosconis made a **motion directing the County Attorney assist Mr. Pierce with this Stop Work Order issued to a property owner in Lanark Village including a survey if absolutely necessary.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-212) Mr. Pierce asked the Board to approve the Chair's signature on a DCA contract for \$25,000.00 to be used for a Comprehensive Update. He said when the money is received by the County it would be used for work related to the Comprehensive Plan Update. He said the DCA wants the Board to go ahead and authorize the Chair's signature on the contract as soon as possible so the money would be committed to Franklin County and not re-budgeted by the Governor if not allocated. Commissioner Putnal made a **motion authorizing the Chair's signature on a DCA contract for the provision of \$25,000.00 by DCA to Franklin County for work related to the Comprehensive Plan Update.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-231) He informed the Board Preble-Rish, Inc. is unable to provide additional engineering assistance to the County at this time. He said if the Board desires, Preble-Rish, Inc. would prepare and place an advertisement for an engineering technician with the kind of drainage engineering skills and training they think the County needs. He stated they would even participate in the selection of a qualified person who would then work directly for the Board. He stated Preble-Rish, Inc. wants to remain as the engineering firm for Franklin County and be available on an hourly basis for work the

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County wants done. He said it should still be possible to hire a qualified engineering technician, with drainage experience, design skills, and familiarity with basic engineering principles for \$30,000.00 to \$40,000.00 full time, if such a person is available in this area. Commissioner Mosconis said there is a real problem with the Road Department not completing the County projects in a timely manner because they have to wait on the engineer to make some decisions. He stated he talked to Mr. Kennedy, Preble-Rish, Inc., about this very matter last week. He explained Mr. Kennedy said the Gulf County Commission Road Department Superintendent is real knowable about using the necessary equipment to site road heights, levels, etc. He stated this allows him to be more flexible. Commissioner Mosconis said Franklin County needs an engineering technician with experience in water management such as storm water issues. He stated Mr. Kennedy said his firm would be glad to assist Franklin County with finding such a person. Mr. Pierce stated he knew the Board had put some extra funds in the Engineering Budget for this Fiscal Year, but the Board might want to consider the possibility, since this person would be assisting the Road Department, using some of the Road Department Budget. He said he also knew Mr. Chipman would want some input into this matter. Commissioner Mosconis made a **motion authorizing Preble-Rish, Inc. and Mr. Pierce to work together to prepare an advertisement for this position "Engineering Technician" for Franklin County.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he wanted the salary to be in the range they had already mentioned \$30,000.00 to \$40,000.00 a year. The Clerk, Mr. Wade, stated he met with Mr. Pierce and the Finance Office about this position. He said the problem is going to be funding since this was not budgeted in this Fiscal Year. He stated maybe the Court could manage it with the extra funds placed in the Engineering Budget and the Road Department Budget this year, but next year it would certainly have to be included in the budget.

(Tape 2-370) He asked the Board to authorize the Chair's signature on a resolution to be submitted with the Eastpoint Water and Sewer District application for \$500,000.00 in funding under House Bill 851 for improvements to the Eastpoint Sewer system. Commissioner Putnal made a **motion authorizing the Chair's signature on a resolution of support for the application Eastpoint Water and Sewer is making for \$500,000.00 in funding under House Bill 851 for improvements to the Eastpoint Sewer system.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-384) He informed the Board he received a letter addressed to the Board from FSU President Talbot D'Alemberte regarding the "Summer Camp" Development. He said he had also received a fax from 1,000 Friends of Florida regarding the development and the proposed update of Franklin County's Comprehensive Plan. He said the letter from President D'Alemberte offered comments on the St. Joe/Arvida Summer Camp proposal. He said the comments were that FSU was concerned about the development and how it would affect their Turkey Point Marine Laboratory at Turkey Point. He said in the letter President D'Alemberte suggested there could be a comprised reached between them and the developers. He stated the letter from 1,000 Friends of Florida mostly addressed their concerns about the update of the Comprehensive Plan. He said

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both letters have been provided to the Commissioners for their review and future comment.

(Tape 2-433) Chair Sanders asked Mr. Buzzett if St. Joe/Arvida had sent the contract for purchase of the property, approximately 88 acres, in Carrabelle for the Carrabelle Sports Complex to the County. Mr. Buzzett replied he had the draft copy of the contract with him today for the County Attorney's review. He said he would give it to him immediately after the Board Meeting today.

KENDALL WADE-CLERK

(Tape 2-456) Mr. Wade presented the Gulf Coast Workforce Board's Five-Year Local Plan modification. He said this plan represents the Gulf Coast Workforce Board's efforts to maximize resources available under Title I of the Workforce Investment Act (WIA) of 1998, the Wagner-Peyser Act and the Welfare Transition Act and to coordinate resources with other State and local programs in Bay, Franklin and Gulf Counties. He asked for the Chair's signature on the document. Commissioner Putnal made a **motion authorizing the Chair's signature on the Gulf Coast Workforce Board's Five-Year Local Plan modification.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-483) He also presented the Memorandum of Understanding (MOU) between the Bay Council on Aging, Inc. and the Gulf Coast Workforce Board. He explained these MOU's are a part of the One Stop process and must be signed by the Gulf Coast Workforce Board, the One Stop Operator-Gulf Coast Community College, the workforce center partner-Bay Council on Aging, and the chairs of the three County Commissioners, which make-up the workforce development region four-Bay, Franklin and Gulf Counties. Commissioner Creamer made a **motion authorizing the Chair's signature on the Memorandum of Understanding between the Bay Council on Aging, Inc. and the Gulf Coast Workforce Board-of which Franklin County is a member and is required to approve the MOU.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-505) Mr. Shuler informed the Board there was a hearing scheduled for today at 1:15 p.m. today in the Meeks versus Franklin County regarding Mr. Meeks Writ of Certiorari. He said this is basically an appeal of the Board's decision on the Jimmy Meeks' project north of Carrabelle. He stated this case is of the appellate type in that he is appealing a decision of the Board of County Commissioners.

(Tape 2-554) He updated the Board on several other projects he is working on for the Board.

MATTERS FROM THE FLOOR

(Tape 2-872) Commissioner Creamer said he wanted to thank Representative Will Kendrick for the letter he sent to the Department of Corrections for the Franklin County Prison project. He stated he wanted to publicly thank him for the letter. He said he wrote

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a very good letter explaining the real need for the prison in Franklin County to be built expeditiously.

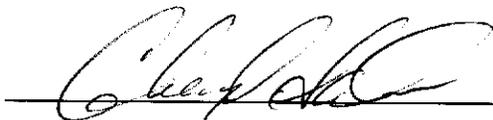
(Tape 2-881) Chair Sanders updated the Board on the Life Flight problem. She said she attended the meeting in Tallahassee on November 7, 2002 and on November 14, 2002. She stated at those meetings it was discussed that we in Franklin County were going to have a problem once Tallahassee Memorial Hospital turns the operation of their emergency operations, the ambulance and Life Flight, over to the Leon County Commission. She said they want to divide the operational costs between the individual counties that utilize Life Flight with Franklin County being one of those counties. She said in Franklin County last year there were 35 calls made to Life Flight. She presented each Commissioner with a chart reflecting the ratios of each surrounding county and how many times Life Flight had been utilized in that particular County. She said Franklin County would have to pay \$60,196.56 beginning June of 2003 and each year thereafter for Life Flight services. She stated it costs approximately \$2,000.00 to \$3,000.00 per call. She said there are other providers in the area with one being South Walton County, which uses Sacred Heart Hospital and the other one, beginning March of 2003-Perry, Florida would have a hospital, Doctor's Memorial Hospital. She informed the Board she asked the other providers what they would charge to operate in Franklin County. She said she was told they would have to have a Certificate of Need (CON) and a Memorandum of Understanding (MOU) between the two Life Flight providers. She said Leon County wants a commitment as soon as possible, but she informed them they would have to wait on a decision since this is so very important to everyone. She stated it would take more than a couple of meetings to decide where the money was going to come from to fund this project. She said she told them many of the counties had already begun their budget years and didn't have any extra money budgeted for this type of endeavor. She assured the Board she would keep everyone informed as to the status of this very important issue.

(Tape 2-1054) Hank Garrett, SGI Water Management, said he had asked the Board several months ago about mandating every person on SGI have their water and sewer hooked up to the system. He stated it was discussed and Mr. Shuler was supposed to check into the matter. He said he knew Mr. Shuler had been sick. He asked if anything had been decided or if the matter discussed any further. Mr. Pierce explained the problem is SGI Water Management is a private utility and the County has never dealt with private entities. Commissioner Mosconis asked how many people on SGI were not hooked-up to the system. Mr. Garrett replied approximately 80 houses and said many of them are used as rental houses. Commissioner Mosconis said the Health Department should be consulted regarding the use of supposedly private residences being rented to the public. Commissioner Putnal said he would like for Mr. Garrett to give some documented facts to Mr. Shuler for review and then have Mr. Shuler and Mr. Pierce discuss the issue. Mr. Pierce stated most of the newer constructed homes are being placed on the system. Commissioner Putnal said he would go ahead and make a **motion requesting Mr. Garrett to submit documented facts and information to Mr. Shuler and Mr. Pierce for consideration and review.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

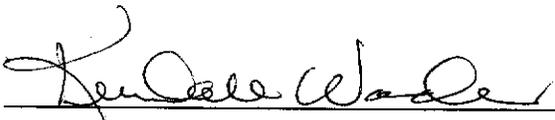
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(Tape 2-1418) Don Turner, a resident of Eastpoint, said he would like to address the Board this morning. He stated he had lived in Franklin County for 8 years. He said he was the other side in the Frank Venable issue. He presented some photographs of the area in Eastpoint on the corner of Bayshore Drive. He said he had a small shrimp business on the adjacent corner of Bayshore Drive South and US Highway 98 East. He stated he went through the procedure and was denied rezoning by the P&Z Commission. He said he had a roof over the building and had to tear it down. He stated the photographs he presented reflects the property on the corner of South Bayshore Drive and US Highway 98 East in Eastpoint. He stated the roof of this fruit stand comes all the way out to the right-of-way, which is exactly like the structure he had to tear down. He asked why he had to tear his roof off and the person who built this structure has not been required to tear his down. He said he is disturbed that he is not being treated fairly. Commissioner Mosconis asked how long this structure had been there. Mr. Turner replied about two years, but does not have a permit or an easement. Commissioner Creamer said all of this "bickering" has started between the property owners Frank Venable and Mr. Turner. Mr. Turner said he leased the property from Bob Allen. He stated it is absolutely not fair that he had to do away with his roof and on the other corner Mr. Venable can keep his roof. Commissioner Creamer asked Mr. Turner if he was trying to say was that Mr. Venable made a complaint against him and Mr. Venable has violated the zoning or building code as well. Mr. Turner replied this is correct, but he has rectified what he was instructed to change and Mr. Venable has not even been asked to rectify his violations. He said the County needed to make Mr. Venable either get a variance or have it torn down like he had to do. Mr. Turner submitted a copy of a building permit application and permit for Frank Venable to construct his pole barn on this same piece of property. He said Mr. Venable is all the way out to the right-of-way with the roof. Mr. Pierce suggested the Board allow the County Attorney give the Commissioners some advice on what needs to be done about this situation. Mr. Pierce said this has been a domino effect on those corners in Eastpoint. He stated it started years ago when Mr. Joyner had his fruit stand on the opposite corner. He said this has been going on for some time now. Commissioner Mosconis asked Mr. Pierce exactly what he wanted the Board to do this morning. Mr. Pierce replied he really didn't need any other than Mr. Shuler helping him with the matter. Commissioner Creamer instructed Mr. Pierce to send a building inspector to check into the matter. He said then if there is no permit been issued then a Stop Work Order needs to be placed on the project. Mr. Pierce assured the Board he would investigate the matter and report back to the Board at the next meeting. Commissioner Creamer urged Mr. Pierce to check into all of the permits to be sure everything is above board. Mr. Turner said he wanted the Board to know Bob Allen has absolutely nothing to do with his business. He stated he leased the property from Mr. Allen and it was his business. He said he thought Mr. Venable had a problem with Mr. Allen and therefore a problem with him. He stated he did not want to get into the middle of this thing, but has become involved in the situation. He said he wanted to be treated fairly and doesn't think he has been. He thanked the Board for their time this morning.

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



CHERYL SANDERS, CHAIR



KENDALL WADE, CLERK