

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
DECEMBER 3, 2002**

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

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

(Tape 1-30) Commissioner Putnal made a **motion approve the minutes of the meetings held on November 5, 2002 and November 19, 2002.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-35) Commissioner Williams made a **motion to pay the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-42) Mr. Chipman said he really didn't have anything to report to the Board this morning. He stated his employees have just returned from the Thanksgiving Holidays.

(Tape 1-49) Commissioner Putnal asked Mr. Chipman if he had heard anything about the milled asphalt since the County could sure use some. Mr. Chipman replied he hadn't heard anything about the milled asphalt. Alan Pierce, Director of Administrative Services, reported milled asphalt was available to the County and had been sitting at the old borrow pit at Green Point. He said it was moved there a few weeks ago. Commissioner Sanders informed the Board the gate was always locked so whoever goes over to pick up any asphalt would need to get a key. Mr. Pierce said that is where the State FDOT stockpiled one hundred loads of milled asphalt for the County. He stated they were waiting for the County to plan the use of the material so it wouldn't just be used up at one time. Mr. Chipman said the Road Department could certainly use some of it. Commissioner Putnal instructed Mr. Chipman to use it when he needed it.

(Tape 1-80) Commissioner Sanders asked Mr. Chipman if he was having trouble getting lime rock from Langwood. Mr. Chipman stated he hadn't gotten any lately his department has been so busy on the Apalachicola Airport Road. He said, he wasn't sure, but he understood Langwood had gone out of business. He stated he was going to call him today to check. Commissioner Putnal said, he heard, Langwood declared bankruptcy. Mr. Chipman replied this was definitely going to hurt the County since lime rock would have to be hauled in from another area.

(Tape 1-93) Commissioner Mosconis asked Mr. Pierce to update the Board on the status of the Apalachicola Airport Road. He said he instructed Mr. Pierce and the County Attorney, at the last meeting, to negotiate with URS in bringing some of the road construction under budget. Mr. Pierce replied it wasn't necessary to have the County Attorney involved in these negotiations since URS sent an engineer to visit and discuss

FCBCC REGULAR MEETING-DECEMBER 3, 2002

this matter with him at the site. He stated the gentlemen's name was Bill Hyman who visited the area last Wednesday to meet with him and the County Engineer, David Kennedy. He said Mr. Hyman agreed to drop the road elevation down in the field at least a foot to a foot and one-half. He stated he asked Mr. Hyman to drop the road even more and he is in the process of doing some additional design work. He said he would try to have something for the Board at the next meeting. Commissioner Mosconis said he wanted to be sure the grade was lowered. Mr. Pierce stated he was hoping to hear something from Mr. Hyman this week.

(Tape 1-160) Commissioner Putnal instructed Mr. Pierce to call Gene Langston, Langwood, to see what the status of furnishing lime rock to the County was. He said he wanted to know if Mr. Langston would still have lime rock for the County. Mr. Pierce assured Commissioner Putnal he would check with Mr. Langston.

(Tape 1-199) Commissioner Putnal asked if Mr. Chipman could do anything to alleviate the water problem on River Road in Carrabelle. Mr. Pierce replied all of this property belonged to private owners and the County did not have any easements for the ditches, etc. He said Gary Sanford should have re-graded those ditches. Mr. Chipman stated Mr. Sanford agreed to grade those ditches, but did not. Mr. Pierce said Mr. Sanford should have at least cleaned the ditches out. Commissioner Putnal referred to a letter sent to the Commissioners from W. Arlen Harris about the problems Mr. Sanford has caused on River Road. He stated he thought there were going to be some lawsuits about this matter. Mr. Pierce said the County could get a permit for an outfall ditch there, but the County would need a design by the engineering firm at an estimated cost of \$12,000.00 and easements granted to the County by the property owners. He stated neither of these things has been done and DEP could fine the County if the County goes out and digs out the ditches to the River. Mr. Pierce said he thought the private property owners were going to have to seek a solution to this particular problem. He stated he felt the County was not liable since the County did not authorize the ditch or any of the work being done in the River Road area. He said it was a private project.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-251) Mr. Johnson reported he met with Mr. Pierce and Mr. Kennedy regarding the Pony League Field at the Ned Porter Park in Apalachicola. Mr. Pierce stated one of the things mentioned was turning the Pony League Field around in order to have access to the concession stand and the umpire booth. He said the estimated cost was \$20,000.00 so he thought about was just building another umpire stand. Mr. Johnson said the discussion was about lighting another field instead of turning the Pony League Field around. He stated the League may not agree with this, but this is what was decided on. He said the best thing to do would be to light another field. Commissioner Mosconis said he wanted this money spent wisely. He stated this budget has been increased dramatically over the last few years and the money does not have to be thrown away. Commissioner Putnal stated he thought this would be a waste of money as well. Mr. Pierce said if an umpire stand is really what is needed then the County can build an umpire stand. Mr. Johnson stated he would bring the Board's discussion of this matter to the League's attention to see what everyone thought about it.

FCBCC REGULAR MEETING-DECEMBER 3, 2002

(Tape 1-338) He said he would like to inform the Board he would be taking Annual Leave for the rest of the month of December. He said Fonda Davis, his assistant, would be in charge of the Landfill and Animal Control. He stated Mr. Davis could be reached at any time by any of the Commissioners if they needed to. He said he would still attend the Board meetings scheduled for the remainder of December.

(Tape 1-353) Commissioner Creamer asked Mr. Johnson if he was reducing his Comp Time in his Department. Mr. Johnson stated he is working on doing this. He said he had people scheduled off for several weeks at a time to get the Comp Time under control. He stated if the Board so instructed him he would tell his employees there would be no Comp Time allowed. He said he did want to remind the Board there would be occasions where Comp Time would be needed for particular situations. Commissioner Mosconis instructed Mr. Johnson to "run" that by the Board when it occurred. He said the Board's policy was to grant Comp Time during emergency situations only. He stated emergency situations were considered natural disasters such as hurricanes, floods, etc. He said if there is an occasion where someone is doing a big demolition job in the County and needed the Landfill to stay open after hours then this would be allowed, but the Board needed to be informed. He stated then the developer could be charged so the employees could be paid for the overtime. He said this Comp Time "thing" was totally out of hand. He stated he didn't realize it was this bad and the Board didn't hire people with the understanding they would work forty-hours a week and then accumulate another ten-hours a week Comp Time for the rest of your life. Mr. Johnson reminded the Board most of his employees that had many, many hours of Comp Time accumulated were long time employees who worked when there weren't many employees at the Landfill and Animal Control. He also reminded the Board he has to furnish animal control for the County twenty-hours a day, seven-days a week. He said his Animal Control Officers sometime have to work overtime. Mr. Johnson said he wanted to be clear about informing his employees to not work any Comp Time. He stated he would tell them only in an emergency situation. Chairman Sanders asked if this would affect the services to the citizens of the County. Mr. Johnson replied yes it would, especially if his employees were called out after hours. The Clerk, Mr. Wade, said he paid his employees as they worked. He suggested the Board allow the employees to accumulate up to forty-hours of Comp Time and then pay them for anything over forty-hours. He stated the problem is when a long time employee has worked many years for the County. He reminded the Board this employee would be paid at his current rate of pay and not at the pay rate he was being paid at the time he earned the Comp Time. Commissioner Mosconis said the County has hired extra employees to keep from having Comp Time accumulate. Commissioner Putnal said he knew the Landfill and Animal Control would have to work overtime. Commissioner Creamer stated he knew this as well. Commissioner Mosconis said that is why the County hired Mr. Johnson to oversee these employees. He stated Mr. Johnson should make this decision and the Board shouldn't have to tell Mr. Johnson to stop all Comp Time, in any case. He said Mr. Johnson knew how to handle this problem and instructed him to do so.

FCBCC REGULAR MEETING-DECEMBER 3, 2002

BILL MAHAN-COUNTY EXTENSION DIRECTOR

(Tape 1-688) Mr. Mahan presented the Board with a copy of a new Florida Sea Grant publication, "An Investment in Florida's Future-Sea Grant Sponsored Graduate Education." He explained this publication gives an overview of Florida Sea Grant's involvement in graduate student education around the State of Florida.

(Tape 1-704) He said he received a telephone call from Alan McNair, Gulf County Economic Development Council, last week about a special USCOE meeting in Columbus, Georgia on December 5th. He stated the discussion would be regarding the Apalachicola-Chattahoochee-Flint River Basin. He said the main concern of the USCOE was the dredging on the Apalachicola River. He stated Gulf County is sending two of the County Commissioners and Wewahitchka was sending two of their City Commissioners. He asked if someone from this Board would like to go and represent Franklin County. He said he talked with Anita Gregory-Grover, Apalachicola Bay Chamber of Commerce, about the matter. He stated David McClain, ABARK, was also going to attend the meeting. Mr. McClain said the meeting was going to be held at the Columbus Convention and Trade Center, 801 Front Avenue, Columbus, Georgia on December 5, 2002 from 6:30 p.m. until 10:30 p.m. EST. Ms. Gregory-Grover said someone from Franklin County, one of the Commissioners, should attend this important meeting. Mr. McClain encouraged the Commissioners to attend this meeting too. After discussion Commissioner Mosconis made a **motion directing a letter from the Franklin County Commission be prepared and read at this meeting in Columbus, Georgia regarding the importance of the ACF Agreement, the flow of the Apalachicola River, and the importance of fresh water for Apalachicola Bay and the oyster industry.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal and Chairman Sanders said they would attend the meeting if at all possible. Mr. McClain assured the Board he would have the letter ready by the end of the meeting for the Chairman's signature.

(Tape 1-990) Chairman Sanders interrupted Mr. Mahan's report at this time for a bid opening.

BIDS-ONE (1) 15-FOOT BUSH HOG ROTARY CUTTER

(Tape 1-992) Mr. Wade informed the Board there were four bids for this piece of equipment for the Road Department. He opened and read aloud the following bids: Clark-Munroe Tractor Company-\$8,600.00; Jones Tractor Company-\$8,505.00; Bainbridge Tractor Company-\$8,400.00; and Nichols Tractor Company-\$8,450.00. Commissioner Putnal made a **motion to present the bids to the Superintendent of Public Works, Hubert Chipman, for review and recommendation.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Mr. Chipman said he would be back with a recommendation before the end of the meeting this morning.

BILL MAHAN-COUNTY EXTENSION DIRECTOR-CONTINUED

(Tape 1-1407) Mr. Mahan continued his report at this time. He said he wanted to update the Board on the number of Vibrio vulnificus illnesses reported in the United States this year. He said as of November 26, 2002 there were twenty-two reported cases of Vv

FCBCC REGULAR MEETING-DECEMBER 3, 2002

Illnesses and twelve deaths. He said twelve cases have involved Louisiana oysters; five cases from Texas; four cases from unknown product sources and one case are still under investigation. He said to date no cases have been reported involving the consumption of Florida oysters. He said the state reporting Vv cases to date are Florida-five cases; California-five cases; Texas-three cases; Georgia-two cases; South Caroline-two cases and one case each in Maryland, Maine, Missouri and Washington, D. C. He explained in the year 2001, at this same time, there were twenty-nine reported cases with fourteen deaths from the Vv illness. He said six of these particular cases were caused by Florida oysters and ten cases were reported in Florida. Commissioner Putnal said the State of Florida should have had more cases than this since oysters are harvested year around. He stated Florida has the most stringent regulations on oyster harvesting and he felt this is why the illness wasn't any worse in Florida than it was. Commissioner Putnal said he felt the problem was caused after the oysters leave the oyster harvester and Franklin County in general.

(Tape 1-1509) He stated he asked Mark Berrigan, DACS, about conducting an oyster industry workshop in Franklin County to discuss the oyster stock assessment and other oyster related issues with the citizens of Franklin County. He said Mr. Berrigan informed he they would be happy to conduct a workshop however the workshop would need to be done quickly so the Board might want to consider holding a special meeting and inviting them to come to the meeting to present their findings. He said Mr. Berrigan suggested one of the days between December 17th and December 20th for consideration. The Commissioner instructed Mr. Mahan to invite Mr. Berrigan and representatives from DACS to conduct a workshop on December 18th at 6:00 p.m. in the Board Room at the Courthouse Annex. Mr. Mahan assured the Board he would call Mr. Berrigan and set everything up for the workshop.

(Tape 1-1650) He said he had spoken with Helen Spohrer about the property she and her partner own on the west side of the SGI Bridge. He said she informed him they would be willing to work out a leasing agreement with the County for the property to build a boat ramp, however, they would prefer the County purchase the property. He stated Ms. Spohrer suggested a lease with an option to purchase and also suggested the County apply for a "Community Trust Grant" to fund the purchase. Commissioner Mosconis said he would establish a dialogue with Ms. Spohrer about this property. Commissioner Creamer stated he would also like for the County to apply for one of these "Community Trust Grants" to purchase this property with. Billy Buzzett, St. Joe-Arvida, presented a map reflecting the property his company owns in the area west of Apalachicola where a boat ramp might be placed. Commissioner Putnal, after reviewing the map, informed the Board and Mr. Buzzett he didn't think there was enough deep water in these areas for a boat ramp. He said especially during the winter months when the tides are so low. He recommended Mr. Buzzett schedule a meeting with Mr. Mahan, Commissioner Putnal and Mr. Pierce to go and visit these sites to see which one, if any, would be suitable for a boat ramp. Mr. Buzzett informed the Board he would request George Wilson, St. Joe-Arvida, attend this meeting too. Commissioner Putnal suggested the County also approached Buddy Ward about a lease agreement for a boat ramp. He said Mr. Ward

FCBCC REGULAR MEETING-DECEMBER 3, 2002

owns some property at "13-Mile" that might be used at least if there was an emergency situation.

BINGO CROSBY-FRANKLIN COUNTY SHERIFF'S OFFICE

(Tape 1-1953) Mr. Crosby informed the Board he was here this morning representing Sheriff Bruce Varnes regarding the County Jail on Highway 65. He said Sheriff Varnes asked him to come and address the Board about the roof problems they were having at the Jail since he was the most familiar with the problem. He informed the Board there are many leaks at the Jail and he has repaired as many of them as he can over the years. He said he has placed Cool Seal on these specific areas, but they are continually getting worse. He stated he wanted the Board of County Commissioners to be aware of how serious this problem is. He said it is at the point the walls and other items are going to be water damaged if the leaks are not stopped. He also reminded the Board the warranty on the roof had expired. Commissioner Mosconis asked Mr. Crosby if he had contacted a roofing company to come to the Jail and look at the leaks. Mr. Crosby replied Sheriff Varnes wanted the Board to be fully aware of the situation. Commissioner Mosconis instructed Mr. Pierce to send James Rogers, the contractor who just completed the Courthouse Annex, to the Jail to see what could be done. Commissioner Putnal suggested the County Engineer go over and look at the roof as well for a recommendation. Commissioner Mosconis instructed Mr. Pierce to send Mr. Rogers over to check into the situation. Commissioner Mosconis said he knew the Sheriff had money in his budget for maintenance. Chairman Sanders said she did go look at the problem and feels an expert is needed to assess the problems. Mr. Crosby asked Mr. Pierce to let him know when anyone would be coming to look at the roof so he could be at the Jail when they come. Mr. Pierce assured Mr. Crosby he would call him when someone comes over to the Jail.

PUBLIC HEARING-CDBG 2ND PUBLIC HEARING

(Tape 1-2224) Deborah Roumelis, Roumelis Planning and Development Services, Inc., explained this was the second in the CDBG requirements for public hearings for the new Franklin County 2003 Neighborhood Revitalization CDBG Application Summary. She submitted the summary to each Commissioner and reviewed each project as follows: Lanark Village Drainage Project; Wilderness and Ridge Road Drainage Project; Paving Twin Lakes Road-Eastpoint; Eastpoint Water Extension on Twin Lakes Road-Water Hook-ups-4 low income homes; Sewer Rehabilitation Project-Gulf Terrace-Lanark Village; Engineering; and Administration for a total application of \$700,000.00. She stated the Board's Citizen's Advisory Task Force met and approved the proposed projects on November 19, 2002. She informed the Board the deadline was December 19, 2002 and she planned to submit the application on December 16, 2002 or earlier if possible. She said she needed two things from the Board this morning to complete this process; 1. The Board's approval for the Chairman to sign the Resolution authorizing the submission of this CDBG Application, etc. and 2. The Board's approval for the Chairman to sign a letter to DCA regarding the Franklin County 2003 NR application local and non-local leverage. Commissioner Putnal made a **motion authorizing the Chairman's signature on a Resolution authorizing the submission of this CDBG Application, etc.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING-DECEMBER 3, 2002

Commissioner Putnal made a **motion authorizing the Chairman's signature on a letter regarding the Franklin County 2003 NR application local and non-local leverage.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** She thanked the Board for their time this morning and said she would submit this application as early as possible.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-3039) Mr. Pierce said he would ask the Board how they would like to proceed on addressing the proposals submitted, as requested by December 2, 2002, by the County Attorney applicants. He informed the Board there were two proposals submitted, one by Thomas Shuler of Shuler and Shuler, and one by Shalene Grover, of Altha, Florida. He asked for Board action on when the interviews should be conducted. The Board instructed Mr. Pierce to schedule the interviews on December 17, 2002 at 11:00 a.m. EST. They also instructed Mr. Pierce to contact the County Labor Attorney's, Carson and Adkins, so they could send an attorney to attend the interviews. Mr. Pierce stated he would take care of notifying the applicants and the law firm of Carson and Adkins. Commissioner Mosconis said he would make a **motion instructing Mr. Pierce to notify the two applicants and schedule interviews for December 17, 2002 at 11:00 a.m. EST and the law firm of Carson and Adkins so they could send a representative to attend the interviews.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3187) He asked for Board approval to accept the recommendation of Preble-Rish Engineers, the County Engineering firm, and issue a Notice of Award and directing the Chairman to sign a contract with C. W. Roberts Contracting, Inc. for the three road projects previously advertised for bids. He said the projects were advertised in September, 2002 and the bid from C. W. Roberts Contracting, Inc. was under budget and so he would suggest the Board issue a Notice to Proceed upon receipt of the required bonds from C. W. Roberts Contracting, Inc. Commissioner Mosconis made a **motion authorizing the issuance of a Notice to Proceed-upon receipt of the required bonds from C. W. Roberts Contracting, Inc.-and the Chairman's signature on the contract for the Three Road Paving Projects as advertised in September, 2002 to C. W. Roberts Contracting, Inc.-as recommended by Preble-Rish Engineers.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3208) He asked for Board approval of a grant application to be submitted to the State of Florida Department of State for completing plans and specifications for renovating the Old County Jail behind the Courthouse. He said the project would cost approximately \$28,000.00. He said the County would be providing the \$5,000.00 cash match, which the Finance Officer says is available to enhance the County's chances of being awarded the grant for \$23,000.00. He said the Board would also need to authorize the Chairman's signature on the Civil Rights Assurance of Compliance and a letter confirming the local match. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a letter assuring the cash match provision of \$5,000.00 and the Chairman's signature on the Civil Rights Assurance Compliance Form for submission of a grant application to the State of Florida Department of State in the**

FCBCC REGULAR MEETING-DECEMBER 3, 2002

amount of \$23,000.00 for renovation of the Old County Jail behind the Courthouse.
Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3248) He presented the Board with a copy of an executed agreement between the County and the State of Florida-Second Amendment to the agreement to extend the completion date of the Battery Park Project in Apalachicola. He said the City of Apalachicola had already requested an extension because they were unable to meet the original completion date of November 30th. He informed the Board this extends the completion date for this project until December 16, 2002.

(Tape 1-3265) He submitted a copy of a letter from Nick Yonclas, attorney for Hurley Booth, Jr., that was sent to the County Attorney's office. He said the letter reflected that his client had thought the County had not done anything or had acted on any matter he had requested the Board approve concerning his property known as Lanark Reef a/k/a Jordan Island. Mr. Pierce said he would defer, at this time, to the County Attorney to see if the County needs to proceed with initiating a land use determination or whether the property owner must request a specific category. He explained, at this point, Larry Witt, the owner's agent, has requested a zoning change, but there has been no request for the underlying land use. He said the County can't apply a zoning to the property without a land use category to place it in. Commissioner instructed Mr. Pierce he didn't want to take any action until this matter was further researched. He said he did want it researched thoroughly though. Mr. Pierce replied that would be fine with him.

(Tape 1-3269) He said he needed to discuss the posting of "No Wake" signs along a "No Wake" Zone created in 1977 for an area north of the railroad trestle on the Apalachicola River. He stated the County created the zone in 1977, it has been years since the area had signs posted at the site. He informed the Board any signs must be placed on pilings in the River and must be done consistent with Intercoastal Waterway Regulations. Commissioner Mosconis said he wanted this project pursued by Mr. Pierce. He said he would even put the signs up when the exact spots were located. He stated he has contacted Tara Alford, Florida Fish and Wildlife, for her assistance. He said she is going to send him some information about posting signs such as this in the Intercoastal Waterways of Florida. Commissioner Mosconis said he would be glad to work with Mr. Pierce and make sure the signs are put up where they are needed.

(Tape 1-3414) He presented a large packet of documents submitted to the County by Billy Buzzett, St. Joe-Arvida, in response to various concerns about certain environmental impacts the "Summer Camp" project might generate. He said these documents are being submitted to various interested parties. He said these documents contain several environmental studies regarding ground water, storm water, etc. He stated David McClain, ABARK, had submitted a letter regarding this project. He said ABARK was encouraging the Board to continue to scrutinize this project very thoroughly. Mr. Buzzett said he wanted the Board to know St. Joe-Arvida has submitted the draft response to the "Summer Camp" project to all of the necessary State agencies. He stated they have tried to work with all of the groups in Franklin County with their concerns for this project. He said he wanted the Board to feel comfortable about

FCBCC REGULAR MEETING-DECEMBER 3, 2002

approving this project. He stated his company wanted to do the "right thing" and notified the Board there would be a follow-up draft response to the ORC Report forth coming. Commissioner Creamer asked if St. Joe-Arvida was ready to move to the next level of approval for the project. Mr. Buzzett replied they were. Commissioner Sanders said she felt a lot of information was disseminated at the "Visioning" Workshop held at the last Board Meeting. She stated this information was going to assist the Board in making this important decision.

(Tape 1-3626 Continued on Tape 2) Mr. Pierce said the Planning and Zoning Commission did meet and approved two dock permits. He stated he would like to present them to the Board for approval. He said he needed approval for Paul Berringer to construct a private dock on Lot 10, Bay Palm Village, SGI, 219-feet long and 4-feet wide. He said they have both the State and Federal permits needed. After discussion regarding the length of the dock and information provided by Dan Garlick, Garlick Environmental, the agent for Mr. Berringer, Commissioner Creamer made a **motion approving a private dock for Paul Berringer with a stipulation that Mr. Berringer install a solar light on the end of the dock with a visibility of one-half mile.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** He said he needed approval for the second dock. He stated Wayne Fan had been approved to construct a multi-family dock and road access on property described as Manatee Bluff Subdivision north of Apalachicola. He informed the Board the owners had their State and Federal permits. Commissioner Mosconis made a **motion approving a multi-family dock and road access on property described as Manatee Bluff Subdivision north of Apalachicola for Wayne Fan.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal again expressed his concerns about lights being placed on these docks so people at night could see the docks and not run into them. Mr. Garlick suggested this might be a matter the Board could address during the upcoming Comp Plan Update.

(Tape 2-207) Mr. Pierce said he would like to discuss funding and the Citizen Oversight Committee the visioning process would require. He discussed several options regarding these subjects to the Board. He stated he felt the most important issue facing Franklin County at this time was not actually pursuing visioning, but the County's Comp Plan.

KENDALL WADE-CLERK

(Tape 2-787) Mr. Wade informed the Board the Northwest Florida Big Bend Health Council had submitted a letter requesting the Board reappoint Joanne Thompson, to serve a two-year term, to the Council. He stated the letter reflects Ms. Thompson's term would have begun on October 1st of this year. He also informed the Board Ms. Thompson has agreed to remain on the Council if the Franklin County Board of County Commissioners would reappoint her. Commissioner Putnal made a **motion reappointing Joanne Thompson to the Northwest Florida Big Bend Health Council for a two-year term beginning October 1, 2002.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING-DECEMBER 3, 2002

(Tape 2-802) He also presented a Proclamation honoring Betty Croom, who has served on the Gulf Coast Workforce Board, Inc. since 1999. He said Ms. Croom was reappointed for another three-year term during 2002. He said the letter informs the Board the Workforce Board would like to recognize her contribution with a framed proclamation during their December board meeting. Commissioner Williams made a **motion authorizing the Chairman's signature on a Proclamation for Gulf Coast Workforce Board, Inc., representative from Franklin County, Betty Croom, for her contribution to the Board.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

ALFRED SHULER-COUNTY ATTORNEY

(Tape 2-938) Mr. Shuler said he would like to discuss the Comp Time issue already mentioned this morning. He stated the Board directed him to confer with the County's Labor attorney firm and he is in the process of scheduling a telephone conference with her about this matter.

(Tape 2-975) He stated there are some legal issues he would have to remain involved in even though he is going to retire. He said there are several pending lawsuits and he would need to continue to handle these matters. He explained it would much more efficient for him to continue with the litigation as opposed to trying to bring the new County Attorney up to speed on the cases.

(Tape 2-1057) Mr. Shuler said the matter of replacing the County Jail roof was discussed this morning. He stated he wants to be very clear the actual jail facility is the responsibility of the County. He said the Sheriff does maintain the jail for the citizens and the Board, but the Sheriff is not responsible for major maintenance. He encouraged the Board to keep on top of this situation. He suggested an engineer or some type of expert in the field go over and look at the jail. He said any major expenditure is the total responsibility of the County Commission. He stated the major items needing repair do fall under the responsibility of this Board.

(Tape 2-1085) He said he has approved the purchase of the tractor equipment for the Apalachicola Airport. He stated the Airport Advisory Board Chairman, Ted Mosteller, had asked the Board to be allowed to "piggy back" the order with another County's similar order. Mr. Shuler stated it would, after all, save the County some money.

(Tape 2-1106) He stated he is in the process of reviewing the Sale Agreement-Option to Purchase submitted by Mr. Buzzett, St. Joe-Arvida, for the property in Carrabelle to be used for the Carrabelle Sports Complex.

(Tape 2-1129) He explained he thought the County does have a duty to land use plan and zone the property known as Lanark Reef. He said if it is private property, which the owners are claiming, the County doesn't need unplanned and unzoned property sitting in a fragile environmental area without proper regulations. He suggested the Planning Department contact the appropriate department in DCA and see if something similar to

FCBCC REGULAR MEETING-DECEMBER 3, 2002

this has been done in another County in Florida. He said maybe DCA would have some suggestions for the County Planning Department.

(Tape 2-1167) Mr. Shuler cautioned the Board regarding the requirement, if the Board agrees to do so, of lighting docks. He said if the County does adopt an ordinance assuming responsibility for lighting the docks then the County would have much more liability. He stated if the County adopts such an ordinance then the County would have to provide enforcement of the lighting requirements, which might prove difficult and costly. He said these people who construct these docks must have a State and Federal Permit before the County will even issue them a dock permit. He stated he felt the State and Federal Governments would be liable if the County doesn't have an ordinance. He said if the County does impose a dock lighting ordinance then the County would have to make sure it was enforced.

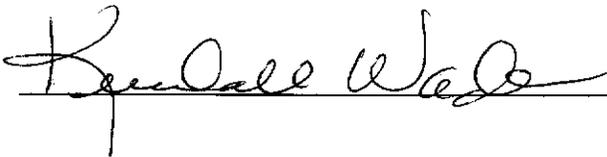
(Tape 2-1470) Commissioner Mosconis asked Mr. Shuler the status of the Harris Brothers property. Mr. Shuler replied he had finished the case and had received a Final Judgment in the County's favor regarding this property. He said he had done everything he needed to do. He stated the property belongs to the County. Commissioner Mosconis made a **motion directing Mr. Shuler to send a letter to the Harris Brothers providing them with this information.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1547) Commissioner Mosconis asked Mr. Shuler about a parcel of property along Highway 98 West of Apalachicola, between the highway and David Amison. He stated Mr. Amison has informed him the County owns the property and he is very interested in purchasing this lot. Mr. Shuler informed the Board the property would have to be bided out to the highest bidder. He said the County can't just arbitrarily sell property they own to individuals. He stated it has to be bid so as to receive the best price for the property. Commissioner Mosconis asked Mr. Pierce to contact Mr. Amison and provide him with this information. Mr. Pierce assured Commissioner Mosconis he would call Mr. Amison.

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



CHERYL SANDERS, CHAIRMAN



KENDALL WADE, CLERK