

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MAY 20, 2003**

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

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

(Tape 1-40) Commissioner Putnal made a **motion to approve the minutes of the meeting held on May 6, 2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-45) Commissioner Williams made a **motion to pay the County bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-46) Chairman Sanders informed the Board Hubert Chipman, Superintendent of Public Works, would not be at the meeting this morning.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-55) Mr. Johnson said he would like to inform the Board of the rising problem of illegal dumping throughout the County and especially at the recycling drop off locations. He said he had attached some photographs to his report this morning to highlight the problems being encountered by Solid Waste personnel. He said these employees have to spend extra time cleaning up the sites, only to repeat the task the next day. He explained the employees are constantly encountering large quantities of prohibited waste at the Lanark Village, Carrabelle and St. George Island locations. He said the illegal dumping continues to occur even though the County Landfill allows amnesty days and right-of-way debris removal. He further explained the County's Litter Control Ordinance does not specifically address illegal dumping at the recycling sites. He informed the Board he is recommending the Board take the necessary action to amend this ordinance. He asked the Board to amend the ordinance to include a provision making it a violation to dispose of any waste at the recycling sites, other than waste the recycling program has targeted for recycling. He stated the State of Florida Litter Law and the County Ordinance have provisions allowing a Department Head to designate a County Employee, to enforce these specific laws. He said the employee does not have to be a sworn law enforcement officer. He also asked the Board to allow him to designate existing Animal Control Officers to enforce this specific provision. He explained Animal Control personnel have already completed extensive training in issuing civil citations, and in courtroom demeanor. He said in some communities they already serve in both capacities. He stated the use of Board personnel would ensure a dedicated division to enforce the litter laws. He asked the Board to approve his requests he made this morning. Commissioner Mosconis made a **motion directing the County Attorney to begin the process of amending the County Litter Ordinance to include a provision making it a violation to dispose of any waste at the recycling sites, other than waste specifically targeted**

for the Recycling Program. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis then made a **motion authorizing the Solid Waste Director to designate Animal Control Officers as Litter Control Officers to enforce the ordinance, etc.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-140) He informed the Board both the Florida House and Senate have eliminated funding for the Recycling Grants in their respective budgets. He said if this budget cut is finalized the Solid Waste Budget would be decreased by \$130,000.00. He explained the opportunity still existed to have this funding approved. He said the County has to raise the awareness of the importance of these grants therefore it is vital the Board let their Legislative Delegation know how important the Recycling Grants are to Franklin County. He said it would be helpful if the Chairman and/or Clerk could call and/or write the legislators and urge them to work to restore the funding for these grants. Commissioner Mosconis said the money to fund these grants comes from a "user tax". Mr. Johnson replied he knew that when the public exchanges, for example, a car battery, tires, newsprint they are charged a tax to be used to fund these grants. Commissioner Mosconis said this was a specific "user tax" and is what got the County in the "business" some fifteen years ago. Mr. Johnson stated he included a copy of an alert from the Florida Association of Counties informing each County of this matter. Chairman Sanders said the Small County Coalition has requested a letter opposing these cuts. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a letter to the Legislative Delegation opposing the any cuts whatsoever to the Recycling Grants Budget.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-217) He said he had requested the Board, at the last Board Meeting, to review an application to exempt a position within the Solid Waste Department from the requirement of obtaining a certification from the Department of Corrections (DOC) to supervise State Inmates. He said he had attached a letter from Duffie Harrison, Warden, Gulf Correctional Institution, which states the DOC has no objection to the employee being employed where there are State Inmates working. He asked the Board to grant this employee an exemption from the County's requirement to become DOC certified to supervise inmates. Commissioner Putnal said he has been saying this all along. He stated there are some jobs within the County that doesn't require DOC certification. He said he thought the Supervisor or Department Head should make this decision as to whether an employee must complete the DOC Certification Program to supervise inmates working in the County. Mr. Johnson said he thinks the requirement is needed for some positions. Commissioner Mosconis asked Mr. Johnson when this man was going to be approved by DOC to complete their certification program. Mr. Johnson replied the letter from Warden Harrison states the employee will not be able to ever become a DOC Inmate Supervisor. He said, after speaking to the Warden, he was told to resubmit the information in a year and DOC would reconsider this person's status. Commissioner Mosconis stated he thought Mr. Johnson was talking about big "deviation" from our rules and regulations on the County's Employees. Mr. Johnson replied this was correct. Commissioner Mosconis asked Mr. Johnson if he had called the County's Labor

Attorney, Leonard Carson. Mr. Johnson answered he had not. Commissioner Mosconis said he didn't think anything needed to be done about this situation today. He stated the Board has been "real firm" about the fact the County, when a person goes to work for the County, must become a DOC Inmate Supervisor. Commissioner Creamer said he knew the County almost fired an employee because they lost their DOC Inmate Supervisor Certification. Mr. Johnson said he wanted the Board to know this employee was not required to even be around any DOC Inmates. He stated this employee was the Solid Waste Department Mechanic, a certified mechanic, and is the only certified mechanic the Board has ever hired. He said he hated to lose this type of employee since he doesn't even need to be certified to supervise inmates. Chairman Sanders asked if this man was certified in Diesel Engine Repair. Mr. Johnson replied he is a certified Diesel Engine Mechanic. Commissioner Mosconis said he thought this matter needed to be discussed with Mr. Carson. After a brief discussion Commissioner Putnal made a **motion authorizing the exemption of a DOC Inmate Supervisor Certification for the mechanic at the Solid Waste Department contingent on approval by the County's Labor Attorney, Leonard Carson.** Commissioner Williams seconded the motion. Chairman Sanders, Commissioners Putnal, Williams and Creamer for. Commissioner Mosconis opposed. 4-1 **MOTION CARRIED.**

(Tape 1-335) Commissioner Putnal said he wanted to discuss the parking problem at the Timber Island Boat Ramp. He stated there is a tremendous amount of people using the boat ramp at Timber Island with no place to park. He asked Alan Pierce, Director of Administrative Services, to check and see if the State of Florida would be willing to lease the County some property next to the boat ramp to use for parking. Mr. Pierce said he wanted the Board to know the State is preparing bid packets for Timber Island. He stated the minimum bid is 6.4 million dollars for 60-acres of land. He said he knew there was a problem with people overusing the ramp. He stated too many boats are trying to access the ramp and trailers are being parked in places interfering with existing businesses. He explained he had contacted the State about purchasing or leasing some of Timber Island, but now the State is going to sell all of the land and is not willing to release any to Franklin County. He suggested the Board direct Chris Clark, County Engineering Technician, to go to the boat ramp and try to develop a realistic parking plan, which would include identified "No Parking" areas in front of those businesses. He said then this would allow law enforcement officers to write tickets for trailers, cars, trucks, etc. parking in the wrong area. Commissioner Mosconis asked who owned the material being stored at the Timber Island Boat Ramp. Commissioner Putnal replied the land is being leased by Mr. Bevis and is designated for parking, but the people using it have to launch their boats at Mr. Bevis' boat ramp at a cost of \$5.00 per boat. Chairman Sanders and Mr. Johnson both stated there was some trucks and equipment belonging to Ben Withers that needed to be removed from the area. Commissioner Putnal made a **motion directing Mr. Pierce to send a letter to Ben Withers instructing him to move his property off of the Timber Island Boat Ramp property and directing the County Engineering Technician to go over to the boat ramp to see if he can prepare a plan to better utilize the parking area.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

FRANKLIN COUNTY MINISTERIAL ALLIANCE

(Tape 1-432) Chairman Sanders informed the Board there were representatives from the Franklin County Ministerial Alliance (FCMA) present this morning. She said the group has asked for permission to address the Board this morning. Mr. Pierce stated he and Commissioner Williams met with the FCMA regarding their request for a Resolution of Support for their efforts in seeking State and Federal funding for various programs needed in the County. Mr. Pierce read the Resolution into the record. Pastor James Williams addressed the Board this morning asking the Commission to approve the Chairman's signature on the Resolution of Support so they could apply for State and Federal funding for programs and supporting the initiative of the FCMA to improve the quality of life for all residents. Commissioner Williams made a **motion authorizing the Chairman's signature on a Resolution of Support for the FCMA in their efforts to seek State and Federal funding for various programs needed in the County.**

Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Pastor Williams thanked the Board for their time and support.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-538) Mr. Pierce explained to the Board that he would begin his report and asked the Chairman to interrupt him when she needed to. He informed the Board he needed Board action to release \$9,000.00 from the Airport Budget to pay for road inspections Preble-Rish, Inc. conducted on the new Apalachicola Airport Access Road Project. He said URS Engineering has billed for some of these inspections, but those bills have been not paid, and URS is in the process of correcting their bills. He stated URS would not be paid for inspections they have not done, and Preble-Rish, Inc. would only be paid for inspections they complete. Commissioner Mosconis said he didn't feel comfortable, at the last meeting, in authorizing the payment of these invoices until Mr. Pierce came back for the meeting today. Mr. Pierce informed the Board the County Finance Officer, Ruth Williams, would not be paying any of the invoices until the problem was straightened out. He said Ms. Williams just needed approval to designate \$9,000.00 for this project. Commissioner Mosconis made a **motion authorizing the designation of \$9,000.00 for inspections on the new Apalachicola Airport Access Road.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-647) He informed the Board he had called Dean Stringer, FAA Orlando, and left a message for him. He said Matthew Fyes called him back when he was not in the office last week. He stated he was going to discuss the proper valuation of non-airport related services on Airport property. He said he would continue to call Mr. Stringer or Mr. Fyes about this matter. He stated the FAA has problems with the non-airport related offices at the Airport such as the EOC Office, the Extension Office, the City of Apalachicola's water wells, and various others. He said FAA rules state there has to be some sort of compensation for the County and City to have their offices or other items out at the Airport. He stated this could be in the form of cash or in-kind services. He said he felt the Clerk, Kendall Wade, would be better at negotiating this with the FAA. He stated he would ask the Clerk to address this problem. Mr. Wade said he had discussed with Mr. Pierce and would be glad to call this gentleman. He stated he thought this was

“ridiculous” the County would have to pay rent or perform in-kind services to allow County offices, etc. on County owned property.

(Tape 1-688) Mr. Pierce asked for the appointment or reappointment of various members of the Planning and Zoning (P&Z) Commission. He said three members currently need to be reappointed: Gail Dodd, Tony Millender, and Mary Lou Short, and in July Dan Rosier would need to be reappointed. He stated there are three seats vacant on P&Z: the at-large, real estate, and science representatives. He informed the Board Harriet Beach has offered to move from her alternate position on P&Z into the science vacancy, and both Rose Drye and John Shelby are interested in the real estate vacancy. He said no one has been suggested for the at-large vacancy, although Commissioner Williams currently has no one from his District serving on the P&Z Commission. After this presentation and discussion Commissioner Williams made a **motion appointing Dan Rosier to Seat 4, the at-large vacancy, on the Planning and Zoning Commission and naming William Key as an alternate for this position.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Commissioner Creamer made a **motion reappointing Gail Dodd-Seat 1; Mary Lou Short-Seat 2 and Tony Millender-Seat 3 to the Planning and Zoning Commission.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Commissioner Creamer then made a **motion appointing Rose Drye to Seat 5-Real Estate to the Planning and Zoning Commission.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said he wanted to advertise the vacancy for the science position on P&Z in the local newspaper so the general public would be informed of this vacancy. Chairman Sanders said she would like to see Ms. Beach, who is a Marine Biologist, to be appointed to the science vacancy. Mr. Pierce said Ms. Beach would be reappointed to her alternate position she now holds on the P&Z Commission April, 2004. Mr. Pierce said there is a science position now vacant on P&Z and Ms. Beach serves as an alternate and if the Board wants to they can appoint or move her to this vacant science position on P&Z. Commissioner Creamer stated he would rather leave the Commission as it is right now. Mr. Pierce suggested the Board announce or advertise this opening on P&Z just to see who might be interested in serving on the Commission. Mr. Pierce asked the Board if they wanted him to place an ad in the local newspaper informing the public of this vacancy on the P&Z Commission. Commissioner Mosconis replied he wanted him to put an ad in the newspaper since this was a real “narrow” field. He said he didn’t think there would be many people in the community who would meet the criteria. Commissioner Mosconis said he did want the members of P&Z to know how much the Board appreciates all of their time and effort. He stated this was a “thankless” job and they spend their own time and money on serving on P&Z so he thought they should be commended.

(Tape 1-888) Chairman Sanders interrupted Mr. Pierce for a public hearing at this time.

PH-ZONING CHANGE LOT 34, BLK 10 WEST, UNIT 1, SGI, C-2 TO C-4

(Tape 1-892) Mr. Pierce announced the public hearing was for the Board to consider rezoning Lot 34, Block 10 West, Unit 1, SGI from C-2 Commercial Business to C-4 Commercial Residential Mixed Use. He said this is a lot on the beach side of the Island,

FCBCC REGULAR MEETING-MAY 20, 2003

which does not join the County Park. He stated Heath Galloway is here this morning representing the owner of the property. He said this was a single lot next to the "Blue Parrot" Restaurant on SGI. He stated P&Z is concerned about the contamination of the Commercial District with Residential uses. He said they do recognize the beachfront on SGI, in order to protect the beach, needed to have most of the beachfront property rezoned to residential from commercial. He stated P&Z felt it would be of more benefit to have residential property on the beach instead of commercial. He said P&Z does recommend approval of this rezoning request. Chairman Sanders asked if there was any public comment regarding this request. After no public comment Commissioner Creamer made a **motion adopting an Ordinance Rezoning Lot 34, Block 10 West, Unit 1, St. George Island, located on West Gorrie Drive, from C-2 Commercial Business to C-4 Commercial Residential Mixed-Use.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 1-978) He asked the Board to adopt a Resolution amending the Franklin County Local Mitigation Strategy (LMS) to include the specific projects contained in the County's 2003 Florida Communities Trust Grant Application. He explained this amendment was being made to the LMS to include the St. George Island Boat Ramp site. He said the adoption of this resolution would give the County additional points on the application. He informed the Board the Alligator Point site is already listed on the LMS as part of the need to relocate Alligator Point Road. He asked the Board to authorize the Chairman's signature on the Resolution. Commissioner Creamer made a **motion authorizing the Chairman's signature on a "Resolution of the Franklin County Board of County Commissioners, Amending the Franklin County Local Mitigation Strategy to Include the Specific Projects Contained in the County's 2003 Florida Communities Trust Grant Application".** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1048) He requested approval from the Board to request a sixty-day extension on the Water Street Project from FDOT due to delays caused by the City of Apalachicola not completing their water line project in time. He stated this was a request originally submitted to him by Preble-Rish, Inc., the engineers of the project. Commissioner Mosconis made a **motion authorizing Mr. Pierce to request a sixty-day extension on the Water Street Project from FDOT due to delays caused by the City of Apalachicola not completing their water line project in time.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis said the City of Apalachicola should be finished with their infrastructure project so the County could finally complete some paving projects. He asked about the City of Carrabelle and the status of the infrastructure projects. Commissioner Putnal asked Mr. Pierce to see if he could check with City of Carrabelle representatives to see when they might be finished with their project. He said he thought the project was slowing down so the County could do some paving in Carrabelle too. Mr. Pierce stated he would check to see if the City of Apalachicola and the City of Carrabelle had a projected finalization date for their water and sewer projects. Commissioner Mosconis asked Mr. Pierce to have this information

FCBCC REGULAR MEETING-MAY 20, 2003

by the next Board Meeting. Mr. Pierce replied he would see if he could get this information for the Board for the next meeting.

(Tape 1-1125) Mr. Pierce said he would like to discuss the Alligator Point Beach Access point claimed by a neighbor to not be for use by the general public, but only for property owners on the harbor side of the Alligator Point. He said public records do not support the neighbor's claim. He stated Sabrina McMillan might be present to discuss her concerns. He explained Ms. McMillan had previously installed "No Parking" signs and placed fencing in the right-of-way of Chip Morrison Drive to keep people from parking and thus using the beach access point. He said the contention is the public gets stuck on the side of the road and then wants her to pull them out, or the public parks their vehicles in their yard because the shoulder of the road is so soft. He suggested if the Board wanted, Chris Clark could go visit the area to see if limited parking can be arranged. Commissioner Mosconis asked if the County couldn't place some lime rock on the shoulder of the road so people could park there. Mr. Pierce said the County could organize public parking and designate a parking area for the public. He stated then the County could put up "No Parking" signs other places to limit where people are parking. He said this was the County's right-of-way and it would be up to the Board to deal with it. Chairman Sanders said she would like for Chris Clark to go look at the area and see what, if anything, the County could do to eliminate this problem. Mr. Pierce said he would tell Mr. Clark of the Board's instruction.

(Tape 1-1168) He said Dan Garlick, Garlick Environmental Associates, Inc., submitted a proposal, in writing, to consider a land swap between the County and Dean Marshall. He explained the owner of the referenced lots was requesting a consideration for the county abandonment of the street end and right-of-way of George Vause Road on Alligator Point. He said the reason for the request is to enable Mr. Marshall to construct a larger dwelling than he is currently authorized to build. He asked the Board how they wanted to handle the proposal. He said this request came into the office after the last Board Meeting so it wasn't discussed at the last meeting. He stated he had talked to Mr. Garlick about the proposal. Chairman Sanders said she wanted to express her feelings on this matter. She stated she didn't want to discuss this matter any further since she, as the Commissioner of the District this is going to affect, had not been contacted about this matter at all. She said she hadn't been to look at the area and did not know this matter was going to be discussed this morning. She informed the Board she wanted to look at the site before any discussion or decision was made. She reiterated she didn't even want to hear Mr. Garlick's presentation this morning. Commissioner Mosconis said they had a right to be heard. Chairman Sanders replied she didn't want any action taken on the matter. She stated Mr. Garlick can make his presentation, but she did not want a decision made this morning. Mr. Garlick said this would be fine with him. He stated he did send a letter to the Commission on May 9, 2003 informing the Commissioners of this proposal through the Clerk's Office. He said he had tried to notify each Commissioner as well. Chairman Sanders told Mr. Garlick he hadn't talked to her though. Mr. Garlick said he thought his office had tried to reach her and apologized if she had not been informed of this matter. Mr. Dean Marshall also appeared before the Board. Commissioner Putnal

made a **motion to table this matter until the Board Meeting scheduled for June 3, 2003.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1488) Mr. Pierce presented the Board with a Franklin County Habitat for Humanity brochure submitted by Billy Buzzett, the St. Joe Company, for the Board's information.

(Tape 1-1528) Mr. Pierce also presented the Board with a brochure prepared by the ABARK, 1,000 Friends of Florida and Florida USA-Visit Florida groups. He said this brochure informs the public of the many recreational benefits the Apalachicola River provides for many families throughout the country. He said this brochure also reflects what a valuable resource the River is to Franklin County and it's residents.

(Tape 1-1540) He said DEP has requested a Wetland Resource Permit application before they would officially comment on the County's request to place spoil on the Eastpoint Breakwater. He stated the letter appears to be a step backward since previous communications with DEP proved that at least more authorization for open water disposal had been granted by DEP. He explained last week he sent a letter to DEP, along with an analysis of the spoil material the USCOE completed for the project, asking DEP to provide a response to the County for the project. He said he received a letter back from DEP stating in order to accept the analysis they would require a completed Wetland Resource Permit application be submitted to them. He stated, in his opinion, everything has been done that DEP has asked the County to do. He reminded the Board he and Commissioner Creamer traveled to Tallahassee to met with DEP representatives about this very project. He said he thought the Chairman should call DEP about this matter. Chairman Sanders stated she knew the County needed to move ahead with this project. Mr. Pierce suggested, with the Chairman's consent, he would call DEP and tell them the County feels they had already had their pre-application meeting when he and Commissioner Creamer went to Tallahassee. The Board agreed to allow Mr. Pierce to call DEP and see if the County could move forward with this project without any further delay.

(Tape 1-1606) Mr. Pierce stated the Planning and Zoning (P&Z) Commission met in regular session and recommends the following: Approval for Joudie Brown to construct a single-family dock on property lying in Section 35, T7S, R5W, Carrabelle, and also known as 2096 US Highway 98 East. Commissioner Creamer made a **motion approving a single-family dock for Joudie Brown in Carrabelle.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for John Horan to construct a single-family dock on Lot 82, North Bayshore Addition, Eastpoint. Commissioner Creamer made a **motion approving a single-family dock for John Horan in Eastpoint.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for James Dehaven to construct a single-family dock on Lot 56, Alligator Point Subdivision, Alligator Point. Commissioner Mosconis made a **motion approving a single-family dock for James Dehaven in Alligator Point.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for W. Theo Proctor to construct a single-family dock on Lot 56, Block C, St. James Island Park

Subdivision. Commissioner Creamer made a **motion approving a single-family dock for W. Theo Proctor in St. James Island Park Subdivision.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for Rebecca Proctor to construct a single-family dock on Lot 55, Block C, St. James Island Park Subdivision. Commissioner Mosconis made a **motion approving a single-family dock for Rebecca Proctor in St. James Island Park Subdivision.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Approval for Ron Patterson to construct a single-family dock on property lying in Section 35, T7S, R5W. After questions on the location of this dock Commissioner Putnal made a **motion approving a single-family dock for Ron Patterson.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Larry Taylor to construct a single-family dock on property described as Lot 23, Windjammer Village, SGI. Commissioner Creamer made a **motion approving a single-family dock for Larry Taylor on SGI.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for Delores Roux to construct a single-family dock on property lying in Section 35, T8S, R8W north of Apalachicola. Commissioner Mosconis made a **motion approving a single-family dock for Delores Roux north of Apalachicola.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Approval for a final plat for "Blue Heron Village" in Eastpoint as submitted by Brandt Rudzinski. Commissioner Creamer made a **motion accepting a final plat for "Blue Heron Village" in Eastpoint as submitted by Brandt Ruzinski contingent on final approval by the County Attorney.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Acceptance of a sketch plat for a 58-lot subdivision in Eastpoint, Section 25, 30, and 36, T8S, R7W, known as "Lakes on the Bluff" even though it was acknowledged by the developer at the present time Eastpoint Water and Sewer has not committed to providing sewer and water to the project. The developer, Brandt Rudzinski, said if sewer and water is not available then a common drain field and community water system would be installed. It is unclear from the record if the development would be prepared to switch over to Eastpoint Water and Sewer if it becomes available, and it is unclear from the record that the subdivision would meet the rules and density associated with not being on a central water and sewer system. I recommend tabling this until these questions are answered. Brandt Ruzinski appeared before the Board and stated he was in negotiations with the Eastpoint Water and Sewer for their services. He said the developers have kept the density down too and allows one unit per acre. He stated this plat contains 62-63 acres and would contain 58-home sites. Mr. Pierce suggested the Board table this request until the Board of Adjustment submits a recommendation to the Commissioners. No action was needed on this matter. Acceptance of a sketch plat for a 5-lot subdivision known as "New River Paradise" on the New River in Section 10, T7S, R5W submitted by GEA, agent for Aaron Wray. The subdivision is 10.65 acres and will consist of 5-lots without clustering. Commissioner Creamer made a **motion accepting a sketch plat for "New River Paradise" on the New River in Section 10, T7S, R5W.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Chairman Sanders said she needed to interrupt Mr. Pierce's report again for a bid opening.

BIDS-DESIGN BUILD/ADD TO MAIN HANGAR/APALACHICOLA AIRPORT

(Tape 1-2078) Chairman Sanders said it was time to open bids for the Design Build/Addition to the Main Hangar at the Apalachicola Airport. She stated she had some questions about this bid. Mr. Wade, the Clerk, said before he opened the bids he would like to have the County Attorney render an opinion or guidance in this matter. He explained the County has a policy all bids have to be submitted to the Clerk's Office, the Board Office, by 4:30 p.m. the day before the bid opening. He stated there was some confusion about the advertisement since the ad did not go through his office. He said this is necessary because the ad needs to reflect the exact date and time for receiving the bids and the exact date and time for opening the bids. He stated one of the bids was received at 9:30 a.m. this morning and the other bid at 8:50 a.m. this morning. He said the reason he is so concerned about this matter is the Taylor County Commission is in litigation about this very process. He stated he saw it on the news last night. Commissioner Putnal said he saw the same news report. Mr. Shuler asked Mr. Wade if the ads were placed in the newspaper by his office and prepared in his office. Mr. Wade replied they had not and the Board Office Secretary, Amelia Varnes, did not even know the ad was in the newspaper except that someone called about the bid specifications and she didn't have them in her office to send to the person requesting them. He said Ms. Varnes asked the person calling if they had seen an advertisement in the newspaper because she didn't know anything about such a project. He stated the person informed Ms. Varnes there was an ad in the newspaper and the scheduled opening of the bids was for May 20, 2003 at 10:00 a.m. He said Ms. Varnes checked the local newspaper to see if the ad was there and found out it was. Mr. Shuler asked if this followed the normal practice for bid advertisement for the Board. Mr. Wade replied it did not. Commissioner Mosconis asked who typed the advertisement. Mr. Wade replied he did not know, but before he opened the bids he wanted some direction from the Board. Mr. Shuler advised the Board since this advertisement did not meet the County's bid practice or policies the Board should reject all of the bids and reschedule the bid opening. Commissioner Putnal said to be cautious he would make a **motion to reject all bids for the Design Build/Addition to the Main Hangar at the Apalachicola Airport and authorizing the re-advertisement of the project.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Wade said he would ask that in the future the Airport Committee or Airport Manager submit all bids to his office for proper advertisement, etc. Ted Mosteller, Chairman of the Apalachicola Airport Advisory Committee, said he didn't know about this ad either since the Airport Manager, Bill Ruic, prepared and carried the ad to the newspaper without any one's knowledge or any one approving the ad. He stated he informed Mr. Ruic and Mr. Ruic told him he would take care of the matter.

ALAN PIERCE-CONTINUED

(Tape 1-2333) Mr. Pierce said he would continue his P&Z Commission report. He said P&Z recommends the following: Approval for a rezoning from C-2 to C-4, Lots 37, 38, 39, 40 and 41, Block 10 West, Unit 1, SGI as submitted by the Steve Rash, the owner of the Blue Parrot Restaurant. Commissioner Creamer made a **motion authorizing the scheduling of a public hearing to consider a rezoning from C-2 to C-4, Lots 37, 38, 39, 40 and 41, Block 10 West, Unit 1, SGI as submitted by Steve Rash, the owner of the Blue Parrot Restaurant.** Commissioner Mosconis seconded the motion. All for.

MOTION CARRIED. The denial of a request for rezoning from R-4 to C-4 on Lots 24 and 25, Block 105, Eastpoint as submitted by Pat Golden. Tabling of a request by Helen Spohrer for rezoning Lots 35 and 36, Block 10 West, Unit 1, SGI from C-2 to C-4 because no one was at the P&Z Commission Meeting representing the project. The regular P&Z Meeting was not on its regular night and Ms. Spohrer was not notified of the date change. Ms. Spohrer appeared before the Board and informed them she was not notified of the new meeting date and therefore did not appear nor have any one appear for her. She said it was just a misunderstanding or miscommunication. She stated she owns two vacant beachfront lots between the Blue Parrot Restaurant and Mr. Galloway's project previously approved in the meeting this morning. She explained everyone around her is having their lots rezoned so she would like her property rezoned as well to conform with the neighboring zoning. Commissioner Creamer made a **motion authorizing the scheduling of a public hearing to consider a rezoning from C-2 to C-4 on Lots 24 and 25, Block 10 West, Unit 1, SGI.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Approval for a small scale land use and rezoning submitted by Dennis Delmain from C-4 to R-1A on property lying in Section 12, T7S, R4W, Lanark Village. This property is on the south side of US Highway 98 and the Board has previously approved similar changes because a change from commercial to residential has been seen as a reduction in development intensity along the Bay. Commissioner Putnal made a **motion authorizing the scheduling of a public hearing to consider a small scale land use and rezoning submitted by Dennis Delmain from C-4 to R-1A on property lying in Section 12, T7S, R4W, Lanark Village.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commercial site plan review and approval, as recommended by P&Z, for a Family Dollar store on property lying in Section 11, T9S, R8W, Apalachicola submitted by Mike Willis, owner. Kathy Shirah, agent for Mr. Willis, appeared before the Board to see if anyone had any questions about the plan. Ms. Shirah stated this proposed dollar store would be adjacent to the Apalachicola IGA and in back of the ACE Hardware Store. Commissioner Mosconis made a **motion approving a site plan submitted by Mike Willis for a Family Dollar store on property lying in Section 11, T9S, R8W, Apalachicola.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** The Commission also reviewed a number of issues and concerns. The list of concerns is attached to his report this morning for the Board to review. He said he has discussed this list with the current Chairperson of P&Z, Gail Dodd, and he hopes to have a workshop with the Commission on these issues very soon. He informed the Board this concluded his Planning and Zoning Commission report.

(Tape 1-2885) Commissioner Creamer said he would like to discuss the Rocky and Pam Moore. He stated Mr. Moore came in six months ago to request a rezoning of some property on Patton Drive in Eastpoint. He explained Mr. Moore was asking for the Commissioners to reconsider his rezoning since the property was never officially rezoned. Mr. Pierce said on September 10, 2002 the P&Z Commission held a meeting and recommended approval of this rezoning. He stated the land is close to property already being developed in Eastpoint. Mr. Pierce said on September 10th the Board denied the request because some of the adjacent property owners objected to the changes. He said the Board could authorize, since it has been less than a year, him to reschedule

and re-advertise the public hearing. Commissioner Creamer said he wanted to make a **motion to directing the Planning and Zoning Office to reschedule and re-advertise a public hearing to consider a zoning and land use change as requested by Rocky and Pam Moore.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3086) Mr. Pierce reminded the Board that several weeks ago the Board agreed to allow the Chamber of Commerce to begin developing an optional Economic Development Element for the Comp Plan. He said the Board would of course review any element added to the Comp Plan. He informed the Board Anita Grove, Chamber Director, would like the Board to appoint the following individuals to assist her in developing the Economic Development Element: Helen Spohrer, Cliff Butler, Alice Collins, Curt Blair, Paul Marxson, David Butler, Mark Friedman, David McLain, Don Ashley, Jerry Thompson, Joe Knight, and Betty Croom. Commissioner Mosconis made a **motion appointing these individuals to assist Anita Grove, Chamber Director, in developing the Economic Development Element of the Comp Plan.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-3117) He reminded the Board and the audience of the Visioning Workshop scheduled for tonight here in the Annex. He said this workshop's format would be a little different because several individuals have been invited to the workshop to discuss public facilities, recreational facilities, roads, law-enforcement, health care, etc. He said Van Johnson, Larry Brown, Major Mike Mock and Mike Lake would be here to answer questions about these matters. He stated he has also invited a member of the School Board or a school appointed representative to answer and discuss the education facilities in Franklin County. He said the meeting was scheduled for 6:00 p.m.

(Tape 1-3170) Chairman Sanders said there had been a problem in her area since the Sea Breeze Campground in Lanark Village closed down. She explained this has caused a problem with individuals placing travel trailers on residential property and using them. She stated something needed to be done about this problem. Mr. Pierce stated there is an ordinance, which applies to this matter. He said one of the things the Board has discussed in the past is the County should recognize Franklin County is a vacation and recreation area. He stated he didn't want to cause conflict with people and or property owners who are allowing people to just stay in a camper in a residential area while they are building a house or just visiting someone. He said it is not illegal to impose an ordinance allowing, in a residential area, a camper to stay on a vacant piece of property just till the person constructs or finishes their house. He stated this is and has been a problem in Franklin County. Chairman Sanders asked if this would affect property valuations. He replied he didn't know, but the Property Appraiser should. He stated it certainly could have an impact. He said if the travel trailer was set up with a power pole, water, sewer, etc., which would make most people think they weren't going to move the travel trailer anytime soon. Mr. Pierce stated he would check into this matter a little more before he would make a recommendation to the Board.

FCBCC REGULAR MEETING-MAY 20, 2003

(Tape 1-3264) Commissioner Mosconis said the Board instructed him to contact the County's Labor Attorney, Leonard Carson, about the labor situation at the Road Department. He stated he talked to Mr. Carson and was informed by him he would get back with him. He said Mr. Carson has not called him and therefore, he has no information for the Board this morning regarding this situation.

LANCE DEHAVEN SMITH-FSU PROFESSOR

(Tape 1-3374 Continued on Tape 2) Professor Smith said he had a slide presentation for the Board this morning, which reflected the current demographics for Franklin County. He stated it is hard for people, especially in Franklin County, to realize how fast the County is growing. He reviewed the growth trends for Florida and Franklin County. He said the financial difficulties would be the problem Franklin County would face during the growth. He stated most of the growth is going to be "retiree driven". He said the infrastructure is going to be the biggest challenge facing the County. He finished his presentation and thanked the Board for their time and attention this morning.

KENDALL WADE-CLERK

(Tape 2-910) Mr. Wade said he has been notified by the Franklin County Health Department that they are going to purchase two vehicles, which would need to be titled, tagged and insured through the County Commission. He said one vehicle, a new Ford Taurus, is to replace the car Dr. Junejo wrecked and the other vehicle is a new Chevrolet Blazer for use by the Environmental Health Section to perform field duties.

Commissioner Putnal made a **motion authorizing the addition of two vehicles, a new Ford Taurus and a new Chevrolet Blazer, being purchased by the Franklin County Health Department to the County Commission Insurance and authorizing the vehicles to be titled and tagged through the County Commission.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

THOMAS M. SHULER-COUNTY ATTORNEY

(Tape 2-942) He said the Board had instructed him, at the last meeting, to check into the adoption of an ordinance specific to Franklin County banning skimmer nets in the Bay. He stated he did not have a clear answer for the Board at this time since it is such a complicated issue, which involves State laws and County Ordinances. He said he was not prepared to render an opinion on this important issue, but he should have some answers by the next meeting.

(Tape 2-969) He said the Board instructed him to send a letter to Jeanni's Journey's on SGI demanding that they remove any fencing or other encumbrances from the County's right-of-way on 3rd Street on SGI. He stated he sent the letter and is going to see if he gets a reply or they just simple move the fence, etc.

(Tape 2-975) He reported he has reviewed the URS Engineering contract involving the Apalachicola Airport. He said he has reviewed the document and has two concerns, which he has forwarded to Ted Mosteller. He stated he would request the attorney for URS call him about this matter. He said the two concerns are, the provision that if the County uses their plans to complete a subsequent project, other than what the original

FCBCC REGULAR MEETING-MAY 20, 2003

plans were engineered for, then URS wants a "Hold Harmless" agreement signed to indemnify them and the other issue is the provision that if the County designates another company to complete a specific project for a lesser amount then URS is going to demand the County pay them the money the County has saved on the project.

(Tape 2-1081) He said he received the Organization for Artificial Reefs (OAR) contract regarding the demolition of the old SGI Bridge. He stated he has reviewed it and has some questions about the contract and is going to contact OAR.

(Tape 2-1104) He explained the City of Carrabelle has been asked by him, as a part of their request to place water and sewer lines on County right-of-way, to remove the sewer line to abut the edge of the right-of-way. He said this is near the boat ramp on the Carrabelle River. He stated the engineers are going to revise the plans and get back with him on the matter.

(Tape 2-1126) He informed the Board he has also been reviewing a contract between the USCOE and the County regarding the Alligator Point Project. He said it is essentially a Feasibility Study. He stated he has three items he had problems with and two of them have already been resolved. He said the final item is that the contract includes the fact the USCOE has the final approval of any plans produced by this project. He stated he didn't know whether the Board wanted to give them this authority or not. Mr. Pierce said he would check into the matter and report back to the Board with the information.

(Tape 2-1198) Mr. Shuler said he was given an Interlocal Agreement to review between the County, the School Board, the City of Carrabelle and the City of Apalachicola. He stated this agreement was complicated and he was not ready to make a recommendation to the Board.

(Tape 2-1215) He stated he has written a letter to ARPC regarding the County's Revolving Loan Program. He said he addressed the letter to Jane Sauls, ARPC, since she is the person who signed the letter dated February 14, 2003 to the County informing the County they did not have any collection obligations to the County. He stated he thinks they do and they are responsible. He said he has written ARPC a letter informing them of his opinion and asking for a reconsideration of its position as stated in the letter dated February 14, 2003.

(Tape 2-1240) He reported he has prepared a purchase contract for the Sumatra Cemetery and has mailed it to the Branch's attorney. He said one issue that has come forward is the fact some people are not going to want to pay for the lots. He stated there does need to be some discussion and agreement made between the Commissioners and these citizens. He said he has scheduled a time on the next agenda, June 3, 2003 at 11:30 a.m., to discuss this matter. He stated he is also going to advertise this date and time in the local newspaper. He said he would also make sure a copy of the notice is mailed to the members of the Sumatra Cemetery Committee. He asked the Board to be prepared to discuss this issue at the next meeting.

FCBCC REGULAR MEETING-MAY 20, 2003

(Tape 2-1282) He said beginning July 1, 2004 the State of Florida is going to take over the costs of indigent attorney's fees and indigent costs, which has been mostly the responsibility of the Counties. He stated this is due to the passing of Article V. He said the bad news is the State doesn't know where the money is going to come from to pay these fees. He stated the State would use a combined budget contributed to by all of the Counties and the indigent fees, etc. would be paid out of this combined fund. He said which every County had the most needs for indigent costs would get the bulk of the budget. He stated even if Franklin County contributes to this budget and doesn't need any of the budget the County would still have to pay their share. He said the bad news is the County would not be entitled to any refund of the contributions. He informed the Board he knew the Clerk had already talked about the matter with the Board before.

(Tape 2-1307) He stated it has come to his attention that his grandfather owned some street-ends in Eastpoint and intended to make sure the County had the property. He said he didn't know much about the title other than when he talked to his father, the former County Attorney, he was informed by him that their granddaddy had dedicated these street-ends to the public many years ago, but for some reason his grandfathers estate was notified they still owned it when an adjoining property owners was going through a permitting process. He said he would take care of this transfer of title from the Shuler's to the County.

(Tape 2-1374) Mr. Wade asked Mr. Shuler if he had finished the contract the Board and he has asked for between him, as County Attorney, and Franklin County. Mr. Shuler replied he has one drafted, but not finalized.

(Tape 2-1378) Mr. Wade also reminded Mr. Shuler about his request for Mr. Shuler to send each of the four leaseholders, leasing property from the County, a letter informing them of the State of Florida Sales Tax responsibilities. Mr. Shuler said he would get the letters out today. Commissioner Mosconis said he wanted to make a **motion, in case Mr. Shuler needed it, authorizing him to send letters to the four leaseholders informing them that they are responsible for paying all of the sales tax.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

HARRY BUZZETT-SGI BRIDGE REPORT

(Tape 2-1515) Mr. Buzzett reported the following information to the Board: "Everyone with whom I spoke was knowledgeable, cordial and helpful. Thinking that the biggest obstacle would be DEP, I met with Lee Edminston. Mr. Edminston was receptive to what I had to say, ask to met with Alan Pierce, a representative from FDOT and him to further discuss the Board's desires. Alan is in the process of setting up such a meeting. Next, I went to the builders of the new bridge, Scott Gross, BOH Brothers, the resident project manager and Marcus Kelly of Jacobs Construction. The contract FDOT has with these firms is called a design-build contract; their scope of work includes the design of the new bridge; to process for FDOT the needed permits for the new bridge such as the USCOE, Coast Guard, etc. Then I went to Mike White, the project engineer from Parsons-Brinkerhoff, and discussed what the Board wanted. Finally, I talked with Steve Benak, FDOT District Construction Engineer, and he pointed out the County has an

agreement dated October 19, 1999 with FDOT, which consists of three things, the first is for FDOT to leave 0.6 miles on each end of the bridge when it is demolished, then deed this bridge to the County and for FDOT to pay the County \$1,525,000.00 for maintenance and liability of the remainder of the bridge. It is my judgment it would be necessary for the Board to amend the contract or agreement the County has with FDOT to reflect the Board's present desires." Commissioner Putnal said he needed to make a **motion to do that, Alan, and take the Mr. Buzzett's recommendation.** Mr. Pierce said he was aware of the agreement and asked Mr. Buzzett if he had any idea if the FDOT would take this whole project back over to keep the entire old bridge intact and pay for all of the maintenance on it. He said he knew FDOT would give the County all of the demolition money if the County would maintain and be liable for the whole bridge. He stated he didn't know if FDOT would want to change their contract. Mr. Buzzett replied the situation with FDOT is that they have a valid agreement with Franklin County and time is of the essence. He stated it took almost two years just to get the permitting needed to do what was agreed to in the contract with the County. He said until action is taken to amend this agreement FDOT intends to proceed with the project. He stated FDOT has directed their contractors to do exactly what was agreed to in the contract. Discussion continued. Mr. Pierce was directed to contact FDOT and request that they send representatives to a meeting in Franklin County as soon as possible to the Board could discuss these changes with them. Commissioner Putnal said he would withdraw his motion. The Commissioners instructed Mr. Pierce to call the necessary representatives on this project from FDOT, etc. and schedule a Special Meeting between the Commissioners and FDOT. The Commissioners asked Mr. Pierce to contact them when he had something scheduled and they would come to the meeting. Mr. Pierce assured the Board he would take care of the matter.

MATTERS FROM THE FLOOR

(Tape 2-2285) Chairman Sanders said she would like to discuss the Interstate Shellfish Sanitation Biennial Conference in Portland, Oregon. She stated she would like to go to this meeting scheduled for August 2nd through August 8th in Portland, Oregon. She asked the Board if anyone else on the Board would like to go. After no response Commissioner Putnal made a **motion to pay the travel expenses for Chairman Sanders to travel to Portland, Oregon to attend the Interstate Shellfish Sanitation Biennial Conference scheduled for August 2nd through August 8th.** Commissioner Williams said it so important to send a local representative to this meeting. He stated the County has too much at stake not to be involved in the meeting. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2330) She then stated the Florida Association of Counties would be conducting their Annual Conference in Orlando, Florida, June 18th through June 20th. She asked the Board to allow her to attend this conference as well. Commissioner Williams said he would like to go too. Chairman Sanders reminded the Board she is a member of the Florida Association of Counties Foundation Board and needed to go. Commissioner Putnal made a **motion to pay the travel expenses for Chairman Sanders and Commissioner Williams to travel to Orlando, Florida to attend the Annual Florida**

Association of Counties Conference on June 18th through June 20th. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2367) Chairman Sanders asked what the Commissioners could do to move forward with the Carrabelle Recreational Park, but not hurt the FRDAP Grant. Mr. Pierce replied one idea would be to recognize there were two phases to the project. He said the County could inform the State the County is going to develop a portion of the property and not the other portion. He stated they are adjoining parcels of land, but they could be identified as two different projects.

(Tape 2-2393) Chairman Sanders asked Mr. Pierce what the standing on the CDBG funds. Mr. Pierce replied Deborah Roumelis, Roumelis Planning and Development, called him yesterday and left a message that she thought the projects would be approved any day now.

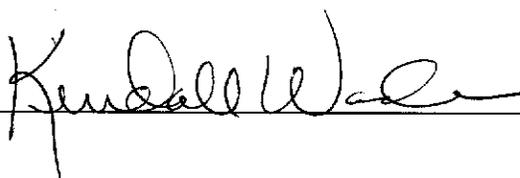
(Tape 2-2416) Ted Mosteller, Apalachicola Airport Advisory Committee, stated he needed to inform the Board, since time is of the essence, some three months ago when he started this FAA Grant he felt the County had plenty of time. He stated after speaking to a FAA representative he discovered time is quickly running out. He said there was \$150,000.00 pending; plus \$30,000.00 from FDOT, which would cost the County nothing since it was an in-kind match. He stated he just wanted the Board to know how important these matters were and to keep them in mind. He said there had been delays in the County approving the contract with URS for their engineering services at the Airport. Commissioner Mosconis said he didn't realize there had been any "lapse" on having an engineer of record for the airport projects. Mr. Mosteller said he is referring to "getting" the new engineers on board. Commissioner Mosconis asked him, "What new engineers?" Mr. Mosteller replied they weren't new the County had just re-bid the contract when it expired. Commissioner Mosconis said there was not a lapse in the contract. Mr. Shuler said he had been given the new contract to review, but he did have two concerns about the contract, both of which he mentioned to the Board this morning. Commissioner Mosconis said he would be glad to talk to Joe Smith, FDOT Aviation, about this matter. He stated he would call him and inform him of this discussion this morning. Mr. Mosteller said he felt the projects were lost already. Commissioner Mosconis asked whose fault it was. Mr. Mosteller replied it wasn't any one particular persons fault, but it was getting the contract for a consulting engineer, which FAA has required of the County since they expire after five years. Commissioner Putnal made a **motion authorizing Commissioner Mosconis to contact Joe Smith, FDOT Aviation, about this matter.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal said he knew Commissioner Mosconis could "straighten" this mess out before the next meeting. Commissioner Mosconis said he would try to get the matter resolved, however he didn't know if he could do it before the next meeting on June 3rd. He said he appreciated the Board's confidence, but he didn't know if the matter could be resolved before June 3rd. Commissioner Putnal stated he knew Commissioner Mosconis would try to have it resolved and if he couldn't he could just let the Board know at the June 3rd meeting the status of this matter.

FCBCC REGULAR MEETING-MAY 20, 2003

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



CHERYL SANDERS, CHAIRMAN



KENDALL WADE, CLERK