

**FRANKLIN COUNTY BOARD OF  
COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
JULY 19, 2005  
5:00 P.M.**

**MINUTES**

**Commissioners Present:** Cheryl Sanders – Chairman, Bevin Putnal – Vice Chairman, Russel Crofton – Commissioner, Noah Lockley – Commissioner

Absent: Jimmy Mosconis – Commissioner

**Others Present:** Marcia Johnson – County Clerk, Alan Pierce – Director of Administrative Services, Thomas Michael Shuler – County Attorney, Hubert Chipman – Superintendent of Public Works, Van Johnson – Solid Waste Director, Dewitt Polous – Mosquito Control Director, Bill Mahan – County Extension Director, Butch Baker – Emergency Management Director, Michael Morón – Board Secretary

Chairman Sanders called the Regular Meeting to order at 5:00 P.M.

There was a Prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

**Motion**

**Commissioner Putnal motioned to approve the minutes for the Emergency Meeting of 7/12/2005. Commissioner Crofton seconded and the motion carried 4-0.**

**Payment of County Bills**

**Motion**

**Commissioner Crofton motioned to approve the County Bills with the exception of the payment to G & N Contractors. Commissioner Putnal seconded and the motion carried 4-0.**

**Motion**

**Commissioner Crofton motioned to approve a payment for G & N Contractor. Commissioner Putnal seconded and the motion carried 3-0 with Commissioner Lockley abstaining (conflict of interest).**

**Department Supervisor Reports**

**Mr. Hubert Chipman** updated the Board on the Alligator Point Road and stated that there was water and electricity available on Alligator Point. Mr. Chipman also stated that most of the dirt should be picked up and most of the water pumped out on St. George Island by Wednesday.

The Board discussed the testing of water for any residents using well water. Mr. Wesley Tice, of the Health Department, offered comments pertaining to the testing of well water, and agreed to inform the public how to test and safely add chlorine to their water.

The Board inquired as to the possibility of reusing debris from damaged docks to help rebuild some to the seafood houses. Mr. Johnson, Solid Waste Director, informed the Board that once the State Contractor takes possession of any debris it cannot be recycled. Mr. Pierce and the Board discussed this issue further.

The Board expressed its concerns regarding the seafood workers inability to pay their bills, especially their utility bills. Mr. Pierce discussed this issue with the Board.

Mr. Chipman continued reviewing his report with the Board, and complimented the efforts of his employees during the cleanup project. The Board, agreeing with Mr. Chipman, also complimented his employees.

The Board, Mrs. Johnson, and Mr. Pierce discussed overtime payment for the County employees.

**Motion**

**Commissioner Lockley motioned to authorize the overtime payment for the County employees on the July 30<sup>th</sup> payroll from the Reserve Contingency Fund.  
Commissioner Putnal seconded and the motion carried 4-0.**

**Motion**

**Commissioner Putnal motioned to designate July 11<sup>th</sup> as a County Holiday.  
Commissioner Lockley seconded and the motion carried 4-0.**

The Board discussed changes to the County's Personnel Policy relating to storm days.

The Board and Mr. Pierce discussed reusing sand on St. George Island. Mr. Piece assured the Board that the sand collected on St. George Island will remain and will be reused on St. George Island.

**Dr. Tamara Marsh – Franklin County Health Council**

Dr. Marsh distributed and reviewed her report with the Board. Dr. Marsh requested approval of the following letter in support of a nursing home.

**Dear Mr. Weigard,**

**I represent the Franklin County Health Council, based in Apalachicola, Florida.  
Commissioner Sanders forwarded your information to our Council, as we are the county commission's appointed body that deals with all healthcare matters in Franklin County.**

**Upon reviewing your request, the Franklin County Health Council supports the need for a skilled nursing home facility in our county. However, we do not want to endorse any particular corporation to construct or manage such a facility without more specific information on the proposed project. We welcome you or members from the company you represent to come and discuss your vision to our Council. We typically meet monthly, and**

**you can contact me directly if you would like to schedule a time to meet with the Health Council or if you have specific questions.**

**Respectfully,  
Dr. Tamara A. Marsh  
Chair, FCHC**

**Motion**

**Commissioner Lockley motioned to approve Dr. Marsh's request to send a letter, as worded in her report. Commissioner Crofton seconded and the motion carried 4-0.**

Dr. Marsh, Mr. Pierce, and the Board discussed the current status of the ambulance service, currently provided by Emergystat. Attorney Shuler also offered information regarding Dassee and Emergystat.

**Motion**

**Commissioner Lockley motioned to direct the Health Council to look at other EMS models and report back to the Board. Commissioner Crofton seconded and the motion carried 4-0.**

**Bid Opening – Alligator Point Road Revetment**

Mr. Pierce informed the Board that the Alligator Point Road Revetment project was no longer necessary due to the damage from Hurricane Dennis.

**Motion**

**Commissioner Putnal motioned to terminate the Alligator Point Road Revetment project. Commissioner Crofton seconded and the motion carried 4-0.**

**Department Supervisor Report continued**

Mr. Dewitt Polous updated the Board on the status of mosquito control in the County.

Mr. Van Johnson reviewed his report with the Board, first discussing the Worksite Agreement National Emergency Grant.

**Motion**

**Commissioner Putnal motioned to authorize the Chairman to sign the Worksite Agreement. Commissioner Crofton seconded and the motion carried 4-0.**

Mr. Johnson then requested permission, due to the state of emergency, to hire local contractors to assist with the debris removal.

**Motion**

**Commissioner Lockley motioned to authorize Mr. Johnson to hire local contractors to assist with the debris removal, due to the state of emergency. Commissioner Putnal seconded and the motion carried 4-0.**

Mr. Johnson then informed the Board of his likely budget shortfall due to the rising cost of fuel.

Attorney Shuler informed the Board the State of Emergency was only valid for seven days. The Board, Mr. Pierce and Mr. Baker discussed this matter further.

**Motion**

**Commissioner Lockley motioned to extend the State of Emergency from Friday July 15, 2005 to Friday July 22, 2005. Commissioner Crofton seconded and the motion carried 4-0.**

**Mr. Bill Mahan** stated that Mr. Joe Shields, from the Department of Agriculture, would like an opportunity to address the Board.

Mr. Joe Shields distributed a handout and updated the Board on the status of the Bay. Mr. Shields also discussed Sunset Beach and some of the problems on St. George Island. Mr. Shields informed the Board how and under what conditions sections of the Bay would be opened, and the possibility of the Apalachicola River affecting the Bay.

The Board expressed their concerns of pumping water from St. George Island into the Gulf.

The Board directed Mr. Pierce to stop the pumping of water from St. George Island into the Gulf until the County is able to review the test results of the water from DEP.

Mr. Mahan reviewed his report with the Board discussing the DACS Oyster Bar Assessments, commercial red snapper fishing, recreational red grouper fishing, derelict or abandoned vessels. Mr. Mahan also informed the Board that he and Ms. Christie Duncan spent most of last week helping out at the EOC.

**Mrs. Marcia Johnson**, reviewed her report with the Commission, requesting permission to add security equipment and a maintenance fee, for the Courtroom Annex, to the already approved contract with Sonitrol.

**Motion**

**Commissioner Crofton motioned to approve Mrs. Johnson's request to add security equipment and a maintenance fee to the already approved contract with Sonitrol. Commissioner Lockley seconded and the motion carried 4-0.**

Mrs. Johnson reviewed some budget amendments as it relates to Mosquito Control department.

<b>INCREASE</b>	<b>001.42.581.9100</b>	<b>TRANSFER TO MOSQUITO CONTROL</b>	<b>\$20,000.00</b>
<b>DECREASE</b>	<b>001.99.584.9600</b>	<b>RESERVE FOR CONTINGENCY</b>	<b>\$20,000.00</b>
<b>INCREASE</b>	<b>142.381.000</b>	<b>BUDGET TRANSFER FROM GENERAL</b>	<b>\$20,000.00</b>
<b>INCREASE</b>	<b>142.42.562.5220</b>	<b>PESTICIDES</b>	<b>\$20,000.00</b>

**Motion**

**Commissioner Putnal motioned to approve the amendments reviewed by Mrs. Johnson as it applies to the Mosquito Control Department. Commissioner Crofton seconded and the motion carried 4-0.**

Mrs. Johnson reviewed a proposed resolution addressing budget amendments for unanticipated revenues with the Board. Mrs. Johnson read the resolution to the Board.

**WHEREAS, Franklin County is a political subdivision of the state of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and**

**WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and**

**WHEREAS, Franklin County has received unanticipated revenues in the amount of \$131,448.00 from the STATE OF FLORIDA for FEMA 1551 Hurricane Ivan and FEMA 1545 Hurricane Frances, and**

**WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2004-2005, and**

**WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and**

**WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:**

<b>140.41.541.4500</b>	<b>Insurance</b>	<b>\$ 3,000.00</b>
<b>140.41.541.5200</b>	<b>Operating Supplies</b>	<b>\$60,000.00</b>
<b>140.41.541.5300</b>	<b>Road Materials &amp; Supplies</b>	<b>\$20,000.00</b>
<b>140.41.541.5400</b>	<b>Books, Publications, Subscriptions</b>	<b>\$ 250.00</b>
<b>140.99.584.9600</b>	<b>Reserve for Contingency</b>	<b>\$48,198.00</b>

**NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$131,448.00 in the ROAD & BRIDGE FUND in order to comply with FS 129.06(2)(d).**

**Motion**

**Commissioner Putnal motioned to approve the Resolution reviewed by Mrs. Johnson addressing budget amendments for unanticipated revenues from FEMA for Hurricanes Ivan and Frances. Commissioner Crofton seconded and the motion carried 4-0.**

Mrs. Johnson informed the Board that she had distributed to each of them a copy of the Audit Report and the Budget Package. Mrs. Johnson, Mr. Pierce, and the Board discussed scheduling a budget workshop. Mr. Pierce reminded the Board that DEP will be presenting the FRDAP checks for the Carrabelle Recreation Park to the county at a ceremony on August 3 at 2:00 pm at the Tillie Miller Park in Carrabelle. The Board discussed the budget workshop schedule further.

**Motion**

**Commissioner Lockley motioned to schedule the budget workshop on August 3, 2005 from 9am – 12noon and from 5pm – until. Commissioner Crofton seconded and the motion carried 4-0.**

The Board discussed joining the National Association of Counties (NACo) and the benefits of pharmacy discounts.

**Motion**

**Commissioner Lockley motioned to authorize the County to join NACo and pay the membership fee out of Reserve Contingency. Commissioner Crofton seconded and the motion carried 4-0.**

**Public Hearings – Land Use Changes**

The Board opened the Public Hearings for land use changes and Mr. Pierce updated the Board on all of the parcels requesting land use changes.

Parcel 1 – The Chairman opened the floor for public comments. There were no public comments heard.

**Motion**

**Commissioner Crofton motioned to approve the land use change for Parcel 1 (Lots 11, 12, 13, 14, 15, and 16, Block 8, Unit One West, St. George Island, Franklin County, Florida) be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Commissioner Lockley seconded and the motion carried 4-0.**

Parcel 2 – The Chairman opened the floor for public comments. There were no public comments heard.

**Motion**

**Commissioner Crofton motioned to approve the land use change for Parcel 2 (Lots 27, 28, 29 and 30, Block 4, Unit One West, St. George Island, Franklin County, Florida) be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Commissioner Lockley seconded and the motion carried 4-0.**

Parcel 3 – The Chairman opened the floor for public comments. Ms. Elaine Feehan, of St. George Island, expressed her concerns of sewer and parking to the Board. Mr. Pierce responded.

**Motion**

**Commissioner Crofton motioned to approve the land use change for Parcel 3 (Lots 3 and 4, Block 5, Unit One West, St. George Island, Franklin County, Florida) be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Commercial Lockley seconded and the motion carried 4-0.**

Parcel 4 – The Chairman opened the floor for public comments. There were no public comments heard.

**Motion**

**Commissioner Crofton motioned to approve the land use change for Parcel 4 (Lots 10 and 11, Block 4, Unit One West, St. George Island, Franklin County, Florida) be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Commissioner Lockley seconded and the motion carried 4-0.**

Parcel 5 – The Board asked Mr. Pierce if the owners of any of the properties asking for the land use change was present at the meeting. Mr. Pierce responded. The Chairman opened the floor for public comment. Mrs. Donna Butterfield, of St. George Island, asked for the owner of Parcel

5 to identify himself, if present. Mr. George Mahr identified himself as the owner of Parcel 5. Mrs. Butterfield then expressed her concerns regarding the land use changes. Mr. George Mahr addressed the Board regarding the requested the land use change. Mr. Pierce and the Board commented on this issue.

**Motion**

**Commissioner Crofton motioned to approve the land use change for Parcel 5 (Lots 1, 2, 5, 27, 28, 29, 30, 31, and 32, Block 5, Unit One West, St. George Island, Franklin County, Florida) be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Commissioner Lockley seconded and the motion carried 4-0.**

Parcel 6 – The Chairman opened the floor for public comment. Mrs. Donna Butterfield, of St. George Island, asked for the owner of Parcel 6 to identify himself, if present. Mr. Pierce informed the Board that Mr. Bob Herron is the owner of Parcel 6.

**Motion**

**Commissioner Crofton motioned to approve the land use change for Parcel 6 (Lots 12, 13, 14, 15, 16, 17, and 18, Block 4, Unit One West, St. George Island, Franklin County, Florida) be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Commissioner Lockley seconded and the motion carried 4-0.**

Parcel 7 – The Chairman opened the floor for public comment. There were no public comments heard.

**Motion**

**Commissioner Crofton motioned to approve the land use change for Parcel 7 (Lots 8 and 9, Block 3, Unit One East, St. George Island, Franklin County, Florida) be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential. Commissioner Lockley seconded and the motion carried 4-0.**

The Board closed the Public Hearings.

**Approval of Consent Agenda**

The Board of Adjustment convened. Mr. Dan Garlick updated the Board on the only item on the Consent Agenda. The Board of Adjustment adjourned.

**Motion**

**Commissioner Putnal motioned to approve the Consent Agenda. Commissioner Crofton seconded and the motion carried 4-0.**

**Department Supervisor Report continued**

**Mr. Butch Baker** thanked the Board for all of the help from all departments within the County at the Emergency Operation Center during and after the Hurricane. The Board recommended issuing Certificates of Appreciation to everyone that helped in any manner during and after the storm.

**Motion**

**Commissioner Putnal motioned to have Mr. Pierce send letters of thanks to Government Officials such as the Governor, Representative Kendricks, Senator Lawson, etc. Commissioner Crofton seconded and the motion carried 4-0.**

Mr. Baker continued his report and discussed utility payment assistance. He also informed the Board that the County did not qualify for the Emergency Food Stamp Program but the Department of Children and Families did have a New Food Stamp Program in the County. Mr. Baker informed the Board that the presentation of the Storm Ready Certification would be rescheduled to a later date based on the availability of the National Weather Service.

**Mr. Alan Pierce**, discussing the first item on his report, informed the Board that Commissioner Lockley did provide some information regarding the requirements for a County Fire Marshal and he will be consulting with Mr. Shuler on this issue and we will report on it soon.

Mr. Pierce informed the Board that action was needed on whether to keep its membership in Opportunity Florida. Dues are based upon population and for next year the fee is \$1,009.20.

**Motion**

**Commissioner Putnal motioned to renew the County's membership, for \$1,009.20, with Opportunity Florida. Commissioner Lockley seconded and the motion carried 4-0.**

Mr. Pierce stated that while the Board has not yet held its first budget workshop, the Finance Office is under state requirements to provide a notice of tax millage to the Property Assessor's Office. After reviewing the proposed budget with Ms. Williams, the County's Finance Officer, we recommend the Board set the millage for the TRIM notice at the same millage as last year, which is 4.8684 mills. This means that the Board budget can not exceed this millage rate, but the Board can lower it. The proposed budget, as submitted, can be funded for less than 4.8684 mills, but there are some issues the Board needs to deal with before a final millage is set. They include: providing some reserves for the county matching requirements for some of the Hurricane Dennis recovery effort, determining the amount of funds the county wants to set aside for road paving, determining the amount of funds the county wants to set aside for land acquisition or capital improvements, if any, and determining amount of funds to set aside for proper ambulance/ hospital service. There may be additional issues raised by the public or the commission. The Board discussed this issue further.

**Motion**

**Commissioner Putnal motioned to set the millage for the TRIM notice at 4.8684 mills, which was the same millage as last year. Commissioner Crofton seconded and the motion carried 4-0.**

Mr. Pierce informed the Board that the County has received notification from DEP of the beach erosion control projects. The deadline for applying is Sept. 16. We will be consulting with DEP on projects and then report back to the Board on proposed projects. Clearly, one will be the continuation of the Alligator Point project, but there might be others. The Board also discussed Carrabelle Beach and St. George Island as other locations that needed beach erosion control projects.



**Motion**

**Commissioner Lockley motioned to notify DEP that Alligator Point, Carrabelle Beach and St. George Island are in need of beach erosion projects. Commissioner Crofton seconded and the motion carried 4-0.**

Mr. Pierce stated that FEMA is going to authorize emergency sand berms around houses that are vulnerable to minor storm events, and DEP is going to act as county agent and consultant on long term dune restoration around the county.

Mr. Pierce informed the Board that DOT is providing assistance in debris removal on County roads in Bald Point, starting on Thursday but approval is needed to ask Mr. Billy Buzzett, St. Joe representative, for authorization to expand the utilization of the temporary staging area provided by St. Joe at the "old parade ground" at Bay North to include the storage of demolition debris from houses destroyed on Bald Point and Alligator Point.

**Motion**

**Commissioner Putnal motioned to approve the request, as described by Mr. Pierce, asking the St. Joe Company to expand the utilization of the temporary staging area. Commissioner Crofton seconded and the motion carried 4-0.**

Mr. Pierce reported that DOT is providing technical assistance to the county on the best way to stabilize a temporary access in the area before the Alligator Point campground. The reason for the development of a temporary access is that FEMA has not provided any guidance on whether they are going to provide funds to rebuild the road in the current location. In Mr. Pierce's opinion the road needs to be relocated in order to provide better protection for the road, and more security for the residents during bad weather. (As an indication of the size of the storm surge, the granite rock revetment built in 1994 was designed by the Natural Resources Conservation District to withstand a Category 2 storm surge which is 10-12 feet. The storm surge breached the entire revetment and destroyed the entire revetment, so the storm surge was at least a Category 2. In order to build a revetment that would withstand a greater storm event, the road and revetment would have to be built higher, stronger, and have protection on both sides of the road. It is unlikely FEMA will fund such a repair project without considering other options.) The Board discussed this matter further. Mr. Ken Osborne, of Alligator Point, stated that a representative of the Alligator Point residents should be part of the decision making as it applies to Alligator Point.

Mr. Pierce, continuing his report, stated the following

- DEP is supportive of the county moving forward with the beach restoration project on Alligator Point and is going to take the lead and fund the geotechnical analysis of the sand shoal off Alligator Point. DEP plans to have that analysis done in six weeks. The intent is to re-create a public beach on Alligator Point.
- FEMA applicant briefing, also known as the kick-off meeting, will take place at the EOC on Thursday, August 21, at 2:00 pm. All affected public entities, and non-profits, should be present to receive their FEMA applicant packets.
- The Governor's Office has scheduled a public forum for tomorrow, Wednesday, July 20, in the large courtroom in the courthouse. The public forum will have representatives from other state and non-profit agencies with assistance available to disaster victims.

Gathana Parmenas, a Red Cross representative, provided some additional information regarding the public forum to the Board.

- Secretary Castille will be in Gulf County for a public meeting on Wednesday, from 9:30-10:30 am, to talk about beach recovery efforts.

### **Dan Cox – The Soundings LLC**

Mr. Dan Cox addressed the issue of a settlement with DCA over his client's comp plan proposal. Mr. Pierce explained that while the county has amended its comp plan and that amendment has been challenged by a third party, there was an earlier challenge to an earlier amendment. Mr. Cox is representing the earlier amendment, which involves land around the Yents Bayou area. Mr. Cox presented a proposed settlement for the county to consider. Mr. Shuler and Mr. Pierce recommended the County Commission agree to schedule a Public Hearing for August 30, 2005 to officially consider the settlement language. The Board discussed this issue and asked Attorney Shuler to comment on this issue. Mr. Alan Feifer, of Alligator Point, also commented on this issue. Attorney Shuler recommended approval of the settlement agreement and scheduling of a public hearing on this issue for August 30, 2005.

### **Motion**

**Commissioner Putnal motioned to approve Attorney Shuler recommendation, accepting the settlement agreement and scheduling a public hearing on August 30, 2005. Commissioner Lockley seconded and the motion carried 4-0.**

### **J. Patrick Floyd – 2 Mile Property Owners**

J. Patrick Floyd, representing the 2 mile property owners, addressed the Board requesting changes to the C1 zone regulations to allow residential on the second floor above seafood commercial on the first floor.

Mr. Ronnie Davis, a commercial seafood house owner, commented in favor of the zone changes.

Ms. Bruce Hall stated that keeping the seafood industry was vital to the community but the Board should consider other options.

Ms. Lynn Martina, a commercial seafood house owner, expressed her support for the regulation changes.

Ms. Marabeth Farmer commented on the importance of the seafood industry but was not in favor of allowing residential in the C1 zoned area.

Mr. Anthony "Smokey" Parrish, a commercial seafood house manager, told the Board that the seafood industry needed as much help as possible, but all options should be considered before making any decisions. Mr. Parrish also requested to be placed on the August 2, 2005 agenda to discuss the Waterfront Florida Committee.

Mr. Charles Wilson stated that immediate help is needed for the seafood industry.

Dolly Davis, a commercial seafood house owner, stated that the proposed changes would greatly help the local seafood owners.

Tony Philips, a guide fisherman, also expressed his support of the proposed changes.

Mr. Pierce offered some information on this issue discussing the requirement for commercial on the first floor, and the current process of a special exception which, with some changes, could be considered an option.

Attorney Shuler discussed the flood hazard and residential requirements.

The Board discussed their concerns including the possibility of the County not having any commercial or seafood commercial activity within the near future.

**Motion**

**Commissioner Putnal motioned to schedule a workshop on this issue on August 8, 2005. Commissioner Lockley seconded and the motion carried 4-0.**

**Other Business**

Mr. David Brumbaugh, of the Health Department, informed the Board that the beach advisories would be rescinded as soon as the water is found to be safe.

Mr. Ken Osborne, of Alligator Point, asked that beach advisory signs on Alligator Point be placed on a more central and visible location. Mr. Osborne also discussed repairing the sewer system.

**Department Supervisor Report continued**

Attorney Michael Shuler requested, due to the late hour, that the Board allow him to defer his report until the next regular meeting. The Board agreed.

The Board requested and Attorney Shuler provided an update on Dasse. During the discussion it was stated that Dassee owed the county rent and property taxes.

**Motion**

**Commissioner Lockley motioned to declare Dasse in default and have Attorney Shuler take the appropriate steps including notifying Dasse. Commissioner Crofton seconded and the motion carried 4-0.**

Curt Blair asked the Board to consider directing the Health Council to present options for the County's Health Care. The Board agreed and directed Attorney Shuler to make contact with the Health Council's Chairman, Dr. Marsh, and update her of the Board activities relating to Dasse. Mr. Alan Feifer inquired as to the County's Tax Base and other Budget information. Mrs. Johnson, County Clerk, provided the information.

There being no further business Chairman Sanders adjourned the Regular Meeting at 8:05 PM.

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Cheryl Sanders, Chairman

Attest:

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Marcia M. Johnson, Clerk of Courts