

**FRANKLIN COUNTY BOARD  
OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
SEPTEMBER 5, 2006  
9:00 A.M.**

**MINUTES**

**Commissioners Present:** Cheryl Sanders – Chairman, Russell Crofton – Vice Chairman, Noah Lockley, Jimmy Mosconis, and Bevin Putnal

**Staff Present:** Hubert Chipman – Superintendent of Roads, Van Johnson – Solid Waste Director, Bill Mahan – County Extension Director, Dan Rothwell – County Engineer, Dewitt Polous – Mosquito Control, Marcia Johnson – Clerk of Courts, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Morón – Board Secretary

**Call to Order**

**Chairman Sanders called the meeting to order at 9:00 AM**

**Pledge and Prayer**

**There was a prayer followed by the Pledge of Allegiance**

**Approval of Minutes**

**Special Meeting: August 28, 2006**

**Motion by Crofton, seconded by Lockley, to approve the minutes of the Special Meeting on August 28, 2006 and Budget Workshop of August 21, 2006; Motion carried 5-0.**

**Payment of County Bills**

**Motion by Lockley, seconded by Crofton, to approve payment of the County Bills as presented; Motion carried 5-0.**

**BASE Grant**

**Mr. Pierce** discussed the BASE grant.

**Motion by Putnal, second by Crofton to approve the Chairman's signature on the BASE grant; Motion carried 5-0.**

**Department Supervisor Report**

**Hubert Chipman – Superintendent of Public Works**

**Mr. Chipman** stated that his secretary would be on sick leave for a few weeks and that he also filled a vacant position. **Board** discussed damage caused by trucks on Ryan

Drive. **Board** also discussed the paving of Lake Morality Road by C W Roberts with Mr. Pierce and Mr. Chipman.

**Van Johnson – Solid Waste Director**

**Item 1 – Annual Coastal Cleanup**

**Mr. Johnson** discussed the annual Coastal Cleanup which is scheduled for September 16, 2006.

**Motion by Lockley, seconded by Crofton, to approve the use of the \$1000, collected at the Landfill from customers who deliver uncovered debris, toward the September 16, 2006, Annual Coastal Cleanup; Motion carried 5-0.**

**Motion by Crofton, seconded by Mosconis, to write a letter to the County Sheriff and FDOT to enforce penalties for uncovered trucks with debris; Motion carried 5-0.**

**Item 2 – Donation of Sick Leave**

**Mr. Johnson** requested permission to allow employees to transfer sick leave to Virginia Messer

**Motion by Lockley seconded by Crofton, to allow Solid Waste, Animal Control and Parks and Recreation Department employees to voluntarily donate sick leave to Virginia Messer; Motion carried 5-0.**

**Item 3 – Sick Leave Transfer Policy**

**Mr. Johnson** requested approval to adopt a Sick Leave Transfer Policy.

**Motion by Crofton, seconded by Putnal, requesting Lucy Turner, the County's Labor Attorney, to review this item for approval at a later meeting; Motion carried 5-0.**

**Item 4 - Kendrick Park Update & Lighting Status**

**Mr. Johnson** suggested that the Board make a decision on the lights for the park before the fence is installed to avoid additional cost to the project.

**Motion by Putnal seconded by Crofton to piggyback off the contract Musco Lighting has with the City of Jacksonville and to use the financing option with the best interest rate. Motion carried 5-0.**

**Bid Opening – Fleet Maintenance Building**

Bid 1 - Sperry and Associates - Bid Amount \$250,000

**Motion by Putnal, seconded by Lockley, to have Mr. Johnson review the bid and make a recommendation to the Board; Motion carried 5-0.**

**Bid Opening – Animal Disposal Cremation System**

Bid 1 - Crawford Industrial Group - Bid Amount \$44,000

Bid 2 - B & L Cremation Systems - Bid Amount \$30,295

**Motion by Lockley, seconded by Crofton, to have Mr. Johnson review the bids and make a recommendation to the Board; Motion carried 5-0.**

**Department Supervisor Report (Continued)**

**Bill Mahan – County Extension Director**

**Item 1 – Gulf of Mexico Fishery Management Council Updates**

**Mr. Mahan** discussed the Council decision not to take any immediate action to stem over-fishing of the red snapper in the Gulf of Mexico and announced the scheduled series of Red Snapper Individual Fishing quota Systems training workshops.

**Item 2 – High & Dry**

**Mr. Mahan** discussed a story from the July/August issue of Florida Sport fishing Magazine about the statewide problem of not having enough public boat ramps.

**Item 3 – Marine Reserve Workshop**

**Mr. Mahan** spoke about “Marine Reserves” meeting at the FSU Marine Lab on August 28<sup>th</sup> hosted by FSU and the Ocean Conservancy

**Item 4 – Clam Aquaculture Workshop**

**Mr. Mahan** informed everyone of the workshop tomorrow night from 6:30pm – 8:00pm at the FSU Marine Lab for the Alligator Harbor Clam Farmers.

**Item 5 – Board Request**

**Board** requested that Mahan research any state policy on “skimmers” and present information at the next meeting.

**Dan Rothwell – County Engineer**

**Mr. Rothwell** requested the Chairman’s signature on an Inter-local Agreement between Franklin County and Liberty County

**Motion by Putnal, seconded by Lockley, to authorize the Chairman’s Signature on the Interlocal Agreement between Franklin County and Liberty County; Motion carried 5-0.**

**Dewitt Polous – Mosquito Control**

**Item 1**

**Mr. Polous** informed the Board that he hired a new employee; requested Board approval to allow his employees to donate sick time. **Board** discussed problems areas.

**Public Hearing – Road Abandonment – Randall Scott**

**Portion of Live Oak Street in Eastpoint**

**Clayton**, Garlick Environmental Services, discussed road abandonment with the Board. Board expressed concerns of water access and was assured that this request did not affect water access. Mr. Pierce also discussed this request.

**Chairman Sanders** opened the floor for public comment; **Paul Rieglmayer** asked the Board not to abandon any of the County's roads

**Motion by Mosconis, seconded by Putnal, to have the County Engineer review this request and address it at 5:30 PM at next regular meeting on September 19, 2006; Motion carried 5-0.**

### **Department Supervisor Report (Continued)**

#### **Alan Pierce – Director of Administrative Services**

Mr. Pierce presented the following items for discussion and/or approval:

**Item 1** - Provide Board with copies of Request for Proposal for Ambulance Service that has been advertised. Action was taken based upon Emergystat's request for doubling of the current subsidy. Bay Medical has been contacted directly. Requests will be opened Sept. 19.

**Item 2** – Board action to declare an emergency and provide funds at the current fiscal year for the purchase of three cardiac monitors for the county ambulances. The equipment is necessary in order to keep the ALS ambulance status. Emergystat has solicited quotes and recommends the purchase of the low quote of Philips Heartstart MRx for \$49,995. According to the Finance Office, funds are available.

**Motion by Mosconis, second by Lockley, to declare an emergency and provide funds, during the current fiscal year, for the purchase of three cardiac monitors for the County's ambulances and the used monitors will go to the Hospital as backups; Motion carried 5-0.**

**Item 3** – Provide Board with copy of recorded Loan Agreement for second \$300,000 OTTED loan for the Hospital. The funds came in Friday. The Board has now received \$600,000 as a loan for the Hospital

### **Public Hearing – South Shoal PUD Amendment**

**Mr. Pierce** reviewed the proposed PUD amendments; intent to move farther away from the water, reconfiguring of the lots,

**Steve Watkins** representing South Shoal, discussed FEMA funds and beach re-nourishment project affecting the South Shoal project; need for SS project to move forward. Discussed affect of project on neighboring landowners; needs some type of approval from the Board so that SS project can move forward. **Attorney Shuler** expressed concerns of the substantial changes to the PUD ordinance and recommended that the Board table this item until next meeting so that more research can be done. **Steve Fling** discussed his request which was only a plat approval not the proposed ordinance, which could be approved at a later date. **Board** discussed responsibility of the road with

Mr. Fling. **Attorney Shuler** recommended that the County not maintain ownership of the 5 feet strip of road. **Chairman Sanders** opened the floor for public comment; **Ann Maruszak**, Alligator Point, asked for clarification as to which Phase I will be constructed the previously approved or the proposed amendment. **Mr. Pierce** explained why an amendment would be necessary. **Board** and **Attorney Shuler** discussed ownership of the 5 feet strip of road including the owners of the eroded property rights to the road. **Board** discussed not including what is currently owned by the County in any approval that might be given today. **Board** suggested writing a letter to South Shoal explaining the intentions of the Board regarding the project.

**Motion by Putnal, seconded by Crofton, to approve the amended plat contingent on PUD approval of Attorney Shuler; Motion carried 5-0.**

**Wesley Tice – Health Department – Resolution**

Mr. Tice requested approval of a Resolution declaring September influenza month.

**Motion by Mosconis, seconded by Crofton, to authorize the Chairman's signature on the requested resolution; Motion carried 5-0.**

**Mr. Tice** introduced Mr. Rick Miller to Board; Mr. Miller discussed the affects and statistics of influenza.

**Board** asked if the Carrabelle Health Department Building can be utilized more. **Mr. Tice** discussed this matter with the Board.

**Alan Millender – Lighthouse Road**

**Alan Millender** discussed the Board motion at a previous meeting to abandon the Lighthouse Road. **Board** discussed using Engineers to look at all the roads in the County before accepting any roads; also stated that the property owners of Lighthouse Road is only requesting maintenance not any type of paving. **Mr. Chipman** presented the Board with the cost of maintaining Lighthouse road thus far. **Mr. Pierce** discussed the present status of Lighthouse Road. **Board** discussed County assuming ownership of the discussed roads versus maintaining the roads, which is being done now. **Dan Rothwell**, County Engineer, discussed the cost of maintaining Lighthouse Road. **Attorney Shuler** stated that if the County has been maintaining this road 4 or more years by Florida Statute, the County owns the road. **Frank McKamey**, property owner, discussed the history of the ownership of the road and the attempts to get this road assumed by the County; also discussed the current cost to maintain the road. **Bruce Hall** expressed her disagreement with using tax money to maintain roads that are not owned by the County. **Linda Millender** stated that she does not want the road to be paved just maintained so that it is useable. **Paul Riegelmayr** stated that if the County is going to maintain roads then the County should own them. **Andy**, Lighthouse Road resident, stated that during the Hurricane everybody used that road so the County should assume ownership. **Herman Shoal** stated that the road is still in use by the general public so it should become a County Road.

**Motion by Crofton, seconded by Lockley, to have Paradise Road, Lighthouse Road, and West Road added to the County Map as County Roads pursuant to Chapter 95.361 of the Florida Statute, since these roads have been maintained by the County more than 4 years. Motion carried 5-0.**

**Bruce Drye – Sea Turtle Nesting**

**Mr. Drye** addressed the Board regarding further turtle nest disruptions and disorientations incidents; discussed different locations that the turtles used for hatching; and requested enforcement of lighting ordinance to protect lighting. **Attorney Shuler** and **Bruce Hall** discussed current enforcement practices of the County and STAR including current status of houses with issues. **Bruce Hall** recommended a time certain letter for houses with issues who have not complied thus far.

**Department Supervisor Report (Continued)**

**Marcia Johnson – Clerk of Courts**

Ms. Johnson presented the following items for discussion and/or approval:

Item 1 – I received paperwork whereby the Sheriff’s Department was awarded grant funding for the Narcotics Unit in the amount of \$55,563.00. The Board is listed as Subgrantee, therefore, approval is needed for the Chairman to sign the acceptance certificate.

**Motion by Putnal, seconded by Crofton, to authorize the Chairman to sign the acceptance certificate; Motion carried 5-0.**

Item 2 – The State Attorney’s Office has requested a line-item budget amendment in the current budget. A software upgrade exceeded the budgeted amount for that expense and they have requested to transfer the difference from the amount they budgeted for machinery and equipment. They request approval to increase Communication Services/Network by \$2,469.00 and to decrease Machinery and Equipment by that same amount of \$2,469.00.

**Motion by Lockley, seconded by Crofton, to approve the following requested line-item budget amendment request from the State Attorney’s Office; Motion carried 5-0.**

<b>Increase</b>	<b>120.35.602.4101</b>	<b>Communication Service/Network</b>	<b>\$2,469.00</b>
<b>Decrease</b>	<b>120.35.602.6400</b>	<b>Machinery &amp; Equipment</b>	<b>\$2469.00</b>

Item 3 – I need a motion to approve a budget amendment to adjust the Administrative Services Budget for the cost of the County Engineer for the balance of this year. This would mean increase to Regular Salaries, FICA, Retirement, Travel & Per Diem, Communication Services, Operating Supplies, Books-Publications-Memberships, and Machinery & Equipment, and a decrease from Transfer to Road and Bridge. These changes will adjust for the engineer’s salary, fringe benefits, cell phone, fuel, software, supplies, a printer, and his truck.

**Motion by Putnal, seconded by Crofton, to approve the following budget amendment to adjust the Administrative Services Budget for the County Engineer as requested by Ms. Johnson; Motion carried 5-0.**

Increase	001.21.512.1200	Regular Salaries	\$16,250.00
Increase	001.21.512.2100	FICA Taxes	\$ 1,234.00
Increase	001.21.512.2200	Retirement	\$ 2,132.00
Increase	001.21.512.4000	Travel & Per Diem	\$ 500.00
Increase	001.21.511.4100	Communication Services	\$ 500.00
Increase	001.21.512.5200	Operating Supplies	\$ 5,750.00
Increase	001.21.512.5400	Books, Supplies, Memberships	\$ 550.00
Increase	001.21.512.6400	Machinery & Equipment	\$ 3,725.00
Increase	001.21.512.6401	Machinery & Equipment (\$5,000+)	\$20,770.00
Decrease	001.41.581.9101	Transfer to Road & Bridge	\$51,420.00

Item 4 – Hospital Report – Balance in account of \$322,747.12. Had the Board not received the other \$300,000 loan amount, there may have been financial difficulties because no Medicare funding has been received due to a billing problem. Attorney Shuler discussed why the County has not received any Medicare funds as yet. Board discussed this issue.

**Motion by Lockley, seconded by Putnal, to authorize the County to send out RFP’s for management of the Hospital, if after receiving Medicare funds, Blackhawk does not commit to a management agreement to manage the Hospital; Motion carried 5-0.**

Item 5 – I need approval for the Chairman’s signature on a “sharing of information authorization” form whereby we can get 12 hours of consultation with lawyers through the Florida Association of Counties Trust at no cost.

**Motion by Lockley, seconded by Crofton, to authorize the Chairman’s signature on the “sharing of information authorization” as requested by Ms. Johnson; Motion carried 5-0.**

**Alan Pierce – Director of Administrative Services (continued)**

Item 4 - Inform Board that DEP is hosting a public forum regarding hunting on Little St. George Island on Thursday, Sept. 21, at 6:00 pm, at the Apalachicola City Hall/Community Center.

Item 5 - Inform Board that FWC investigated the aquatic weed problem at the Pine Log Boat Ramp on CR 67. The weeds had dissipated so no chemical were sprayed. FWC reminds the Board and the public that DEP is the agency which controls aquatic

vegetation. Mr. Jess Van Dyke, 850-245-2809, is the contact for future weed control issues.

Commissioner Sanders corrected some of the information discussed on this item.

Item 6 - Inform Board that FWC has responded to the Bear letter sent earlier. FWC is offering to meet with concerned officials about efforts being taken to control the bear population.

Item 7 - Inform Board that I have spoken with DOT regarding the relocation of the Little St. George Lighthouse at the northern end of Franklin Blvd. on St. George Island. While DOT is not willing to permit the structure in their right-of-way, they are willing to deed Franklin Blvd. back to the county so that the issue becomes our concern. There is no action needed at this time because the written confirmation from DOT has not arrived, and the Lighthouse group has not yet settled on a final location.

Item 8 - Board action with Progress Energy to approve a Lighting Service Contract to erect a spotlight on an existing power pole that will light the Courthouse flag pole at night.

**Motion by Putnal, seconded by Crofton, to approve the Lighting Service Contract as requested by Mr. Pierce; Motion carried 5-0.**

Item 9 - Board action to approve the St. George Island Merchants Association to use the St. George Island County Park on October 6, 7, and 8 for the Oyster Spat Festival. The Association will carry event insurance, and they will not sell alcoholic beverages on county property.

**Motion by Putnal, seconded by Lockley, to authorize the St. George Island Merchant Association to use the St. George Island County Park on October 6-8 for the Oyster Spat Festival; Motion carried 4-0.**

Item 10 - Inform Board that Mediacom is notifying its customers that it is changing the Mediacom channel line up. This will be effective around Oct. 11.

Board discussed Helen Sphorer contract to manage public access station. Attorney Shuler informed the Board that the required insurance is in place and the contract will be presented at the next meeting for Board approval.

Item 11 - Provide Board with copy of FAA agreement that was submitted timely to the FAA. This was regarding funding for the rehabilitation of Runway 13/31.

Item 12 - Board action to request a JPA (Joint Participation Agreement) from DOT for \$121,000 stormwater evaluation and repair at the airport. Mr. Mosteller says this is 100% funded by FAA.

**Motion by Mosconis, seconded by Crofton, to authorize the JPA from DOT for \$121,000.00 for the airport as requested by Mr. Pierce; Motion carried 5-0.**



Item 13 - Board action to request JPA (Joint Participation Agreement) from DOT for \$180,000 to purchase maintenance equipment for airport hangers and lights. Example of equipment to be purchased is a hi-lift platform for replacing lights. Mr. Mosteller says this is 100% funded by FAA.

**Motion by Mosconis, seconded by Crofton, to authorize the JPA from DOT for \$180,000 for the airport as requested by Mr. Pierce; Motion carried 5-0.**

Item 14 - Inform Board that Mr. Billy Granger has submitted his resignation from the Board of Adjustment. Mr. Granger lives in Commissioner Putnal's district. The Board of Adjustment is supposed to serve as an advisory board to the county commission. Mr. Shuler and the county planning department serve as staff to the BOA. Recently the length of time of the meetings has become a burden to some members. I recommend that you direct Mr. Shuler and me to see if we can assist the BOA in streamlining their meetings so that the public can be served yet the members not be burdened by their volunteer duty.

**Motion by Mosconis, seconded by Lockley, directing Mr. Pierce and Attorney Shuler to assist in streamlining the Advisory Board of Adjustment process, reducing the length of the meetings; Motion carried 5-0.**

Item 15 - Board action for the Chairman to sign the DEP application for beach renourishment on Alligator Point. The application and design are for the full 2.9 miles of beach. The consultant, GSG, is working on the feasibility study. It is possible that the county will not construct the full beach renourishment but it is better to apply for the full project, and then shorten it if funds are not available. At this time the full project cost has risen so that the estimated cost for 2.9 miles of beach is 8.5 million dollars. The state will pay a share of that, and the state has their share available. The county will pay at least 50%, and perhaps slightly more if the project does not meet the state guidelines for public access. The feasibility study should be done by the end of Sept., the DEP/COE permit will take several months to obtain, and there is a public notice and comment that must be completed.

Board discussed funding for this project. Dick Waters commented on funding for this project. Attorney Shuler and Mr. Pierce discussed property owners notification of the feasibility study.

**Motion by Putnal, seconded by Crofton, to authorize the Chairman to sign the DEP application for beach renourishment on Alligator point; Motion carried 5-0.**

Item 16 - The Planning Office has received requests from two individuals for the Board regarding two different unique problems.

Problem #1: Mr. Jeff Hewett is the owner of three lots of record in Eastpoint. Some time ago, perhaps 20 years ago, the county paved a road, Barber Drive in Eastpoint, and carried the road across Mr. Hewett's property so that it would tie into Shuler St. Mr. Hewett's father, who owned the property at the time did not complain, but

Mr. Hewett is now aware that because of the road he has lost complete use of two of the lots. Mr. Hewett is asking the Board to consider abandoning the east end of Barber Drive. Board direction.

Board discussed this matter and directed staff to investigate and report back at a later date.

Problem #2: Unrecorded McKissack Beach has a section of lots that were further subdivided into smaller sections a number of years ago. An agent for the owner of some of the lots is trying to create three lots of equal size out of one full lot, two partial lots, and an unplatted and undedicated street end still owned by McKissack properties. Board direction. Possible action would be to direct the County Attorney to investigate.

**Motion by Putnal, seconded by Crofton, to direct Attorney Shuler to investigate this matter and report back to the Board; Motion carried 5-0.**

Item 17 - Regarding an ongoing zoning dispute in Eastpoint. The Board had directed the County Attorney to initiate legal action against Mr. White for violating the zoning. Mr. White met with me last Thursday and has offered to trade his property, which is two full lots, to the county, for county property somewhere else, so that he would move out of the residential area. I thanked him for his offer, as it could lead to a solution without the cost of going to court. I recommend the Board direct Mr. Shuler and myself to evaluate some options for the county and to come back at the next meeting with our recommendations. Letter Mr. Shuler wrote on subject is attached.

Motion by Mosconis, seconded by Lockley, to direct Mr. Pierce and Attorney Shuler to research this matter and report back to the Board with options; Motion carried 5-0.

Rex Phipps, neighboring property owner, commented on this issue expressing concerns of the vermin and removal of debris.

Item 18 - Board asked about F.A.C. insurance program.  
Mr. Pierce discussed this matter with the Board.

Item 19 - Bruce Hall stated that the property owner of 1148 West Gorrie Drive on St. George Island was in violation of the turtle ordinance and asked for enforcement of the ordinance.

**T. Michael Shuler – County Attorney**

Attorney Shuler had no items to report.

**Commissioners' & Public Comments**

Commissioner Crofton inquired about the forfeitures from drug busts by the Sheriff's Department and asked if these funds should be in an account controlled by the Board. Attorney Shuler explained the legal procedure for use of forfeiture funds including the need for the Sheriff to request from the Board, the use of funds in this account.

**Motion by Crofton, second by Mosconis, to have the forfeiture fund set up as requested by law, and directed Attorney Shuler send a letter to the Sheriff informing him of the Board's request; Motion carried 5-0.**

Board discussed using a zero based budget for the 2007-2008 budget and creating a budget committee to oversee the budget process.

**Motion by Crofton, seconded by Mosconis, to use a zero based budget procedure for the 2007-2008 Budget; Motion carried 5-0.**

Mary Lou Short asked the Board to consider a citizens committee to review the budget and she also asked the Board to consider changing the budget process because it is currently too divisive. Board discussed this issue.

**Commissioner Mosconis left the meeting at 12:17 pm.**

Board further discussed forming a budget committee to alleviate some of the problems during the Budget hearings.

Commissioner Lockley recommended the Commissioners going as a group to Tallahassee to discuss some of the problems such as taxes. Commissioner Sanders discussed State programs that the County does not qualify for because of our low millage rate. Mr. Pierce also commented on this issue. Commissioner Sanders suggested the Commission and the Property Appraiser approach the Dept of Revenue about the property values.

Commissioner Crofton discussed a call from a citizen to have Eastpoint cleanup its waterfront like Apalachicola and Carrabelle. Commissioner Crofton suggested asking property owners on the waterfront to cleanup their property.

**Motion by Crofton, seconded by Putnal, directing staff to send letters to waterfront property owners in Eastpoint that need cleanup, asking them to clean up their property; Motion carried 4-0.**

Bill Ellis discussed Army Corp of Engineers letter to property owner Delores Roux regarding filling of wetlands, and asked that no other building permits be issued until this issue is resolved. Board discussed this issue.

Commissioner Sanders informed Board that speed limit has been raised between Eastpoint and Carrabelle to 55 mph until the DOT project is started.

Commissioner Sanders also updated the Board of Mega Site meeting she attended recently.

### **Adjourn**

Chairman Sanders adjourned the Regular Meeting at 12:38 PM.

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Cheryl Sanders, Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Court