

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
SEPTEMBER 20, 2005  
5:00 PM**

**MINUTES**

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

**Staff Present:** Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services

**Call to Order**

Chairman Sanders called the meeting to order at 5:00 PM.

**Pledge and Prayer**

There was a Prayer followed by the Pledge of Allegiance.

Chairman Sanders recognized the newly elected Mayor of Carrabelle, Mel Kelly.

**Approval of Minutes**

**Motion by Putnal, seconded by Crofton, to approve the minutes for the 1<sup>st</sup> Budget Public Hearing on September 12, 2005; Motion carried 5-0.**

**Payment of County Bills**

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

**Public Hearing – Ordinance – Amend the Hotel/Motel Definition**

Mr. Pierce stated that Planning and Zoning asked the Board to delay considering this ordinance until additional public hearings are held and a better definition can be presented for consideration. Attorney Shuler supported the Planning and Zoning request. Board expressed concerns for applicants that might be waiting for this Ordinance to be considered and adopted. Chairman Sanders opened the floor for public comments; there were no comments from the floor.

**Motion by Putnal, seconded by Crofton, to delay consideration of this ordinance allowing Planning and Zoning time to have additional public hearings and present a better definition for adoption; Motion carried 5-0.**

**Public Hearing – Ordinance – Interim Development Control**

**1<sup>st</sup> Public Hearing**

Attorney Shuler discussed the proposed Ordinance. There was Board discussion regarding the unexpected growth in the County.

Chairman Sanders opened the floor for public comment.

Mr. Pierce discussed code enforcement of County restrictions on developments like Hotels and Motels.

Gail Riegelmayr spoke in favor of the Ordinance.

**Planning & Zoning Report**

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

**CRITICAL SHORELINE APPLICATIONS:**

Item 1- Approved by Planning and Zoning (unanimous vote) Consideration of a request to construct a Single Family Residential Dock and boat ramp on Lot 4, New River Harbor, Carrabelle, Franklin County, Florida. This application meets all local and state requirements. Request submitted by GEA, Inc, agent for Tamara Ramsey, applicant.

Item 2- Approved by Planning and Zoning (unanimous vote) Consideration of a request to construct a Single Family Pier at 1693 US Hwy 98, Carrabelle, Franklin County, Florida. This application meets all local and state requirements. Request submitted by GEA, Inc, agent for Coastal View Development, LLC, applicant.

**Motion by Putnal, seconded by Crofton, to approve Items 1 & 2; Motion carried 5-0.**

**RE-ZONINGS:**

Item 3- Approved by Planning and Zoning (unanimous vote) Consideration of a request to re-zone Lots 1 & 2, Block 4, Unit 1 East, St., George Island, Franklin County, Florida from C-2 Commercial Business to C-4 Commercial Mixed Use. Request submitted by GEA, Inc, agent for Shamshad Sanallah, applicant.

**Motion by Mosconis, seconded by Crofton, to approve Item 3; Motion carried 5-0.**

**SKETCH PLAT APPROVAL:**

Item 4- Approved by Planning and Zoning (unanimous vote) Consideration of a request for Sketch Plat approval of a 4 lot subdivision named "Island Breeze" on a 4.31 acre parcel lying in Section 21 & 28, Township 8 South, Range 6 West, Eastpoint, Franklin County, Florida Request submitted by GEA, Inc, agent for Steve Lowe, applicant.

**Motion by Putnal, seconded by Crofton, to approve Item 4; Motion carried 5-0.**

FINAL PLAT APPROVAL:

Item 5- Approved by Planning and Zoning (unanimous vote) Consideration of a request for Final Plat approval of "Red Fish Run" a 4 lot subdivision (adding one extra lot) parcel lying in Section 21 & 28, Township 8 South, Range 6 West, Eastpoint, Franklin County, Florida. Request submitted by R.T. Spohrer, owner.

**Motion by Lockley, seconded by Putnal, to approve Item 5; Motion carried 5-0.**

**Advisory Board of Adjustment Report**

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

Item 1- Approved by Advisory Board of Adjustment – A request for a variance to construct a rip rap revetment within the Critical Habitat Zone at 578 River Road, Carrabelle, as requested by Garlick Environmental Associates Inc., agent for William Lawlor, owner.

**Motion by Putnal, seconded by Crofton, to approve Item 1; Motion carried 5-0.**

Item 2 – Approved by Advisory Board of Adjustment - A request for a special exception to cluster three lots on a 3.32 acre parcel north of Apalachicola on Bluff Road, as requested by Garlick Environmental Associates Inc., agent for John Bone, owner.

**Motion by Mosconis, seconded by Lockley, to approve Item 2; Motion carried 5-0.**

Item 3 – Approved by Advisory Board of Adjustment - A request for a special exception to cluster 14 lots on 15 .17 acres on Bay City Road, north of Apalachicola as requested by Garlick Environmental Associates Inc., agent for Betty Walker, owner.

**Motion by Mosconis, seconded by Lockley, to approve Item 3; Motion carried 5-0.**

Item 4 – Denied by Advisory Board of Adjustment - A request for a variance to create a lot with 95 feet wide on property described as Lot 10, Driftwood Subdivision as requested by Nick Saporito, agent for Joseph and Linda Celollo, owners.

**Motion by Crofton, seconded by Mosconis, to deny Item 4; Motion carried 5-0.**

Item 5 – Approved by Advisory Board of Adjustment - A request for a variance to construct a vertical seawall with rip rap on Lot 11, Block 54, Unit 5, St. George Island, as requested by Charles E. Johnson owner

**Motion by Crofton, seconded by Lockley, to approve Item 5; Motion carried 5-0.**

### **Department Supervisor Report**

#### **Hubert Chipman – Superintendent of Public Works**

Mr. Chipman had no items to report.

Board discussed controlling speeding motorists at the Ridge Road, Twin Lakes Road, and Otter Slide Road; Board asked Mr. Chipman to investigate this matter and ask the County Sheriff to assist with enforcing the speed limit. There was discussion regarding the same type of problem on Brownsville Road.

#### **Van Johnson – Solid Waste Director**

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

Item 1 – Ineligible Debris Removal

**Motion by Mosconis, seconded by Lockley, to have County crews remove all of the debris during normal working hours that was not removed by the Contractor and is not FEMA reimbursable; Motion carried 5-0.**

Item 2 – Carrabelle Park Update

Item 3 – Letter from the City of Carrabelle Concerning the new Carrabelle Recreation Park Discussion

Item 4 – October Outrage Professional Wrestling at the Armory Information

### **Public Hearing – Land Use Changes**

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

Parcel 1 – Lots 8, 9, 10, and 11, Block 3, Unit One West, St. George Island, Franklin County, Florida, be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential.

Chairman Sanders opened the floor for public comment.

Tom Adams, of St. George Island, expressed his concerns regarding this request.

Sarah Rodriguez, owner of the property, stated why she was asking for this request.

Paul Riegelmayr, of St. George Island, expressed concerns he had regarding this request.

**Motion by Mosconis, seconded by Lockley, to approve the request for Parcel 1; Motion failed 2 -3, Sanders, Putnal, Crofton voted nay.**

Pauline Sullivan, of Lanark Village, suggested using the Comprehensive Plan to assist future property buyers.

Sarah Rodriguez further explained her intended use for the lots that she wanted rezoned.

**Motion by Crofton, seconded by Putnal, to rescind the previous motion that failed; Motion carried 5-0.**

**Motion by Crofton, seconded by Mosconis, to approve the rezoning request for Parcel 1; Motion carried 5-0.**

Parcel 2 – Lots 20, 21, 22, 23, 24, 25, and 26, Block 4, Unit One West, St. George Island, Franklin County, Florida be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential.

Chairman Sanders opened the floor for public comment.

Gail Riegelmayr, of St. George Island, asked the Board to keep the lots zoned commercial to help preserve the business community.

Sarah Rodriquez, the property owner, stated that it was unfair for the Board to overturn the Planning and Zoning recommendation to approve the request.

Tom Adams, of St. George Island, stated he is concerned about applicants that ask for mixed use but only do residential.

Board discussed the proposed C-5 zoning.

**Motion by Mosconis, seconded by Lockley, to approve the rezoning request for Parcel 2; Motion carried 4-1, Crofton voted nay.**

Parcel 3 – Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 8 Unit One East, St. George Island, Franklin County Florida be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential.

Chairman Sanders opened the floor for public comment; there were no comments from the floor.

**Motion by Lockley, seconded by Mosconis, to approve the rezoning request for Parcel 3; Motion carried 4-1, Crofton voted nay.**

Parcel 4 – Lots 1 and 2, Block 4, Unit One West, St. George Island, Franklin County, Florida be rezoned from C-2 Commercial Business to C-4 Mixed Use Residential.

Chairman Sanders opened the floor for public comment; there were no comments from the floor.

**Motion by Lockley, seconded by Crofton, to approve the rezoning request for Parcel 4; Motion carried 5-0.**

Attorney Shuler recommended amending the current C-4 zoning regulations and grandfather existing use currently in that area. Board discussed Attorney Shuler's recommendation including possibly using 2 lots for residential use and enforcing commercial use in a mixed use zoned area.

**Motion by Putnal, seconded by Crofton, to direct Attorney Shuler to work with the Planning office and present recommendations to amend the current C-4 zoning regulations at a future meeting; Motion carried 5-0.**

Sarah Rodriquez recommended that the County create a C-5 district on St. George Island with special parking provisions. The Board discussed this recommendation.

**Marcia M. Johnson – Clerk of Courts**

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

Item 1 – Removal of Obsolete Property from inventory

**Motion by Mosconis, seconded by Lockley, to authorize the removal of property, as listed, from the County’s inventory; Motion carried 5-0.**

Item 2 – Budget Amendment for Hurricane Dennis Debris Cleanup

**Motion by Putnal, seconded by Lockley, to approve a budget amendment of \$5,569.46 from Reserve for Contingency to pay for overtime that was incurred during the cleanup from Hurricane Dennis by the Solid Waste and Parks and Recreation Departments; Motion carried 5-0.**

Item 3 – Resolution – Unanticipated Revenues – Division of Elections

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

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 \$31,607.63 from the STATE OF FLORIDA, DIVISION OF ELECTIONS for VOTING SYSTEMS ASSISTANCE GRANT, and

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

WHEREAS, F S 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:

001.24.519.6401	SOE MACHINERY & EQUTPMENT	\$31,607.63
-----------------	---------------------------	-------------

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$31,607.63 in the GENERAL REVENUE FUND in order to comply with FL 129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 20<sup>th</sup> day of SEPTEMBER 2005.

**Motion by Mosconis, seconded by Crofton, to approve the Resolution for unanticipated revenues from the Division of Elections; Motion carried.**

Item 4 – Resolution – Unanticipated Funds – Department of Transportation

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

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 \$28,120.00 from the STATE OF FLORIDA, DEPT. OF TRANSPORTATION for ST GEORGE ISLAND MULTI USE PATH GRANT (PHASE III) , 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:

001.20.51 1.3 103	Engineering Services	\$28,120.00
-------------------	----------------------	-------------

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$28,120.00 in the GENERAL REVENUE FUND in order to comply with FL 129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 20<sup>th</sup> day of SEPTEMBER 2005

**Motion by Lockley, seconded by Crofton, to approve the Resolution for unanticipated revenues from the Department of Transportation; Motion carried 5-0.**

**Item 5 – Resolution – Unanticipated Revenues – FDLE Grant**

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

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 \$24,672.00 from the STATE OF FLORIDA for FDLE GRANT #05-CJ-L2-02-29-01-130, 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:

001.20.51 1.6401	Machinery & Equipment	\$24,672.00
------------------	-----------------------	-------------

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$24,672.00 in the GENERAL REVENUE FUND in order to comply with FL 129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 20<sup>th</sup> day of SEPTEMBER 2005.

**Motion by Lockley, seconded by Crofton, to approve the Resolution for unanticipated revenues from FDLE; Motion carried 5-0.**

**Item 6 – Resolution – Unanticipated Revenues – US Department of Transportation**

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**



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 \$1 13,475.00 from the U.S. DEPT. OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, for Airport Grant No. 3- 12-000 1-00 1-2004 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:

1 70.74.540.6300	Improvements Other than Buildings	\$113,475.00
------------------	-----------------------------------	--------------

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$1 13,475.00 in the AIRPORT FUND in order to comply with FL 129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 20<sup>th</sup> day of SEPTEMBER 2005.

**Motion by Mosconis, seconded by Crofton, to approve the Resolution for unanticipated revenues from the US Department of Transportation; Motion carried 5-0.**

Item 7 – Library Grant

**Motion by Putnal, seconded by Lockley, to authorize the Chairman’s signature on the FY 2005-2006 State Aid to Libraries Grant Application; Motion carried 5-0.**

Item 8 – Domestic Violence Awareness Month Proclamation

**Motion by Lockley, seconded by Crofton, to authorize the Chairman’s signature on the Domestic Violence Awareness Month Proclamation; Motion carried 5-0.**

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

Dr. Marsh stated that the Health Council is excited with the way this County Commission is gradually steering Franklin County towards better health care, rather than accepting the status

quo. And let me congratulate the commission on budgeting for better healthcare this year. Services such as Healthcare are crucial to the citizens. This is not "fat" in the budget; it is a necessity.

Dr. Marsh gave the following updates:

1. Ambulance - We have been working closely with Alan Pierce to first develop the wording of the ambulance RFP and now to disperse it to different entities. Most of the Council members will be present on Oct 4<sup>th</sup> when the bids are opened to help the commission with that review. In the meantime, we continue to gather comparison stats from other county run models, in the event we are not satisfied with the bids received and want to work towards a county managed model.
2. Travel - We do want to use some of the travel funds to plan our next meeting at the hospital in Perry, Florida, which is a successful county-run facility. We will have a tour of the facility, have question time with the CEO, Richard Brown, and then conduct our usual business in one of the conference rooms. Do we have commission approval to use some of the expenditures for this trip? Is there a county vehicle available for our use?
3. PT Employee - We are working on the wording to advertise for our part time position. We are listing grant experience as a top priority, hoping that this person may be able to completely offset their salary. We already have interested persons inquiring about the position.
4. Feasibility Study - Lastly, I wanted to talk about a specific proposal with you regarding the local hospital and the "whole picture" of our current health delivery system. When we talked to both TMH and Bay Med they hesitate getting involved in the current situation. In other words they are not going to come into the county and the current building and "just fix things." We need some statistics and a general plan in order to have serious discussions with larger entities. The smaller entities that have contacted us (with the exception of one) would expect us to pay them for managing the hospital, and would also require the county compensate them for losses due to indigent care costs and non-payments.

We learned of a successful company that perform feasibility studies and specializes in rural health and critical access care hospitals. The head of this company is Dave Berk, whom the Council has had discussions with. He came highly recommended through TMH, in that he has conducted studies for them. Currently, Mr. Berk is conducting the same study in Blountstown. I spoke with the County Attorney there, David House and he could not say enough good things about the work done in their county by Mr. Berk. To complete Phase 1 his fee is \$3500 plus any out-of-pocket expenses. In Blountstown, he has completed Phase 1 and those fees added up to \$4500. They are contracting with him for a Phase 2 right now. I highly recommend we contract with him to begin to sort out the financial picture of our current health delivery system.

**Motion by Lockley, seconded by Crofton, to authorize the Health Committee to enter into an agreement to have a feasibility study done on health care; Motion carried 5-0.**

We have contacted the Office of Rural Health, Bob Pinell, for funding, but were told that Franklin County's funds went to the Health Department for the Needs Assessment. But Wes Tice said that was not the case, so we intend to keep "bugging them." I am also going after a Community Service Rotary Grant. Our District Governor, John Tice of Pensacola, said that this project would qualify. Keep in mind, the whole district can go after these funds, so we would have to be awarded the grant from all the applications.

Basically, we need to get started because it is a long process, and would like to know if you would go ahead and fund this through the contingency budget, and if we are lucky enough to be awarded a grant, we could reimburse the contingency fund at a later date.

**Attorney Richard Powers & Branch Mahaffey – Deer Run Estates**

Mr. Branch Mahaffey discussed some information that he distributed and asked for permission to divide a parcel that would allow him to sell the portion with the house and use the other portion for a boat storage shed.

This request was denied by Planning and Zoning.

Bob Marlar, of Lanark Village, discussed the availability of water and sewer as it applied to this property.

Attorney Shuler stated that he could not comment on this matter due to a conflict.

**Motion by Mosconis, seconded by Lockley, to table this item until Attorney Shuler can recommend legal counsel that would offer an opinion to the Board; Motion carried 5-0.**

**Bruce Ballister – Apalachee Regional Planning Council (ARPC)**

Mr. Ballister discussed the new agreement between the ARPC and Florida Department of Transportation. Mr. Ballister stated that input is needed from the rural counties such as Franklin County to help create a work plan for road repair projects.

Board offered some suggestions and discussed funding for these projects.

**Department Supervisor Report (Continued)**

**Alan Pierce – Director of Administrative Services**

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

Item 4 - Mr. Bruce Drye would like to make a report about sea turtles activity on St. George Island.

Mr. Drye stated that even though the light Ordinance is in effect, there are houses that are using lights that are disorienting the turtles.

Mr. Pierce and the Board discussed enforcement of the Ordinance.

Ms. Bruce Hall commented on this issue and discussed available options for the residents affected by the light ordinance.

Item 1 - Provide Board with copy of fully signed and executed lease agreement between FWC and Franklin County for Bluff Road Boat Ramp. Now we are waiting for the DEP permit.

Item 2 - Commissioner Lockley traveled to Tallahassee Monday for Congressman Boyd's regional health care meeting. Dr. Pierce, and David Brumbaugh, Franklin County Health Dept., went with Commissioner Lockley. Congressman Boyd was at the meeting as well as representatives from his other counties. Essentially, the meeting was organizational in nature, with a second meeting planned for January. At that time, the county needs to develop a list of health care requests it would like to seek funding for as the Congressman said some funds are available.

Item 3 - Provide Board copy of DCA audit letter on the CDBG program which funded the Twin Lakes Road and the Lanark Village drainage project. No action needed.

Item 5 - Board approval for the St. George Island Lighthouse Association to use the grassed area in front of the county bathrooms on St. George Island for a fund raiser on Saturday, Nov. 12 from 8:00 PM to 11:00 PM. The Association is going to have a concert and sell tickets. The grassed area will be fenced off with temporary fencing. They will be selling beer and wine but in accordance to county policy they will sell the alcohol from a private lot. They will also provide event insurance pursuant to county policy. They will clean the area up and have the temporary fence removed by noon on Nov. 13<sup>th</sup>. Board action.

**Motion by Crofton, seconded by Mosconis, authorizing the St. George Island Lighthouse Association to use the grassed area in front of the County bathrooms for a fundraiser on Saturday, November 12, from 8:00 pm to 11:00 pm; Motion carried 5-0.**

Item 6 - Provide Board with copy of letter signed by the Chairman thanking the Division of Forestry for their work on maintaining the by-pass after Hurricane Dennis.

Item 7 - Provide Board with copy of fully executed Agreement with Progress Energy for using the Airport as a staging area in the event of disasters.

Item 8 - Board approval for Alan Pierce, Mark Curenton, and Rachel Ward to donate 7 hours of sick leave each to Chris Giametta who went to assist his elderly father in Biloxi after Hurricane Katrina.

**Motion by Mosconis, seconded by Crofton, to allow Alan Pierce, Mark Curenton, and Rachel Ward to donate 7 hours of sick leave to Chris Giametta; Motion carried 5-0.**

Item 9 - Inform Board that Mr. William Key has submitted to the Chairman of the Planning and Zoning Commission his resignation. He is unable to regularly fulfill his duties as a Commission member. He lives in Commissioner Lockley's district.

Item 10 - Inform Board that representatives of the county work force met to discuss changes to the county's health insurance coverage. In attendance were: Gary Barber-Insurance agent, and

the following county representatives: Ruth Williams, Alan Pierce, Doris Pendleton, Doris Gibbs, Rita Millender, Nikki Barrack, Virginia Messer. The renewal premium for the current BCBS Bluechoice Plan is \$419.32 per employee. The County was offered a plan called Blue Options Advantage Plan for \$358.52 per employee. The committee recommends the Board change to the Blue Options Advantage Plan. Board action.

**Motion by Mosconis, seconded by Crofton, authorizing the switch from Blue Choice Plan to Blue Options Advantage Plans; Motion carried 5-0.**

**Motion by Mosconis, seconded by Crofton, to send a letter to Dr. Miniatt encouraging him to enroll in the Blue Options Plan which would allow the County employees to use their insurance if they solicit his services; Motion carried 5-0.**

Item 11 - Provide Board copy of survey done by Florida Association of Counties regarding county employee health benefits provided by other counties. Of the 45 counties responding, 20 use Blue Cross Blue Shield plans.

Item 12 - Board clarification on opportunity for county employees to sign up for the partially subsidized health insurance upon retirement. Currently the county offers a county employee, upon retirement, the opportunity to continue on the county health plan with the employee paying 50% of the premium. Last year was the first year the county offered subsidized health care to county retirees, and so the county provided prior retirees with an opportunity to enroll when the enrollment period opened in October. Was that a onetime offer to prior retirees? The state of Florida also allows retirees to continue on state health insurance, but the state makes the employee decide upon retirement. Board direction.

After discussion the Board agreed to allow County retirees the option of enrolling once a year.

Item 13 - Board action to direct the County Attorney to prepare a sales agreement with Mr. Sammy Simmons to purchase the land in Lanark Village that has been a source of contention between Mr. Simmons and the county for the tax value, which is \$10,000. This acquisition could be funded out of the remaining land acquisition funds in this year's budget. This is a 2 acre parcel of land most of which is under the power line in Lanark that has a county road running across it. I recommend the Board purchase the land out of this year's funds to end the dispute and to avoid litigation.

**Motion by Lockley, seconded by Crofton, to agree to Mr. Pierce's recommendation and purchase the property out of this year's budget; Motion carried 5-0.**

Item 14 - Discussion of Tucker Landing PUD and proposed amendment. Mr. Jim Waddell, agent for the owner, has withdrawn the amendment and is going to back to the Planning and Zoning Commission with a revised site plan. No action needed.

Item 15 - Board action to amend the county's Local Mitigation Strategy to include acquisition of waterfront land in Eastpoint and Two Mile for the purpose of providing the seafood industry

with adequate unloading facilities. The Local Mitigation Strategy is the vehicle for getting an application from the FEMA Hazard Mitigation Grant Program (HMGP) approved. Previously, the county has received HMGP funds to purchase residential lots on Alligator Point.

**Motion by Mosconis, seconded by Putnal, to amend the County's Local Mitigation Strategy to include acquisition of waterfront land in Eastpoint and Two Mile; Motion carried 5-0.**

Item 16 - Board action to submit an HMGP grant to acquire five parcels of land near the county boat ramp on Patton Drive in Eastpoint. This acquisition would create about 250 feet of public waterfront. The owner has contacted the county. The owner must provide FEMA with a copy of an appraisal and then, if awarded, FEMA pays 75% of the appraised value. Traditionally, the county has not provided any cash, so a seller must be prepared to accept 75% of the appraised value.

**Motion by Crofton, seconded by Putnal, to submit an HMPG grant to acquire five parcels of land near the county boat ramp on Patton Drive in Eastpoint; Motion carried 5-0.**

Item 17 - Inform Board that Request for Proposal for Ambulance service is in the paper. Proposals will be opened at the Oct. 4th Board meeting.

Item 18 - Commissioner Lockley is interested in increasing the number of inmate squads available for work in the county. He would like the Board to write Major Watson to see if five additional squads could be made available, which would be one for each district. Board direction.

**Motion by Lockley, seconded by Putnal, to send a letter to Major Watson requesting additional work squads; Motion carried 5-0.**

Item 19 - Board authorization for Preble-Rish proposal that will be reimbursed by FEMA for their assistance in the Hurricane Dennis debris removal. The proposal includes a flat fee of \$5000 for preparing bid specifications and assisting the county staff in dealing with debris removal, and then 5% of actual construction costs for debris monitoring and contract management. Board action.

**Motion by Mosconis, seconded by Lockley, to approve a proposal from Preble-Rish that will be FEMA reimbursed by FEMA for their assistance in Hurricane Dennis debris removal; Motion carried 5-0.**

Item 20 - Board decision on URS contract. It appears the URS proposal for the airport entry way qualifies for the continuing contract exemption of the Competitive Consultants Negotiations Act (CCNA). While the contract appears to be exempt, the risk is that if the Board is wrong, and is challenged and loses, the Board will have to repay the funds used. This could be \$1 Million dollars. The Board should either request that DOT and URS provide written confirmation of the CCNA exemption, or it should go out for bid. The fees do appear to be in line for the overall fee

schedule. Mr. Henriquez for URS has agreed to write a letter, and I am waiting to hear from DOT. Board action.

**Motion by Mosconis, seconded by Crofton, to authorize the Chairman's signature on the URS contract contingent on receiving written confirmation from DOT and URS regarding the CCNA exemption; Motion carried 5-0.**

22. Housing Issues. Michael Moron, Housing Coordinator, recommends the following changes to the SHIP plan. Board action on the following is needed:

A) Amend Housing Plan to increase the down payment assistance from \$5000 to \$10,000 per applicant.

B) Amend Housing Plan to change rehabs from \$20,000 to \$10,000 per applicant. This would allow program to help more applicants, and any applicant needing additional help can apply to USDA.

C) Approve Annual Report for SHIP.

**Motion by Lockley, seconded by Crofton, to approve the changes to the SHIP Housing Plan and the Annual SHIP report; Motion carried 5-0.**

21. Update on Alligator Point. There are five items.

A) Status of beach renourishment project. Provide Board copy of FY 2006/2007 funding request for beach renourishment. This request is the same as the FY 200512006 request that was not funded from the DEP agency budget, but the project did receive a line item appropriation from the Legislature for \$1 Million dollars. This request will seek funding through the DEP agency budget in the upcoming session. The difference this time is that the county, with DEP assistance, is continuing to develop plans for the beach renourishment and the project is more likely to be funded. As evidence of the DEP commitment to renourish the Alligator Point beach, DEP is spending \$476,000 to finish the analysis of the sand shoal off Alligator Point with no matching requirement from the county. This is a significant investment by the DEP, and was approved only because of the catastrophic hit Alligator Point took during Hurricane Dennis. The report should be delivered to DEP by the end of November.

B) Remind the Board that with any beach renourishment project there is a local match requirement. The state share of a project cannot be greater than 50% of the cost, and can be less if the standards for public beach access are not met. At this time, while the state legislature awarded \$1 Million dollars, the county only has \$500,000 in the Bald Point Trust Fund. At this time the county cannot meet the state matching requirements if the cost of the project is above \$1 Million dollars. Further there are monitoring and maintenance issues that must be funded over time. Thus, the state highly recommends the Board have in place a funding mechanism that is dedicated to the perpetual maintenance of the beach once it is built. I have been provided a handout that talks about the most common funding mechanisms that have

been used around the state. Adequate funding is essential to the maintenance of the project. I request that the Board allow me to hold a workshop with DEP personnel in attendance on Alligator Point to discuss various funding mechanisms, and that this workshop be held around the end of November when we have a sense of what the sand source analysis is going to be, and therefore some sense of what potential costs of dredging are going to be. Board action.

Board agreed that Mr. Pierce should reschedule the Public Hearing that was previously approved but was canceled due to a storm.

C) Additional temporary improvements to the existing road. DOT has evaluated the existing road, and suggested the county add some more riprap to provide better protection. They also suggest putting some sort of surface on the temporary road. Usually asphalt surfaces are considered part of a permanent repair, so I will need FEMA guidance if they are going to pay for asphalt on a temporary road. Additional rip-rap without a filter fabric is not going to be that beneficial, and it will only add to the material that will have to be moved or covered up when beach renourishment starts. Plus the county will have to buy rocks, and positioning rocks effectively in the area is going to be very difficult. At this time I do not recommend the Board initiate either of those additional suggestions by DOT.

D) Provide Board with copy of signed FEMA Project Worksheet (PW) for \$1.3 Million dollars to rebuild the Alligator Point Road in its current location. This PW represents the critical starting point for understanding what FEMA is willing to pay for. The county is taking this PW and building on it by asking for an improved project which, if approved, will increase the FEMA funds available. A PW represents the cost FEMA believes it will take to rebuild the Road to its pre-storm conditions, with no improvements. Again, this is a baseline cost from which the county negotiates up for an improved project. The improved project is described in item D.

E) Through the direction of the Chairman, representatives of DEP, and DOT, have aided the county is analyzing options for the redevelopment of the Alligator Point Road. The conclusions were not easily reached because of the complexity of the problem and the number of variables involved. And the report I am making here is not conclusive, but it is based upon a continuing dialog I have had with DEP, DOT, FEMA, Steve Fling and his engineers, and the Alligator Point Water District and their engineers. But it appears that the most prudent course of action for the Board to take is to relocate part of the road to a new location, and rebuild part of the road in its current location. Show map.

Mr. Steve Fling commented on this item. Board discussed this matter further.

Commissioner Mosconis discussed a letter he received from a guest of Resort Vacation Properties complaining about the manner in which she was treated regarding a refund during her scheduled vacation on St. George Island.



**Motion by Mosconis, seconded by Lockley, to send a copy of the letter he received to the Chamber of Commerce offices in both the City of Apalachicola, and the City of Carrabelle; Motion carried 5-0.**

**Public Comments**

Mr. Gerald Judge, of Lanark Village, complained of the new “ready to serve” fee that has been implemented by the Lanark Village Water and Sewer District, and stated that there were many other residents that were also complaining. Mr. Judge asked the Board to look into the actions of the Lanark Village Water and Sewer Board including their refusal to provide public information.

Ms. Pauline Sullivan, of Lanark Village, also commented on the problems she is having with the Lanark Village Water and Sewer District.

Attorney Shuler stated that the Attorney General has not yet sent an opinion on whether the County Commission could appoint a member to the Lanark Village Water and Sewer Board. Attorney Shuler also stated that he sent information to the Lanark Village Water and Sewer District regarding holding a special election but did not know what decision the was made by the District on the special election.

Commissioner Sanders stated that she was also hearing a lot of the same complaints from the residents of Lanark Village.

Ms. Pauline Sullivan suggested that merging with the City of Carrabelle might be an option. Bob Millar, a Lanark Village District Commissioner, stated that the other district Commissioner and the District Attorney had a different view on the information regarding the special election and also discussed the new “ready to serve” fees.

**Motion by Mosconis, seconded by Crofton, to direct Attorney Shuler to contact the Lanark Village Water and Sewer District Attorney and report back to the Board at the next meeting with more information; Motion carried 5-0.**

**Thomas M. Shuler – County Attorney**

Attorney Shuler requested Board action on the settlement agreement with the Soundings.

**Motion by Putnal, seconded by Crofton, to authorize the Chairman’s signature on The Soundings settlement agreement; Motion carried 5-0.**

Attorney Shuler recommended rejecting the settlement offer submitted by the Attorneys regarding the Hurst case.

**Motion by Crofton, seconded by Putnal, to reject the settlement offer regarding the Hurst case; Motion carried 5-0.**

Attorney Shuler recommended that the County not accept the property on the end of Shuler Street in Eastpoint, as it not adjoining the water.

Attorney Shuler stated that the surveys and appraisals have been ordered for Leonard's Landing, and is waiting for the deed on the Lake Morality Road.

Attorney Shuler recommended that the Board does not amend the Ordinance that penalizes anyone who damages County roads but rather negotiate a contract with the State Attorney to prosecute those that violate the Ordinance.

Board discussed this matter.

**Motion by Lockley, seconded by Putnal, to authorize Attorney Shuler to negotiate a contract with the State Attorney to prosecute anyone damaging County roads per the current ordinance; Motion carried 5-0.**

Attorney Shuler stated that he sent a letter to the Senior Citizen Council asking for an accounting of the \$30,000 given to them by the County, recommended that no action is taken regarding the Notice of Claim from Shadetree Towing on a truck that was purchased by an individual who used it as collateral to receive Revolving Loan funds.

Board asked Attorney Shuler to investigate this matter further and report back to the Board.

### **Commissioners' Comments**

Commissioner Putnal asked for an update on the permit to dredge 8-mile. Mr. Pierce informed the Board on current status including the County not having possession of the deed.

### **Public Comments**

Gary Shiver, of Apalachicola, distributed handout that stated all of the Trailer Parks in the County and asked the Board to contact the specific Park owners that were planning on closing and ask them to extend their deadline so that some of the residents could find alternate locations to move to.

After reviewing the information, the Board stated that some of this information was not accurate and needed to be updated before the Board could take further action on this matter.

Mel Kelly, Mayor of Carrabelle, asked for an update on the Lake Morality Road paving project. The Board and Attorney Shuler explained that items such as the surveys and appraisals have not been completed as yet.

**Adjourn**

There being no further business Chairman Sanders adjourned the meeting at 8:18 PM.

---

Cheryl Sanders, Chairman FCBCC

Attest:

---

Marcia M Johnson, Clerk of Courts