

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
AUGUST 5, 2003**

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

ABSENT: Eddie Creamer, Commissioner

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

(Tape 1-35) Chairman Sanders said before she began the meeting she would like to inform everyone that Commissioner Creamer and Bill Mahan, County Extension Director, would not be at the meeting this morning. She explained they are both attending the National International Shellfish Sanitation Meeting in Portland, Oregon this week.

(Tape 1-44) Commissioner Williams made a **motion to approve the minutes of the meeting held on July 15, 2003.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-50) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-60) Mr. Chipman said he didn't have anything the Board would need to address this morning.

(Tape 1-66) Chairman Sanders said the Board had scheduled Doug Aarons, P. E.-VMS Maintenance Systems, Inc., on the agenda this morning, but since Commissioner Creamer is not at the meeting this morning she would suggest the Board wait on any decision on these proposed contracts Mr. Aarons has. She reminded the Board these were the proposals the Board asked Mr. Aarons to prepare for the maintenance on the ditches in Eastpoint and Lanark Village. Mr. Chipman said he would like the time to meet with Mr. Aarons as well. He stated he would like for Mr. Aarons to clarify several issues in the contract for him. Chairman Sanders suggested she meet with Mr. Aarons and Mr. Chipman to discuss the contracts. Mr. Aarons said he would be glad to meet with Mr. Chipman and Chairman Sanders to discuss this matter.

(Tape 1-103) Commissioner Mosconis asked Mr. Chipman about his "suicide curve". He said he hadn't seen much activity on the road yet. Mr. Chipman said most of the "stuff" would be here next week. He stated they are going to install some pipe and some rumble strips. He assured Commissioner Mosconis he was taking care of this project.

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(Tape 1-115) Commissioner Putnal asked Mr. Chipman if he was "doing any good" on the River Road drainage problem. Mr. Chipman replied they had drained some of the water, but they weren't through with it. He said it looked like to him they were going to have to install several pipe underneath the road. Commissioner Putnal said he wanted Mr. Chipman to "do whatever it takes" to fix the road.

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-136) Mr. Johnson presented the Small County Solid Waste Grant for fiscal year 2003-2004 for the Board to approve. He said the grant totals \$117,647.00, which combines the function of the Recycling and Education, Waste Tire, Litter Control and Small County Grants awarded Franklin County in prior years. Commissioner Putnal made a **motion authorizing the Chairman's signature on the Small County Solid Waste Grant for fiscal year 2003-2004 in the amount of \$117,647.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-155) He informed the Board he had attached a compensatory time report, which reflected an increase in compensatory time earned during July. He explained the department, during this period, was without one employee. He said that employee had resigned and he had not been able to replace him at that time. He said funds from the County's grant had been used to compensate employees for working on Saturday for scheduled Amnesty Days. He said these funds have been exhausted and hopefully, the Department can get back on track when the vacant position within the Solid Waste Department has been filled.

(Tape 1-171) He said he would like for the Board to consider the following: During last Tuesday's Budget Workshop discussions the Board instructed officials at the Health Department to arrange with both the Road Department and Solid Waste Department to arrange the use of the two mechanics to repair and maintain Health Department vehicles. He said to assume this responsibility of maintaining another agencies fleet of vehicles is an additional task. He stated, in the past, it has been common practice to compensate employees for taking on additional tasks. He explained if the Health Department does save money from such an arrangement then he would like to see a small portion of these savings reflected in the pay checks of the two mechanics taking on these new responsibilities. He suggested the mechanics be given an additional \$1,000.00 each for undertaking the task of servicing the Health Department's vehicles. Commissioner Mosconis said he couldn't see this happening. He said this would be a "new deal" and he didn't even know if the County was going to take on this additional responsibility. He said the Health Department is funded by the State and he couldn't see mixing the money. Mr. Wade stated he had talked to Mr. Chipman about this matter. Mr. Chipman informed the Board the mechanic at the Road Department had more than he could handle with the County vehicles. He said if this man does have to take on additional work then he would expect some type of compensation for it. Commissioner Mosconis said he didn't see how the County could take on more responsibility if the mechanics are already so busy they can't do anything else. Mr. Wade said he thought this would be an extra expense to the County. Alan Pierce, Director of Administrative Services, said the Building Department does not take their small vehicles to the Road Department or Landfill since they primarily

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work on heavy-duty trucks. He said he takes them to the local repair shops for oil changes, etc. Chairman Sanders stated you never know when this heavy equipment might break down on a job anywhere in the County. She said the mechanics have to be ready to go to where the machinery is broken down. Commissioner Putnal asked if the County or the State through the Health Department Budget would furnish this money. Mr. Johnson said he just wants to pass on any savings the Health Department might make using the County's mechanics, etc. to the people who are actually taking on more responsibilities. Mr. Johnson said he just wanted the Board to know if the County takes on the responsibility of maintain the Health Department vehicles then he would expect them to be compensated for it.

(Tape 1-283) Mr. Pierce said he would like to mention, while Mr. Chipman is here, that he received e-mail from FDOT regarding the traffic study on Bluff Road in Apalachicola. He stated he wanted to present a copy of the e-mail to the Board for their file this morning. He stated the e-mail was informing the County they would be conducting a traffic study on Bluff Road on July 15, 2003 and then would complete a review within six weeks. He said the e-mail reflected that FDOT would present a final report to the County.

(Tape 1-315) Mr. Pierce said Mr. Johnson has discussed with the Board on several occasions the problem of locating recycling bins so that illegal dumping would not occur. He said the last incident was on SGI, but it has also occurred on Alligator Point and in Lanark Village. He stated it has been discussed at the Public Visioning Workshops the possibility of the County doing more to promote responsible garbage collection. He asked the Board if they would like to move toward a mandatory garbage collection in those areas of the County such as Alligator Point and SGI, which have a large collection of houses generating garbage with no obvious place to put the garbage. He suggested the Board instruct he and Mr. Johnson to check into this possibility as a solution to the illegal dumping in these areas. Commissioner Mosconis made a **motion instructing Mr. Johnson and Mr. Pierce to investigate the implementation of mandatory garbage pick-up in Franklin County, especially in the SGI, Alligator Point and the Lanark Village areas.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-360) Mr. Pierce presented the Board with the Forestry Map of the improved roads through Tate's Hell Forest. He said these roads have been improved by the State of Florida since they purchased all of Tate's Hell Forest. He stated the roads are the same roads the County has always used during emergency evacuations. He said he also had a map reflecting the alternative routes to be used on Alligator Point when Alligator Drive has been washed out or undermined. He said the new map of Alligator Point reflected the use of Harbor Circle and other roads to get around the future washouts on Alligator Drive. He presented the map reflecting the alternative routes on Alligator Point to the Board for the record. He said he would need the Board to approve these evacuation routes on Alligator Point, but not the ones through Tate's Hell Forest. He said the State owns them anyway. Commissioner Putnal made a **motion approving and accepting the designated evacuation routes on Alligator Point as represented on the map**

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presented to the Board at this time. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said the EOC Director Tim Turner was also aware of these designated roads. He stated the County is updating the Local Mitigation Strategy and would include these evacuation routes in the LMS.

(Tape 1-672) He asked the Board to authorize the Chairman's signature on the CDBG Contracts and supporting documentation for the \$700,000.00 project for work in Eastpoint and Lanark Village. He explained engineering design work has been completed, Deborah Rournelis Belcher, Rournelis Planning and Development, still has to finish some environmental issues with the CDBG representatives. He said the County would also need to contract with someone for the construction supervision of the project, as well as advertise for bids for construction. He informed the Board Ms. Belcher would advise the Board on these matters and a timeline for the projects to be accomplished. He said he and Mark Curenton, Assistant Planner, believe construction could start in three to four months. Commissioner Putnal made a **motion authorizing the Chairman's signature on the CDBG Contracts and supporting documentation for the \$700,000.00 project for work in Eastpoint and Lanark Village.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-710) Mr. Pierce said he would start with item number one on his report. He said he would like to present the contract initiated by the Sheriff's Office and Carter Roofing Company of Wewahatchka, Florida for the roof project at the Franklin County Jail. He said the contract is for the amount provided by the Board at the last Board meeting, which is \$107,000.00. Commissioner Putnal asked if this contract would be paid for using this year's budget. Commissioner Putnal said he would then make a **motion accepting this contract between the Franklin County Commissioners-Franklin County Jail and Carter Roofing Company for the roof replacement in the amount of \$107,000.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-727) He asked for permission to advertise bids for the replacement of eleven metal doors and frames at George E. Weems Memorial Hospital. He said the Board, after receiving the bids, could reject all of the bids if no bid is within the funds available. Commissioner Mosconis made a **motion authorizing Mr. Pierce to advertise the acceptance of bids to replace eleven metal doors and frames at George E. Weems Memorial Hospital.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-748) He reminded the Board there is still a vacancy on the BOA for a replacement for Palmer Philyaw. He said there is also an alternate position vacant on the BOA. Mr. Pierce informed the Board he would place a notice in the local newspaper announcing this vacancy.

(Tape 1-768) Mr. Pierce said on January 21, 2003 the Board heard a recommendation from the Planning and Zoning Commission to approve the land use and zoning change

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for some property owned by the Geigers, known as "Bay Vista" Subdivision, to be returned to agriculture from residential. He asked the Board, at that time, to table the matter because of confusion over the amount of property being returned to an agriculture zoning and land use. He said he has now talked with the Geigers and it is clear that only ten acres is involved, and it is Sections 11 and 14, Township 7 South, Range 5 West. He said he needed the Board to authorize him to schedule a public hearing to consider changing this ten acres back to agriculture from residential, which was and is the recommendation of the Planning and Zoning Commission. He explained this would be considered a small-scale land use change. Commissioner Putnal made a **motion authorizing the scheduling of a public hearing to consider a request submitted by the Geigers to return ten acres previously known as "Bay Vista" Subdivision in Sections 11 and 14, Township 7 South, Range 5 West to agriculture from residential.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said the plat might have to be abandoned too and so he would like for the Board to make this motion contingent on the County Attorney reviewing the matter of the property already being platted. He stated the subdivision issue would have to be resolved at the same time or in conjunction with the public hearing.

(Tape 1-896) Mr. Pierce said on April 15, 2003 the Board approved Jimmy Meek's rezoning and land use contingent on the road construction and DEP Storm water Permit being submitted to the Board when received. He explained Dan Garlick, Garlick Environmental and agent for Mr. Meek's, was here this morning to present the DEP Storm water Permit and discuss storm water issues. He said Mr. Garlick should also have the road construction plans to submit to the Board. He stated if the Board is satisfied with the permit and road construction plans, the Board would need to formally accept them so then a building permit could be issued for construction of the road. He explained after construction of the road, the Board would then be presented with a subdivision plat for consideration. Chairman Sanders announced she would be completing a Form 8B-Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers due to the fact she and her members of her family own adjoining property. Mr. Garlick said he has received all of the necessary permits. Chairman Sanders said she did want to voice her opinion about some things. She stated she was in litigation with Mr. Meek's for months because her property is close to this project. She said there is going to be a "bad" drainage problem in this area. She stated she has a drainage problem now and she hated to think what it was going to be like when this project is completed. She said her property is standing in water right now. She stated the water is, according to the map, going to flow to the west. Mr. Garlick said there would be swales, which would move the water north toward the river. Lucretia Bloodworth, an adjoining property owner, expressed her concerns about the drainage problem. Mr. Garlick said the next step is for the actual roads to be built then they would apply for a sketch plat "Crooked River Plantation". Ms. Bloodworth asked if there was enough right-of-way to construct the roads as well as the drainage ditches along the side. Mr. Garlick replied they are going to construct a 6-foot right-of-way and make a 16-foot surface with a retaining wall. Ms. Bloodworth asked if this meant they were going to have a 16-foot road. Mr. Garlick replied yes they would. After discussion and Chairman Sanders abstaining from voting; Commissioner Mosconis made a **motion accepting the FDEP Storm Water**

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Management Plan issued for the proposed "Crooked River Plantation" and authorizing the issuance of a road construction permit for the project.

Commissioner Williams seconded the motion. Commissioner Williams and Commissioner Mosconis for. Commissioner Putnal opposed. Chairman Sanders abstained. 2-1 **MOTION CARRIED.**

(Tape 1-1245) Chairman Sanders said Pastor James Williams, President of the Franklin County Ministerial Alliance, Inc., was scheduled on the agenda for 9:30 a.m. She asked if Pastor Williams was present to address the Board at this time. After no response Chairman Sanders asked Mr. Pierce to continue his report.

(Tape 1-1250) Mr. Pierce presented the Board with the Resort Village Annual Report reflecting no development occurring since the previous report.

(Tape 1-1272) He informed the Board Captain Pat McWhinnie, 911 Coordinator, has been checking into companies interested in providing 911 services to Franklin County since GT COM is going to no longer provide the service after July 2004. He explained Gulf, Franklin, and Calhoun is all in the same predicament. He said so far only one company, ESI, is interested, but this company is only interested in providing the 911 equipment. He stated there are no companies interested in maintaining and updating addresses and phone numbers, which is a big job in a county with as much real estate sales as Franklin County. He reported he did not need any direction from the Board this morning, but at some point the Board would have to negotiate with someone to provide 911 service and equipment to Franklin County.

(Tape 1-1309) He said Michael Moron, SHIP Administrator, has sent the Board a letter requesting the Board authorize the requirement for hazard insurance from the SHIP mortgage for rehabilitation and down payment assistance be removed. He said the County's Auditors and Ruth Williams, County Finance Officer, recommended this action. Mr. Pierce said Mr. Moron was asking the Board to remove this requirement. Commissioner Mosconis made a **motion authorizing the removal of hazard insurance as a requirement for the mortgage for rehabilitation and down payment assistance for the SHIP Program.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1356) He submitted a letter from the City of Carrabelle, as requested by the Board, of the list of streets the City would like to have paved during the County's next paving cycle. He announced the City of Apalachicola would be providing a letter with their list of streets as well. The Board instructed Mr. Pierce to provide Preble-Rish, Inc. a copy of this list so they can begin to assess these streets. Commissioner Mosconis asked Mr. Pierce to have Chris Clark, Engineering Technician, to look over the list and make sure it was "organized".

(Tape 1-1415) He asked for the Board to approve the contract with Preble-Rish, Inc., approved by DEP, for the design and permitting of the Alligator Point Beach Stabilization Project. He said this project would be funded 50% by the State and 50% by

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the County. He explained the County's share of the project would be provided through Coastal Impact Assistance Program Funds (CIAP) of which the County has been funded in the amount of \$106,000.00. He said the Preble-Rish, Inc. contract is in the amount of \$194,625.00. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Preble-Rish, Inc. Proposed Scope of Work and Associated Fees for the Alligator Point Beach Stabilization Project in the amount of \$194,625.00.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said the County had their 50% for the funding and DEP would provide the other 50% in funding.

(Tape 1-1492) Chairman Sanders interrupted Mr. Pierce for Health Galloway who was scheduled at 9:45 a.m. on the agenda. Mr. Galloway addressed the Board at this time. He said he was here this morning with other members of the Construction Licensing Board to ask the Board to finally approve an amendment to the County Ordinance to be consistent with all of the State Statutes and to be consistent with other Counties throughout the State of Florida. He said a person who is building a house would have to have their normal construction permit, but also have a permit for the following: Electrical, Plumbing, HVAC/Mechanical, and Roofing. He encouraged the Board to support the CLB with these changes and amendments to the County's Ordinance. Rachel Ward, Building Inspector, presented the Commissioners with a statement regarding this matter. Ms. Ward read the following into the record: The Building Department plans to make this process as simple as possible. After the initial permit is issued, which will include all necessary documents and information, the subsequent permits for electrical, plumbing, HVAC/Mechanical, and roofing will only require a licensed, registered contractor or owner (if he is doing the work) to come in, sign the permit application and pay the fee of \$25.00 per category. A separate permit using the same permit number with a suffix of "E" for electrical, "P" for plumbing, "M" for HVAC/Mechanical, and "R" for roofing will be issued. These permits would be posted along with the original permit indicating what contractor is doing the job, in the event of an owner, this will also be indicated. The inspector will then be able to check the appropriate permit and know who is doing the work. This will prevent unlicensed contractors from working on the job sites. Ms. Ward asked the Board to at least schedule a public hearing to amend the ordinance. She asked the Board to direct the County Attorney, Mr. Shuler, to prepare an ordinance or amendment to this ordinance and schedule a public hearing on the matter. Commissioner Mosconis said he knew this was already a State law so he thought it was time to move on. Commissioner Mosconis made a **motion directing the County Attorney to prepare a proposed amendment or new ordinance addressing these issues and to schedule a public hearing to consider adoption of such an ordinance or amendment.** Chairman Sanders asked for a second to Commissioner Mosconis' motion. After no second to the motion the **MOTION DIED FOR LACK OF A SECOND.**

(Tape 1-1870) Mr. Galloway asked the Board to reconsider the implementation of a Code Enforcement Board. Chairman Sanders said she knew the County Attorney was working on an ordinance to implement a Code Enforcement Board.

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(Tape 1-1901) Mr. Pierce continued his report. He asked the Board to approve the Chairman's signature on the Resolution authorizing the Chairman to sign the Local Agency Program Agreement with FDOT for the construction of the Bluff Road Pedestrian/Bike Path. He explained this Resolution was required and does not speed up the proposed construction of the bike path, which was scheduled for 2005 by FDOT. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Resolution authorizing the Chairman to sign the Local Agency Program Agreement with FDOT for the construction of the Bluff Road Pedestrian/Bike Path.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1907) Mr. Pierce asked the Board to formally accept Modification #1 to the Agreement between DCA and Franklin County as to the date the County Terrorism Annex Plan and a County Continuity of Operations (COOP) Plan would be due. He explained DCA proposed this modification to move the COOP Plan due date to June 30, 2004. He informed the Board the Chairman signed the Modification last week because it was expected back in Tallahassee before the Board would have a meeting. Commissioner Mosconis made a **motion authorizing the Chairman's signature on Modification #1 to the Franklin County Terrorism Annex Plan and a County Continuity of Operations (COOP) Plan changing the due date for the completion of the plan until June 30, 2004.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1935) He said the SGI Beautification Project as proposed by the committee working on the project wants to have the storm water ponds in the middle of the Island reconfigured. He said the Beautification Grant would not pay for the \$100.00 DEP permit for the review of the reconfiguration. He asked if the Board wanted to pay this permit fee of \$100.00 from the Contingency Budget, or wait until Commissioner Creamer is back at the next Board Meeting. He said if the Board wanted to pay now, the action needed to be to approve the expenditure of \$100.00 and direct the Chairman to sign the DEP Permit Application. He informed the Board the \$100.00 was a reduction from the normal permit fee of \$250.00. The Board directed Mr. Pierce to wait until the next Board Meeting when Commissioner Creamer could be present to discuss this matter.

(Tape 1-1963) Chairman Sanders asked Mr. Pierce if he had talked to DEP about the Eastpoint Channel Dredging Project. Mr. Pierce replied he had not heard from either DEP or USCOE. He said he has called them and no one from either group has called him back. He explained Commissioner Creamer was supposed to call them as well. Chairman Sanders asked if the permitting process had even been started. Mr. Pierce replied, as of two weeks ago, the process had not been started. Chairman Sanders said someone sure needed to get on the phone with the agencies and see what the hold up was.

(Tape 1-1982) Chairman Sanders asked Mr. Pierce to update the Board on the Shrimping Industry Assistance Funds and Oyster Relaying Program Funds. Mr. Pierce said the funds would be made available to shrimpers according to their tax returns. He said the Oyster Relaying Program Funds would also be made available for the oyster industry.

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Chairman Sanders said she spoke to Dr. Martha Roberts, DACS, and was informed by her \$47,000.00 of the allocated oyster relay fund had been used, but \$100,000.00 was still in the fund as of July 18th.

DAVID MCCLAIN-ABARK EXECUTIVE DIRECTOR

(Tape 1-2128) Mr. McClain presented each Board member with a current update on the ACF River negotiations. He said he felt this was a "run-away train". He said Franklin County has been instrumental in directing the Florida delegation on how to negotiate the water flow and water quality coming down from the ACF River System. He said Governor Bush signed a MOU on July 21st with Alabama and Georgia. He stated the MOU had major flaws and were detrimental to Florida, especially the Apalachicola River and the Bay. He said the primary concern was the "ACF Principles" in the MOU that was significantly different from Florida's "Terms of Agreement" and had never been seen by Florida Stakeholders, as provided in Article XI of the ACF Compact. Mr. McClain presented this information to the Board. He asked the Board to immediately send a letter to the Governor and Secretary Struhs, DEP, asking them to not to sign the proposed Water Allocation Agreement. He said the Governor has to sign and agree to the Water Allocation Agreement to finally formalize the agreement. He encouraged the Board to do something about this matter. He stated he would provide a draft letter for the Board to send to the Governor because he does read and pay attention to what County Commissioners in Franklin County have to say about this water allocation problem. He thanked the Board for their support and presented a video entitled "The Apalachicola Basin Bulletin", which contains interviews with Representative Bense, Representative Kendrick, Representative Kilmer and Senator Al Lawson. The Board directed Mr. Pierce to assist Mr. McClain in making sure this letter is written and forwarded to the necessary governmental offices.

KENDALL WADE-CLERK

(Tape 1-2670) Mr. Wade said he wanted to announce the date and time of the first Public Hearing in the Budget Process. He stated the first public hearing is scheduled for September 8, 2003 at 5:30 p.m. in the Franklin County Courthouse Annex Building, 34 Forbes Street, Apalachicola, Florida.

THOMAS M. SHULER-COUNTY ATTORNEY

(Tape 1-2687) Mr. Shuler informed the Board two issues he wanted to discuss this morning involved members of the audience. He said he has received the necessary documents to close on the Sumatra Cemetery from Drew Branch, Jr.'s attorney, John Rudolph. He said he would hope to have this paperwork finalized by Friday of this week. He stated he would expect to be able to record the Deeds this week. He said he understood the County would purchase the cemetery and then the County would retain ownership of the "common" areas. He said he received a letter, via fax, from Earnest Hill requesting he be allowed to purchase all of the vacant cemetery plots in the Sumatra Cemetery for the sum of \$10,000.00 with the Franklin County Board of Commissioners retaining ownership of the cemetery property. He said Mr. Hill assured the Board he would set up a committee of three persons to administer the resale of plots, not to cost over one hundred dollars (\$100.00) per plot, with the money going to him. He said Mr.

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Hill said this committee would make decisions concerning the sale of the plots and assured the Board that people who have family members buried in the Sumatra Cemetery would have first chance to buy the plots near their loved ones. He said Mr. Hill informed him the citizens of Sumatra have checked into a forming a 501 Corporation and most of the citizens disagree with the forming of such a corporation. He said Mr. Hill also said the churches have not expressed an interest in buying or controlling the cemetery. Bill Lunsford, Sumatra, said he would like to check with the two churches in Sumatra to see if one of the churches would be willing to take over the operation of the cemetery. He said he talked to Willie B. Lewis, a member of the Baptist church in Sumatra, and was told by him the church has not discussed taking over the operation of the cemetery. Chairman Sanders said the first thing that needed to be done was for the County to get the deeds recorded in the County's name and then the County could do something about transferring the title to the property. Commissioner Putnal said he would like to do a little more research before this property is transferred to any one individual. Chairman Sanders interrupted Mr. Shuler to allow Rick Savage to address the Board this morning.

RICK SAVAGE-AIR METHODS OF TALLAHASSEE

(Tape 1-3038) Rick Savage, Air Methods Life Net Ambulance Program Director in the State of Florida, said he was here this morning to ask the Board to consider granting his company, Air Methods, a COPN for Franklin County. He said his company would service the Leon County area and the population surrounding that area. He stated there is an aircraft staffed with a paramedic, nurse and a pilot 24-hours a day, 7-days a week at the Tallahassee Regional Airport in Tallahassee. He said they currently do not have a COPN for Franklin County. He stated he did know Air Medic stationed at Doctor's Hospital in Perry, Florida did have a COPN from Franklin County. He said this COPN would require the local EMS Service contact them first, if an air ambulance is needed, and then if they are unable to fly, if the Board would grant a COPN, Air Methods could send an air ambulance. He stated there are no conflicts in allowing more than one COPN within a County. He said it would actually benefit the citizens in Franklin County since they would have access to more than one air ambulance. Commissioner Mosconis asked Mr. Savage if Leon County had multiple COPNS in Leon County. Mr. Savage replied they only had one, Air Methods. Mr. Savage explained a COPN does not mean another air ambulance cannot come into Leon County and pick up a victim of an accident, etc. it was just the EMS staff would contact the closest air ambulance or the closest in proximity to the particular incident. Commissioner Mosconis said Leon County left Franklin County "high and dry" when Tallahassee Memorial cancelled their air ambulance services. He stated Doctor's Hospital in Perry contacted Franklin County about serving the people in Franklin County. He said he wanted to be "loyal" to the people who had helped Franklin County when Leon County did not even have an air ambulance service. He stated he did not want to "jeopardize" the County's relationship with the air ambulance service from Perry. Chairman Sanders stated she did know the people from Doctor's Hospital helped Franklin County when they needed it. Mr. Savage explained that a COPN for Air Methods to operate in Franklin County would not, in any way, require the EMS staff to call them before they call the air ambulance from Perry. He informed the Board his company is the largest air medical provider in the County utilizing 167 aircraft nationwide. He said his company operates 9 aircraft in the State of

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Florida. Commissioner Mosconis said he would like to table this decision until further information could be provided to the Board such as how this would impact the air ambulance service currently serving Franklin County from Perry. Commissioner Putnal said he understood this would double the citizens in Franklin County getting an air ambulance when they needed one. He stated if one is busy then the other one can be called to come to Franklin County. He said it appeared to him to be a real benefit to have as many air ambulances as the County could "get". Commissioner Mosconis said he didn't disagree, but this certainly needed to be researched a little further before the County grants them a COPN. He stated he thought South Walton County was operating an air ambulance service too. He said he knew this group had come to Franklin County and picked people up. Chairman Sanders stated she remembered what Franklin County went through when Tallahassee Memorial was quitting the air ambulance business and was trying to get Leon County to take over the operation. She stated representatives from Leon County informed her that unless Franklin County could provide their share, \$65,000.00, to keep this air ambulance in operation the County would not be served. She said she has worked very hard to get another company to come to Franklin County and offer air ambulance services. She stated Air Medic One from Perry has served the people here very well so far. She asked what would happen if the Board didn't formally issue Air Methods a COPN. She asked them if they could still serve Franklin County residents if the EMS Staff calls them. Mr. Savage replied if EMS calls them to pick up someone in Franklin County they would certainly come and pick the person up. Chairman Sanders said either way they could service Franklin County. Commissioner Mosconis said he would make a **motion to table this decision until another meeting.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Savage said, as a point of information, the Air Methods aircraft is approximately 60 miles away and the Air Medic One aircraft is approximately 80 miles away. He stated this makes a longer wait for citizens to be waiting on an air ambulance, especially beside the road. Chairman Sanders thanked Mr. Savage for attending the meeting this morning and encouraged him to schedule another time on a future agenda. Commissioner Mosconis said he wanted South Walton County granted a COPN for Franklin County too. Jim Turner, EmergencyStat, Inc., stated, from the EMS's point of view, it would assist them and the any one who needed an air ambulance. He said 2 air ambulances were better than 1. He stated three services; the Perry one, the Tallahassee one, and the South Walton County one could really benefit Franklin County. He said the thunderstorm issue in Franklin County was the most important. He stated some times these air ambulances can't fly because of wind, lightning, etc. and if there were three options maybe one of them could at least come and pick up a victim. He said he has been informed the EMS Staff must call Air Medic One from Perry first and then if they can't fly they can call someone else. He stated he would suggest all three services be issued COPNS. Commissioner Mosconis said if this would be possible he would not be against it. He asked Mr. Pierce to check with these other air ambulances and see if this would be a problem in granting all three of these groups a COPN. He stated he thought the first group granted a COPN should be contacted first about picking up someone in Franklin County. He informed Mr. Pierce and Mr. Shuler they needed to check into this situation.

THOMAS M. SHULER-COUNTY ATTORNEY-CONTINUED

(Tape 1-3625 Continued on Tape 2) Mr. Shuler said he would like for the Board, at the conclusion of this meeting, consider conducting an "Executive Session" to discuss pending and current litigation the County is involved in. He said one of the matters, the Ammons Lawsuit, needed to be addressed, as far as members of the audience being allowed to speak to the matter, this morning. He stated he was going to present a proposed settlement agreed to between the Petitioner Ammons-Folks-Holland and A. Materials Group-Franklin County. He said he thought the agreement was going to be signed, but after further discussion the settlement was not agreed to and has not been signed. He said he would like for the Board to allow citizens to voice their opposition, etc. to the County approving this land use and rezoning change to the property in Carrabelle where A. Materials Group was going to build a concrete batch plant. After Mr. Shuler instructed the Board not to make any comments regarding the opinions of the public Chairman Sanders allowed the following citizens to voice their opinion on the litigation: Marti Chumbler, Attorney for A. Materials Group; Charles Curran, Petitioner's attorney; Gil Barfield; Richard Grunau; Gene Langston; Alvin Morris; Billy Kersey; Knut Rittweger; Rene Topping; Donald B. Carroll; Joseph J. Shields, III; and Ted Mosteller. Mr. Shuler finished his instruction by reminding the Board there were two separate court actions, one Circuit Court and one Division of Administrative Law. He said the Administrative Law case was scheduled for final hearing July 29th. He stated the hearing was continued until some time in September because the parties thought there would be a settlement agreement. He said this settlement has "fallen through" and there would not be a settlement to discuss this morning. He said the Board should not discuss anything else in the public forum and wait to offer advice, recommendations, opinions, etc. until the executive session. He asked the Chairman to finish all of the normal business on the agenda and then after a formal adjournment of this meeting he would go into an "Executive Session" to further discuss litigation issues.

CLARICE GROSS-TITLE V COMM. DELIQUENCY PREVENTION GRANT

(Tape 2-1129) Mr. Shuler introduced Ms. Gross to the Board and informed the Board the deadline for submission of this grant had already passed. He said he reviewed the grant and made some minor changes to the application so the Chairman could sign the application. He stated he knew the grant had been submitted with the condition the Chairman's signature would not be formally approved until the meeting today. Chairman Sanders said she gave the Title V Community Delinquency Prevention Grant Application for fiscal year 2003-2004 to Mr. Shuler to review and change if he needed to. She said she signed the grant because of the strict timeline for submission of the grant. Clarice Gross, Victim Advocate for the FCSO and Chairman of Franklin's Promise Coalition, appeared before the Board. She said they had an opportunity to apply for a grant through the Department of Juvenile Justice to provide schools and people with family management issues. Jim Bailey, Devroe Foundation-Department of Children's and Families Child Abuse Prevention Group, said he assisted the Franklin Promise Coalition with completion of this grant. Mr. Bailey stated the grant was a 3-year grant in the amount of \$150,000.00, which is the amount the group applied for. He said the group would only be guaranteed funding for the first 9-months. He stated during the second and third year the group would be eligible for up to \$200,000.00 in funding. He said the

grant provides prevention programs for juvenile delinquency and juvenile violence. He stated the group would use the money to fund two basic programs; one for parenting education through Capital City Youth Services for families having family management issues within the family. He said they would also provide individual counseling available for those families as needed. He stated the second part of the grant would be a school-based program with students in preventing violence and delinquency. He said the only entities that can actually apply for the grant is County or City governments. He stated this is why they are asking the County to be the applicant. He said the implementing agency would be the Franklin Promise Coalition. He said there have been people working on these issues for a while. He stated they would oversee the programs and make sure everything is running smoothly. Mr. Bailey explained the match money for the grant, 50%, would be provided by the Franklin Promise Coalition as an in-kind match. He said they could easily come up with the 50% match using their in-kind programs they already have planned. He said Mr. Shuler had included a clause in the grant so that if the Franklin Promise Coalition couldn't provide the 50% match the County would not have to pay it or provide it either. He stated the grant funds would be sent to the County from the State of Florida and then the Franklin Promise Coalition, as subcontractor, would facilitate the programs. He said the group has designated \$5,000.00 for the County for administration and audit costs. He stated the remainder of the money would be used for the programs. He said they would have to hire a coordinator to make sure the programs are implemented in the proper way. Mr. Wade asked if the actual disbursements of the grant funds would be provided by the Franklin Promise Coalition group. Mr. Bailey replied they would do this and the County wouldn't have to deal with approximately one check a month from the State for the grant. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the State of Florida Department of Juvenile Justice Office of Prevention and Victim Services Juvenile Justice and Delinquency Prevention Title V Community Delinquency Prevention Grant Application for fiscal year 2003-2004 contingent on the Franklin Promise Coalition providing the 50% match for the grant.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler said it is Mr. Bailey's and Ms. Gross's responsibility to make sure, if the grant is approved, this language is accepted and included in the final grant document. Mr. Bailey and Ms. Gross assured the County Commissioners and Mr. Shuler they already had the match amount for the first year's grant funding. Ms. Gross stated she didn't see a problem with finding the matching funds for the next couple of years of the grant either. She thanked the Board for their approval of this grant application and assured the Board there were many viable programs for implementation in Franklin County.

THOMAS M. SHULER-COUNTY ATTORNEY-CONTINUED

(Tape 2-1533) Mr. Shuler said he wanted to update the Board on the Lanark Reef situation. He stated he was instructed by the Board to begin investigating the zoning request submitted by Hurley Booth, owner of Lanark Reef. He said he has not been able to have the reports completed because of the all of the rain in the area. He stated he hopes to be able to provide the Board with a recommendation as soon as possible or at least by the next Board Meeting.

FCBCC REGULAR MEETING-AUGUST 5, 2003

(Tape 2-1551) Mr. Shuler presented a final, signed rental agreement between Franklin County and TRG Environmental Contractors, LLC for the lease of a small amount of property at the Apalachicola Airport to the Board this morning for the Board file. He reminded the Board they had already approved the extension of this rental agreement, which expired on June 6, 2003, for another six months beginning on June 6, 2003 and terminating at the end of the day December 6, 2003. Commissioner Putnal said he would feel better if he made a **motion authorizing the Chairman's signature on a Rental Agreement-Extension between Franklin County and TRG Environmental Contractors, LLC for the lease of a small amount of property at the Apalachicola Airport from June 6, 2003 through December 6, 2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

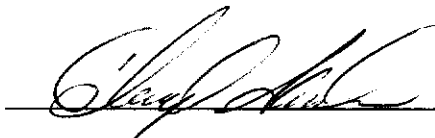
(Tape 2-1570) He said he had reviewed the proposals submitted by the attorney's for Dependency Court Attorney services. He stated the decision committee, Alan Pierce, Chief Judge Francis, Assistant Public Defender Kevin Steiger and him, met by teleconference call and recommends the following to pay for these Dependency Court Attorney services: \$75.00 an hour for their services; twenty-nine cents per mile for mileage; no hourly wage for their driving time; reimbursement for actual costs such as postage, copies, etc.; and a maximum cap of \$1,200.00 per case, with the understanding that if the Court should certify any particular case to be extraordinary or unusual the cap could be exceeded, but only after a hearing was held to decide whether the case meets the criteria for exceeding the \$1,200.00 cap. He said this cap amount would be considered on a case-by-case basis if it exceeds what the Board has set for the cap amount of \$1,200.00. He reminded the Board in July, 2004 Article V would become effective and the obligation would become the States and not the County. He said the question is whether or not the County wants to accept the committee's recommendation as to the fees to be paid for a Dependency Court Attorney. He reminded the Board this contract would only need to cover a one-year period. He stated the contract would have a termination provision if the contract was not mutually satisfied by either the County or the Dependency Attorney. Commissioner Putnal made a **motion adopting the recommendation of the Dependency Court Attorney Services Committee as follows: \$75.00 an hour for their services; twenty-nine cents per mile for mileage; no hourly wage for their driving time; reimbursement for actual costs such as postage, copies, etc.; and a maximum cap of \$1,200.00 per case, with the understanding the Court could certify a particular case extraordinary or unusual and exceed the cap only after a hearing is held to determine if the case meets the criteria for an extraordinary or unusual case.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Wade recommended approval of this recommendation as well. He said within a year or so this whole matter should change and the State would become responsible for the fees. He stated he supported the cap on the fees for these cases. Mr. Shuler said this cap would be per attorney in a case and their would probably be contracts with two attorneys. He stated he has also checked with the State of Florida County Attorney's Association and other surrounding counties to see if this was the standard procedure or approach. He said this would make Franklin County more "in line" with the other counties in the area.

MATTERS FROM THE FLOOR

(Tape 2-1902) Chairman Sanders said she wanted to inform the Board she, as Chairman, had received a letter from Doris B. Pendleton, CFA, Franklin County Property Appraiser, notifying the County the Weems Memorial Hospital's Tangible Personal Property Tax Return for 2003 has not been submitted. She said Ms. Pendleton asked the Board for direction, since this is County owned property leased to a corporation, as to how the Board would like for her to proceed with this matter. Chairman Sanders asked if the Board had a current inventory on the property at the hospital. Mr. Pierce replied the last time an inventory was done was when the previous company leasing the hospital left. He said the Emergency Management Office conducted the inventory. He stated this was around six years ago. He said the Clerk's Office did go out to the hospital and tried to inventory the equipment, but was unable to get a full accounting or full list of inventory. Commissioner Mosconis said he wanted a legal opinion on the Personal Property Tax Return since the property belonged to Franklin County. Mr. Shuler replied the County had a lease with a private company and the County might have to go to Court to enforce the matter. He said he would suggest allowing him to send a letter to this company leasing the hospital and demanding the Personal Property Return for the year 2003 be submitted to the Property Appraiser. Commissioner Mosconis makes a **motion directing the County Attorney to send a demand letter to the company leasing Weems Memorial Hospital demanding the Personal Property Return for the year 2003 be submitted to the Property Appraiser's Office immediately.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2029) Ted Mosteller, Chairman of the Apalachicola Airport Aviation Committee, invited the Commissioners and any County staff to a cook out in honor of the retirement of Joe Smith, FDOT Aviation Director. He said the cook out would be at the Apalachicola Airport on August 18, 2003 at 6:00 p.m. He stated the head of FDOT Aviation, Bobby Grice, would also be attending the cook out. He said Mr. Smith's replacement, Donnie Duce, would also be present to meet with the Commissioners and any one else who would like to talk to them.

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



CHERYL SANDERS, CHAIRMAN



KENDALL WADE, CLERK