

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
AUGUST 19, 2003**

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

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

(Tape 1-37) Commissioner Putnal made a **motion to approve the minutes of the meeting held on August 5, 2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-44) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

TERRY PEACOCK-US DEPARTMENT OF THE INTERIOR

(Tape 1-50) Terry Peacock, US Department of the Interior, presented the Commissioners with a check in the amount of \$30,907.00 representing the Annual Refuge Revenue Sharing Payment for fiscal year 2002. She thanked the Board for their support of the local Refuge. She stated it was the 100th Anniversary as a National Wildlife System. Chairman Sanders and the Board thanked Ms. Peacock for the check. Commissioner Mosconis said it had been pointed out to him the County only received 48% of the revenue sharing this year. Ms. Peacock said this has been a subject of intense discussion between Congress and the US Department of the Interior. She stated Congress decides what amount is given to each County. She suggested the Board send letters to their local representatives in Congress. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a letter to each Congressman representing Franklin County asking them to appropriate additional funding for the Refuge Revenue Sharing Act of 1978.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

JAMES A. HARRIS, JR., CFC-TAX COLLECTOR

(Tape 1-127) Mr. Harris said he was here to alert the Board of the fact he was going to ask the attorney for the Tax Collector's Office to pursue a lawsuit against the local hospital's operator, DasSee Community Health. He stated the Ad Valorem Taxes in the amount of \$27,117.15; the 2001 Personal Property Taxes in the amount of \$5,758.46 and the 2002 Personal Property Taxes in the amount of \$4,815.29 has not been paid by the company. He said the total amount due the County was \$37, 690.90. He said the contractual issues were between the Board and the Company, but he, as Tax Collector, had an obligation to collect these taxes for Franklin County. Doris Pendleton, Property Appraiser, was present with Mr. Harris. He said he has asked Ms. Pendleton to come to this meeting with him to let the Board know DasSee Community Health has not filed a Personal Property Tax Return in several years. He said this means there is not a formal list of personal property for the hospital. He stated the Property Appraiser, under State

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Statutes, has to charge the prior year's return and charges Personal Property Taxes according to this amount. He suggested the Board give Ms. Pendleton direction on how the Board wants her to proceed with inventorying the personal property at the hospital. He said, if his memory serves him right, the Clerk's Office was the last entity to conduct an inventory. He stated he thought an inventory needed to be conducted at the hospital. Chairman Sanders said the Board had instructed the County Attorney and Mr. Pierce to contact Ms. Pendleton about an inventory at the hospital. Mr. Shuler, the County Attorney, reported he had sent a "demand letter" to Michael Lake, CEO, DasSee Community Health. Chairman Sanders asked Mr. Shuler if he had communicated with Ms. Pendleton. Ms. Shuler replied he had talked to Rita Preston in the Property Appraiser's Office. He said he didn't speak to Ms. Pendleton personally. Commissioner Mosconis said he wanted to suggest the Board, before the County moved forward with spending tax dollars on lawsuits, he would make a **motion to send DasSee Community Health, Mike Lake, CEO, a letter this week requesting his attendance at the next Board Meeting on September 2nd to discuss these issues and how he plans to remedy them.** He said, for those of us, who read the Panama City paper this morning you will see the past operator of this local hospital was doing the same thing he was doing here in Franklin County. He stated this was in the Panama City paper and the hospital was in Gulf County. He said the employees are not being paid just like what happened here. He explained the new operator of the hospital, DasSee, was paying their employees because he hasn't heard any complaints yet. He said there is some activities going on in the State, which would provide some grant funds to the rural counties for local hospital or Critical Access Hospitals. He stated he didn't want taxpayer's money spent "frivolously" like this; he wanted to talk to Mr. Lake. He said then if Mr. Lake doesn't come to the meeting on September 2nd some type of legal action would have to be taken. Commissioner Putnal stated they didn't plan on "pulling out" because they just purchased or leased a CT Scanner. Commissioner Creamer said if Mr. Harris wanted the Board to help him then the Board should. He stated Mr. Harris knew more about his job than he did and if Mr. Harris thought there was going to be a problem in collecting these taxes then the Board should listen to his warning. Mr. Harris thanked Commissioner Creamer for his remarks and stated he was willing for the Board to send a letter to Mr. Lake asking him to come to the Board and explain his reasons for not paying the taxes. He said he would be willing to try this process. He stated if the Board wanted the County Attorney to send a letter to Mr. Lake asking him to come to the next Board Meeting on September 2nd he would be more than willing to do this. He suggested the Board give Mr. Lake a specific time limit of 15 or 30-days to respond to the letter. Commissioner Putnal said he would second Commissioner Mosconis's motion. All for. **MOTION CARRIED.** Mr. Shuler said the contract with DasSee reflects the company has 30-days to remedy any breach of the contract. He stated he has interpreted the failure to pay the Ad Valorem and Personal Property Taxes as a breach to the contract. He said therefore DasSee should be given 30-days to correct the deficiency. Commissioner Mosconis stated he wanted a "plan in place" before the contract or lease was terminated. He said the County didn't have a "plan in place" so the County would be able to terminate the lease. He stated this is a very complex issue, "its not just a bashing thing were doing here, we are talking about a public institution serving the public." He informed the Board he had to carry someone to the Emergency Room the other day that had cut their finger. He said this is not

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something the Board needed to "play with". He stated Mr. Lake knows there is somebody in the "wings" waiting to take over at the hospital. He said before anymore "bashing" was done and taxpayer's money was spent, Mr. Lake should have a two-week notice the Board is expecting some kind of action to remedy this situation. Mr. Harris said he didn't know where the word "bashing" came in because that is not what he is here for. He stated he is here as Franklin County Tax Collector to collect the property taxes as the people of Franklin County elected him to do. Commissioner Mosconis said he knew what Mr. Harris was talking about, but he didn't want "this thing to take a life of it's own". Commissioner Mosconis instructed Mr. Shuler to send a letter as soon as possible asking Mr. Lake to come to the meeting on September 2nd. Chairman Sanders thanked Mr. Harris and Ms. Pendleton for coming to inform the Board of this situation.

HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-345) Mr. Chipman said he wanted to inform the Board Mark Wilson, an employee of the Road Department, was not going to come back to work. He reminded the Board Mr. Wilson had not been working due to a Worker's Compensation injury. He said he had been notified Mr. Wilson would not be coming back to work. He asked the Board for permission to advertise the vacancy at the Road Department. Commissioner Putnal made a **motion to authorizing the placement of an advertisement in the local newspaper requesting applications to fill this Entry Level Position at the Franklin County Road Department.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-359) Mr. Chipman said he and Chairman Sanders met with Doug Aarons, PE, VMS Maintenance Systems, Inc., about the proposed contracts between the County and VMS for ditch, etc. maintenance in Eastpoint and Lanark Village. Mr. Chipman stated after this meeting with Mr. Aarons he decided the Franklin County Road Department would accept these contracts. He said the contracts are only for the remainder of the year and if he thought he couldn't handle the work he would know by the end of the year. He stated the County would not have to renew the contracts then. He stated he thought there were approximately "3-cycles" left, and he would attempt to have his department complete these problems. Mr. Chipman said he knew this would help the people in Eastpoint and Lanark Village. He said he knew VMS and their employees couldn't do the necessary work because they didn't seem to have the employees or the equipment. He stated again he would try to accomplish these items the contract contained. Chairman Sanders said the contract covers, July 1, 2003 through December 31, 2003, so by this time Mr. Chipman should know if he can handle the extra work or not. She said this is a "trial run" and Mr. Aarons is well aware of this. She stated the contract specifies the County would provide litter removal, small machine mowing, edging and sweeping in Eastpoint from 5th Street to South Bayshore Drive and in Lanark Village from Putnal Street to the Ho-Hum RV Park. Commissioner Putnal asked Mr. Chipman if he had the manpower to take this extra responsibility on. Mr. Chipman replied he really didn't know, but he was going to try. Commissioner Putnal said he knew Mr. Chipman's employees were very, very busy because he sees them working all the time. He stated they certainly do not "loaf" around. Mr. Chipman said he was going to try and see if he

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couldn't take care of this work due to the fact he does get a lot of complaints about the FDOT right-of-ways.

Commissioner Creamer made a **motion authorizing the Chairman's signature on two contracts with VMS Maintenance Systems, Inc.-Contract No. 3152 for the Eastpoint area-5th Street to South Bay Shore FDOT right-of-ways and Contract No. 3171 for the Lanark Village area-Putnal Street to the Ho-Hum RV Park FDOT right-of-ways for the term July 1, 2003 through December 31, 2003.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-425) Chairman Sanders said the engineering firm responsible for the sidewalk along Ryan Drive or Three Rivers Road has informed her they would not be responsible for the flooding problem any longer because when the project was completed the County and the City of Carrabelle would become responsible for the maintenance of the sidewalk. She asked Mr. Chipman to go out to this area and decide what needs to be done. She suggested the Road Department grade down the area so the water would flow more easily. Mr. Chipman assured the Chairman he would check into the matter.

(Tape 1-454) Alan Pierce, Director of Administrative Services, informed the Chairman Chris Clark, Engineering Technician, was here this morning to discuss several issues with the Board and Mr. Chipman.

(Tape 1-464) Mr. Clark reported he and the Road Department had installed some rumble strips, some signs, and closed the ditch at the intersection of 24th Avenue and Bluff Road. He stated there might be some problems with the rumble strips due to the fact they were installed with some old epoxy and are separating from the pavement. He said Jimmy Pendleton, a resident close to the intersection has complained about the noise caused by the rumble strips. He stated he has ordered some new epoxy and Mr. Chipman is probably going to install some asphalt rumble strips. Mr. Clark said the only other thing that could be done would be for law-enforcement to write some tickets.

(Tape 1-502) Mr. Clark stated he went to Eastpoint to look over the problem David Duncan is having with his property flooding. He said Commissioner Creamer went with him. He stated, basically, on Carroll Road all of the storm water comes together on Mr. Duncan's property. He said there is a pretty big pond creating a big problem for Mr. Duncan. He stated he looked at the situation and there are several options the Commissioners can consider: 1. The County just doesn't get involved and inform Mr. Duncan he needs to fill his own property, which would inevitably cause flooding; 2. The County allows Mr. Duncan to excavate his pond to make it a little deeper so it would hold water and have a "weir" installed so it could move the over flow of water; then Mr. Duncan could use the fill from the pond to build his property up; 3. The County could ask the two adjacent property owners to agree for the County to install a 220-feet of pipe with mitered end-sections, then cover the pipe so it wouldn't be an eyesore, but one of the property owners has already told him he is concerned about the fact Bay Shore Drive doesn't drain properly. He explained Mr. Chipman has cleaned the ditches, but there are still some low culverts, which need to be raised to make the flow easier. Commissioner Creamer asked if this wouldn't just drain Mr. Duncan's property, but not really alleviate

the problem of drainage in front of his house. Mr. Clark replied the ditches are low in that particular area and the water would still "pond" in the ditches. Commissioner Creamer said then the ditch would have to be placed across Mr. Duncan's yard and flow into the culvert pipe. Mr. Clark said storm water easements would have to be pursued from the adjacent property owners. He stated if they do not agree to the storm water easements then there is nothing anyone can do about this suggestion. He said this suggestion could be done with a "pipe" or a "swale". He said the fourth option would make the water flow around the block, which would involve moving the water all the way around the block. He said the only problem with this is there are two hills, which would also involve digging through these hills. He stated this would create a three and one-half foot ditch on the side of the road through what is now dry land. Mr. Clark said the property owners in this area have high, dry land right now and this would cause a ditch to be dug right in front of their property. He said if something was built on these properties the owners would then have to install a culvert to get to their property. He stated, in his opinion, the storm water would never make it totally around the block because it would dry-up before it gets all the way around the block. Chairman Sanders asked him what his recommendation would be. Mr. Clark replied he would suggest the Board asked the adjacent property owners to grant the County an easement for the ditch to be dug across their property. He said this would be totally up to the property owners. Commissioner Creamer asked him what his second option would be. Mr. Clark replied he would suggest a ditch be dug around the block in stages. He said he thought the water would percolate into the ground before it ever traveled all the way around the block. Commissioner Creamer asked if this meant the ditch would travel all the way down Carroll Street and stop. Mr. Clark said, to Mr. Duncan, it is a lot of water because it all stops on his property. Commissioner Creamer said he wanted to make sure this ditch draining property. He stated he wanted to have the County's problem corrected as far as the ditch overflowing onto Mr. Duncan's property. Commissioner Creamer made a **motion authorizing Mr. Clark to follow his recommendations: 1. Contact the necessary property owners and ask them to grant an easement to the County for the ditch by installing a "swale" or "pipe" and if not follow the second recommendation, which was for the County to dig a ditch all the way down Carroll Street to Plum Street in Eastpoint.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

DEWITT POLOUS-MOSQUITO CONTROL DIRECTOR

(Tape 1-762) Mr. Polous asked the Board to allow him to purchase a new ULV Unit. He said he has started to use his spare in one of the spraying trucks. He stated this unit could be purchased from this year's budget. Commissioner Putnal made a **motion authorizing Mr. Polous to purchase a new ULV Unit for the Mosquito Control Department and to utilize funds remaining in this year's budget to purchase the unit.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-782) He asked the Board to allow him to employ a person as a full time Mosquito Control employee. He said has part time assistance, but needs a full time person. He stated the State of Florida DACS has delivered a "Vector Control Management System" to them. He said this is a new procedure the County would be

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forced to follow. He stated he has always had regular routes he has followed for spraying in the County. He said the State is now requiring, unless a complaint is received, he complete an inspection in the area the complaint is in before he can spray there. He stated he has to be able to justify where he is spraying and why he is spraying that particular area. Mr. Polous informed the Board this is going to be very time consuming. He explained he would most likely have to publicly announce the mosquito-spraying route through the local newspaper and radio. He stated he might have to have another telephone line installed specifically for the Mosquito Control Department where they are all based at the Road Department on Highway 65 in Eastpoint. He informed the Board he knows the telephone is going to ring off the hook when this new plan is implemented. He said he desperately needed the additional help. Chairman Sanders asked how this would help determine the area needing spraying especially if there is an outbreak of the "West Nile Virus" in Franklin County. Mr. Polous replied this would be part of this new management system. He said they would have to do a lot of "surveillance" type work in the County now. He stated the State might furnish a grant for the County to purchase some items to perform the "Centennial Chicken Flock Test". He said the State is going to require the County to be brought into conformity with all of these new requests. Mr. Polous stated he has actually begun the process and it was going to entail a lot more paperwork. He said he is going to be spending more time at his desk than usual too. Commissioner Putnal stated he agreed Mr. Polous needed more help and made a **motion authorizing a full time employee for the Mosquito Control Department effective October 1, 2003.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

VAN JOHNSON-SOLID WASTE DIRECTOR

(Tape 1-934) Mr. Johnson informed the Board the Animal Control Officers recently took custody of nine pit bull dogs after they received reports of neglect. He said after the dogs were impounded the local Veterinarian examined the dogs and reported all of the dogs were malnourished, anemic, and tested positive for heartworms. He reported the dogs also had frontal scaring, which indicates they had been used for fighting purposes. He explained, due to the facts, he is asking the Board to authorize the County Attorney to assist him in petitioning the County Court for a hearing to grant permanent custody of the dogs to the Animal Control Department for disposition. Commissioner Mosconis made a **motion directing the County Attorney to assist Mr. Johnson in petitioning the County Court for a hearing to grant permanent custody of nine pit bull dogs to the Animal Control Department for disposition.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Creamer asked if the State Attorney's Office was going to assist him as well. Mr. Johnson replied they would since this is a third-degree felony. Commissioner Creamer said he felt very strongly about this matter being prosecuted by the State Attorney's Office.

DOUG AARONS, P.E.-VMS MAINTENANCE SYSTEMS, INC.

(Tape 1-991) Mr. Aarons said he was just here this morning to see if the Board had any questions about the contract they just agreed to. He stated he had met with Chairman Sanders and Superintendent Chipman about the specifics of the contracts. After no questions were asked of Mr. Aarons he thanked the Board for their time.

(Tape 1-1000) Chairman Sanders said while Mr. Aarons was present this morning she wanted to make the Board and the public aware the USCOE Demolition Project at Camp Gordon Johnson-Ordnance Removal was going to be placing some large signs on the CGJ site informing the public of the possibility of an ordnance or ordnances still remaining on the property. She said it looks almost like a "bomb" sign and she felt like the signs might frighten some people. She stated she just wanted everyone to be aware of the installation of these signs.

SMALL COUNTY COALITION OUTSTANDING LEGISLATOR

(Tape 1-1027) Chairman Sanders said she would like to recognize Representative Will Kendrick at this time. She stated in July he was chosen as one of the Small County Coalition's Outstanding Legislators for the year. She said she and Commissioner Williams serve as representatives for Franklin County on the Small County Coalition. She stated she is a member of the Executive Committee. She said, at this time, she would like to present Representative Kendrick with an award this morning. She said the award stated, "For Leadership and Support on behalf of Legislation and Funding Impacting the Small Counties and Rural Communities in the State of Florida-This Recognition goes to Representative Will Kendrick". Chairman Sanders explained if it hadn't been for the Franklin County Legislation Delegation Franklin County would have lost the Alligator Harbor Clam Aquaculture Project. She said this would have also caused problems for the Oyster Industry in Franklin County. She stated he was instrumental in keeping the Recycling Grants in place for a lot of the small counties and in the implementation and construction of the new Department of Corrections (DOC) facility in Carrabelle. She thanked Representative Kendrick for all of his hard work on behalf of Franklin County. Representative Kendrick thanked the Board for the recognition this morning. He said he would like to report the Department of Corrections has, as of last week, notified him they are in the process of finalizing the contractor for the construction phase of the prison. He stated there should be some progress at the DOC site in Carrabelle within the next thirty days or so. He said he was sure the County would be forced to fund some State Budgets within the next year or so. He stated he was sure Article V was going to impact Franklin County. He encouraged the Board to stay "conservative" with their spending. He said he was very, very proud of the Commissioners in keeping the millage rate so low in Franklin County. He stated Franklin County enjoys one of the lowest millage rates in the State of Florida. He said the people of Franklin County need to appreciate the Commissioners trying to hold the millage rate down. He stated there are Counties, which he represents that are already at the ten-mill cap and cannot afford any more funding whatsoever. He said this is a serious problem. He stated he knew the Board had some budgets they were already absorbing this year from the State, but he knew next year was going to be even worse. He said he and Representative Stansell were going to introduce Legislation next year to repeal the law, which actually gave all of the State roads back to the Counties. He stated he didn't think the FDOT would agree with this, but he thought there were serious problems with FDOT. He said he wanted the Board to continue and be a part of the Florida Association of Counties, but he couldn't tell them how important it is for small counties to be a member of such organizations. He said the Small County Technical Assistance Program and Opportunity Florida were important organizations.

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Representative Kendrick said Commissioner Mosconis mentioned to him earlier about problems with alligators in Florida this year. He said he would like to report the State of Florida issued more Alligator Permits this year than every before, however not a lot of people took advantage of the permits. He said the FWC still had permits available.

Representative Kendrick said he would like to urge the Boards support of the "Summer Camp" PUD Amendment this morning. He stated he also had a personal matter to discuss with the Board this morning. He said a number of years ago Franklin County experience the problem of citizens on the Eastern end of the County, after becoming ill, were forced to come to Apalachicola to the local hospital and then carried on to Bay County. He said this was a problem. He stated he had a situation a couple of weeks ago. He said his wife requested, after he became sick at home, for him to be taken, by local ambulance, to Tallahassee where is doctors are. He explained he was forced to come to Apalachicola and because of this he was brought, twenty-three miles, to the local hospital. He said he then was taken on to Bay County even though his doctors were waiting on him at Tallahassee Memorial Hospital in Tallahassee. He stated he knew the County subsidized the ambulance service approximately \$10,000.00 per month and he thought it was the Commissioners decision to force the ambulance service to take the citizens, especially on the Eastern end of the County, to Tallahassee. He said if a person needs an ambulance and then requests the ambulance to take them to Tallahassee instead of Apalachicola then the person should be allowed to be taken to Tallahassee.

Commissioner Putnal said this is something he has been trying to do ever since he was elected. He stated for ten years he has been trying to make the ambulance service take people where they wanted to go. He said he didn't know what else to do. Representative Kendrick said if the Commissioners subsidize the ambulance service then the Commissioners should be allowed to require this of the ambulance service. He stated if the County stopped funding the ambulance service if they didn't take people where they want to go it would probably get their attention. Commissioner Putnal stated it was not fair to the citizens to be taken to a hospital they didn't want to go to especially when most of the people in the Eastern end of the County had doctors in Tallahassee anyway. He said somebody is going to die one day if this policy is not changed. Commissioner Mosconis made a **motion instructing the County Attorney to send a letter to EmeryStat, Inc. requesting they have a representative at the next Board Meeting on September 2, 2003 to answer some questions the Board has for them.** He said the representatives could appear during Mr. Shuler's report around 11:30 a.m.

Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

Commissioner Mosconis said he knew there had been an attempt to cut the funding for the Recycling Grant Funding. He stated the Legislature, about fifteen years ago, passed a bill whereby every person had to pay a Recycling Fee when they purchased tires or batteries. He asked what was being done with this money. He said there should be a large amount of money in this fund. He stated he thought the State had an obligation to fund this Recycling Program. He said the State does not have the right to spend this money on anything different than Recycling Programs. Representative Kendrick said he did discuss this in the Legislature this year, but to no avail. He stated because of Term Limits a lot of the experienced Legislators, who fought for this type of funding, is no longer serving as Legislators so the matter has become less important. He stated he did know about this matter and was trying to make sure this fund was spent appropriately.

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Commissioner Mosconis said he wanted to know if the Long Term Landfill Fund, currently required by the State, could be used for any other purposes. He said the law requires Franklin County to keep one-half million dollars in this budget. He stated he knew the County had approximately "seven million" dollars. Mr. Pierce stated the funds were close to one million dollars and then the County cut back on it. Commissioner Mosconis asked Representative Kendrick to check into this program administered by FDEP and see if some of the "strings" can't be loosened up so the County could spend that money elsewhere where it is really needed. He stated this has been in limbo for about fifteen years ago or so. He said the money is limited on how it can be spent. He stated the County had money sitting in the bank and can't spend it. He said he knew the County had to remain in compliance, but he also knew the County should be able to use these funds for something else, such as some type of infrastructure. He stated it should also be used for purchasing tractors, lawn mowers, dump trucks, etc. Representative Kendrick said he would try to have an answer for Commissioner Mosconis by the Legislation Hearing date. Commissioner Putnal said the County had also been punished because of the lower millage rate. He stated the State doesn't want to help the County with any of their road problems. He asked if there was a possibility the State could help Franklin County with this problem too. Chairman Sanders stated she was concerned about the Payment in Lieu of Taxes Program. She said this was important to Franklin County because of all of the State owned lands in the County. She stated she thought the time period should be extended. She said there should not be a ten-year limit and Counties with land owned by the State or Federal Government totaling 75% to 80% should be entitled to these payments on an unlimited basis. She said the County should get some type of benefit from this land. Representative Kendrick said a bill was introduced by Representative Spratt requesting an inventory of State and Federally owned lands in each County. He stated the "Tree Huggers" fell out from the sky. He said they thought the State was going to sell the land when they found out how much land they really owned. He stated the lands owned by the State and Federally owned property should be in the process of at least pursuing a Management Plan. He said the land, owned by the State and Federal Government, for years and years should at least have a Management Plan by now instead of them just buying land in the Counties with no purpose in mind. He said this bill did was not approved or adopted and now there is still no inventory. He stated this would at least have given the State a basis to see which Counties are in the worse financial shape because of the land owned by the State and Federal Government and not having any type of tax being paid on it. Commissioner Mosconis said he wanted Representative Kendrick to support the "Traditional Uses" of this property too, which is hunting in our area. Representative Kendrick thanked the Board for their continued support and promised to do everything he could to help Franklin County. Representative Kendrick encouraged the Board to authorize their County Attorney to begin the process of preparing a Resolution encouraging the State of Florida to, for future land purchase, keep all of this land reflect the land is to be used for "Traditional Uses" or even the possibility of "Recreational Uses".

BRIAN MARTIN-DIVISION OF FORESTRY

(Tape 1-1703) Mr. Martin introduced himself to the Board at this time. He informed the Board he is a Biologist and more specifically an "Ecologist" with the Division of

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Forestry. He said he is here this morning to make a statement the agenda reflected the request for the Division of Forestry to use "spot herbicides along Highway 65". He said he would like to include the whole County in this request. He presented several brochures listing the invasive, exotic, or non-indigenous plants to the State of Florida. He said there are fifteen invasive; non-indigenous plants known to occur in Franklin County. He said these non-indigenous plants could alter native plants and their growth as well as have negative impacts on wildlife. Commissioner Mosconis asked Mr. Martin what the most dangerous of these plants was right now. Mr. Martin replied the "Cogon Grass". He said FDOT introduced the plant for erosion control along the sides of the roadway, but it spreads very rapidly. He stated it chokes out native grasses. He informed the Board we also have a big problem with "Japanese Climbing Fern", which will climb onto the native trees and actually "shade" them out. He explained the following are also on the list: Japanese Mimosa, Chinese Tallow or Popcorn Tree, Air Potato, Paper Mullberry, Chinaberry, Chinese Wisteria and the Camphor Tree. He explained there are also several invasive plants in Franklin County, which are Federally regulated and cannot be transported. He said the "Water Hyacinth" is one of these plants. Mr. Martin said there is a difference between herbicides and pesticides. He stated the Division of Forestry wants to conduct herbicide treatment in Franklin County in the areas where these plants are most known. He cautioned the Board they cannot wait until these plants infest the area, which would be even more costly to treat. He suggested several solutions to this problem; one of which is public education. He stated a lot of people have these plants in their yards. He said they should be encouraged to get rid of these plants and replace them with native plants or trees. He explained the best thing to do right now is to use herbicides, which, if used correctly, would not harm the wildlife or native plants. Commissioner Putnal said he has a problem with herbicides being used in these ditches because of the flow of the water into the Bay, which could harm the seafood industry in Franklin County. He said they are filter feeders and if the herbicides ever get into the water system the oysters would die. Mr. Martin replied herbicides would be the safest way to treat this problem. He said he wanted to make a point that spraying the mosquito insecticide throughout the County does more damage than he could ever do with herbicides. He explained herbicides are for the treatment of plants not animals. He stated he could not answer a lot of these questions, but he would like to continue this discussion at the next meeting. He said this was an important issue because of the repaving project of Highway 65 by FDOT in the near future. Chairman Sanders said she knew FDOT was going to repave Highway 65 and the Division of Forestry would like to treat the area for these invasive plants and trees while the road is being constructed. Commissioner Putnal stated he would like a little more detail about the possible damage herbicides could cause to the Bay. He stated he didn't want to do anything to damage the oyster industry. Mr. Martin stated he wanted to be very clear he was a Biologist and a public servant and his goal in life is to preserve our natural communities. He informed the Board he would never ask them to do anything to hurt or damage the environment. He told the Board they couldn't find anyone more concerned about the environment than he is. He said he wouldn't even be here today if he didn't think this was an important issue. The Board asked Mr. Martin to attend the next Board Meeting scheduled for September 2nd and to provide additional information to them about this matter. They

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asked him to be at the meeting at 10:15 a.m. Mr. Martin agreed to come to the next meeting at 10:15 a.m.

PUBLIC HEARING-"SUMMER CAMP" PUD

(Tape 1-2090) Mr. Pierce said he thought many people who were in attendance at the meeting this morning wanted to have some input into the public hearing regarding the PUD for the "Summer Camp" Project. He stated he had to inform the Board he was responsible for not publicly advertising this public hearing. He said he failed to have it advertised in the local newspaper. He explained there was no formal public notice furnished to the public other than the people who have already attended or heard about the public hearing. He apologized for any inconvenience this might have cause anyone. He suggested the Board go ahead and allow whoever was here to discuss the PUD be allowed to briefly do so. He said then he would need a motion or authorization to reschedule this public hearing, which he assured the Board he would publicly advertise, for September 2, 2003 at 10:30 a.m. Commissioner Mosconis made a **motion rescheduling the Public Hearing to consider adoption of the "Summer Camp" PUD until September 2, 2003 at 10:30 a.m.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Roger Bybee, Carrabelle, presented several documents regarding the "Summer Camp" PUD, which also contained his comments. Paul Johnson, representing 1,000 Friends of Florida, Florida Wildlife Federation and the Apalachee Ecological Conservancy presented a letter with comments and recommendations from these three groups regarding the "Summer Camp" PUD to the Board also. Laurel Newman also asked a question as to whether Mr. Pierce was going to be, according to the PUD documentation, the primary decision maker on any major land use changes in the development. Mr. Pierce replied there would be a part of the PUD Ordinance, which applies to him or someone else appointed by the Board, to make a distinction as to whether the changes are considered a "minor" or "major" change to the PUD. Chairman Sanders said this could be further discussed at the meeting on September 2nd and said she was going to the next item on the agenda.

RICK SAVAGE, DIRECTOR OF BUSINESS DEVELOPMENT-LIFE NET

(Tape 1-2425) Chairman Sanders reminded the Board this discussion began at the last Board Meeting. She said Mr. Savage is requesting a COPN from Franklin County for his company, Life Net, to be able to fly into Franklin County if needed to provide air ambulance service to the County. Mr. Savage thanked the Board for allowing him to speak to the Board again this morning. He said he needed to clarify a few things he just learned today, which he thought might be unclear to the Board. He stated as a new flight program comes to an area it does so because the population has grown such it would support the higher level of definitive care provided by an air ambulance service. He stated as this new geographical area is served by a new flight program the understanding is the quality of health care for the entire area is increased by the new program. He explained as his company came into the area July 1st, Leon County, their expectation was to offer the citizens of the geographical area they served, which includes Franklin County. He told the Board, as they began this service in Leon County, they came to Franklin County to provide air ambulance service for several incidents whereby the people needed to be flown, by air ambulance, to the hospital because their injuries or

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sickness was so bad. He explained they were advised by the local EMS administration, based on their perception of the current COPN with the Perry Flight Service-Doctor's Memorial Hospital, and based on statements made by the Perry Flight Program gave the EMS Staff the indication they would be required by them, the EMS Staff, to call the Perry Flight Service first. He said in other words give them the first right of refusal for the particular flight they were being dispatched to. Chairman Sanders stated this was her understanding too, that the Perry Doctor's Memorial Hospital Flight Service was considered the primary provider of air ambulance service to Franklin County. Mr. Savage the EMS Service's total priority is prudent patient care for the citizens of Franklin County. He said his company didn't specifically need this COPN to operate in Franklin County. He stated the citizens and EMS should have the ability to choose regardless of any contractual agreements, which might or might not be in place. He said he is not here to ask for preferential treatment over any other flight program, but he is here to ask the Board to allow the local EMS Staff to make the proper decision based on what is most prudent for the citizens need and not based on a previously held agreement with an aircraft, which is much further away. Commissioner Mosconis asked Mr. Savage if the local EMS Staff made the decision as to which aircraft to call when the injuries or sickness is bad enough to need an air ambulance. Mr. Savage said they should have this capability, but currently the EMS Staff's perception is they must call the Perry Doctor's Memorial Flight Service first. Chairman Sanders stated this just wasn't true. She said she was going to tell him a true story. She said when her brother, Representative Kendrick, became very sick and needed emergency assistance the EMS Staff came with an ambulance and then they contact Air Medic One from Doctor's Memorial Hospital in Perry. She stated the helicopter was "fogged in" so they couldn't fly to get him, but when EMS called Tallahassee Memorial Hospital they would not release their helicopter to fly down to Apalachicola and pick him up. Mr. Savage said TMH and his flight program have no affiliation what so ever and if this happened his flight service did not know anything about it. Chairman Sanders said the EMS Staff was informed by TMH they could not fly down to Franklin County to pick up her brother and they sure didn't fly down to get him. Chairman Sanders said when Franklin County couldn't get anyone to provide air ambulance service to their citizens, after Leon County did not fund the program through TMH anymore, Air Medic One and the representatives from Perry's Doctor's Memorial Hospital were the only ones who would even considered helping Franklin County. She said they deserved the first right of refusal and she would insist they be called first if an air ambulance was needed in Franklin County. She stated they came to help Franklin County when no one else would. Mr. Pierce said Mr. Curenton, Assistant Planner, investigated the life flight arrangement in Walton County as instructed by the Board. He said it appears to him, through Mr. Curenton, that South Walton County does not have a multiple COPN. He stated it also appears to him the "Air Heart" air ambulance is the primary air ambulance for this area and if they cannot respond to the calls then another company is called, usually either Baptist or Life Flight, which are both located in Pensacola, Florida. He said he thinks each County might have a primary company to call and then if they can't come to pick up the injured person then another company is called or the second one on the list is called. Commissioner Mosconis said he did agree the County needed to have another option if Air Medic One out of Perry could not fly. He stated he thought EMS Staff should have the latitude to call Life Net in

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Tallahassee if the other helicopter can't come. He said the County needed the availability of another emergency aircraft if some incident happened in the County. He stated he wanted this to be a "harmonious" agreement and wanted both companies to get along. He said his first interest was the public and he felt having an option would be a good thing. Chairman Sanders told Mr. Savage she didn't want any problems between Air Medic One and Life Net. She stated the County could benefit from both companies. Mr. Savage said his company did not have any affiliation with TMH in Tallahassee at all. He stated he didn't intend to cause any problems. Commissioner Mosconis said the Board was going to have a representative from EmergyStat, Inc. at the next meeting anyway so this matter could be discussed as well. He stated he wanted the County Attorney to add this request to his letter. He said he wanted EmergyStat, Inc. representatives ready to discuss this issue with the Commissioners too. Commissioner Putnal said he would make **a motion directing the County Attorney to research whether multiple COPN's can be issued by Franklin County for air ambulance service and to inform the EmergyStat, Inc. representatives they need to be ready to discuss this issue at the next Board Meeting too.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Shuler agreed he would add this request to his letter inviting EmergyStat, Inc. to the next Board Meeting on September 2nd. Chairman Sanders stated Mr. Savage was correct in that his company Life Net didn't have to have a COPN to provide service to Franklin County. She said if they are called by EMS Staff to provide an air ambulance then they are coming whether or not. Commissioner Mosconis said he thought there had been several changes in the staff of EmergyStat anyway. He asked Mr. Savage where their aircraft for this area was based. Mr. Savage replied at the Tallahassee Regional Airport. Chairman Sanders thanked Mr. Savage for attending the meeting this morning.

ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES

(Tape 1-2837) Mr. Pierce asked the Board for authorization to reapply for a FRDAP Grant for the construction of the ball fields at the Carrabelle Recreational Complex. Commissioner Putnal made a **motion authorizing the Chairman's signature on the reapplication for a FRDAP Grant to construct the ball fields at the new Carrabelle Recreational Complex.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2854) He informed the County owned or would soon own the property for the Carrabelle Recreational Complex. He said St. Joe was selling the property to Franklin County. Chairman Sanders stated she signed the check today for the purchase of the property.

(Tape 1-2887) Mr. Pierce informed the Board Steve Jernigan, architect for the new Courthouse Annex, and James Rogers, the Courthouse Annex contractor, met last week and discussed several possible reasons why mildew is still growing in the building. He said the contractor and the architect are both well aware of the County's frustration and at this point they both seem to be working together to solve the problem. He told the Board if the mildew problem is not solved in the near future, both parties have been informed the County would take further action to remedy the problem. Chairman Sanders said she

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had just been faxed a letter from William N. Meggs, State Attorney for the Second Judicial Circuit of Florida, complaining about the mold in his offices in the Courthouse Annex. She stated she wanted the problem solved one way or another. Mr. Pierce said something is causing mildew to grow on the exterior walls. He stated he is trying to take care of this problem. Commissioner Mosconis said the architect works for the engineering firm, which contracted with the County to oversee this project. He stated this is who he is holding responsible and is going to look at if the problem is not corrected. Commissioner Creamer stated the windows are still leaking and water was pooling underneath the window seals. He said the room in the back of the Courthouse Annex where the air conditioning systems are located is flooded every time it rains. He stated there are some major problems in this building and he expects them to be corrected as well.

Mr. Pierce assured the Board he would keep them updated on the corrections of these problems in the new Courthouse Annex.

(Tape 1-2966) Mr. Pierce informed the Board the SGI Bridge construction is proceeding on schedule, which means it is estimated the demolition of the old bridge would begin in November or December, and it is possible the State would turn over the 3,000 feet of remaining bridge at both ends to the County some time the spring. He said, at this time, the County has not made any plans on how to manage the fishing piers. He reported an operator of the Pensacola Fishing Bridge, Mr. John Locke, is interested in obtaining a lease or concession to manage the SGI fishing piers. He asked the Board if they had a preference for how to manage the structures, which would be responsible for maintenance and cleaning, or does the Board want to see if private enterprise would take over. Commissioner Mosconis said he wanted to wait until closer to the demolition date to make any decisions. He stated obviously the County would receive a percentage for the use of the fishing piers. Commissioner Putnal said the oyster bars needed to be considered especially the pier on the Eastpoint side. He said he didn't think the oyster industry would be oystering that close to the shore. He stated occasionally oystermen would go underneath the bridge and "cull off" their oysters. Anita Grove, Apalachicola Bay Chamber of Commerce, was present at the meeting. The Commissioners ask Ms. Grove to check into the surrounding Counties operation of their fishing piers. They instructed Ms. Grove to check into the trash, parking and several other issues. Ms. Grove stated she would try to meet with the SGI Civic Club to get their input.

(Tape 1-3570) Chairman Sanders asked Mr. Pierce to interrupt his report at this time so she could conduct the scheduled public hearing.

PUBLIC HEARING-REZONING OF LOTS 17, 18 AND 19, BLK 2 W, UNIT 1-SGI

(Tape 1-3575 Continued on Tape 2) Chairman Sanders said this public hearing was to consider the rezoning of Lots 17, 18 and 19, Block 2 West, Unit 1, SGI from C-2 Commercial Business to C-4 Commercial/Residential. Mr. Pierce reported this property was located at the 1st Street and Pine Street on SGI. He stated the property owner's name is Russell McGregor. He said the Planning and Zoning Commission approved this request. Chairman Sanders asked if anyone would like to speak on this issue. Mr. McGregor stated he intended to construct a building, which would house a retail business

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on the bottom floor and a residence on the top floor. Fred Troutman, SGI, said he wanted to be sure Mr. McGregor kept his promise and only allowed one retail business on the bottom floor and residence on the top floor. Mr. Troutman stated he wanted these three lots restricted to one business. He asked if Mr. McGregor could change his mind one day and make the intended residence into another business. Mr. Pierce replied Mr. McGregor had committed or his intent to build one structure with commercial downstairs and apartments upstairs. He also told the Board and audience Mr. McGregor did not have the option to make the whole building a residential structure. Mr. Pierce replied Mr. McGregor didn't have this option. Commissioner Creamer made a **motion authorizing the Chairman's signature on an Ordinance rezoning Lots 17, 18 & 19, Block 2 West, Unit 1, SGI, from C-2 Commercial Business to C-4 Commercial/Residential Mixed Use.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

ALAN PIERCE-CONTINUED

(Tape 2-107) Mr. Pierce asked the Board to pay for a survey of the Eastpoint Boat Ramp to determine whether Fred Millender has encroached on County property. Commissioner Creamer made a **motion to pay for a survey of the Eastpoint Boat Ramp in Eastpoint.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-156) Chairman Sanders said she would like to see the County be aggressive about opening up the right of ways in Lanark Village. She stated the right of ways are probably already being encroached on. She said the County needs to identify the right of ways. She suggested the Board really consider this matter.

(Tape 2-170) Commissioner Creamer asked Mr. Pierce if he had heard anything from FDEP about the Eastpoint Channel Dredging. Mr. Pierce replied he had not heard anything. He said he did have a telephone call from Mike Soles, FDEP, and from Terry Jangula, USCOE, about the project. He stated they have not committed to a time line, but he thought the project should be in the works.

(Tape 2-185) Chairman Sanders asked Mr. Pierce if he had heard her suggestion about tagging the County right of ways in Lanark Village. He replied he did say he heard her and would get with her after the meeting to discuss the actual street or road names. Chairman Sanders said she wanted them identified all the way from Ho-Hum RV Park all the way to the East. Mr. Pierce said this would basically be all of the streets in Lanark Village.

(Tape 2-199) Mr. Pierce said several years ago the Board was awarded a small Hazard Mitigation Grant to place storm covers over the openings of the Senior Citizen Center in Carrabelle. He stated for several reasons, the project was never done. He said Miles Anderson, DEM, who wants the County to complete the project before the contract is revoked by FEMA, has contacted him. He explained the project must be completed by September 30th at least. He said because of the County's tardiness, there is now an emergency to get this project done. He asked the Board to determine there is now an emergency situation in having this project completed and to accept the lowest bid of one of the three companies who responded to Miles Anderson, contingent on Miles Anderson

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accepting the low bid and contingent upon Miles Anderson re-instating the FEMA approval for the project. He explained this low bid was from Architectural Product Sales from Punta Gorda, Florida. Commissioner Putnal made a **motion declaring this situation an emergency situation, due to the time constraints, and awarding the bid for storm covers over the Senior Citizens Center in Carrabelle and awarding the bid to Architectural Product Sales, the lowest bidder \$22,000.00, to install the storm covers over the Senior Citizens Center in Carrabelle contingent on Miles Anderson's, DEM, approval.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-264) He presented a letter from D. Patrick Haney regarding the Board's previous decision to determine the public had ceased to use Pine Road in Carrabelle and that the property was returned to Ben Watkins. He said the letter states Mr. Haney and Donald Docken own the property adjacent to Mr. Watkins. He explained the letter represents, according to Mr. Docken and Mr. Haney, a formal complaint against the abandonment of Pine Road and Sandy Road as approved by the Board at the July 15, 2003 Board Meeting. He said Mr. Haney bought the property in 1993 and according to his title investigation reflected both Sandy Road and Pine Road to be owned and maintained by Franklin County. He stated the letter states the roads were, then as they are now, open to anyone for public use, platted and named for the official Franklin County maps, have County street signs naming the roads and County STOP signs at both access points. Discussion continued. Commissioner Putnal said when the Board made this decision on July 15th the Commission asked if this road was abandoned and no one was using the road. He said they also asked if Ben Watkins owned all of this property on these roads. He and Chairman Sanders said they were told this property all belonged to Mr. Watkins before the decision was made. Mr. Pierce stated he did answer their question on July 15th as to whether Mr. Watkins owned all of the property or not. Commissioner Putnal said now this person is complaining about the roads. Mr. Pierce said these two gentlemen say they own land on these roads and are being denied access to their property. Chairman Sanders asked if Commissioner Putnal needed to rescind his motion. The County Attorney suggested the Board direct him to look into the matter and come back to the Board with a recommendation. He said the Board might have to have a public hearing. Commissioner Putnal made a **motion directing the County Attorney to check into this matter and make a formal recommendation to the Commissioners at the next meeting.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-383) He presented a letter from Charles H. Bronson, FDACS, regarding the road damage the Division of Forestry is doing to the Jeff Sanders Road and the Sand Beach Road in Franklin County. He said this letter was in response to the Board's letter informing the Division of Forestry their trucks, used to log this area, were doing a lot of damage to the County maintained roads. He said the letter informs the County the Division of Forestry is concerned these County maintained roads were being impacted by the private logging contractors under contract to remove timber from Tate's Hell State Forest. He said the letter was signed by Michael C. Long, Director of the Division of Forestry, and assured the Board the Division of Forestry would assist the County in

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maintaining County roads impacted by the Division of Forestry as a result of their timber sales. Mr. Pierce said the letter tells the County the Tallahassee District Maintenance Administrator, G. W. Lupton and Tate's Hell Forestry Supervisor II, Amanda Roundtree, would monitor the condition of County roads impacted by the logging operation. Mr. Pierce stated he just wanted to make sure the Board knew the Division of Forestry had replied to the Board's letter concerning the damage to County maintained roads caused by the Division of Forestry Logging Project.

(Tape 2-413) Commissioner Creamer said he would like for the Board to send a "Letter of Appreciation" to Mr. Bronson thanking him for allowing David Heil to attend the ISSC Meeting in Portland, Oregon. He stated Mr. Heil represented the DACS and did a "great job". He said Mr. Bronson was responsible for sending Mr. Heil to the meeting and the Commissioners should thank him. Commissioner Creamer made a **motion directing Mr. Pierce to send a "Letter of Appreciation" to Charles H. Bronson, Commissioner of the Florida Department of Agriculture and Consumer Services thanking him for allowing David Heil to attend the ISSC Meeting in Portland, Oregon.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-437) Mr. Pierce presented a "Letter of Intent" submitted by the Big Bend Scenic Byway Corridor Advocacy Group representing Franklin County.

(Tape 2-443) He said he wanted to inform the Board Mr. E. G. Berger is interested in donating to the Board three Gulf front lots on Dog Island for a public purpose. He told the Board the lots are Lot 7, and Lots 4 and 4A, Block 1, Unit 3, Dog Island Beaches. He explained the lots are mostly, if not completely, eroded. He stated Mr. Berger informed him he hoped the County would have some public purpose, such as a park; these lots could be used for. He said Mr. Berger wanted the County to at least preserve a point of access to the beach for the interior Dog Island lots. He said Mr. Berger, in exchange for the donation, would like recognition his donation would have a value at least equal to the tax value the Property Appraiser has appraised the lots at. He said Mr. Berger told him he is doing this as a gift to the people of Franklin County. Mr. Pierce suggested the Board direct the County Attorney to assist him in researching this matter to see if this would donation would be appropriate and how the donation should be handled. Commissioner Creamer made a **motion directing Mr. Pierce and Mr. Shuler to research the donation of Lots 7, and Lots 4 and 4A, Block 1, Unit 3, Dog Island Beaches by Mr. E. G. Berger, owner of the property, to the people of Franklin County.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he would go ahead and send Mr. Berger a letter thanking him for the donation and let him know the Board is evaluating the situation.

(Tape 2-491) He said the Planning and Zoning Commission met in regular session on August 12th and recommended the following action: Approval for Don Boyd to construct a single-family dock on Lot 17, Bay View Village, SGI. Commissioner Creamer made a **motion approving the construction of a single-family dock for Don Boyd, SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Don Boyd to construct a single-family dock on Lot 2, Bay Palm Village,

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SGI. Commissioner Creamer made a **motion approving the construction of a single-family dock for Don Boyd, SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for John and Phyllis Conlin to construct a single-family dock on Lot 22, Alligator Point Subdivision, Alligator Point. Commissioner Putnal made a **motion approving the construction of a single-family dock for John and Phyllis Conlin, Alligator Point.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Elizabeth Shuman and Gail Smith to add two boatlifts to an existing dock on Lot 55A, Alligator Point Subdivision, Alligator Point. Commissioner Putnal made a **motion approving the construction of two boatlifts for Elizabeth Shuman and Gail Smith, Alligator Point.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval for Charles Mitchum to construct a single-family dock on Lot 18, Bay Cove Village, SGI. Commissioner Creamer made a **motion approving the construction of a single-family dock for Charles Mitchum, SGI.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval of a rezoning of Lots 17, 18, 19 and 20, Block 5 West, SGI from C-2 to C-4 as submitted by Connie Dehner and Helen Spohrer. The request is to put a second story on an existing commercial building for apartments. The motion would need to authorize the scheduling of a public hearing to consider this rezoning request. Commissioner Creamer made a **motion authorizing the scheduling of a public hearing to consider a rezoning request for Lots 17, 18, 19 and 20, Block 5 West, SGI from C-2 to C-4 as submitted by Connie Dehner and Helen Spohrer.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Approval of a preliminary plat for "Village Green by the Sea" a 32-lot subdivision on a 53-acre parcel of land lying in Section 28, Township 8 South, Range 6 West, as requested by Larry Witt, agent for Green Land Development Corporation. Commissioner Putnal made a **motion approving a preliminary plat for "Village Green by the Sea" a 32-lot subdivision on a 53-acre parcel of land lying in Section 28, T8S, R6W as submitted by Larry Witt, agent for Green Land Development Corporation.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-582) Mr. Pierce announced the Visioning Workshop scheduled for tonight has been postponed to August 26th, next Tuesday. He explained the Workshop would be held at the Courthouse Annex at the same time-6:00 p.m. He informed the Board the topic to be discussed is the County's Development Review Process.

(Tape 2-628) Commissioner Creamer asked Mr. Pierce to check into a matter on North Bay Shore Drive in Eastpoint. He said someone had reported to him there was an individual using his residence for a commercial use. Mr. Pierce replied he would check into the report and inform the Board of his findings.

(Tape 2-635) Commissioner Mosconis asked about the status of the proposed concrete batch plant in Carrabelle. Mr. Shuler replied the Administrative Law case hearing was rescheduled for sometime in mid-September. He said the Circuit Court case is in abeyance pending the finding of the Administrative Law Judge.

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(Tape 2-654) He said he had received a draft letter submitted by ABARK, David McClain, as discussed at the last meeting. He said the letter regarding the ACF Water Allocation would be sent to Governor Bush. Commissioner Putnal made a **motion authorizing the Chairman's signature on the letter submitted by ABARK regarding the ACF Water Allocation issue.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Chairman Sanders said she had looked at the videotape Mr. McClain submitted and she thought the tape was very informative. She encouraged all of the Board members to look at the tape.

(Tape 2-716) Mr. Pierce said Commissioner Mosconis asked him about the status of any Rural Hospital Critical Care Funds. Commissioner Mosconis said he wanted Mr. Pierce to find out if the local hospital received any of these type funds and if so what they did with it. He stated he wanted to know if the hospital, if they didn't get anything last year, would get some type of funding this year. Mr. Pierce replied he would check into the matter.

(Tape 2-731) Commissioner Mosconis asked Billy Buzzett, St. Joe representative, to assist, in any way possible, the Eastpoint Water and Sewer District with finding some land in Eastpoint so they can expand their services. Mr. Pierce reminded the Board the Commissioners agreed not to purchase the land on Highway 65 so the Eastpoint Water and Sewer District could purchase it for expansion. He said George Wilson, St. Joe, and George Allen, Eastpoint Water and Sewer District, had been negotiating for this purchase. He stated this was the last thing he had heard about the matter. Mr. Buzzett said he would check into the status of this situation.

(Tape 2-774) Commissioner Putnal said he and Commissioner Mosconis attended the cookout in honor of Joe Smith, who is retiring from FDOT Aviation, at the local Airport. He stated he met the new person, Don Deuce; FDOT Aviation has named to replace Mr. Smith. He said he attended the Apalachicola Airport Advisory Committee meeting after the cookout. He stated the members expressed their growing concern about the completion of the Airport Access Road. He said he was informed the County might lose valuable funding if this road is not finished soon. He stated something needed to be done by the Board. Commissioner Creamer said he was thinking about this matter last week. He asked if C. W. Roberts Contracting, Inc. was working by the hour or what was the exact status of the road project. Mr. Pierce replied the company hadn't received any payment for their work. He said they should have started back to work last Monday, but he didn't know if they did or not. He explained the company has a fixed price and in this price the County agreed to, several years ago, there was a certain amount of work the County had to complete. He said the County has completed their portion of the work, but the Board did not set a specific completion date or time line for the road so therefore, they are not obligated to finish the road by any certain date. He stated C. W. Roberts representatives have told him they would work with the County and try to complete the road. He said there was no set schedule and there was not a schedule or completion date in the contract the County has with C. W. Roberts Contracting, Inc. Commissioner Mosconis said they have been working on the road in stages or phases. He stated the next time they get started on the road they will finish it. Commissioner Putnal said it didn't

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seem like to him this road is important to Mr. Roberts, but it is very important to the Airport Committee to have this road finished so they can move onto other projects at the Airport. He said the funding for the Master Plan Update and the security fencing for the airport is in question until the road is completed. Commissioner Creamer said he felt a strict time line should be set now. Commissioner Mosconis said he has "fussed" about this road a long time, it just didn't start. He instructed Mr. Pierce to call David Kennedy, Preble-Rish Engineering, Inc., and relay the sentiment of this Board to him about this road. Ted Mosteller, Chairman of the Airport Committee, stated the Airport could possibly lose future funding for FDOT Aviation grants. He said he did think a time line was given Mr. Roberts and it was contingent on the County finishing their specific work. He stated the time limit has come and gone several, several months ago. He said he mentioned this to the Board several times as well. He said the deadline is June 2004. He stated the FDOT has frozen the funds for the County to use for other projects. He said all of this is pending and all of the projects have a deadline of June 2004. He stated some of these projects haven't even been started yet because the road is not finished. He said all of these projects are being held up. He stated the road needed to be finished or completed as soon as possible. He said he would like someone to "light a fire" under someone. Chairman Sanders said the Board had directed Mr. Pierce to check to see when the road would be finished.

(Tape 2-950) Chairman Sanders said Bill Mahan, County Extension Director, was not at the meeting today. She stated she was asked by some of the local shrimpers to schedule a Skimmer Net Workshop in the near future. She said they asked her to invite Bill Teehan, Marine Fisheries Commission, about this matter. She stated she called the MFC on the telephone and asked them to send someone to a workshop on September 2, 2003 at 1:30 p.m. She asked the Board if this would be all right with them. Chairman Sanders directed the Board Secretary, Amelia Varnes, to place the item on the September 2nd Meeting Agenda for 1:30 p.m. in the afternoon.

(Tape 2-984) Commissioner Creamer said he wanted to discuss a matter, which affected him when he attended the ISSC meeting in Portland, Oregon. He said he wanted to ask the Commissioners to consider increasing the per diem for employees or Commissioners to be paid when they attend a meeting like this. He stated he was given \$21.00 per day for food and this was certainly not sufficient. He said when you sit down to eat in Portland, Oregon you could expect to spend at least \$30.00 unless you leave the city limits. He stated of course he couldn't so he had to eat where he was staying so therefore he had to pay what they charged, not what he received, for per diem. He said Mr. Mahan was trying to stay within his per diem. He stated he instructed Mr. Mahan to eat and he would see that he was reimbursed. Chairman Sanders said she knew the State of Florida increased their mileage rate to 31 cents per mile from 29 cents per mile. She stated they increased their meals to \$50.00 per day. Commissioner Creamer said he would make a **motion directing the County Attorney to research this matter and prepare a draft Resolution allowing 31-cents a mile for mileage and \$50.00 per day for meals and authorizing Mr. Mahan's reimbursement for his per diem in Portland, Oregon.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

CLERK'S REPORT

(Tape 2-1095) Chairman Sanders said Mr. Wade was not present at the Board Meeting this morning. She stated the Supervisor of Elections, Doris Shiver-Gibbs, had asked her to have a form signed for the reimbursement of funds from the State of Florida for the Voter Education Program in the amount of \$336.34 for FY 2003-2004. She said the Board needed to authorize her signature on this "Certificate Regarding Matching Funds-Franklin County". Commissioner Putnal made a **motion authorizing the Chairman's signature on the "Certificate Regarding Matching Funds-Franklin County" as requested by the Supervisor of Elections, Doris Shiver-Gibbs, in the amount of \$336.34 to provide for matching funds for the Voter Education Program in FY 2003-2004.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

THOMAS M. SHULER-COUNTY ATTORNEY

(Tape 2-1136) He said the Sumatra Cemetery Deed has been received and recorded in the Official Records at the Clerk's Office. He stated he would present the deed this morning to keep in this Board file. He encouraged the Board to go ahead and make a final decision as to what entity should take the property to manage it.

(Tape 2-1157) He reported he has prepared a contract for the Dependency Attorneys that applied to serve Franklin County as Dependency Attorneys in Juvenile Dependency matters. He said he would, hopefully, have a final contract signed by these attorney's at the next meeting.

(Tape 2-1165) He said the pending lawsuit Magnolia Ridge versus the Franklin County BOA is being negotiated and should be settled by September 17, 2003.

(Tape 2-1180) He stated the attorney for Thom Lewis, SGI, has sent him a draft complaint. He said this is the gentleman claiming the County has built "up" a road and it is acting like a dam and flooding his property. He said he is working on a settlement to this case too.

(Tape 2-1193) Mr. Shuler said local Attorney Nick Yonclas has requested the County on behalf on one of his clients with property in the "Whispering Pines" Subdivision in Eastpoint wanted to dedicate their roads to the public as platted roads. He stated the roads are private and belong to the Homeowners Association. He explained the County Engineer has inspected the roads and has determined the roads met County Standards as specified in the County's Subdivision Ordinance. He recommended the Board approve the adoption of these roads, as "Public Roads" contingent on his review of the documents, a Resolution and a Deed to dedicate the roads to Franklin County Mr. Yonclas would prepare for this transaction. Commissioner Mosconis made a **motion accepting the dedication of these roads in the "Whispering Pines" Subdivision in Eastpoint to Franklin County by Resolution and Deed and authorizing the Chairman's signature on these documents contingent on the documents being reviewed and approved by the County Attorney.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal asked Mr. Shuler if

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he was sure the Engineer had approved this request. Mr. Shuler assured Commissioner Putnal the Engineer has approved the roads and they do meet County Standards.

(Tape 2-1228) He stated the Board instructed him to check into multiple building permits being issued by the County. He said he understood there would be some representatives from the Franklin County Construction Licensing Board, local Contractors, and a Building Official here to discuss this issue. He said he would just bring the matter up at the September 16, 2003 Board Meeting.

(Tape 2-1256) Commissioner Mosconis asked the Board to authorize he and the Counselor to get together to form a "Contingency Plan" in case it is needed for the hospital. He said the Board needed to do that "outside of the glare of these lights". He asked for a motion to approve this request. Commissioner Creamer made a **motion authorizing Commissioner Mosconis and County Attorney Shuler to form a "Contingency Plan" for the local hospital in case something happens with the management group.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

COMMISSIONER CREAMER

(Tape 2-1370) Commissioner Creamer said he had been "flooded" with calls and received one letter regarding the County using tax payer's dollars to partially fund the Franklin County Community Ministerial Alliance in the amount of \$10,000.00. He stated he wanted to "go on record that he cannot support it and if it was something other than Ad Valorem Taxes he might could see to do it". The Board questioned Billy Buzzett, the St. Joe Company, regarding the "Community Foundation Grant", which is based on the sales of land in each County. He said one-half percent of each piece of St. Joe property sold in Franklin County, Gulf County, etc. is returned to the specific County for Community Development Projects. He said he wasn't sure if this group or this project would be considered or not. He stated he would check into the matter. Commissioner Creamer said he didn't mind if the County furnished assistance to the FCCMA in applying for grants and offered the assistance of the Assistant County Planner, Mark Curenton, to help them apply for grants. Commissioner Mosconis said he had to agree with Commissioner Creamer because he felt this was an issue of "Separation of Church and State" issues. Commissioner Williams said this wasn't fair because this group has worked very, very hard to try and earn funding. He stated the first year they had to pay taxes on the building the first year until the group received their 501-C3, Non-Profit Organization designation. He said the Board ought to at least wait until Reverend Williams, President of this group could come discuss this with the Board. Chairman Sanders said she didn't know the procedure of the Board deducting an amount of money from the budget. She stated she knew it could be done, though. After further discussion Commissioner Creamer made a **motion to withdraw the initial \$10,000.00 tentatively approved for the Franklin County Community Ministerial Alliance from the Franklin County Budget for FY 2003-2004 and authorizing the County Staff to assist this group in applying for grants.** Commissioner Mosconis seconded the motion. Chairman Sanders, Commissioners Creamer and Mosconis for. Commissioners Williams and Putnal against. 3-2 **MOTION CARRIED.**

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(Tape 2-1500) Commissioner Creamer asked Mr. Pierce if the City of Apalachicola was checking into the purchase of the Old Florida Power Building in Apalachicola. Mr. Pierce replied he thought they might be, but he thought the price of the property would be too high. Commissioner Creamer said he wanted Mr. Pierce to check into the County purchasing this property. Mr. Pierce stated he thought the County needed the office space anyway. Commissioner Creamer made a **motion directing Mr. Pierce to check into the County purchasing the Old Florida Power Building in Apalachicola for County Office space.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce informed the Board he thought the property was listed with a real estate agent and he would probably have to check with the real estate company.

COMMISSIONER MOSCONIS

(Tape 2-1650) Commissioner Mosconis said he wanted to discuss the tentative approval of the making the Veterans Service Officer a full time a employee instead of a part time employee as he is now. He stated he thought, before the County jumps in and spends this additional money, the County Staff should check into the matter. He said they needed to keep this position "status quo" and look further into the situation. He stated these smaller counties VSO are utilized as the SHIP Program Manager, etc. He said there is not enough in this position to justify spending this much money for this position. He stated "not right now" so he would think. He said he thought they needed to leave it like it is this year and instruct the County Staff, Alan Pierce and the Planning Department; to research other job responsibilities could be placed on the VSO. He said then some recommendations could be made later in the year. He stated we need "to look at some data, what else this person can do if we bring him on full time besides that". He said now is the time to do it and not at the Public Hearing. Mr. Pierce said he thought any changes to the budget should probably be made today. He stated the Board is sitting in a regular meeting this morning and should be able to make these decisions. Commissioner Mosconis made a **motion to change the VSO Budget for FY 2003-2004 back to the budgeted amount for FY 2002-2003 or "status quo"**. Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

CHAIRMAN SANDERS

(Tape 2-2176) Chairman Sanders said she wanted to discuss the fact the County needs to place some money into a paving fund. She stated she would continue to "push" this issue until the September 8th first Public Hearing. She said this money, approximately \$800,000.00, should be designated for paving to use with the Gas Tax Funds to do some needed paving in the County. She stated the citizens should have paved roads in Franklin County. Commissioner Mosconis said the Property Appraiser has already sent the TRIM notices to the property owners in Franklin County. He stated you can't change this. Mr. Pierce explained the Finance Officer put some additional funds in the budget, but the funds are not specifically designated to pave roads. Commissioner Mosconis said he knew the County had around a million dollars in the paving budget. He stated the County still did not have proof from the City of Apalachicola and the City of Carrabelle they have completed their respective water and sewer projects. He said when this is done then the County could "borrow" a little bit of money for two or three years. He said the

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County could "get" the money for about 3-4% interest without going through a Bonding Process. Chairman Sanders asked Commissioner Mosconis why the County needed to "borrow" money when they could have the money budgeted. She stated she couldn't see paying interest when the County had the money. She said the money the County budgets could be placed in an account and the County could get some interest off of it. She stated she just wanted to be very clear she wanted a paving program for Franklin County. She said she still wants approximately \$800,000.00 put into a paving program or at least a portion of the money placed in a paving program. She reminded the millage rate was 4.35 mills or so. Commissioner Mosconis asked why the County didn't increase the Gas Tax. Chairman Sanders said she thought the Gas Tax Revenues only amounted to approximately \$62,000.00 more a year, which would not do a mile of paving, because a mile of paving cost \$80,000.00 a mile. She stated she was going to be one of the taxpayers being affected by the millage and she wanted to see some roads paving in her area anyway. She said there has been a dramatic increase in roads that need paving in Franklin County. She stated if those taxpayers see some paving being done then they might not feel so bad. She said they would like to see some roads paved. She stated she knew the City of Carrabelle had submitted a complete list of roads that need to be paved, but she didn't know about the City of Apalachicola. She said these roads can be paved now. Mr. Pierce replied the City of Apalachicola would have their list to the County by the end of the week. Chairman Sanders asked the Board to please think about this issue. Commissioner Creamer said he would think about this issue. Chairman Sanders said she had been a Commissioner for six years now and there has not been one County Road paved. She stated Highway 67 was paved and different streets in Apalachicola had been paved, but all funded through grants, etc. She said it is time for a paving project.

MATTERS FROM THE FLOOR

(Tape 2-2418) Chairman Sanders presented a Memorandum from the Executive Office of the Governor, Office of Tourism Trade and Economic Development informing Franklin County the County is still a community eligible for waivers of grant matches. She said the memo states Franklin County is still a County considered under "economic distress".

(Tape 2-2432) Chairman Sanders said she knew Ben Withers, a contractor in Franklin County, wanted to address the Board this morning. She stated she also knew Tammy Summers, FDEP Alligator Harbor Aquatic Preserve Manager, said she wanted to present documentation regarding what she felt was going to be Mr. Withers complaint about Vicki Barnett, Alligator Point and as part of her duties as an approved FDEP Turtle Patrol Volunteer, driving on the beaches of Alligator Point using an ATV. She said Ms. Barnett does an excellent job and has to use an ATV to get to and from the turtle nesting sites. She said Ms. Barnett is the only volunteer in this area and it is difficult, due to a lot of erosion, for her to get to the nests without an ATV. Ms. Summers asked Chairman Sanders if she had received the eleven- page fax from the Florida Fish and Wildlife Conservation Commission, Bureau of Protected Species Management, about this matter. Chairman Sanders said she had received no such fax and asked Mr. Pierce to explain this problem. Mr. Pierce answered Mr. Withers is here to complain about Ms. Barnett driving an ATV on the beaches of Alligator Point. Mr. Pierce said he received several letters

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supporting Ms. Barnett's use of ATV's on the beach. Commissioner Mosconis asked if anyone else was allowed to drive on the beaches in Franklin County. Mr. Pierce replied there is an ordinance, which does not allow driving on the beaches. He said unless there is an emergency situation, but not an environmental purposes. Ms. Summers said the Florida Statutes allow the driving on the beaches for approved persons who are designated volunteers, especially for the turtle-nesting season. Chairman Sanders stated she was not informed of this matter or had she requested any of this information faxed her by the FFWC. Mr. Withers said he was arrested almost two years ago by a FFWC officer for driving on the beach. He stated he was here today to complain about Ms. Barnett driving on the beach and not being arrested or ticketed. He said his issue was the fact Ms. Barnett was driving a motorized vehicle on the beach, especially in front of his and his mother's property. He said this should only be allowed for an emergency and not just a daily use. He stated Ms. Barnett goes onto the Beach via Chip Morrison Drive, goes off an undesignated entry site not permitted by FDEP, travels down the beach and crosses his property, which he owns to the Mean High Water Mark, with her ATV. He stated he has asked her, through the Sheriff's Office, to stop driving across his property. He said he doesn't want her coming across his property unless it is an emergency situation. Chairman Sanders interrupted Mr. Withers at this time and asked him if this wasn't a premature issue. She asked him if he wasn't really mad about having to defend himself at the Construction Licensing Board because he didn't have a permit posted on one of his projects he was working on at Alligator Point. She said she really didn't think this was the core issue this morning. She said she "told" Mr. Withers yesterday he needed to bring this matter before the CLB and she definitely thought this was a little bit premature. She informed Mr. Withers she nor the Board wanted to listen to this complaint this morning. She said the CLB should listen to what he has to say and then make a decision. She stated there has been a complaint lodged against Mr. Withers by some residents on Alligator Point and this matter is scheduled to be discussed at the CLB tomorrow night at 6:00 or 6:30 p.m. Mr. Withers said he didn't want to discuss this matter, but he did want to voice his concern about the County Ordinance, #78-4, which adamantly denies driving on the beaches of Franklin County for any reason. Chairman Sanders said she would not allow Mr. Withers to discuss this matter any further. She instructed Mr. Withers to wait until the CLB had decided what they were going to do and then if he had a "dog" with the Board he could come back to complain to the County Commissioners. She said this was the process and she was not going to hear this issue discussed before the CLB even met about it. Commissioner Creamer said he would make a **motion directing the County Attorney to check into this particular ordinance and see if it needs to be amended to keep this problem from happening again and the legalities of driving down the County right-of-way on an ATV.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-2028) Ms. Withers, a resident of Alligator Point, said she has paid property taxes in Franklin County for 40-years for her house in Alligator Point. She stated she was upset about Ms. Barnett driving across her property with an ATV as well. She showed a copy of her development at Alligator Point and said the road Ms. Barnett was using to access the beaches was not public and she should not be driving down this road. Chairman Sanders asked Mr. Shuler to look at the plat and see if this road was private or

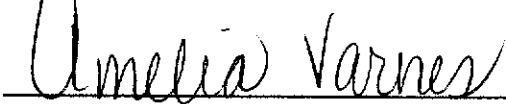
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public and talk to Ms. Withers about this matter. Ms. Withers said there are tire tracks all over her area of the beach and she would like the Board to consider letting them, the residents of "Peninsular Point" totally close this road off to any type of access. She said this road or street should only be used by residents or property owners of this subdivision. Chairman Sanders said she would ask Mr. Pierce and Mr. Shuler to review the plat and see what, if anything, could be done. Mr. Shuler stated if this is a formally dedicated street on the plat there was a formal abandonment process Ms. Withers would have to follow. He said he would look at the plat and inform Ms. Withers if he thought it was a private or public access to the beach at Alligator Point.

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



CHERYL SANDERS, CHAIRMAN



AMELIA VARNES, DEPUTY CLERK