

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
DECEMBER 2, 2003  
9:00 A.M.**

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

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

(Tape 1-39) Commissioner Putnal made a **motion to approve the minutes of the meeting held on November 18, 2003.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-47) Commissioner Putnal made a **motion to pay the County bills.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**ELECTION OF CHAIRMAN AND VICE-CHAIRMAN OF THE FCBCC**

(Tape 1-55) Commissioner Mosconis said he wanted to make a **motion to re-elect Commissioner Cheryl Sanders as the Chairman of the FCBCC.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-65) Commissioner Williams made a **motion to re-elect Commissioner Bevin Putnal as Vice-Chairman of the FCBCC.** Commissioner Putnal said he would like to state he felt the present Chairman was doing a "good job" as Chairman. Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

**HUBERT CHIPMAN-SUPERINTENDENT OF PUBLIC WORKS**

(Tape 1-88) Mr. Chipman said he thought everything was going smooth at the Road Department, however, there has been a problem with someone or people running over County signs on County Roads in Franklin County. He stated the problem was really "bad" and was costing the taxpayers a lot of money to buy new signs. He said all of the signs on Highway 67 have been torn down. Commissioner Putnal stated he drove up Highway 67 and noticed this problem. Mr. Chipman said this was costing the County a lot of money. Chairman Sanders stated she went hunting Friday morning and was driving up Highway 67 and noticed there were no signs on the road as well. She said she called the Sheriff's Department to send a deputy so the matter could be documented. She stated the deputy did document or complete a report on the damage done in this area. She said she didn't believe the people realize how much these signs cost and there were at least ten to twelve road signs missing or destroyed. Commissioner Mosconis said this type of "mischief" could cause an accident and someone could be killed. Mr. Chipman said there was also a problem in Eastpoint too. He said there were quite a few destroyed there. The Board directed the Clerk, Kendall Wade, to call the Florida Highway Patrol, the Fish and Wildlife Commission and inform them of this problem. They directed Mr.

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Wade to ask these agencies to, while patrolling the County, look for individuals destroying signs.

(Tape 1-135) Chairman Sanders asked Mr. Chipman if he had gotten the mobile home moved that he had gotten from the Forestry Service. Mr. Chipman replied he had gotten it moved and set-up. Chairman Sanders said this mobile home was going to come in "handy" when the County begins the construction of the sports complex in Carrabelle.

(Tape 1-170) Commissioner Mosconis asked Mr. Chipman "When is the road at the Airport going to be opened?" Mr. Chipman stated the Road Department was still hauling dirt to the road. He said the Road Department hauled 180 loads of dirt about two weeks ago and he said he thought the Road Department had hauled another 180 loads of dirt. Commissioner Mosconis asked, "Do they still need some more?" Mr. Chipman replied, "They haven't called me this morning, but I have my hauling trucks on stand-by since they are hauling from Marianna." He stated he is trying to help them get through with the road. Commissioner Mosconis said he knew they were working out there this morning. Mr. Chipman stated, "Well, if they call me my trucks will be there."

**FONDA DAVIS-ASSISTANT SOLID WASTE DIRECTOR**

(Tape 1-200) Chairman Sanders said Mr. Davis was here representing Van Johnson, Solid Waste Director, who was on vacation.

(Tape 1-201) Mr. Davis said everything was running smoothly at the Landfill.

(Tape 1-204) Mr. Davis appeared before the Board this morning with a shirt and tie on. Commissioner Mosconis said, "He needs to go change clothes if he is going to deal in garbage today." Mr. Davis stated, "He could handle that." Chairman Sanders thanked Mr. Davis for coming to the meeting today. She said if anyone needed anything they would notify him.

(Tape 1-211) Commissioner Mosconis said, "Fonda, I still need your Cherry Picker to run through his neighborhood." He stated there are a couple of "piles of trash" that need to be picked up. He said a lot of it had already been removed, but there were a few areas that needed to be cleaned up. Mr. Davis assured Commissioner Mosconis he would take care of the matter today.

**BILL MAHAN-COUNTY EXTENSION DIRECTOR**

(Tape 1-223) Mr. Mahan said he had attached a copy of the agenda for the UF-IFAS December 16<sup>th</sup> program entitled "Organic Farming: An Alternative Cropping System for the Florida Panhandle". He stated the meeting would be held at the UF-IFAS North Florida Research and Education Center in Quincy from 9:30 until 2:30. He informed the Board there would be a \$5.00 registration fee.

(Tape 1-250) He told the Board he attended and participated in the first meeting of the Nature Conservancy's Apalachicola River Basin Invasive Working Group on November 19<sup>th</sup> in Bristol. He said he had attached a copy of an "Invasive Species Survey Fact

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Sheet" which reports on the findings of a fourteen public and private agency survey in May 2003 to assess the scope of invasive species within the Apalachicola River Basin to his report this morning.

(Tape 1-312) He stated he also had attached copies of two UF-IFAS fact sheets regarding Chinese Tallow, Natural Area Weeds and Old World Climbing Fern. He said the fact sheets would assist homeowners in controlling and reducing the numbers of these invasive plants.

(Tape 1-333) Mr. Mahan informed the Board Dale Stephens, National Marine Fisheries Service, contacted him to find out if local off shore shrimp fishermen would be interested in trying the new "Leatherback" Turtle Excluder Device, which is being used by shrimpers on the Southeast Atlantic Coast. He explained this TED has an extra-large opening of 71-inches to allow Leatherback Sea Turtles to escape the shrimp trawl nets. He stated, after receiving a lot of positive feedback from local shrimp fishermen about wanting to give them a try, Mr. Stephens sent him a pallet of the TED's for local distribution. He said he has been, for the last two weeks, distributing the TED's to local shrimp fishermen at their request.

(Tape 1-393) He told the Board there was a Trade Adjustment Assistance Program for Shrimp Producers under the USDA Foreign Agriculture Service's new Trade Adjustment Assistance (TAA) for Farmers and Fishermen Program, technical assistance and adjustment payments would be provided to US Agricultural, livestock, and aquaculture producers, including qualified fishermen, if it is demonstrated that increased imports of competitive commodities have contributed importantly to a 20-percent or more price decline compared to the average price over five preceding marketing years. He stated to date; the South Carolina Shrimpers Association-9/30/03, Texas Shrimp Association-10/21/03 and the Southeastern Fisheries Association-11/18/03 have had their TAA Petitions accepted for review. He said the Florida petition would either be certified or rejected by December 28, 2003. He said he had attached the USDA's current fact sheet explaining the Trade Adjustment Assistance for Farmers Program.

(Tape 1-475) Commissioner Putnal said he would like for Mr. Mahan to check into whether Alligator Harbor could be used for oyster leasing. He stated he had a constituent oystering in Alligator Harbor and wanted to know if it would be possible, in that area, to lease a portion of the bottom to grow oysters. He asked Mr. Mahan to check with the State of Florida to see if this could be done and what it would take for the County to assist these individuals interested in an oyster lease program for Alligator Harbor.

**FWC REPRESENTATIVES-BLACK BEAR PROBLEM-FRANKLIN COUNTY**

(Tape 1-530) Chairman Sanders said she asked the Florida Fish and Wildlife Conservation Commission to come to the Board this morning to discuss the problem the citizens throughout Franklin County are having with Black Bear coming on to their property and feeding from the garbage cans, grill, pet food, etc. She introduced Billy Sermons, FWC, to the Board and the audience. Mr. Sermons asked the Board to allow Arlo Kane, FWC, to address the Board at this time. Mr. Kane stated this fall a lot of

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Black Bear have moved into residential or coastal areas in Franklin County. He reported there were five bears in Eastpoint, five in Carrabelle, and fifteen in Lanark Village. He said this is an annual event and the bears are just trying to feed and gain weight. He informed the Board the Florida Black Bear does not hibernate, but does eat as if they were going into hibernation like other bears. He stated there is an unusually good crop of acorns in the County and this is the main food the bears are wanting. He said many people have oak trees in their yards and the bears are seeking this food source. He explained the FWC begins the process by providing technical assistance. He said the bears do get into garbage cans and pet food. He stated they have been known to attack grills because of the smell. He said they have loaned several bear proof garbage can protectors, which seem to be working for several residents. He told the Board there had been several bears, which become more than a nuisance and said these bears have been trapped and moved. He said there was a bear at the elementary school in Eastpoint and one at the Carrabelle High School, which were caught and moved. He stated the schools have constructed a fence around their dumpsters and trash cans. He said this seems to be working very well. He stated the most problems seem to be in Lanark Village. He said the FWC has sent several Wildlife Biologists to Lanark last week to basically present information regarding Black Bear. He stated the most important thing for people to do is to not feed any bear. He said there has been several automobile accidents in Franklin County caused by bear crossing the roads. He informed the Board the biologists are now working on a request to FDOT to provide some flashing signs for US Highway 98 to inform motorists of possible bear crossings. He did say this was an annual event and should only last two more weeks to a month. He informed the Board the bears should move back into the forest by January. He stated this is only going to get worse because of the development along the coast of Florida. Commissioner Putnal said he thought the bears were overpopulated. He asked Mr. Kane if the FWC had done a study on the number of bears in Franklin County. Mr. Kane replied they are presently conducting studies in the National Forest of the five major populations of the State of Florida. He said this should be completed by the next summer-he said this was a three year study. He stated the biologists use hair, teeth, and DNA samples so they can track bears in the National Forests. He informed there has been no discussion about reopening Black Bear hunting in the State of Florida. He said this could all depend on the study, which provides the population of bear in Florida. Chairman Sanders said she just wanted the people in Franklin County to know to leave the bears alone. She stated they should not be feed and should not be disturbed. She explained people above all needed to leave the bears alone. Commissioner Mosconis asked Mr. Kane if the FWC had a way of tracking these bears especially the nuisance ones. Mr. Kane replied they did take, after they are trapped in a residential area, a hair, a tooth for age purposes, their weight and a DNA sample from the trapped bears. He said it is hard for the biologist to compete against the heavy acorn crop this year. Commissioner Mosconis asked how much do they weigh? Mr. Kane replied most of the bear have weighed 140-150 pounds. Commissioner Mosconis said he had one in his neighborhood they weighed a lot more than that. He stated the dogs in his neighborhood wouldn't even bark at him they were so scared of the "monster". Mr. Kane did say there was a very large bear in Lanark, which probably weighed 300-400 pounds, but most of them are between 140 and 150 pounds. Chairman Sanders said she had a huge bear at her house too. She said she did want information

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distributed throughout Franklin County communities about the bears and what needs to be done by the public about them. Mr. Kane assured Chairman Sanders they had done this and would continue to assist citizens with the bear problem.

**ALAN PIERCE-DIRECTOR OF ADMINISTRATIVE SERVICES**

(Tape 1-851) Mr. Pierce said he would begin his report at this time and if the Chairman needed to interrupt him for a public hearing or any other item on the agenda she could do so.

(Tape 1-852) He informed the Board the Board of Adjustment would be changing their meetings from the first Monday in each month to the first Wednesday of the month. He stated this would make it easier on the members, but the time and location of the meetings are still the same. He said the BOA Meetings are scheduled for 9:00 a.m. and they are held at the Franklin County Courthouse Annex Building. He told the Board this would become effective for the first meeting in January 2004.

(Tape 1-865) He asked the Board for authorization for him to attend a Waterfronts Florida Conference in Crystal River on December 10<sup>th</sup> and December 11<sup>th</sup> and for him to be reimbursed his travel expenses. He said he wanted to attend to see what other communities are doing to support and promote their waterfronts. He stated this was a DCA sponsored event. Commissioner Mosconis made a **motion authorizing Mr. Pierce to attend a Waterfronts Florida Conference in Crystal River on December 10<sup>th</sup> and December 11<sup>th</sup> and to pay Mr. Pierce for his travel expenses to the conference.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-884) He submitted copies of Steve Jernigan, AIA, Bay Design Associates and Architects, regarding the Franklin County Courthouse Annex building. He said Mr. Jernigan submitted the report to him concerning the mildew-moisture problem at the Annex Building. He reported Mr. Jernigan's findings and update would be in the Board file.

(Tape 1-891) Mr. Pierce interrupted his report at this time to conduct several public hearings scheduled for this morning on the Board Agenda.

**PUBLIC HEARING-LU AND REZONING FOR 9.44 ACRES-"SUMMER CAMP"**

(Tape 1-894) Mr. Pierce announced this was a public hearing for the Board to consider adopting a Land Use Change Ordinance and a Zoning Change for 9.44 acres of land in Section 19, T6S, R2W or also known as the wastewater treatment plant property for the St. Joe Arvida "Summer Camp" Development. He stated the land use would be changed from Agricultural to Public Facilities and the rezoning would be from A-2 Forestry Agriculture District to Z-1 Public Facilities District. He told the Board the property is approximately one mile north of the "Summer Camp" Development on the north side of US Highway 98. Commissioner Putnal asked how far north of US Highway 98 this property was? Mr. Pierce replied approximately 1 to 1½ -mile north of US Highway 98. He informed the Board the Planning and Zoning Office mailed certified letters to all of the adjoining property owners letting them know about the public hearing scheduled this

morning to approve or deny this request for a land use and zoning change. Chairman Sanders asked if anyone had responded or if Mr. Pierce had received any letters opposing to the changes. Mr. Pierce replied he had not received any letters. Chairman Sanders asked if there was any public comment anyone would like to make at this time. Billy Buzzett, St. Joe Arvida, said he was just here to observe the public hearing. He informed the Board his company did have pending permits with DEP for this wastewater treatment plant. He said St. Joe Arvida should receive the final permits this month. Commissioner Putnal made a **motion adopting and authorizing the Chairman's signature on "An Ordinance Amending the Franklin County Comprehensive Plan to Change the Permitted Land Use of Approximately 9.44 Acres of Land in Section 19, Township 6 South, Range 2 West, From Agricultural to Public Facilities"**. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Commissioner Putnal made a **motion adopting and authorizing the Chairman's signature on "An Ordinance Rezoning Approximately 9.44 Acres of Land in Section 19, Township 6 South, Range 2 West, From A-2 Forestry Agriculture District to Z-1 Public Facilities District."** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1076) Chairman Sanders asked Billy Sermons, FWC, to come to the podium at this time. She said she had an issue to discuss with him. She asked, after receiving quite a few telephone calls about the matter, about the Governor and Cabinet agreeing to the purchase, by DEP, of the Box R Ranch just outside of Apalachicola. She said these people called her about the hunting regulations that were going to be on the land after the State bought it. Mr. Sermons informed the Board FWC is slated to be the lead management agency for this project consisting of approximately 7,500 acres. He said this would all be subject to a lease from the DEP-Division of State Lands to the FWC. He stated the property title would actually be in the DEP-Division of State Lands name. He said DEP has scheduled a closing for the property to transfer from St. Joe to DEP this Thursday or December 4<sup>th</sup>. He said once this is done the entire property would be closed to any hunting so that FWC could perform several functions such as protection studies, etc. He stated there is a seven-member commission, which holds the ultimate rule making authority for the property. He told the Board the commission met the week before Thanksgiving and they do not have a meeting schedule for the rest of the year. He said the next commission meeting would probably be in February. He stated it wouldn't be possible for the FWC to establish this tract of land into their Wildlife Management Area Plan any earlier than February. He informed the Board they fully anticipate this property to become part of the 5 million acre State and Federal Wildlife Management Area System. He said the closing has been expedited and he has been told this would mean the area would be closed to hunting this Thursday, December 4<sup>th</sup>. He stated they are seeking an Executive Order from the FWC Executive Director, which would close the area to hunting for the remainder of this hunting season. He explained this would afford FWC the opportunity to provide wildlife population survey, solicit public comment, prepare staff recommendations for the property, and take these suggestions to the rule making authority, the FWC Commission. Commissioner Mosconis said, "Here we go!" Chairman Sanders said she agreed. Commissioner Mosconis stated this is the very thing that "ticked him off" when he heard that St. Joe went and "did a deal like this". He said

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he felt like all of these details were already worked out behind the scenes, between the State agencies and the people in the State Government who are going to pay for it. He said the whole process excluded the County Commission and County Government. He stated Hunting Season is a short period of time on the calendar year when people are allowed to hunt. He said, "Why in the Hell close it right now, pardon my Greek, but you have ticked me off". He stated the Little St. George Island Tract purchased by the State in 1972 has all but been closed to any kind of hunting. He said there were "Historical" uses for this property and people have always hunted on this property. He told the Board about the Manager of the Little St. George Island Tract trying to close the Dove Hunting Season, which was a historical use. He said the Board caught right up with him, but he almost slipped it by the County Commission. He told Mr. Sermons he wanted the Management Plan for this Box R property and he wanted the Board kept "totally" informed so the public can be informed. He said this was a typical "bureaucratic statement" this morning. Chairman Sanders stated she had a big problem with public tax dollars being spent to purchase public land and then closed for historical or traditional uses to the general public. She said this is wrong. She informed the Board she had a bad experience last week with the Governor and Cabinet regarding the McIntyre Tract purchase by the State. She said she is very up to speed on these matters. She stated she thought it was just the way "they did things" that bothered her. She said the Womack Creek Tract purchase wasn't done correctly either. She said FWC wasn't the land managers on this tract either, but they were the rule makers. She said the eastern part of Womack Creek has been opened to all hunting pertaining to the general rules of the State of Florida. She informed the Board and audience the Governor and Cabinet set a precedence last week when land in Franklin County, the McIntyre Tract, was purchased by the State, but allowed to remain opened to the hunters holding those hunting leases for that particular piece of property. She said the Governor and Cabinet allowed the extension and kept in place the leases already in effect until April of 2004. She asked Mr. Sermons why this same thing couldn't be done for the Box R Tract. She said as far as she knew this has never been done, extending hunting leases, etc., on any other hunting property in the State of Florida. She stated the State has already informed the leaseholders at the Box R Tract that the leases would be no longer in effect after December 4<sup>th</sup>. She said she would hope, if any money had been paid for the leases, it would be returned to the person submitting the money or some other type of compensation made to the leaseholders. She stated this has never, never been done before on any land in Franklin County. She said the State of Florida owns 80% of the land in Franklin County. She asked Mr. Sermons if there was a possibility the State would extend the hunting leases and hunting on the Box R Tract until the end of hunting season after December 4<sup>th</sup> when the land would actually become the State of Florida property. Mr. Sermons replied he wouldn't think so. Commissioner Putnal asked why this was allowed on some property and not on others. Mr. Sermons said he couldn't remember, since that sale was seven or eight years ago. He stated it all depended on when the property was actually purchased. He explained some property is not closed on until the end of hunting seasons, etc. Mr. Sermons said the Box R Tract has historically not had too much hunting on it. He stated he didn't think allowing masses of people to hunt would be a wise decision or proper "stewardship" of the property. Commissioner Putnal expressed his displeasure of the fairness of purchasing a State of Florida Hunting

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License and then having to buy particular stamps to be allowed to hunt turkey, etc. for areas such as Womack Creek. He stated he felt a lot of these areas are being overpopulated with animals since the State only allows a few or selected few to hunt on their land. Chairman Sanders said she didn't understand why the Governor and Cabinet, when they never have before, set policy for St. Joe concerning the leaseholders of their particular properties being sold to the State. She explained Agriculture Commissioner Bronson informed the Governor and Cabinet, of which he is a member, they were going to acknowledge the hunting leases of the Crooked River Lease Holders until April. She said normally when the State purchases a piece of property, just like the Box R, they close it to hunting immediately. Commissioner Mosconis said most of the historical uses of the land in Franklin County have been stopped by the State as they gradually purchase more and more property. He informed Mr. Sermons the Board "expected" to be informed of any public hearings or workshop concerning this Box R Tract. He said the State of Florida manages this property like they want to manage it and the local people do not have any input. They instructed Mr. Sermons to go back to Tallahassee and tell them exactly how the local Commissioners felt about this situation and "how bent out of shape" they were. Chairman Sanders said she wanted to be sure the State of Florida advertised any public hearings or workshops concerning anything to do with property in Franklin County was placed in the local newspaper. Mr. Sermons assured the Board he would inform the "higher ups" of the Boards displeasure with this matter and how it was handled by the State of Florida.

**PUBLIC HEARING-REZONING LOTS 10-13, BLOCK 5 EAST, UNIT 1-SGI**

(Tape 1-1621) Chairman Sanders said she had to interrupt this discussion to conduct a public hearing for consideration of a zoning change for Lots 10-13, Block 5 East, Unit 1, located on SGI from C-2 Commercial Business to C-4 Commercial Mixed Use Residential. Mr. Pierce informed the Board this was property owned by Rita Long, SGI, and was submitted by her. He said this is an existing commercial business location owned by Ms. Long. He stated she would like to put some apartments on top of the business on the bottom floor. He said this has been done for many other lots on SGI and is a traditional use for this area of SGI. He said she would be allowed no more than four residences on the top floor since she owned four lots. Chairman Sanders asked if there was anyone who wanted to provide any public comment or opposition. Mr. Pierce said his office sent out certified letter to the adjoining property owners about this request to rezone these lots. After no public comment Commissioner Creamer made a **motion to adopt and authorize the Chairman's signature on "An Ordinance Rezoning of Lots 10, 11, 12 and 13, Block 5 East, Unit 1, St. George Island From C-2 Commercial Business to C-4 Commercial/Residential Mixed Use"**. Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

**DISCUSSION-THE PURCHASE OF THE BOX R TRACT BY THE STATE**

(Tape 1-1670) Chairman Sanders asked what the Commissioners could do, as far as their powers, to keep this land opened, at least for the remainder of the hunting season, to traditional hunting uses. Mr. Sermons replied he would report this information and opposition to his bosses in Tallahassee and what the FCBCC would like to see done about the property. Chairman Sanders said "Do not execute an Executive Order to close



the Box R Tract to hunting". She stated even if the property had to be reverted back to the leaseholders, keep the property opened or anything else that could be done. Mr. Sermons replied he knew reverting the property back to the leaseholders was not an option. He said his agency is not involved in the acquisition process, DEP is actually acquiring the Box R Tract. He stated FWC has been held at "arms length" he thought intentionally so. He said the acquisition is been the total responsibility of DEP-State Division of Lands. He stated DEP has intentionally kept some of the more bureaucratic agencies out of the loop. He said he anticipated FWC would become the land managers at a later date or time. He stated they would begin the process when a lease has been executed from DEP to FWC. Chairman Sanders said another problem she had with the FWC Commission Meetings was that they were always scheduled so far away from the panhandle. She stated they are always held in Jacksonville, Miami, etc. and most of the citizens interested in the local lands couldn't travel that far to be heard at a public hearing. She said, she felt, the public hearings-workshop should be held in or near the location of the subject property being considered for purchase by the State of Florida. Mr. Sermons assured the Board he would inform the real decision makers about this conversation he has had with the Board this morning. He said he did want the Board and public to know the St. Joe Company, owner of the Box R Tract, did have 5,000 acres of the Box R Tract in land management with FWC. He said they had done several wildlife studies on this property, but would need to conduct some similar studies on the additional or other 2,000 or so acres used for hunting or hunting leases.

**ALAN PIERCE-CONTINUED**

(Tape 1-1932) Mr. Pierce said he would continue his report. He said he needed the Board to consider adopting a reconfiguration of Lot 1 and Lot 2, Block I, St. James Bay Subdivision as requested by the St. James Bay developers. He said this subdivision has already been platted. He stated the reason is the developers want the lots reconfigured is because of the Crooked River Road. He said both lots would then face the road. He stated one of the lots, at the present time, has a driveway off of the Crooked River Road. He said the property owners and the developers want the lots reconfigured so both of the lots would have equal access off of Crooked River Road. He stated this reconfiguration would not have any consequence for the adjacent or other lot owners. He told the Board they were two lots before the reconfiguration and there would be two lots after they were reconfigured. Commissioner Putnal asked Mr. Pierce if Crooked River Road was the same as McIntyre Road. Chairman Sanders answered they were the same road. Mr. Pierce informed the Board he thought the actual street sign said "Crooked River Road". Commissioner Putnal said he had always known the name of the road to be "McIntyre Road" every since he could remember. Chairman Sanders asked Mr. Pierce if the actual footage would be affected. She said the footage from the right-of-way of that road. Commissioner Putnal made a **motion authorizing the St. James Bay Developer to reconfigure Lot 1 and Lot 2, Block I, St. James Bay Subdivision changing the direction of the lots from facing North and South to East and West with Lot 2 being on the outer perimeter and Lot 1 being an interior lot.** Mr. Pierce said he did want the Board to know the record owner of Lot 1 is Carrabelle Properties Limited, Shane Bass and the record owner of Lot 2 is Michael Krehl are both in agreement and are requesting this change. Commissioner Creamer seconded the motion. All for. **MOTION**

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**CARRIED.** Mr. Pierce informed the Board the St. James Bay DRI and a PUD, which provides setbacks different from the County required setbacks. He said the St. James Bay DRI and PUD allows a fifteen-foot setback as a normal setback. He stated the St. James Bay developers are selling these lots with a fifteen-foot setback, which was approved. Commissioner Mosconis said then the developers or owners are only wanting to change the lines in the lots. Chairman Sanders said she didn't have a problem with this, but she did want the property owners to know this road has a lot of traffic on it and the setback is only fifteen-feet.

(Tape 1-2032) He said he needed the Board decision on whether to install fencing around the proposed landscape project on SGI. He read the following into the record: The retention areas are currently dry retention, meaning they do not hold water. The landscape design proposed by Kent McCoy turns these ponds into wet retention ponds, with a depth at one point of seven feet deep. I had previously recommended the Board accept the maintenance of the ponds, but that was before I realized if FDOT kept the ponds they were going to put up a fence around them. He explained the Board had already approved the acceptance of the ponds for County maintenance upon his recommendation. He said he didn't realize how deep the ponds actually were. Chairman Sanders stated she too was concerned about the 7-foot depth of these ponds. She said someone could drown or a child could fall in the pond and drown. Mr. Shuler, the County Attorney, said he agreed with Mr. Pierce. He suggested the Board either keep the ponds as "dry ponds" or return the maintenance of the ponds to FDOT. Mr. Pierce explained the ponds are presently approximately 2-feet deep and water doesn't stand there very long. Commissioner Creamer said he would suggest the SGI Beautification Committee redesign the ponds. He suggested the Board make a motion requiring the ponds to be designed so they do not need a fence around them per FDOT standards. Commissioner Creamer made a **motion instructing Mr. Pierce to inform the SGI Beautification Committee the ponds located on the current landscape project are to be redesigned so they do not require a fence around them per FDOT standards.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Mr. Pierce said he would like to state for the record that if the ponds are not going to hold water then, since the County is receiving \$100,000.00 in grant funds, and since the SGI Civic Club is doing most of the work he would like for the County to have the ability to maintain the property. He stated as long as there is no water being retained in the ponds then he has no problem with the County taking over the maintenance of the ponds.

(Tape 1-2236) Mr. Pierce reported he has located a Ford Ranger pick-up truck for his department. He said he would like for the Board to approve the purchase of a 2004 Ford Ranger Extended Cab, 4X4 pick-up from Orville-Beckford Ford/Mercury in Milton, Florida in the amount of \$17,655.00. He assured the Board this dealership was listed on the State Bid List and their State Contract Number is 070-001-04-1. He informed them this truck was approved for his department in the 2003-2004 budget. Commissioner Putnal made a **motion authorizing the purchase of a Ford Ranger Extended Cab, 4X4 pick-up in the amount of \$17,655.00 from Orville-Beckford Ford/Mercury in Milton, Florida-State Bid Contract Number 070-001-04-1.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2255) He said he would like to read the following into the record: All counties are required to develop Continuity of Operations Plan (COOP). Franklin County has received a \$25,000.00 grant and the Board contracted with Linc Barnett, Alligator Point, to develop the plan using the State guidelines. The State requires the County to define what are critical facilities, and then to have those critical facilities develop a plan for operations if something goes wrong. The COOP team, using State guidelines, defined the hospital and all of the Volunteer Fire Departments (VFD's) as critical facilities. The hospital and three of the VFD's have not provided any information as requested by the COOP Team. The County Commission could determine the hospital was not a critical facility, and therefore exempt the hospital from the COOP, but otherwise the hospital needs to provide the requested information. If they do not then the COOP will be incomplete, through no fault of Mr. Barnett, and we will have paid him, but the County in turn might not receive the full reimbursement from the State. The three VFD's that have not responded are the Apalachicola VFD, the Carrabelle VFD, and the Dog Island VFD. It is possible to decide Dog Island does not meet the threshold of a critical facility because their situation is so unique, but the Apalachicola VFD and the Carrabelle VFD provide standard coverage in the County. He asked the Board for direction or instruction regarding this situation. Chairman Sanders said she felt a "strong letter" was needed in this situation. Commissioner Creamer asked if Mr. Barnett had contacted the representatives from these agencies. Mr. Barnett appeared before the Board to answer Commissioner Creamer's question. He stated he has sent out several letters and has also contacted them by telephone. He said Tim Turner, EOC Director, has also contacted these people to request this information. Commissioner Mosconis said he would make a **motion directing Mr. Pierce and Mr. Barnett to prepare and send, with the Chairman's signature, a "strong letter" to George E. Weems Memorial Hospital's operators, the Carrabelle VFD and the Apalachicola VFD requesting this information with a deadline on the submission of the information needed to complete the COOP.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.** Chairman Sanders stated these agencies needed to be cautioned about this matter and the fact the County could be punished by the State withholding some of this grant funding.

(Tape 1-2408) He asked the Board to approve the Chairman's signature on a Florida Communities Trust (FCT) Grants between the County and FCT. He informed the Board the County's authorization for FCT to act as the County's agent in negotiating the purchases of the Alligator Point Campground and land on SGI for a public boat ramp would be included in the grant. He said while private interests have informed him the Alligator Point Campground is going to be purchased by a private part, the current owner is still interested in having the County appraise the property and continue to move forward with the acquisition. Commissioner Creamer made a **motion authorizing the Chairman's signature on a Grant Contracts #03-094-FF3 and #03-095-FF3 between Franklin County and the Florida Communities Trust (FCT) and authorizing FCT to act as the County's agent in negotiating the purchases of the Alligator Point Campground and land on SGI for a public boat ramp.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

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(Tape 1-2438) Mr. Pierce presented the Board with a contract between Franklin County and Preble-Rish, Inc. for engineering services and surveying on the CDBG Contract contingent on review and approval by the Board Attorney, Mr. Shuler. He said the fees proposed in the contract are recommended by Deborah Roumelis, Roumelis Consulting, the consultant handling this CDBG. He informed the Board the fees for these services were \$27,000.00 for engineering services-bidding, contract/construction administration and inspections, and \$4,800.00 for surveying for the easement and property acquisition in Lanark Village for storm water control and retention. Commissioner Mosconis asked Mr. Pierce how strict of a time line was this grant being administered on. Mr. Pierce replied the Lanark Village storm water control and retention project was supposed to be completed this fall-winter and pave Twin Lakes Road in Eastpoint this fall-winter, and now it looks like it would be after the new year, but before spring time. Commissioner Mosconis asked what the status was on this Annex Building was with Preble-Rish, Inc. and the contractor as far as all of the problems in the Annex. Mr. Pierce replied, according to the reports from Steve Jernigan, architect for the project, he submitted to the Board this morning Mr. Jernigan is still negotiating with/working with the contractor to alleviate all of the problems. He stated the contractors have made additional improvements on the air-conditioning system, so to his knowledge they are still working together to fix all of the problems. Commissioner Mosconis said he wanted a "resolution" to all of these problems and complaints about the Annex Building since there have been problems for a year or more. He stated he wanted this matter solved before any further projects are scheduled with Preble-Rish, Inc. He said certainly did not want to loose any CDBG money, but he wanted this Annex Building fixed so there wouldn't be any more complaints about the building. Chairman Sanders said she agreed with Commissioner Mosconis. She stated if Preble-Rish, Inc. is not going to follow through with their projects for the County then they didn't need any more work from the County. Mr. Shuler said he would need to review this contract anyway. Commissioner Creamer said he would like an answer to resolving the Annex Building problems to be presented at the next meeting and if Preble-Rish, Inc. couldn't help then the County needed to look elsewhere for assistance.

(Tape 1-2617) Mr. Pierce read the following information into the record and asked for the Board's direction. Preble-Rish, Inc. has provided the County with proposed costs for paving the list of roads submitted by the City of Apalachicola and the City of Carrabelle. Apalachicola has requested only resurfacing of the roads. The estimated cost for Apalachicola's road priorities only is \$1.2 million. Carrabelle requested resurfacing and new construction of at an estimated cost of \$0.9 million. The total cost requested by both cities is \$2.1 million. By the end of this calendar year December 2003, the County will have \$1.5 million in cash available for paving. Ruth Williams, Finance Officer, estimates that by September 30, 2004, there will be \$1.8 million, as additional gas tax funds will be collected. The City of Apalachicola has at least \$100,000.00 to contribute to the paving program. It is unknown how much the City of Carrabelle can contribute. The list of roads submitted by the City of Apalachicola did not include at least one area Commissioner Williams thought was important, which was around the housing projects, so there might be some changes in Apalachicola's list. The Board has several options. The Board can only pave in the cities with only the money it has available or the Board

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can expand the paving program to cover other areas and recognize it will either have to borrow money and use gas tax funds to pay it back over several years or pledge about ½ Mill of Ad Valorem Tax next year to pay off the remaining debt. If the Board sets a total budget of \$2.5 million, this will provide each Commissioner with \$500,000.00 to pave in their districts. This will barely get Apalachicola's original list completed without any room for change orders. The Board could ask the Cities to scale back their request. If the Board sets the paving budget at \$3 million, each Commissioner would have \$600,000.00. This would provide the funds for the paving both the Cities would like to see completed. Either \$2.5 million or \$3 million would provide some funds for paving outside the Cities limits, but obviously a \$3 million budget would provide more paving. Commissioner Putnal said City of Carrabelle representatives informed him they would like to add some roads to their list. He said Carrabelle just submitted the list of roads they had completed the water and sewer project on. He stated there have been a lot of roads finished since then. He said there is no way to pave all of the roads in Franklin County so the roads that were in the worse shape needed to be paved with what money the County has. He stated maybe over a three-year period they could all be paved. Commissioner Mosconis said he would like to suggest Mr. Pierce begin this project next month and just take the funds already in the budget, with the both Cities committing what they could to the project, and pave these roads. Mr. Pierce stated this was really an "unknown" since he didn't have a final amount from either City. Commissioner Putnal said he would go down to the City Hall in Carrabelle and found out how much money they had to commit to this paving project. Chairman Sanders said this was discussed several months ago and at that time they had approximately \$100,000.00. Commissioner Mosconis asked Mr. Pierce to send a letter to both cities to get a formal commitment from them as to how much money they are willing to commit to this paving project. He asked Mr. Pierce to do this between now and the next meeting so this project could proceed in January 2004 if possible. He said the project could be bid at \$2.3 million dollar and then use the Gas Taxes collected in the while the project is being worked on to finance the remaining or as much paving as the County could get the paving contractor to do. He reminded the Board of the last paving program C. W. Roberts Paving, Inc. allowed the County to use the money they had and then financed, "If he would give the County the same deal he did before", the rest of the paving. He stated he took the money the County had at the time the job was done and then financed the remainder interest free. He stated if not the County could "go down to the Bank" and pay about 2% or 3% interest for the remaining amount owed the paving contractor. Commissioner Mosconis stated he felt the focus had to be on the Cities and their paving problems caused by both of them and their water and sewer projects. Commissioner Creamer said he didn't think the County could go in and pave every road the Cities have. Mr. Pierce stated he would suggest the Board to designate \$2.5 million then each Commissioner would have \$500,000.00, with two Commissioners representing the City of Apalachicola so most of the roads in the City of Apalachicola should get paid. He said the City of Carrabelle has two Commissioners who could split their funds, so most of the most of the roads in the City of Carrabelle could or might be paved. Commissioner Mosconis said this paving company has been working on the Airport Access Road for three years or more. He stated there is so many projects in Franklin County requiring paving it might take six months to a year for the project to actually begin. He said the County could be "real

liberal" on the paving if "we got the right contractor". He stated if they are given extra time and not limited, or not on a specific schedule then they could probably do a lot more paving. He said this would allow the "money stream" to keep coming in to the County Budget. He stated this would be the easiest way without "burdening the taxpayers".

Commissioner Mosconis said he would make a **motion directing Mr. Pierce to send a letter to the City of Carrabelle, Mayor Brown, and the City of Apalachicola, Mayor Howze asking them to do the following: 1. Prioritize the list of roads needing paving or repaving within the City limits and 2. Asking the City of Carrabelle to commit \$100,000.00 and the City of Apalachicola to commit \$200,000.00 to the County for the paving program.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**GEORGE PRUETT-FRANKLIN COUNTY UNITED FIREFIGHTERS ASSN.**

(Tape 1-3058) George Pruett, Eastpoint VFD Chief, said he was here this morning to represent Steve Fling, President of the Franklin County United Firefighters Association (FCUFA), because Mr. Fling could not be here this morning. He stated the Insurance Service Organization (ISO), which sets the ratings for all of the fire departments have adopted several new rules. He said the VFD's in the County are asking, because of these new rules and how they might lower insurance rates in Franklin County, to adopt a different MSBU payment schedule. He suggested the Board amend the MSBU Ordinance to allow the fee to be dependent on the size or height of the houses. He said anything above 1,200 square feet would be assessed .042 cents per square foot, which would require people who have larger homes to pay more for the fire assessment. Commissioner Mosconis asked Mr. Pruett what this cost for a 2,500 square foot house? Mr. Pruett said he would estimate.....Chairman Sanders interrupted Mr. Pruett at this time. She stated people's income is not based on their house's square footage. She stated she was totally opposed to this request. She informed Mr. Pruett she had a 2,500 square foot house, but her house is 12-years old. She this didn't make any sense to her. She said when Mr. Fling appeared before the Board several meetings ago requesting this increase he was instructed to meet with the County Attorney to try and come up with some plan the Board could consider. Mr. Shuler told the Board he had met with Mr. Fling and other representatives of the FCUFA two or three weeks ago. He said he did ask them to get him some information regarding the new ISO rules or ratings. He stated he hasn't received that information yet. He said he would like for the Board to wait until one of the near future Board Meetings, after he has met with this group again, to consider their proposal. The Board told Mr. Pruett he needed to furnish this information to the County Attorney and to schedule a meeting with him. Mr. Pruett said he would contact Mr. Shuler for a meeting.

**KENDALL WADE-CLERK**

(Tape 1-3663 Continued on Tape 2) Mr. Wade said the St. James-Lanark VFD Chief Bud Evans had submitted a letter to the County requesting the donation of an old ambulance, ambulance #479. He said this is an old ambulance, according to his information, has not been in use in quite some time. He stated in the letter Mr. Evans stated the ambulance could become a valuable asset to their department since they could use the ambulance for First Responder calls. He said this old ambulance would be at the

St. James-Lanark VFD on the eastern end of the County for their use. Mr. Evans addressed the Board. He said he would like for the County to allow the ambulance to be given to them for use in the eastern end of the County. He stated they would use the vehicle as a First Responder Vehicle to keep equipment in such as the Jaws of Life. He asked the Board if they would allow Mr. Wade to assist him in requesting this vehicle from the EmergencyStat Ambulance Service. Chairman Sanders asked Mr. Wade to call Patricia Shuler, Eastpoint EmergencyStat Ambulance, to request this vehicle. Mr. Wade said the County owned the vehicle anyway, but he would contact Ms. Shuler about this request. The Commissioners agreed to allow Mr. Wade to change the title of the ambulance from the County to St. James-Lanark VFD. The Board also instructed Mr. Evans to contact Mark Curenton, Assistant Planner, to see if there were any grants available to the VFD's for these type of vehicles or equipment such as the Jaws of Life. Commissioner Putnal made a **motion authorizing Mr. Wade to transfer the title of this ambulance from the County to St. James-Lanark VFD contingent on a letter approving the transfer from EmergencyStat, Inc.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-158) Chairman Sanders recognized Barry Burch, Dr. Julian G. Bruce State Park Manager, at this time.

**BARRY BURCH-DR. JULIAN G. BRUCE STATE PARK**

(Tape 2-156) Mr. Burch said he was here at the request of the Board to address the ATV's on the SGI Beach. Mr. Burch assured the Board the State Parks did not allow any type of ATV to drive on any portion of the beaches owned by them. He did inform the Board, from the description of the uniform, it might have been a National Wildlife Refuge Officer. Chairman Sanders said a representative of the Sea Turtle Patrol on SGI reported seeing this person driving on the beach at SGI and when she stopped to inquire who he was he was rude to her. Mr. Burch stated it was not one of his employees and assured the Board he would assist the County any way he could to provide the best service by the State he could.

**COMMISSIONER MOSCONIS**

(Tape 2-373) Commissioner Mosconis said "You know what we didn't do, Cheryl?" He asked the Board did they know Tony Millender has retired, about two weeks ago, from the Forestry Service. Chairman Sanders replied she did know and she attended his retirement party. The Board Secretary, Amelia Varnes, stated she had placed an invitation to the retirement in each of the Commissioner's mailbox. Commissioner Mosconis said the Board "ought" to send him a Resolution of Appreciation. Commissioner Mosconis made a **motion authorizing the Chairman's signature on a Resolution of Appreciation for Tony Millender, a longtime employee of the Forestry Service in Franklin County, in honor of his retirement.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

**ALAN PIERCE**

(Tape 2-404) Mr. Pierce said he would like to, as directed by the Board, to inform the Board of the meeting he had with Commissioner Creamer about the options for additional uses in the C-1 District. He said it appears there are some district differences between Eastpoint and the 2-mile area in Apalachicola. He said there is some justification for separating the two districts into two different types of C-1 Zoning. He said, at this time, Commissioner Creamer is only interested in the Eastpoint area. He told the Board one option would be to rezone Eastpoint to C-1A, and allow one residence above a business, prohibiting motels or hotels, and allowing existing lots to be grandfathered, but any new lots created would have to at least 100-feet of road frontage. He said County setback requirements would be imposed and if a lot couldn't meet the setback requirement then the owners could apply for a variance. He asked the Board if they would like to direct him to schedule a public hearing to hear formal comments about this proposal. After discussion Commissioner Creamer made a **motion directing and authorizing Mr. Pierce to schedule and advertise a Public Hearing to consider the proposal presented by Mr. Pierce this morning for the second meeting in January 2004.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

**KENDALL WADE-CONTINUED**

(Tape 2-571) Mr. Wade said he had asked Janice Hicks, Business Manager at the FCPHU, to come to the Board meeting this morning to present the FCPHU request for the installation of an air conditioning unit at the Health Department in Apalachicola. Ms. Hicks said the State had preformed a security/maintenance Quality Assurance Review at the Health Department and the State has formally instructed the FCPHU to have an air conditioning unit installed in the computer file server room, which would properly ventilate the air to reduce the problems with their computes file server units. She said she had contacted three or four local vendors and no one would respond with a quote, so she said she contacted Parker Services, Inc., since they do most of the County's work anyway, to see if they could give her a proposal. She said they submitted a proposal in the amount of \$5,375.00 for the new air-conditioner. Mr. Wade suggested the Board approve the purchase of this unit for the Apalachicola Health Department. He said this amount, \$5,375.00, would be taken from the current FY budget for the FCPHU. Commissioner Putnal made a **motion authorizing the purchase of a air-conditioning system for the FCPHU and the installation of the unit in the computer file server room in the amount of \$5,375.00 from Parker Services, Inc. and instructing the Finance Officer to reduce the FCPHU Budget by this amount.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-667) Mr. Wade said at the meeting held on November 18, 2003 Mr. Pierce asked the Board, as requested by him, to accept the proposal submitted by Bay Design Associates, Pensacola, Florida. He said this proposal, after further review, listed a cost of approximately \$29,000.00 instead of the \$5,000.00 he had reported to the Board. He stated he would apologize to the Board for misrepresenting the cost of this project. He stated the project was for the sealing and re-roofing, if necessary of the Old Courthouse. He asked the Board to rescind their original motion because he thought this was too expensive for just a study with no actual work being done. Commissioner Mosconis



made a **motion rescinding his motion made at the November 18, 2003 meeting authorizing the expenditure of \$5,000.00 for the sealing project on the Old Courthouse submitted by Bay Design Associates.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-744) Commissioner Mosconis said he thought Mr. Pierce should ask the County Engineering group, Preble-Rish, Inc. to see if they could assist the County with this project. He stated they could probably prepare the specifications and then Mr. Pierce could advertise and monitor the project bid opening, etc.

**THOMAS M. SHULER-COUNTY ATTORNEY**

(Tape 2-764) Mr. Shuler stated he had proceeded with the condemnation issue at Alligator Point. He said he had, with him this morning, the Contract for Sale and Purchase from George Marshall for Lot 2, Block B, Unit 1, Peninsular Point in the amount of zero dollars-and one for Glenn Haste for Lot 6, Block B, Unit 1, Peninsular Point in the amount of \$880.00, which represents the current Ad Valorem Taxes and some back taxes. He said the Board had authorized the Bald Point Trust Fund to be used to purchase this property. He said he would need the Chairman's signature on the documents and the authorization to pay the \$880.00 from the Bald Point Trust Fund. Commissioner Creamer made a **motion authorizing the Chairman's signature on the Contract for Sale and Purchase of Lot 2, Block B, Unit 1, Peninsular Point-George Marshall, owner in the amount of zero dollars and the Contract for Sale and Purchase for Lot 6, Block B, Unit 1, Peninsular Point-Glenn Haste, owner in the amount of \$880.00, for Ad Valorem Taxes and authorizing the expenditure to be paid from the Bald Point Trust Fund.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-829) He informed the Board he had received a signed Contract for Sale and Purchase from J. Ben Watkins for the property surrounding the Courthouse and Courthouse Annex. He said the property consists of Lots 11, 12 and 13, Block A1, Apalachicola-J. Ben Watkins, owner and Lots 8 and 9, Block A1, Apalachicola-Apalachicola Oyster Works, Inc., owner. He said the contract is as agreed to by the Board for a total purchase price of \$400,000.00 with the following conditions: \$50,000.00 to be paid by the County as a down payment; Seller financing the balance at 6% interest; the buyer accepting a Promissory Note allowing the buyer, Franklin County, to have two years to fully pay the note with the buyer making at least two annual payments toward the note; the first payment is due on or about November 2004 and the final payment being due on or about November 2005; each payment being due within a reasonable time following the Buyer's receipt of Ad Valorem Payments from the State of Florida during the budget years 2004 and 2005; if such payments are not timely received by the buyer from the State, the seller shall cooperate with the buyer so that substitute money to fund the purchase can be obtained. Commissioner Mosconis made a **motion authorizing the Chairman's signature on the Contract for Sale and Purchase of Lots 11, 12 and 13, Block A1, Apalachicola-J. Ben Watkins, owner and Lots 8 and 9, block A1, Apalachicola-Apalachicola Oyster Works, Inc., owner in the total amount**

of \$400,000.00 with the terms and conditions as stated in the contract. Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-891) Mr. Shuler informed the Board he had advertised the Sumatra Cemetery discussion for purchase of the cemetery for the next meeting on December 16<sup>th</sup>.

(Tape 2-913) He said he would be attending the hearing scheduled for tomorrow in Tallahassee at the Federal District Courthouse before Judge Stafford to discuss the 1986 Federal Ruling regarding Franklin County's redistricting order. He asked Chairman Sanders if she would attend this hearing tomorrow or at least direct or approve one of the other Commissioners attendance at the hearing. Commissioner Putnal said he would make a **motion directing Chairman Sanders to attend this hearing scheduled for tomorrow in Tallahassee at the Federal District Courthouse before Judge Stafford to discuss the 1986 Federal Ruling regarding Franklin County's Redistricting Order signed in 1986.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.** Commissioner Williams said he was going to attend the hearing tomorrow as well and explained he would be going as a citizen and not to officially represent his District.

(Tape 2-961) Commissioner Mosconis asked Mr. Shuler about the article in the Franklin Chronicle Newspaper about the Board meeting or Executive Session on October 10, 2003 violating the Sunshine Law. Commissioner Mosconis informed everyone he was not at the meeting that day so he is not involved in the violation. Mr. Shuler answered he saw the article and informed the Board they did not violate the Sunshine Law in any way. He said the Board is allowed to have Executive Sessions where only the County Attorney, the Clerk or Deputy Clerk and the Board can attend. He stated these sessions were approved by the Legislature several years ago. Mr. Shuler reminded the Board this was only an "allegation" in the Concerned Citizens Lawsuit. He said he did not understand the "allegation" either. He assured the Board the session was compliant with Florida Statutes Section 286.011. He said the sessions are authorized by Statutes when the County Board is involved in pending litigation. Commissioner Mosconis said this seemed to him like the same type "rumor" as the one that he was trying to "run" from process servers trying to serve him the original lawsuit filed by the Concern Citizens.

#### **CHAIRMAN SANDERS**

(Tape 2-1094) Chairman Sanders said she wanted to ask the Board about the new ambulances the ambulance service, EmeryStat, Inc. is going to purchase for the County. She stated Patricia Shuler, Manager for EmeryStat, Inc. in Franklin County, had informed her the ambulances EmeryStat wants to purchase is called a "Frazier Brand Ambulance" and they want to purchase two of them. She said Ms. Shuler said this was, according to Ms. Shuler, a self contained unit with a generator. She stated the only source for this type of ambulance is from a company in Texas. She asked the Board if they would declare these ambulance purchases considered as a sole source provider. She said if the purchase is approved today then Ms. Shuler can go ahead and order the two ambulances so they might be delivered during the first part of February. She said Ms. Shuler assured her this was the only provider or company these type of self-contained

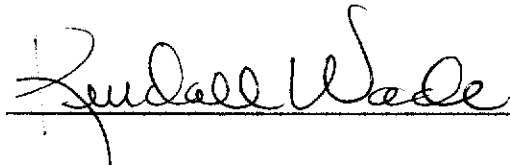
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ambulances could be purchased from. Mr. Shuler, the County Attorney, said he wasn't sure this could be decided today. He stated he would recommend the Board wait until further review of this matter. He said he would get in touch with Ms. Shuler to make sure he reviewed her information to be sure this was a sole source provider for these ambulances. Chairman Sanders said the total for both ambulances would be \$179,050.00. Mr. Shuler assured the Board he would try to see this matter was taken care of at least by the next meeting. Mr. Shuler said it might be the best thing if the County would advertise these ambulances for purchase by the County.

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



**CHERYL SANDERS, CHAIRMAN**



**KENDALL WADE, CLERK**