

FCBCC REGULAR MEETING OCTOBER 5, 2004

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
OCTOBER 5, 2004**

OFFICIALS IN ATTENDANCE: Cheryl Sanders, Chairman, Jimmy Mosconis, Bevin Putnal, Eddie Creamer, and Clarence Williams, Commissioners, Kendall Wade, Clerk, Amelia Varnes, Deputy Clerk, Mark Curenton, County Planner, Michael Shuler, County Attorney.

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

(Tape 1-35) Amelia Varnes, Board Secretary thanked everyone for their prayers and wanted to say that October is breast cancer awareness month.

(Tape 1-80) Mr. Wade asked all department heads to notify the Clerk's office if there has been an accident in their department. There are forms that need to be completed by Mr. Wade's office for insurance purposes. He stressed they need to notify his office the day the accident occurs.

(Tape 1-94) Commissioner Putnal made a **motion to approve the minutes of the meeting held September 20, 2004.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-100) Commissioner Williams made a **motion to pay the county bills.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

HUBERT CHIPMAN – SUPERINTENDENT OF PUBLIC WORKS

(Tape 1-105) Mr. Chipman gave an update on storm debris cleanup. The Road Department has gotten a lot of the debris picked up, but there is more to be cleaned up. Commissioner Mosconis asked who fixed the road cut on Brownsville Road. Mr. Chipman said the Road Department had placed some material on the site, but they can go ahead and fix this area because there is another bad area on this road. Commissioner Mosconis said that the cost of repair needs to be determined so that the County can bill CW Roberts. Chairman Sanders said the same situation applied to Apalachee Street in Lanark.

VAN JOHNSON – SOLID WASTE DIRECTOR

(Tape 1-157) Mr. Johnson said that he had nothing to report to the Board. Commissioner Creamer asked if Mr. Johnson has filled his secretary position. Commissioner Mosconis said that he has had some complaints concerning the starting salary for this position. Commissioner Mosconis said there are other secretaries who have worked for the county for years who do not make this much money. Mr. Shuler was asked if the board could consider reducing this salary, or would it have to be readvertised. Mr. Shuler said it would have to be readvertised. Commissioner Mosconis suggested waiting two weeks

FCBCC REGULAR MEETING OCTOBER 5, 2004

and readdressing this issue at the next board meeting. He went on to say that there may be a need to adjust other salaries. There was some discussion concerning whether 22,900 included health benefits. Mr. Johnson said that this did include the health insurance. Commissioner Mosconis clarified then that the actual salary would be about 19,000. Mr. Johnson said that he has advertised \$22,900 plus benefits.

(Tape 1-463) Chairman Sanders said that the county needs to assess all jobs and determine where adjustments need to be made.

(Tape 1-529) Christy Duncan with the County Extension Office appeared before the Board and said that, while she is not trying to down grade Mr. Johnson's position, she has worked for the county for 7 and ½ years and does not make \$22,900 and she knows of other employees who have been with the county for years who don't make this amount.

(Tape 1-569) Mr. Wade said that several years ago, he had a professional come in and assess county jobs and determine what salaries needed to be adjusted. It was agreed that the Board would consider this in the future. No action was taken.

BILL MAHAN – COUNTY EXTENSION DIRECTOR

(Tape 1-628) Mr. Mahan appeared before the Board and stated that he spoke with John Gunter with the Department of Agriculture and Consumer Services on the department's damage assessment of the oyster bars in the Bay and the clam leases in Alligator Harbor. Mr. Gunter reported that they have completed the site surveys of the oyster bars last week and they are now crunching the numbers. The field inspection of the bars showed that very little physical damage was done to the oyster bars. However, any reduction in oyster numbers due to low salinity levels will take awhile to document. The Department hopes to do a site survey of the clam leases in Alligator Harbor later this week. To date there have been no reports of any serious damage to the clam aquaculture leases. Chairman Sanders asked for these numbers as soon as possible. Commissioner Putnal said there was some damage done to the bigger oysters.

(Tape 1-747) Concerning the land-based clam hatchery/nursery operations/county zoning, several clam farmers have recently expressed an interest in exploring the feasibility of building land-based clam hatchery/nurseries in Franklin County. However, current county zoning regulations prohibit aquaculture operations in residentially zoned area.

(Tape 1-766) Mr. Mahan gave an update on the Bluff Road boat ramp stating the Preble-Rish is currently completing the topographical mapping of the proposed Bluff Road Boat Ramp area so if the grant is awarded the County will be ready to proceed. In addition, Alan Pierce informed Mr. Mahan that Preble-Rish will inspect the Fish & Wildlife Conservation Commission boat ramps at Bloody Bluff, Gardener Landing, Graham Creek, Whiskey George and Cash Creek to see if any maintenance and/or construction is needed at the sites. If anything is required the county will submit a proposal to FWC as

FCBCC REGULAR MEETING OCTOBER 5, 2004

requested in their letter to the Board dated August 31, 2004. Commissioner Putnal asked Mr. Mahan to not let FWC give the boat ramps to any one other than the County.

(Tape 1-832) Commissioner Putnal said that the county owns the property between the old ferry dock landing and the site the State is going to build their new building at Cat Point on and this could be a prospect for a new county boat ramp. There was some discussion concerning who owns this property.

MARK CURENTON – COUNTY PLANNER

(Tape 1-903) Mr. Curenton reported that there are two vacancies on the Board of Adjustment plus one member in very poor health that needs to be replaced. Chairman Sanders said that she has no one for the Board of Adjustment, but she did talk with Ms. Hancock, who sits on the Planning & Zoning Commission and she still wants to serve on this Commission.

(Tape 1-930) Mr. Curenton reported that the City of Apalachicola has twice tabled his request on behalf of the National Guard for \$5,000 to go toward the match for the grant for the Armory. The City is scheduled to consider the matter again tonight at 6:00 P.M.

(Tape 1-940) DCA has issued another Supplemental Order which delays the Objections, Recommendations and Comments Report on the County's Comprehensive Plan update. The new deadline is October 15, 2004. Mr. Curenton said that some of the comments he received were significant.

(Tape 1-977) Mr. Curenton reported that the Department of Community Affairs has issued a Notice of Intent to find the comprehensive plan amendment for the Soundings not in compliance. DCA stated there are two inconsistent provisions in the proposed amendment: one dealt with Coastal High Hazard Area issues and one dealt with wetlands. Mr. Curenton said he discussed this with both the developers' representatives and DCA.

(Tape 1-996) Wade Brown has submitted a surveyor's affidavit to show the correct location of the wetlands in the Fairway Park subdivision in Lanark. Michael Shuler has reviewed it and approves it from a legal standpoint. He asked for Board approval to record the affidavit. Commissioner Putnal made a **motion to approve recording the affidavit for Fairway Park.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1030) Mr. Curenton reported that Lee Edmiston of the National Estuarine Research Reserve has prepared a grant proposal to be submitted to NOAA. The amount requested in the grant is \$131,114. This money will be used to provide the County with data, equipment, software and training for a Geographic Information System to enhance the work of the Planning and Building Department. This grant would also fund a temporary position with the Planning Department for a GIS operator to set up the

FCBCC REGULAR MEETING OCTOBER 5, 2004

equipment and programs and train the staff in using it. This grant does not require any cash match on the county's part. If funded, the county would have to provide some information and some employee time. Mr. Curenton needs the Board's approval to participate in this grant. Commissioner Creamer made a **motion to approve the county's participation in this grant.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1072) Mr. Curenton told the Board that Debbie Belcher has notified Lester Appraisal Services to begin the appraisals for the Lanark Village drainage project. The county should have those appraisals by October 21st. If the drainage easements are appraised for over a certain amount, the appraisals will have to be reviewed by another appraiser, Northridge Appraisal Company.

(Tape 1-1091) Mr. Curenton told the Board he is still waiting to hear from FEMA on funding for the Lanark Village drainage project. Winston Thaxter with DCA has promised to give Mr. Curenton an update this week.

Concerning the Alligator Point renourishment project, Chairman Sanders asked Mr. Curenton if he has received a reply from the letter the Board sent asking for a meeting. Mr. Curenton stated that he has not yet heard anything.

Chairman Sanders also asked if the Board is going to wait until the County takes over the piers before sending out requests for proposals or is the Board going to go ahead and advertise. Mr. Shuler said that he has prepared these requests and they will address this matter at the board meeting to be held November 2, 2004 at 10:00 a.m.

(Tape 1-1176) Mr. Curenton continued his report by stating that in the original CDBG application the county agreed to contribute \$65,000 toward the necessary match. It was envisioned this was going to consist of in-kind services provided by the Road Department on Twin Lake Road; however, the bid for the Twin Lakes Road water line and paving did not make provisions for the county to do any of the work. Debbie Belcher has stated that the County needs to provide some match for the construction now taking place. Ms. Belcher is here to provide an update on the project and the match requirements. There is currently \$124,000 budgeted for this project, and this can help to pay for the road paving. She detailed where all the monies were to be used. The road construction portion of the CW Roberts Contracting, Inc contract is priced at \$452,529.50, the county had pledged \$65,000 in local funds toward the project. Even with the local match, the contract is over budget by \$90,529.50. The water line and service connection portion of the contract is only \$244.50 over budget.

The Lanark Village drainage work is being delayed because the County still doesn't have a commitment from FEMA. She is hopeful that FEMA will pay the entire cost of this project, other than land acquisition for the easements. The CDBG budget includes \$40,000 for easements, which may or may not be enough money with the rapidly

FCBCC REGULAR MEETING OCTOBER 5, 2004

increasing land prices. She doesn't have the appraisals back yet, and she has not located one property owner to accept notice of the County's intent to purchase an easement. The CDBG also includes \$124,000 for Lanark Village drainage, with the assumption that the County would contribute \$120,000. The \$244,000 total for this drainage work is probably a high budget figure, which maximized the points for match because she expects FEMA funds to arrive.

The Board should be aware that the overall project will require some local funds, although she hopes to minimize the amount required. If the property acquisition and sewer manhole components come in at budget, and the County Road Department can do the Lanark Village drainage work at a direct cost of \$34,000 charged to CDBG (with no FEMA) then \$90,000 in CDBG funds will be available to transfer into the road construction contract fee. That will leave only about \$1,000 short, in addition to the original \$65,000 local match. If the Lanark Village drainage work is done by the County and FEMA Reimburses out-of-pocket costs (at a minimum), the County will have \$124,000 from CDBG to transfer to road costs.

There was some discussion concerning whether the road department could lay these drainage lines. There was also discussion concerning having money to finish the road paving on Twin Lakes Road.

PUBLIC HEARING – REZONING OF LOT 92, TARPON SHORES, EASTPOINT FROM R-2 SINGLE FAMILY MOBILE HOME TO R-4 SINGLE FAMILY HOME INDUSTRY.

(Tape 1-1587) Mr. Curenton stated that this public hearing is for rezoning Lot 92, Tarpon Shores, Eastpoint from R-2 to R-4. The difference between the two categories is that R-4 allows home industry. There has been no public comment received. The zoning category allows non-nuisance home industry provided there is a residence on the property. Commissioner Creamer made a **motion to approve the rezoning of Lot 92, Tarpon, Shores Eastpoint from R-2 Single Family Mobile Homes to R-4 Single Family Home Industry.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1660) Mr. Curenton reported that on March 9, 2004, the Planning and Zoning Commission approved a sketch plat for a nine lot subdivision off of Mill Road. The Board did not approve the sketch plat because it was were waiting for the public hearing rezoning the property. The property was rezoned on April 20, 2004, but the plat was never presented to the Board. It needs to be approved now. Five lots would front on the New River and there would be four inland lots. The property will be accessed by an easement off of Mill Road. Commissioner Creamer made a **motion to approve this sketch plat for William and Maxine Wells.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING OCTOBER 5, 2004

(Tape 1-1740) Mr. Curenton continued by telling the Board that on January 13, 2004, the Planning and Zoning Commission approved a final plat of the SummerCamp Development, Phase 1 East, and Phase 1 West. The developers asked the Board to delay final plat approval until they were further along in their permitting. St. Joe is now ready for the Board to approve the final plat of SummerCamp Phase 1 East and Phase 1 West. Billy Buzzett appeared before the Board to follow up on SummerCamp. He stated they are moving forward with the Advanced Waste Water Treatment Plant north of Highway 98 and are also pursuing environmental permits and are now ready to record the plat. Commissioner Creamer made a **motion to approve the final plat for SummerCamp, Phase 1 East and Phase 1 West.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-1815) Ms. Margaret Mathes appeared before the Board asking for Junior Mathes be allowed to come under the retiree insurance. She explained he had been an employee of the County for 27 years and now can't afford insurance. Mr. Wade said he sent out a survey to all the counties in the state, 37 of these counties allow their retirees insurance. None have allowed personnel who were not retirees on the policy, because it is difficult to budget for this. They asked Ms. Mathes to wait until the Clerk's report later in the meeting at which time this will be discussed..

BID OPENING FOR GENERATOR – PANEL FOR EOC

(Tape 1-2030) Mr. Wade said that one bid has been received from Ring Power, Tallahassee in the amount of \$18,780. Commissioner Putnal made a **motion to allow Melanie Hutchins and Ted Mosteller to take the bid, review it and come back with a recommendation.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2060) Mr. Carmichael, representing Emergystat, appeared before the Board concerning contract issues. He told the Board that some time ago, Mr. Donovan came before the Board stating that Dasee was \$40,000 in arrears. This has not been caught up and now is \$60,000 and Emergystat is here asking for help. Chairman Sanders said the Board is aware of the letters going back and forth between the Hospital and Emergystat. She also said that she was disturbed that no ambulance was at a local football game and a player passed out. She said that the ambulance service needs to work harder in the community. It was noted that the ambulance needs to be requested to attend football games. After more discussion, Commissioner Mosconis made a **motion to write Dasee a letter concerning their delinquent rent, taxes, and not paying the ambulance service and request that they attend the next Board meeting.** Commissioner Creamer seconded the motion. All for. **MOTION CARRIED.**

(Tape 1-2298) Gary Shiver addressed the Board saying that an uncle broke his hip and he had to take him to the hospital as there was no ambulance available. About 4 and ½ hours later an ambulance came to the hospital to take him to Tallahassee. He said there should be an ambulance at the hospital at all times. He went on to say that both

FCBCC REGULAR MEETING OCTOBER 5, 2004

ambulances were out of the county. The county needs one ambulance in the county at all times. Mr. Carmichael said that, last week, they used a Calhoun County ambulance because one of their ambulances was involved in an accident. Chairman Sanders asked Mr. Carmichael to check into using one of the old ambulances for emergencies.

There was some discussion concerning finding money to buy another ambulance. Also, Mr. Carmichael said that the Lanark Volunteer Fire Department took to the two older ambulances.

The Board directed Patricia with Emergystat to looking into finding a grant through the Department of Health for another ambulance.

THOM LEWIS – ST GEORGE ISLAND

(Tape 1-2736) Mr. Lewis told the Board that for several years he has been trying to resolve a flooding issue with the county. The problem began in the summer of 2000 when the County Road Department added fill to East Pine Avenue to try to dry out a wet spot in the road. Unfortunately, that and subsequent filling has blocked the flow of storm water from the south side of East Pine Avenue. At that time, Mr. Lewis said he had suffered no damage and simply wanted the County to correct the problem with a culvert or low water crossing to restore the storm water flow to the bay.

After dealing with the County Planner and getting no where, Mr. Lewis hired Barbara Sanders and presented his case to the Board on August 7, 2001. The Board instructed the County Planner to have the Road Department fix the problem. The County Planner and Engineer made a site visit with Mr. Lewis and suggested that a culvert would not work, but a low water crossing would solve the problem.

After seven months, the issue was still unresolved and Mr. Lewis and Ms. Sanders came back before the Board on March 5, 2002. Once again the Board instructed the County Planner to get the project done. At this point, Mr. Lewis still wanted to deal with this issue in a friendly fashion and expected nothing more than to have the problem corrected, although the standing water was causing property damage and serious inconvenience to Mr. Lewis.

Finally, in late August of 2002, the County dug a ditch across the road and filled it with small gravel. They did not build a low water crossing that was discussed by the County Planner and Engineer. Within a week the County road crew graded over the area and filled it with sand. During subsequent storms the project failed to allow water to cross the road.

After consulting with Ms. Sanders, she suggested that Mr. Lewis retain Randall Denker. After two years, county employees were unable to carry out the wishes of the Board and resolve the issue.

FCBCC REGULAR MEETING OCTOBER 5, 2004

Mr. Lewis went on to say it is now October 2004, and this has dragged on for another two years. At this point, Mr. Lewis said he has suffered property damage and spent a considerable amount of money on legal fees. The County has made two failed attempts at building a gravel bar across the road that did not move water. The County Insurance Agent had an investigator look into the case and suggested that the County settle the case out of court. A damage settlement was agreed to months ago, even though Mr. Lewis' attorney's fees keep escalating because the County can't settle on legal language of a settlement for a low water crossing.

Mr. Lewis is still asking for what the County Planner and Engineer suggested in 2002, a low water crossing to restore the flow of storm water that was blocked by the road filling. He would also like some assurance that the low water crossing will be maintained in working condition. The County Engineering Technician and attorney were unwilling to provide anything but rough hand drawings of the project. To speed the process, Mr. Lewis provided technical drawings at his own expense of the low water crossing project. These drawings with minor modifications have been agreed on. Each time Mr. Lewis' attorney thinks they are close to a settlement, the County Attorney adds or changes something in the language.

Mr. Lewis said he is willing to sign a settlement agreement that the County Attorney prepared and sent to him in July. This is an agreement that his attorney and the County Attorney agreed on before the County Attorney unilaterally changed his mind and made more changes even though Mr. Lewis' attorney had instructed him that no further changes would be acceptable. Since then, he has changed the agreement several times. This agreement does not provide any deadline for the work to be completed or any guarantee that the project will be maintained. Mr. Lewis went on to say that these seem like reasonable requests, but the County Attorney would not agree to a stipulation for maintenance. Mr. Lewis is willing to put his faith in the County that they will build this low water crossing in a timely fashion and maintain it in working order. He would hope that the Board would agree verbally that the work will be completed within four months as the County Attorney has agreed to in his latest rewrite of the settlement agreement.

Mr. Lewis went on to say that his wife has signed this agreement and he would be willing to sign the agreement in front of the Board. He said he felt confident that the county would complete the crossing within four months and maintain it. He thanked the Board for their time.

(Tape 1-3179) Mr. Shuler addressed the Board concerning this matter. He said there have been draft settlements that have been sent back and forth between the attorneys. Mr. Shuler said he would like to review this settlement prior to the Chairman signing this agreement. Mr. Shuler went on to say this agreement does need to include a no future damages clause.

FCBCC REGULAR MEETING OCTOBER 5, 2004

There was some discussion by the Board and Mr. Shuler concerning these agreements. Mr. Shuler said he has addressed all questions brought up by Mr. Lewis.

There was much discussion concerning this settlement agreement. Mr. Shuler said that the Board agreed upon the settlement at the last meeting. It is understood that the county will maintain its infrastructure, of which this low water crossing would be considered.

Mr. Lewis doesn't feel it is right for him not to be able to sue for damages in the future, every other citizen in the county has that right. He would sign the agreement dated in July because it does not take away his right to sue for any future damages.

It was agreed that as soon as the settlement agreement is signed, the Board would authorize the construction of the low water crossing. No action was taken.

(Tape 2-376) Mr. Wade reported that during the budget process, the county put into the budget process money for retiree insurance. Mr. Wade explained that he discussed with Lucy Turner, and she drafted the following change to the personnel rules: Beginning October 1, 2004, Franklin County Board of County Commissioners will pay 50% of the monthly premium for the individual health insurance cost for eligible employees who retire from employment with the County. In order to be eligible for this benefit, retirees must meet all of the following criteria: 1) the employee/retiree's retirement date is on or after October 1, 2004. Under this provision, the only retirees eligible for this benefit who have retired prior to implementation date of this provision are: Jack Taylor, Jr., William T. Henderson, John James, Jr., and Lois C. Watkins. 2) The employee/retiree must be eligible for and receiving retirement benefits from the State of Florida Retirement System. 3) The employee/retiree was in the employ of the County at the time of their retirement. 4) The employee/retiree was enrolled in the County group health insurance plan while employed at the County up to and including the time of their retirement. The term County includes all of the following: Franklin County Board of County Commissioners, Office of the Franklin County Clerk of the Circuit Court, Office of Franklin County Tax Collector, Office of the Franklin County Supervisor of Elections, Office of the Franklin County Property Appraiser, and Office of the Franklin County Sheriff.

Commissioner Mosconis said that he thought this agreement was a stop gap to get the retiree to the age where they receive Medicare.

Chairman Sanders said that she is concerned about retirees like Mr. Mathes who did not make a lot of money years ago. When he retired he could not afford to keep the insurance.

The Board discussed how much the premium would be for those that receive Medicare.

FCBCC REGULAR MEETING OCTOBER 5, 2004

Mr. Wade stated that the budget money set aside for insurance was not based on the insurance ceasing when the retiree reaches the age to receive Medicare.

Also Mr. Wade said that the county can not put those people not covered under Blue Cross/Blue Shield when they retired back on the insurance, only the insurance company can do this. The Board agreed to ask Gary Barber, the county's insurance agent to come before the Board at the next meeting to address these questions.

(Tape 2-670) Mr. Wade gave the Board copies of the bill from Broward Davis in the amount of \$5,000 for the survey of the Bluff Road ditch right-of-way. Commissioner Mosconis said that this survey was necessary because the other two surveys of the adjacent properties were in error. He feels these surveyors should pay this bill. This was not caused by the tax payers. Mr. Shuler said he has received a bill from Mr. Brown for \$2,900 for the appraisal of this property. Commissioner Putnal made a **motion to split these two costs, \$5,000 for the survey and \$2,900 for the appraisal of the Bluff Road ditch right-of-way and send to the two surveyors in question to pay.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.** Commissioner Mosconis abstained from voting.

(Tape 2-761) Mr. Wade asked that the Board appoint the Clerk-Elect, Marcia Johnson to serve on the Apalachee Regional Planning Council effective January 1, 2005. Commissioner Putnal made a **motion to appoint March Johnson, Clerk-Elect to serve on the Apalachee Regional Planning Council effective January 1, 2005.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-787) Mr. Shuler said that he was unsure as to whether the SummerCamp final plat approval was contingent upon his review and asked that this be reflected by motion. Commissioner Creamer made a **motion to approve the final plat for SummerCamp, Phase 1 East and Phase 1 West, contingent upon the county attorney's review.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-815) Mr. Shuler said that, in the past, the county has allowed final plats to be recorded with Letters of Credit. St. Joe plans to put up a letters of credit in the amount of 12+ million dollars. Mr. Shuler asked that St. Joe enter into a contract with the County that in the event there is any shortfalls in the letters of credit St. Joe will provide the county with further notice of credit.

(Tape 2-857) Mr. Shuler reported, concerning the proposed Soundings Subdivision, there will be an Administrative Hearing with DCA scheduled

(Tape 2-892) Mr. Shuler informed the Board that concerning Lake Morality Road, he has requested an updated and changed survey, because some portion of that road is in private ownership. The surveyor needs to submit a corrected legal description so that St. Joe can

FCBCC REGULAR MEETING OCTOBER 5, 2004

legally deed the property to the County. He has not yet received this amended legal description.

(Tape 2-899) Concerning the Landfill contract for the Tub Grinder, Mr. Shuler said that he has had to extend the closing date, however, the contract terms are still the same. He asked for the Chairman's signature on these amended closing documents. Commissioner Creamer made a **motion to authorize the Chairman's signature on the amended closing documents for the Tub Grinder for the Landfill.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-925) Mr. Shuler reported that Shadetree towing contacted him and said that they would move the abandoned dump truck on Timber Island for \$250, but, because the truck is in such bad shape, they want \$100 for any cleanup that is necessary. The owner of the dump truck is Ben Withers. Mr. Shuler went on to say the first step is to ask Mr. Withers to remove the truck or get written authorization to remove the truck. If he doesn't respond, move the truck and pay the towing fee and then file suit against the owner to recover the fees. The Board agreed Mr. Withers needs to pay all fees concerned with moving this vehicle. Mr. Shuler's recommendation is to send letter to Mr. Withers requesting authorization to move the truck. If he doesn't respond then the county can file suit. Commissioner Creamer made a **motion to send a letter to Mr. Wither requesting that he move the truck or the county will file suit to have it moved.** Commissioner Putnal seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1034) Concerning Alexis Marketing, depositions will be held this Thursday at 10:00 A.M. He also asked that he be allowed to hire Alan Pierce of Preble-Rish to testify as an expert witness in this case. Commissioner Creamer made a **motion to authorize Mr. Shuler to hire Alan Pierce of Preble-Rish to testify as an expert witness in the Alexis Marketing case.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

Tape 2-1080) The lawsuit that the Board instructed Mr. Shuler to review, GE Services vs. Franklin County, concerns SHIP mortgages that the county gave. There is a mortgage lender who has first mortgage which makes the SHIP mortgages inferior. He said the county can buy the first mortgage which is about \$57,000-\$58,000, or the county can ignore the suit and let it go into default which is what he recommends. This is on property located within the City of Apalachicola. The Board directed Mr. Shuler to find out the amount of the SHIP mortgage and come back with more information.

(Tape 2-1179) Melanie Hutchins came back before the Board and reported the bid received from Ring Power in the amount of \$18,700 meets all the specifications required for the EOC generator. Commissioner Putnal made a **motion to accept the bid from Ring Power in the amount of \$18,700 for the Emergency Operation Center.** Commissioner Williams seconded the motion. All for. **MOTION CARRIED.**

FCBCC REGULAR MEETING OCTOBER 5, 2004

(Tape 2-1236) Denise Butler appeared before the Board regarding a proposed public boat ramp on Pine Street in Eastpoint. She read a letter voicing her objections to the construction of a public boat ramp at the end of Pine Street off of North Bayshore Drive. She told the Board there are active eagles' nests in the area that should be protected. She ask that the board rescind any approvals they have given for this boat ramp, but if not, at least get fair market value for the property.

Mr. Shuler stated this Board has not given any final approvals to the developer to build this boat ramp.

Commissioner Creamer said he would not like to give approval for this as the developer has already purchased property and destroyed the houses on this property. Commissioner Putnal said the county does not need to allow any private entity to build on public property. It was agreed that Mr. Shuler would contact the developers and let them know of the Board's intent.

(Tape 2-1444) Tommy Huckeba also appeared before the Board opposing this proposal. He said that the property owners in the area were never notified of what was being proposed for this public property.

(Tape 2-1560) Chairman Sanders said that the Board needs to approve herself and Commissioner Williams sitting on the Value and Adjustment Board. Commissioner Putnal made a **motion approving Chairman Sanders and Commissioner Williams serving on the Valuation and Adjustment Board.** Commissioner Mosconis seconded the motion. All for. **MOTION CARRIED.**

(Tape 2-1578) Chairman Sanders asked Mr. Wade about the Professional Study of county jobs. Mr. Wade reported this was done several years ago. Chairman Sanders asked Mr. Wade to contact the same person who did the evaluation and see if it could updated.


(Tape 2-1672) Mr. Ted Mosteller appeared before the Board and told them that the Road Department has been clearing out the brush around the runway for which the Inspector giggered the airport on its inspection. Mr. Mosteller said he talked with the inspector and was given more time, however, the work needs to be completed by November because that is when the airport license expires. Mr. Mosteller said that some of the trees of concern are on private property and he has spoke with Dakie Ward, owner of the property just west of the airport and received permission for the road department to take care of these trees. The Board said that the county needs a Hold Harmless to go on private property.

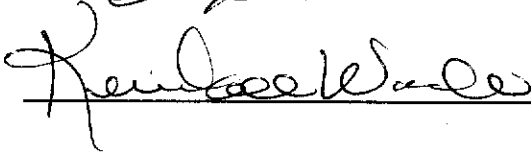
(Tape 2-1746) He also said that the Road Department has gotten the fence area cleared and the ditch dug for the city water plant.

FCBCC REGULAR MEETING OCTOBER 5, 2004

(Tape 2-1764) Alan Pfifer with the Alligator Point Tax Payers Association told the Board that he was approached this morning to ask if there is any possibility of getting Medicom to come in so that Alligator Point residents can get high speed internet.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD IT WAS AGREED TO ADJOURN.


_____ **CHERYL SANDERS, CHAIRMAN**


_____ **KENDALL WADE, CLERK**