

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
JULY 17, 2007
5:00 PM**

MINUTES

Commissioners Present: Russell Crofton – Chairman, Noah Lockley – Vice-Chairman, Cheryl Sanders, Joseph Parrish, Bevin Putnal

Staff Present: Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Morón – Board Secretary

Call to Order (5:00 PM)

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

Prayer and Pledge (5:00 PM)

There was a Prayer followed by the Pledge of Allegiance.

Approval of Minutes (5:03 PM)

Regular Meeting: July 3, 2007

Motion by Sanders, seconded by Lockley, to approve the Minutes of the July 3, 2007 regular meeting; Motion carried 5-0.

Payment of County Bills (5:03 PM)

Motion by Putnal, seconded by Sanders, to approve payment of the County Bills as presented; Motion carried 5-0.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (5:04 PM)

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

Item 1 – Repaired Intersection and shoulders at River Road and Mill Road in Carrabelle

Item 2 – Repaired boat ramp at St. George Island with lime rock

Van Johnson – Solid Waste Director (5:06 PM)

Mr. Johnson thanked Commissioner Sanders for all of her support.

Mr. Johnson gave an update on Maintenance Building stating that Mosquito Control department will contribute to the cost of the Maintenance Building.

Alan Pierce (5:07 PM)

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

Item 1- The Legislature appropriated funds for two projects in Franklin County for which the county will administer the funds. In order for the Board to receive the funds, the Board needs to pass a Resolution for each project identifying a Project Manager. I need Board action to adopt a Resolution accepting \$175,000 for the renovation of the St. George Island Lighthouse, and naming Mark Curenton as Project Manager. I need Board action to accept \$325,000 for Carrabelle Recreation Park Phase III, and naming Van Johnson as Project Manager.

Motion by Sanders, seconded by Putnal, to name Mr. Van Johnson as the Project Manager of the Carrabelle Recreation Park Phase III project; Motion carried 5-0.

Motion by Lockley, seconded by Sanders, to name Mark Curenton as the Project Manager of the St. George Island Lighthouse project; Motion carried 5-0.

Dan Rothwell – County Engineer (5:09 PM)

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

Item 1 - Timber Island Parking:

The construction boundaries have been staked and the Road Department hopes to start work this week.

Item 2 - Limerock Road Dust Control:

Several vendors were contacted to get cost quotes for Calcium Chloride dust control treatments for limerock roads. Estimates from two sources indicate approximately \$9,000.00/mile for dust control treatment. Depending on average daily traffic the treatment should last from six to twelve months, with appropriate road preparation by the road department prior to application.

Item 3 - Airport Access Road Observations:

Perform construction observations on the new Airport Access Road.

Item 4 - Road Department Maintenance Shop:

The building is approximately 70% completed according to Mark Edwards of Sperry & Associates. Work on the stormwater report and site construction permit preparation is still in progress.

Mr. Rothwell gave an update on the Alligator Point dune walkovers.

Commissioner Lockley stated that best solution to the dust control is a county wide paving project, which could be funded with a bond.

Commissioner Putnal suggested that the County consider using the paving company that the City of Carrabelle used. Mayor Kelly stated that the City of Carrabelle used North West Florida Asphalt Company of Tallahassee. Mr. Pierce & Mr. Rothwell stated the County must maintain standard for county road & highways and an inch of asphalt with good base should last about 20 to 25 years.

Mr. Rothwell stated that he would provide the amount of unpaved and paved roads, by miles, there are in the County at the next meeting.

The Board directed Mr. Rothwell to seek competitive prices, per mile, for paving and resurfacing roads in the County.

Commissioner Lockley suggested that the road department assist with paving project to possibly lower the cost. Mr. Pierce stated that the previous paving contractor was not in favor of this because the road department did not have the proper equipment.

Motion by Sanders, seconded by Lockley, to add Mr. Bill Mahan to the agenda; Motion carried 5-0.

Bill Mahan – County Extension Director (5:26 PM)

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

Item 1 - Interstate Shellfish Sanitation Conference Update: Attached for your information is a copy of the draft agenda I received for the ISSC's Vibrio Education Subcommittee meeting on Sunday August 12th from 9a.m. – 6 p.m. In addition the Vibrio Education Coordinator (Dot Leonard) will be meeting with each state individually from 6-9 p.m. on Sunday to discuss specific issues/plans for each state. Additional meeting time will be scheduled for Monday from 12:00 p.m. – 9:00 p.m. as needed.

Item 2 - Pacific Northwest Shellfish News: Attached, is a copy of two news stories ('No raw oysters for now, state warns,' 'Hot weather has ill effect on raw oysters') printed in last week's News Tribune Newspaper, Tacoma, Washington warning people/recreational harvesters about warm weather and the increased number of *Vibrio parahaemolyticus* (Vp) in the oysters. In addition, there is a story from the Comox Valley Echo about the Vancouver Island Health Authority considering a requirement for restaurants to post warnings about raw oysters and illnesses. Their counterpart on the mainland the Vancouver Coastal Health Authority recently (See Vancouver Sun story) ordered restaurants to display tent cards on tables carrying the warnings of the increased risk of food-borne illness associated with eating raw oysters, and to post a similar warning on the menu.

Item 3 - FL Fish & Wildlife Conservation Commission (FWC) Updates: Blue Crab Management Program: A new program is underway to manage the number of fishermen and the traps they use in the commercial blue crab industry. The program establishes separate endorsements for the hard crab and soft 'peeler' crab fisheries and crab traps must now be marked with trap tags issued by the FWC to be legal. The hard crab endorsement (VH) allows the holder to fish up to 600 blue crab traps (inshore) and an additional 400 traps offshore in the Gulf of Mexico. A total of 150 soft crabs may be landed daily as bycatch and as many as three shedding tanks may be maintained by the VH holder.

The soft crab (VS) endorsement allows the holder to fish up to 400 peeler traps. If they qualify for two VS endorsements they may fish up to an additional 250 peeler traps.

VH and VS endorsements are transferable, but leasing or renting them is not.

The program also allows qualified fishermen affected by the 1995 net limitation amendment to obtain a non-transferable limited-entry endorsement (VN) which allows the use of up to 100 traps to harvest hard-shell blue crab.

In addition, the program establishes an incidental take endorsement (VI) for stone crabbers and shrimpers allowing them up to 200 pounds of blue crab bycatch/day.

Persons who qualify for the program will not be charged for their endorsements or tags for the 2007-08 license year. Beginning with the 2008-09 year the annual fees will be \$125 for the VH and VN endorsements, \$250 for the VS and \$25 for the VI endorsement. Trap tags will cost 50-cents each.

Item 4 - Alligator Hunting Classes: The FWC is offering alligator hunters a no-cost, three-hour class to help them prepare for the August 15 – November 1, statewide harvest. The closest class to us is in Tallahassee tomorrow night, July 18th from 6-9 p.m. at the Bryant Building.

Item 5 - UF IFAS Low Impact Development (LID) Workshop: As a reminder if you are going to attend our Regional UF IFAS LID Workshop being held in Crawfordville, you should register by Friday July 20th. Please contact Michelle Adamski at 850-926-3931 or via email at madamski@ufl.edu

Item 6 - UF IFAS Turkey/Deer Short Course: Attached for your information is a flier on a UF IFAS Deer & Turkey Short Course (seminars, field tours, demonstrations & trade show) scheduled for October 4-5, 2007 at our North FL Research & Education Center in Quincy. The program is for landowners, managers, hunters and others interested in deer & turkey habitat management and best herd/flock management techniques. There is a \$75 early registration fee (before Sept. 10th) and late registration fee of \$100.

Butch Baker – Director of Emergency Management (5:35 PM)

Fire Ban Update

Mr. Baker stated that both he and the Division of Forestry are recommending that the County lift the burn ban.

Motion by Sanders, seconded by Putnal, to end state of emergency and rescind Ordinance 2007 - 24 lifting the fire ban, as recommended by the Division of Forestry and Mr. Butch Baker the County's Director of Emergency Management; 5-0.

Mr. Baker stated that the County is in a storm ready status.

Hospital Update / Sales Tax Discussion (5:45 PM)

Dr. Stephen Miniati, of the Hospital Board, explained how funds given to the hospital was disbursed, especially funds that had to be spent on rectifying claims from when Dasee managed hospital. Dr. Miniati asked for specific Board direction on how the hospital should proceed with management of the hospital and health care in the County and stated that the previous billing company chosen by Blackhawk has not provided the level of service that was expected but the hospital board is currently seeking a new billing company. Dr. Miniati also stated that a professional ambulance service is necessary in the County but until the hospital receives a provider number no billing can be processed and cash flow will be affected, "life flights" has been reduced from 20 to 5 as ambulance runs have been increased; emergency room service has been improved with newly hired Emergency Room group which has also reduced wait times; and additional services are being offered.

Dr. Miniati commenting on the proposed sales tax, stated that in Gulf County at least 60% of the tax is paid for by visitors to the County; a Franklin County sales tax would support the full operation of the hospital, including raising the level of both the ambulance service and the emergency room service, and implementing or expanding the swing bed program, diagnostic programs, health care services on the east side of the County, outpatient services, and psychological services, without using any ad valorem taxes. Dr. Miniati also warned that if the sales tax is not passed the hospital would eventually close in his opinion. Dr. Miniati stated that the hospital is an asset to the County, especially to help encourage new families to move to the County and it is the County's duty to provide health care to the residents of the Franklin County. Dr. Miniati informed the Board that the neighboring counties are not always willing to accept patients from Franklin County as was the case during spring break.

Commissioner Putnal and Dr. Miniati discussed the number of beds needed, which was 25, to keep the Critical Access Designation.

Commissioner Putnal and Dr. Miniati also discussed health care options for Alligator Point residents, which as Dr. Miniati stated the Hospital Board is working with Dana Holton to expand his services in Carrabelle and ARVIDA might help with providing health services on eastern end of County.

Commissioner Putnal suggested that public workshops and hearings are needed to receive comments from the residents of the County.

Attorney Shuler stated that the County Commission will control spending of funds raised by the sales tax.

Commissioner Lockley stated the residents of Franklin County expect that Commissioners make hard decisions and recommends that 4/5 vote is used to enact the sales tax with a sunset clause to avoid the spending of ad valorem taxes for the hospital.

Commissioner Sanders reminded the Board that at the last meeting there was a motion passed to schedule public workshops and public hearings to receive input from the community before a decision was made to proceed with a nonbinding election in October.

Commissioner Crofton stated that none of the Commissioners oppose the one cent sales tax, but the residents should have the opportunity to voice their opinion on the sales tax, health care is needed on the eastern end of the County, and the community must be educated on this matter. Commissioner Crofton continued his comments stating that he appreciated all of the Hospital Board members especially since they are volunteers but doesn't think sunset provision would work because you can't take the funding from the hospital after it is approved and since other counties use the sales tax to pay for health care, Franklin County should do the same. Gary Shiver, a resident of Franklin County, stated that if ballots were sent out today, the County would only get 15% of the voters to respond and it would be the same response if you do it 6 months from now, and he didn't think the residents of Franklin County will ever understand no matter what education efforts the Board tries to do.

Commissioner Sanders stated that Tourist Development Tax was approved on first attempt because the residents of Franklin County were properly informed.

Doris Gibbs, Franklin County's Supervisor of Elections, discussed the process of the referendum and explained the two options for the elections which was the mail in ballot which would cost approximately \$14,450 including two-way postage and a poll style election which would cost \$18,000. Of the two options, Mrs. Gibbs recommended the mail-in ballot, especially because of the cost factor and stated that Holmes County had 45% returns with mail ballot elections. Mrs. Gibbs also recommended setting election date and then setting public hearings.

Mr. Pierce stated that the Office of Rural Health might contribute to election costs.

Attorney Shuler recommended scheduling that election after the public workshops and public hearing.

Commissioner Lockley asked why wait on scheduling the sales tax referendum if the Board ultimately decides on how the tax is actually spent.

Commissioner Parrish stated that the point of sales tax is to improve health care, so education of the public is necessary if referendum will be successful.

Attorney Shuler discussed the time table for sales tax referendum.

Ken Osborne asked for clarification on the difference in time between the mail out ballot and a poll style ballot. Ms. Gibbs addressed Mr. Osborne's questions stating that the date for the referendum would be the same no matter what option the County decided on.

Mrs. Johnson stated that \$1 million dollars of ad valorem funds must be included in budget to fund the hospital, since the Board has stated that the hospital would not close.

Commissioner Parrish restated his concerns that the sales tax referendum should not be rushed, especially since the Hospital would have to be funded by ad valorem taxes in 2008 anyway and if the public is not informed, the referendum will not be successful.

Motion by Lockley to enact the sales tax with a 4/5 vote and a three year sunset clause; this motion was withdrawn based on a recommendation from Attorney Shuler to allow time to contact the Hospital Board and the City of Carrabelle and the City of Apalachicola on the inter-local agreement.

Commissioner Lockley asked the hospital board to provide information on their plans for health care on the east side of the County.

Commissioner Crofton asked the Hospital Board to discuss the survey that was done by health care committee previously.

Mrs. Dodds of the Hospital Committee commented on the actions of the Health Council regarding the survey and the Hospital Board awareness of the survey.

Mrs. Johnson stated that she stood by her statements to the Board at prior meetings when speaking as the Finance Officer and she expressed her support of the Hospital and wants to make sure it stays open.

Gail Riegelmeier agreed that health care is needed in Franklin County, discussed the two approaches to the sales tax, supported creating a plan to educate the public, and the County doing a health feasibility study.

Public Hearing (Continued) (7:11 PM)
Motel/Hotel Ordinance

Motion by Putnal, seconded by Sanders, to continue this public hearing to a later date that would be advertised; Motion carried 5-0.

Paul Parker – Tourist Development Council (TDC) (7:12 PM)
Vacant Board Position

Mr. Parker explained that the TDC advertised to fill the vacancy on the council, and after reviewing all of the candidates the TDC was recommending Mr. Joe Taylor. Mr. Parker also encouraged anyone else interested in the TDC to attend the regular meetings.

Motion by Lockley, seconded by Parrish, to accept TDC's recommendation to appoint Mr. Joe Taylor to serve on the council; Motion carried 5-0.

Planning & Zoning Report (7:15 PM)

Critical Shoreline Applications:

Item 1 – Approved by Planning & Zoning (unanimous) consideration of a request to construct a Single Family Private Dock at 756 Mill Road, Lot 2, Bay Vista, Carrabelle, Franklin County, Florida. This application meets all state and local requirements. Request submitted by GEA, Inc, agent for David Durden.

Item 2 – Approved by Planning & Zoning (unanimous) consideration of a request to construct a Single Family Private Dock at 295 River Road, Carrabelle, Franklin County, Florida. This application meets all state and local requirements. Request submitted by GEA, Inc, agent for Tome Schoborg, applicant.

Sketch Plat Approvals:

Item 3 – Approved by Planning & Zoning (unanimous) Consideration of a request for Sketch Plat approval of a 9 lots subdivision named "Cypress Point" a 10 acre parcel lying in Section 27, Township 8 South, Range 8 West, Apalachicola, Franklin County, Florida. Request submitted by Thurman Roddenberry, agent.

Motion by Parrish, seconded by Lockley, to approve Items 1-3 of the Planning and Zoning report; Motion carried 5-0.

Advisory Board of Adjustment Report (7:17 PM)

Item 1 – Approved by Advisory Board of Adjustment: A request to construct a rock revetment within the Critical Habitat Zone on Lot 15, Block 61, Unit 5, St. George Island, as requested by Charles and Stephany Shadel, owners.

Motion by Lockley, seconded by Sanders, to approve Item 1 of the Advisory Board of Adjustment report; Motion carried 5-0.

Item 2 – Upheld by Advisory Board of Adjustment: The Administrative Denial of a variance request for an after-the-fact variance of 1.36 feet to the 35 ft. height limit above the first habitable floor for a total of 36.36 feet on Lot 3, Cara Bay Estates, St. George Island. Variance requested by Diane Wyatt and John Clark.

John Clark discussed his request, stating why the Planning and Zoning department was partially responsible and discussed options to remedy this problem, such as raising the first finished floor.

Chris Giametta, a County building inspector, stated that initially he informed the contractor that the house was too high before any construction began and Mr. Billy Hicks, the project contractor, should be here answering the questions; three inspections were made but the final roof inspection has not been requested as yet; and during the inspections the Contractor was told about the height.

Mr. Giametta stated that the first set of plans was not complete as it did not include the pool, which is on top of the house and the height problems were on these plans.

Robin Brinkley, the County's building official, stated that the second set of plans were for pool permitting only, not for amending the first set of plans.

Mr. Clark stated that it was never his intention to build the house above the height allowed by the County and indicated on the white board how the option of raising the first floor will bring his house into compliance; discussed timing of roof inspections; and stated that only the bedroom looking unto the pool exceeds the height requirement.

Mr. Pierce explained how the County calculates the height of house built in the County.

Attorney Shuler gave some history on this issue.

Mr. Clark stated that he doesn't want a variance, just permission to raise the first floor which would bring the house into compliance.

Paul Riegelmayr asked the Commission to support the denial.

Motion by Sanders, seconded by Parrish, to uphold the denial of the Advisory Board of Adjustment; Motion carried 5-0.

Department Supervisor Report (Continued)

Alan Pierce – Director of Administrative Services (7:45 PM)

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

Item 1- The Legislature appropriated funds for two projects in Franklin County for which the county will administer the funds. In order for the Board to receive the funds, the Board needs to pass a Resolution for each project identifying a Project Manager. Board action to adopt a Resolution accepting \$175,000 for the renovation of the St. George Island Lighthouse, and naming Mark Curenton as Project Manager.

Board action to accept \$325,000 for Carrabelle Recreation Park Phase III, and naming Van Johnson as Project Manager.

This item was addressed earlier in the meeting.

Item 2- Board action to sign the \$200,000 Franklin County Regional Utility Feasibility Study. The Governor's Office has already signed the contract. I have sent the contract to our consultants, Meridian, for review, and while they have a concern over the schedule, they recommend we sign the contract. We next will sign the

contract with Meridian. The Board ranked Meridian first, but we did not conclude a contract with them because we wanted to sign the grant document first.

Motion by Sanders, seconded by Parrish; to authorize the Chairman's signature on the \$200,000 Franklin County Utility Feasibility Study grant; Motion carried 5-0.

Item 3-The Clerk's Office has reviewed the available times for the first budget workshop and has set the budget workshop for Wednesday, August 8, at 9:00 am, in the main courtroom in the Courthouse. In past years the constitutional offices have gone first, but this year the county commission department budgets will be presented first, followed by the constitutional offices, and then the non-governmental entities last.

Item 4-At this time, every department and constitutional office has turned in a revised budget. The Sheriff's Office is to be commended because in its original submission the Office only showed a reduction of 2.6%, but in its third revised budget, the Sheriff does show a budget reduction of 9% from last year's approved budget.

Item 5-Board action to accept recommendation of committee reviewing contractors for courthouse renovations. The committee ranked Peter Brown Construction first, and recommends entering into negotiations with them. The second was Bass Construction, and third was GAC Contractors. Board action

Motion by Sanders, seconded by Lockley, to accept the recommendations of the review committee for the contractors for the courthouse renovations and authorize staff to enter into negotiations with Peter Brown Construction who was ranked number one; Motion carried 5-0.

Item 6- Lanark Village oversight: Inform Board that at the Board's direction I had spoken to Mr. Don Berryhill, DEP, several weeks ago regarding the funding of a program audit of Lanark Village. Mr. Berryhill has taken the initiative and contracted with Mr. Hal Foy, retired auditor for the Inspector General's office, to provide a program audit of Lanark Village. On Monday, July 16th, Mr. Foy was to attend the Lanark Village Sewer and Water District meeting and introduce himself. I have contacted Mr. Berryhill for more information on the issues DEP is reviewing, and asking that the audit be directed to Franklin County.

Item 7-Mr. Rick Marcum has contacted the Board and requested the Board make an appointment to the Opportunity Florida Community Development Corp. and the Opportunity Florida Community Land Trust. The Land Trust is the entity specifically focusing on affordable housing, while the CDC works on broader economic issues. Mr. Marcum said, "The appointment do not necessarily be county commissioners, but to date the four county appointees from Holmes, Washington, Calhoun, and Gulf are commissioners." The Mr. Marcum also said that the meetings allow attendance by way of a toll-free conference calling. Board action.

Motion by Sanders, seconded by Putnal, to appoint Commissioner Parrish as the County's representative on the Opportunity Florida Community Development Corporation and Commissioner Lockley as the County's representative on the Opportunity Florida Community Land Trust; Motion carried 5-0.

Item 8- Hospital finance update, provided by the Clerk's Office. As of July 11, there was \$553,259 in the Hospital account. This is up substantially from when the Clerk began to be concerned about the cash on hand to operate the Hospital.

Chuck Colvert, Weems CEO/CFO, even though it appears that it is being worked on we still do not have an approximate date as to when the hospital will receive a provider number for the ambulance.

Marcia Johnson, Clerk of Courts, presented Items 9, 10, & 11 for discussion and/or approval.

Item 9- Budget amendment for Mosquito Control, as recommended by Clerk's Office. The Mosquito Control needs to do some improvements at the new shop so it wants to move some money out of salaries and benefits for part-time drivers into Repair and Maintenance.

Decrease Salaries by \$5307; Decrease FICA by \$406; Increase Repair and Maintenance by \$5713.
Board action.

Motion by Putnal, seconded by Lockley, to approve the budget amendment as stated; Motion carried 5-0.

Item 10- Budget amendment for Tourist Development Council, as recommended by Clerk's Office:

The following budget amendment is needed to adjust for the grants approved by the Tourist Development Council in April 2006, and paid in the 06/07 fiscal year. In addition, administrative costs for advertising in VISIT FLORIDA publication were approved which require a line item adjustment.

The funds for these expenditures were carried forward from the prior year and budgeted under Reserve for Contingency in the Tourist Development Fund. A budget amendment is needed to adjust the appropriate line items.

INCREASE	130.33.552.4800	Promotional Activities	\$148,708.26
DECREASE	130.99.584.9600	Reserve for Contingency	\$148,708.26
INCREASE	130.33.552.3400	Other Contractual Services	\$29,675.10
DECREASE	130.99.584.9600	Reserve for Contingency	\$29,675.10

ACTION NEEDED: MOTION TO APPROVE THE LINE ITEM BUDGET AMENDMENT.

Motion by Lockley, seconded by Parrish to approve the line item budget amendment as stated; Motion carried 5-0.

Item 11- Budget amendment for animal control department, as recommended by the Clerk's Office:

The following budget amendment is needed to adjust for the animal cremation system expenditure in the 06/07 fiscal year.

This project was budgeted in the 05/06 fiscal year. However, bids were accepted in September 2006, and construction was completed in the March 2007. We recently received notice from the auditors that the project could not be considered an expense for the 05/06 fiscal year since it did not meet the guidelines for percent of completion in that year.

It will be necessary to amend the Animal Control budget for the 06/07 year to include this project. The only source of funds for this change is Reserve for Contingency.

INCREASE	001.53.562.6401	Machinery & Equipment (\$5,000+)	\$30,295.00
DECREASE	001.99.584.9600	Reserve for Contingency	\$30,295.00

ACTION NEEDED: MOTION TO APPROVE THE BUDGET AMENDMENT.

Motion by Lockley, seconded by Putnal, to approve the budget amendment as stated; Motion carried 5-0.

Item 12- Provide Board with copy of insurance bid packet being sent to interested insurance agents. The Clerk’s office had received information indicating the county might save \$90,000 by going out for bid on property insurance, so the county is doing just that. Bids will be opened Sept. 4 at 10:00 am during the Board meeting.

Item 13- The Board directed that Mr. Chris Doolin, Small County Coalition Executive Director, appear before the Board and explain what benefits the county receives for its dues. I spoke to Mr. Doolin, and he provided an explanation of what he believes the Small County Coalition offers. He said, “The county receives \$188,000 annually in Solid Waste funding. Millions of additional dollars have come in SCRAP and SCOP funding. All these programs created since the development of the Small County Coalition in the past 15-17 years. Other than your legislators, the Coalition has been in many instances the sole voice on Franklin’s behalf to keep the legislature from pulling you out of these special funding programs because some folks think that because of your per capita value of a mill you are very wealthy.” I told Mr. Doolin that I would pass on his comments and if the Board wanted him to still attend I would let him know. He called back later wanting verification that the membership dues were still in the proposed budget. I have not answered him. Does the Board still want Mr. Doolin to appear?
 Board asked that Mr. Doolin attend one of the upcoming regular meetings.

Item 14- The Eastpoint Medical Clinic would like to announce its Health Fair will be Thursday, August 9, from 1:30 to 5:00 pm at the Clinic in Eastpoint. It will be bigger than last year, and the Clinic invites everyone to attend.

Item 15- Alligator Point-There may be many people in the audience to discuss the proposed beach renourishment project on Alligator Point. At this time, the county’s consultants have re-revised their numbers so that things are not as expensive as they were. In simple terms, the consultants are still reviewing numbers and assumptions but the Board needs to move forward with scheduling a public hearing for the purpose of considering an MSBU Ordinance. The hearing will run by GSG and will be held sometime in late Aug to early Sept., so there is some time to refine the numbers,

Initially, the Point property owners were informed of the per-lot costs for the project would be this:

**Original Table 8
 Proposed Beach Restoration Special Assessment Rates per Benefit Component**

Benefit Component	Zones	Total Costs	Type of Billing Unit	Billing Units	Rate Per Billing Unit
Safety (Road Access)	1, 2, 3 and 4	\$292,631	Trip ERU	837	\$350.00
Storm Protection	1	\$175,578	Lot/Dwelling Unit	137	\$1,282.00
Aesthetic and Recreational	2, 3	\$117,052	Lot/Dwelling Unit	335	\$350.00
Total		\$585,262			

And then the consultants, at my direction, looked at removing the Gap from receiving sand, and paying for sand. This was done because DEP indicated, but not yet announced, that the Gap area will not be eligible for cost sharing because DEP believes the Gap does not really need the sand. But removing the Gap dramatically changed the cost per lot because so many property owners were taken out:

**Revised Table 8 - Scenario #1 (NO SAND IN GAP)
 Proposed Beach Restoration Special Assessment Rates per Benefit Component**

Benefit Component	Zones	Total Costs	Type of Billing Unit	Billing Units	Rate Per Billing Unit
Safety (Road Access)	1, 2, 3, 4 and 5	\$ 461,190	Trip ERU	836	\$ 552.00
Storm Protection	1	\$ 276,714	Lot/Dwelling Unit	89	\$ 3,110.00
Aesthetic and Recreational	2, 3	\$ 184,476	Lot/Dwelling Unit	253	\$ 731.00
Total		\$ 922,380			

So this weekend I asked the consultants to review the numbers again but put the Gap back into the equation, and now the proposed per lot assessments would be this:

**Revised Table 8 Scenario #2 (SAND IN GAP)
 Proposed Beach Restoration Special Assessment Rates per Benefit Component**

Benefit Component	Zones	Total Costs	Type of Billing Unit	Billing Units	Rate Per Billing Unit
Safety (Road Access)	1, 2, 3 and 4	\$ 461,190	Trip ERU	837	\$ 552.00
Storm Protection	1	\$ 276,714	Lot/Dwelling Unit	137	\$ 2,020.00
Aesthetic and Recreational	2, 3	\$ 184,476	Lot/Dwelling Unit	335	\$ 551.00
Total		\$ 922,380			

So our current estimates are somewhat higher than where we started, but substantially lower than where they were Saturday. We will continue to review the situation, and clearly if DEP would approve of the cost sharing of the sand for the Gap, then the numbers will go back close to where they were originally. Commissioner Putnal suggested that the Public Hearing be held in Alligator Point; Board discussed this matter. Ken Osborne, of Alligator Point, discussed the increase of the cost to the citizens of Alligator point, asked that more information is provided to the citizens, and asked that Tax Increment Financing is included in this project

Motion by Sanders, seconded by Putnal, directing staff to get with GSG and look at Tax Increment Financing numbers, schedule a Public Workshop on August 24 @ 5pm at Mission by the Sea, and schedule a Public Hearing after that date; Motion carried 5-0.

Item 16- Board action to allow DSW to pay for a survey and legal description that would describe a proposed road to access the southern part of their property, and would serve as the road for the 40 acres of land DSW is donating to Franklin County for affordable housing. Board approval is consistent with Board policy of having the developer pay for the cost of development, although this road may eventually also be used by the county.

Motion by Lockley, seconded by Sanders, to allow DSW to pay for a survey and legal description as requested; Motion carried 4-0, Commissioner Parrish was absent during this vote.

County Attorney Report (8:20 PM)

T. Michael Shuler

Attorney Shuler submitted a report that addressed the following items:

Item 1 - Attached is a copy of my July 17, 2007 reply to Henry Rochelle's attorney's July 11, 2007 letter. You already have a copy of his July 11, 2007 letter. The gist of the two letters is that Mr. Rochelle's attorney is complaining about the manner in which his client was notified that his grievance was without merit. Specifically, he complained that the notice was sent to the attorney not his client. He also complained that I

misidentified someone as the attorney assigned by the insurance company to represent the county. My letter reminded him that as the attorney he is the proper person to contact and that it is improper for him to directly contact my client and for him to provide all future communications to me.

BOARD ACTION: None recommended. This is for your information.

Item 2 - On July 2, 2007, the board directed me to work with Carabelle concerning their request for the county's assistance in the city's expansion of sewer service to McKissack Beach. I have contacted the City Attorney for Carrabelle and await information on how the county may be of assistance.

BOARD ACTION: None recommended. This is for you information.

Item 3 - On July 16, 2007, I met with Ted Mostellor, the airport manager and chairman of your airport advisory board; Phillip Deal, with the Department of Transportation, and Joe Smith of U.R.S., the airport engineering firm. Commissioner Parrish was present as well. The issue to be discussed was the County's direction to me regarding the airport committee's recommendation that the airport be designated as a "Regional Airport." The County wanted to know what this designation meant. I am told that the designation is solely for purposes of qualifying for additional grants under a new state law called the Transportation Regional Incentive Plan (T.R.I.P. grant). The grant money in this case is being used to renovate a secondary runway at the airport and build a hanger. The result of the meeting is that D.O.T.; U .R.S. and the airport committees understand and agree that the county's receipt of these grant monies will not remove the county's discretion concerning zoning ordinances or airport expansion. I see no reason not to process the grant.

BOARD ACTION: None recommended. You already approved the grant.

Item 4 - **BOARD OF AJUSTMENT:** Several meetings ago, the board approved a conditional variance for Pat Kinser and Kathleen Henriksson. The condition was that Kinser/Henriksson provide a release of liability and indemnification agreement to the county. To date, they have not done so. This means they do not have a variance.

BOARD ACTION: None recommended. This is for your information

Item 5 - This is to notify you that a municipality in Broward County has filed a lawsuit challenging the legality of the legislative actions in the June 2007 special session. The first challenge is that until the Florida Constitution is amended, the legislature is without lawful authority to restrict the ability of a county to raise up to ten mills in ad valorem taxation. If you recall, the new law mandates caps on the amount of ad valorem taxes and requires a reduction in ad valorem taxes. The second challenge alleges that the legislature may not place multiple constitutional questions on the ballot in January 2008, and will have to wait until the November 2008 general election. The proposed ballot does two things: 1st it creates a new super homestead and 2nd provides tax preferences for affordable housing, working waterfronts and tangible personal property. The lawsuit also alleges that the ballot is misleading because it states that everyone will get a minimum \$50,000 Homestead exemption, when in fact the current Save Our Homes exemption will continue to only have a \$25,000 exemption. The Florida Supreme Court has remanded the case to the circuit court in Leon County, Florida. No ruling has been issued as of July 17, 2007.

BOARD ACTION: None recommended.

Item 6 - The seafood task force has contracted with Boutin Brown Appraisal Services for the appraisal of the Lombardi property. The cost is \$3,400.00. I am told that the appraisal cost is higher than usual because the grant application requires a full DEP qualified appraisal with all attachments. The grant will pay for this cost and the appraisal is on schedule for timely submission of the grant for the Lombardi property.

BOARD ACTION: None recommended.

Item 7 - Litigation Status:

Henry Rochelle: Our insurance carrier is continuing its investigation. Mr. Rochelle's attorney is threatening to rescind his \$450,000.00 offer unless the board settles with him now and asserts that the damages will be in the millions if we don't settle. Thus far, the investigation indicates the claim is without merit.

Ashley vs. Franklin County: This is a challenge to the remedial ordinance adopted by the county following the order of the Administration Commission on the Comprehensive Plan amendment. It appears that we have a form of settlement for the board to consider. A copy of a part of the settlement is attached indicating action items by the County and St. Joe in the proposed settlement.

Please note that you have previously authorized me to schedule the required public hearing on this matter before you can act to approve or disapprove the settlement.

Ashley vs. Administration Commission, DCA, Franklin County and St. Joe: We continue to wait on the district court to rule. There is no stated deadline for the ruling.

Franklin County vs. Jason White Construction and Stuart White: This is a Zoning enforcement action for property located in Eastpoint. We are rescheduling the final hearing with the new circuit judge. No date has yet been set.

Banks vs. Franklin County and Eastpoint Water and Sewer: The County was notified of a claim for a trip and fall in Eastpoint involving a sewer pit someone fell into. This claim by the Banks' has been forwarded to the County's insurance carrier. There has been no further action on this matter since the last meeting.

Jack Osborne vs. Franklin County: This is a worker's compensation claim filed for an alleged on the job injury. The claim has been turned over to the County's insurance carrier.

Franklin County vs. Williams: I was today notified of a trial August 3, 2007 to enforce the county's ordinance against driving on the beach. I will prosecute this on behalf of the county.

Item 8 - Update on the contract with Geiger and Associates: I have met with the TDC board concerning this contract. Presently, we are at impasse with Ms. Geiger concerning the indemnification provision in the contract. She will not agree to the contract with the indemnification and I will not recommend removal of the indemnification. The indemnification provision requires Ms. Geiger to hold the county harmless in the event of liability resulting from the county's contract with her. I believe the TDC is continuing to work on this matter.

BOARD ACTION: None Recommended.

Item 9 - ALLIGATOR POINT WATER DISTRICT/SOUTH SHOALS:

I have received a July 10, 2007 letter from the water districts attorney requesting a meeting with the county commission. The district alleges that the county has encroached on district property. The district also incorrectly assumes that the county has enacted an ordinance requiring South Shoals to undertake certain water line improvements. As you recall, the proposed ordinance was never finalized because South Shoals and the County could not reach agreement on the abandonment of Alligator Drive. Mr. Pierce is working to schedule this meeting.

BOARD ACTION: None Recommended.

Commissioners' & Public Comments (8:21 PM)

Commissioner Lockley stated that Ms Angelita Stephens, of Apalachicola will be attending the upcoming American Idol auditions and is asking for donations to help with the expenses of the trip.

Mr. Pierce stated that Mr. Rothwell, the County Engineer has forwarded some information that states that there are 276 miles of County roads with 172 miles that are paved and 104 are unpaved.

Commissioner Sanders stated that Highway 67 project still needs attention from staff because it seems that there are problems with the road and the project is not even one year old; Mayor Kelly, of Carrabelle, stated that the City has also been receiving similar complaints about this road. Mr. Pierce responded to some of the concerns. Mark Friedman, of the Hospital Board, discussed funding options for the hospital. There was Board discussion that included the need to have funding for the hospital included in the budget, paid for by ad valorem taxes. Mr. Friedman stated that if sales tax initiative fails, health care in the County will remain as it is presently and asked who was paying for the sales tax election expenses. Mr. Pierce stated that the Board would pay.

Gail Rieglmayer, of the Concerned Citizens of Franklin County (CCFC), thanked the Board for allowing the change of venue for the budget workshop, stated that the CCFC will provide PA system and distributed a list of questions that the CCFC would like answered by all department heads, constitution officers, and non-profits agencies.

Commissioner Parrish suggested that the CCFC approach these individuals before the budget workshop and discuss these issues. Mrs. Rieglmayer stated that the CCFC would rather have these questions addressed during the budget workshop.

Mr. Pierce explained that a budget workshop is for discussions between department heads and constitution offices with the Board of County Commissioners, not necessarily for the public; the public hearing is when general public comments are heard.

Board and Mrs. Johnson suggested that the CCFC forward these questions to the appropriate personnel before the budget workshop so that the workshop is not delayed or disrupted.

Commissioner Parrish explained that public participation is only required during public hearings not during public workshops and regular meetings; Attorney Shuler concurred with Commissioner Parrish's comments. Gail Rieglmayer asked if there will be public input allowed during the budget workshop; Attorney Shuler stated that the Board could and would make that determination during the budget workshop.

Richard Harper, of the CCFC asked for a more definite answer regarding public input during budget workshop because decisions regarding the budget is usually decided after the budget workshops but before the budget public hearings; Commissioner Crofton stated that there was the possibility of public input during the workshops but gave the CCFC the option of either public input or asking every department head the question that were submitted.

Mr. Harper asked if each of the Commissioners is willing to meet with CCFC budget committee independently; Commissioner Crofton agreed to.

Alan Fifer, of the CCFC, suggested that the department heads and constitution officers bring budget work product to the workshop and are in a position to answer questions regarding their budget. Mr. Fifer also asked the Board to change their "tentatively approval" custom during the budget workshops, especially since that procedure ends all discussion regarding that specific budget request.

Commissioner Putnal and Mr. Pierce responded to Mr. Fifer's comments.

Adjourn (8:52 PM)

There being no further business Chairman Crofton adjourned the meeting at 8:52 PM.

G. Russell Crofton, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts