

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
SEPTEMBER 18, 2007  
5:00 PM**

**MINUTES**

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

**Others Present:** Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Al Shuler (Michael Shuler absent) – County Attorney, 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

**Agenda Amendment (5:02 PM)**

Chairman Crofton requested additions to the agenda

**Motion by Sanders, seconded by Lockley, to add Property Appraiser and Discussion of the Language for Sales Tax Referendum as 2 separate items after Payment of the County Bills to the agenda; Motion carried 5-0.**

**Payment of County Bills (5:03 PM)**

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

**Doris Pendleton – Property Appraiser**

Mrs. Pendleton requested Board action to allow her to transfer \$3416.00 of excess funds generated by her office into her budget.

Chairman Crofton expressed his concerns regarding this action due to the recent state mandated cutbacks for the County Budget.

Commissioner Parrish inquired as to the practices of the other constitution officers relating to excess funds.

Mrs. Johnson, Clerk of Courts, stated that she turns over her excess funds to the Board and so does Mr. Harris, the County's Tax Collector.

**Motion by Lockley, seconded by Sanders, to allow Mrs. Pendleton, the County's Property Appraiser, to transfer excess funds generated by her office into her budget; Motion carried 3-2, Crofton and Parrish opposed.**

Mrs. Pendleton congratulated two of her staff members, Stephanie Smith and Casey Nash, on the work they did on the homestead dual exemption project, which earned the County a refund of at least \$60,000 and has the possibility of increasing to an additional \$130,000.

Board expressed their appreciation.

#### **Sales Tax Language Discussion 5:13 PM**

Mr. Pierce distributed and stated the latest draft of the Sales Tax Language that will be posted on the agenda

Commissioner Putnal suggested that some wording is included restricting the use of the sales tax for health care use only.

Board discussed possible wording options to accomplish Commissioner Putnal's suggestion.

Mrs. Johnson suggested placing the word only before purpose. Attorney Al Shuler agreed with Mrs. Johnson suggestion of placement but using the word "sole" instead.

**Motion by Lockley, seconded by Sanders, to add the word "sole" so that the language on the referendum reads "*Shall a one cent sales surtax be imposed in Franklin County for the sole purpose of improving the quality and delivery of healthcare by constructing a healthcare facility in Carrabelle first, upgrading the ambulance service, and paying the cost of operations of healthcare infrastructure and services, including the construction and paying debt service on bonds to construct a new public hospital facility to replace Weems Memorial Hospital*", contingent on Attorney Michael Shuler's approval; Motion carried 5-0.**

#### **Department Supervisor Report**

##### **Hubert Chipman – Superintendent of Roads (5:17 PM)**

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

Item 1 – Repairs were completed at Ryan Drive in Carrabelle and Apalachee Street in Lanark Village

**Alan Pierce – Director of Administrative Services (5:18 PM)**

Mr. Pierce presented the following item from his report, as it related to Mr. Chipman's department, for discussion and/or approval.

Item 8 - Provide Board with copy of signed DOT Agreement for milled asphalt. The schedule for delivery needs to be determined by Mr. Hubert Chipman.

Mr. Pierce suggested sending all 5 County trucks once every morning for about 2 weeks. The Board discussed this matter and agreed with Mr. Pierce's suggestion. Mr. Chipman stated that if possible he will try to make at least 2 runs a day.

Commissioner Sanders asked that the Board enforce some definite actions against Contractors that are destroying some of the County roads; Board discussion.

**Motion by Sanders, seconded by Putnal, to direct Mr. Chipman to contact the contractor that is damaging the roads in the Lighthouse Estate area and seek some type of assistance for repairing the road, but if assistance from the contractor is not forthcoming, Mr. Chipman is authorized to use lime-rock to help stabilize the roads; Motion carried 5-0.**

Commissioner Putnal suggested that the County build and pave a road, which would be in addition to the main road, to the new school from Highway 65, which would also assist with the Grammercy affordable housing project. Mr. Pierce suggested that the County waits until the School Board and Grammercy get further with their projects and let them approach the County with some type of firm proposal. The Board agreed with Mr. Pierce and discussed this matter further. Mr. Rothwell, the County Engineer, offered some more information regarding this matter. Commissioner Lockley stated that some meeting with the School Board is necessary and asked if the proposed road could be used as an escape route. Mr. Pierce and Mr. Rothwell discussed the use of the road.

Commissioner Sanders read a letter from a citizen commending Mr. DeWitt Polous of the County's Mosquito Control Department for handling his job in a professional and very courteous way.

**Van Johnson – Solid Waste Director (5:35 PM)**

Mr. Fonda Davis presented the following items for discussion and/or approval.

Item 1 – Board approval on a contract to Collect White Goods

**Motion by Lockley, seconded by Sanders, authorizing a contract with Cumbaa Enterprises to collect white goods from the Landfill for recycling; Motion carried 5-0.**

Item 2 – Board action to list the School District on the County’s liability policy to provide transportation for the Little League Football Program away games.

Commissioner Parrish expressed his concerns, relating to this request, such as liability and cost to the County.

Attorney Al Shuler suggested that the County confirm this action with its insurance company and Attorney Michael Shuler before any action is taken.

Mrs. Johnson stated that the extent of the County’s liability, any added cost to the County, and ensuring that this request is actually legal, has to be known before any action is taken.

Board discussed this matter further.

**Motion by Putnal, seconded by Sanders, to approve this request contingent on the Attorney Michael Shuler’s approval; Motion carried 5-0.**

Item 3 – Consolidated Solid Waste Grant Expenditure

Mrs. Johnson asked if it will be necessary for the County to request bids for the items. Mr. Davis stated that the equipment would be purchased using the state contract, therefore bids would not be necessary.

**Motion by Parrish, seconded by Sanders, to approve the purchase, from Fiscal Year 06/07 Consolidated Solid Waste Grant, of (1) new Forklift for use in the Recycling Program and (1) new Pickup Truck for use by the Solid Waste Director from the State Contract, contingent on Attorney Michael Shuler’s approval; Motion carried 5-0.**

Item 4 – Barber Seafood Tipping Fee Refund

**Motion by Putnal, seconded by Lockley, to void an invoice of \$1,032.75 inadvertently charge to Barber Seafood on Amnesty Day; Motion carried 5-0.**

**Dan Rothwell – County Engineer (5:54 PM)**

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

Item 1 - Airport Access Road Observations:

Access road is 95% complete and is within the contract time limit.

Item 2 - Transportation of Regional Incentive Program (TRIP) Applications:

A - CR67 from US98 to Pine Log Bridge 6.5 mile widen, Asphalt Rubber Membrane Inter-layer (ARMI), & resurface.

B - Bluff Road from US98 to DE 3.55 miles ARMI and resurface.

C - Apalachicola Regional Airport west ramp storm sewer system rehabilitation.

D - Apalachicola Regional Airport new partial taxiway 18-36 construction multi-year project to support the development of the Airport Industrial Park.

**Motion by Sanders, seconded by Putnal, to approve all 4 items for the Transportation of Regional Incentive Program Application; Motion carried 5-0.**

Item 3 - CR-67 Widening & Resurfacing:

The final lift of asphalt is done 90%, striping 80% complete and should be finished this week.

Item 4 - Lake Morality Road:

Clay Kennedy of Preble-Rish released the most recent lab results to the County, but has not scheduled a meeting to review Preble-Rish and Contractor proposal for the road repair. County has not received the lab test results made during the original road construction from Preble-Rish.

Commissioner Sanders commented on the type of asphalt used on Lake Morality Road, based on the testing results Mr. Rothwell discussed.

Item 5 - Planning to Survey the Kendrick Sports Complex Parking Lot:

Preparations are being made to make an as built survey of the parking area at the sports complex in preparation to pave the parking lot and to stabilize the site.

Board asked if the Complex would be ready for use by 2008. Mr. Rothwell stated that based on the current status, it should be.

**Approval of the 2 Year Gulf Coast Workforce Plan (6:06 PM)**

Mr. Pierce presented the following item from his report for discussion and/or approval.

Item 2- Board action to approve a new two year Gulf Coast Workforce Services Plan for 2007-2009. The Board is required to approve the Plan. The Plan appears to be similar to the last two year plan. The Board has seen benefits from the previous plan, specifically after Hurricane Dennis the Workforce Board hired a number of displaced Franklin County residents to work at the landfill sorting debris. Board action.

**Motion by Sanders, seconded by Putnal, to approve the new two year plan; Motion carried 5-0.**

**Paul Parker – TDC – Update (6:07 PM)**

Mr. Paul Parker presented the following items for discussion and/or approval.

Item 1 – First we are happy to report that collections in June took a dramatic move upward compared to last year. In June we collected \$166, 403 as opposed to \$107,484 in the previous year.

Item 2 – We have completed the negotiations with the Geiger firm and will start working with them on their research in Franklin County. We would envision that over the next month or so, we would have an opportunity for Mrs. Geiger staff to get together with you individually to help in preparing the “Guest Writer Tours”. We expect the first tour to occur shortly after the first of the year.

Mr. Parker also stated that Mrs. Gieger would be at the next TDC marketing meeting and the Commissioners are invited to attend.

Item 3 – At our last meeting, the TDC heard a request from County Administrator, Alan Pierce, to reallocate a portion of the funds that were previously designated for the St. George Island Parking Lot to complete work on the St. George Island Visitor's Center in the amount of \$32,000. This will be added to the previously allocated \$18,000 for the start up fund for the Visitor Center to complete the Visitor Center work.

Specific Allocations would include:

- \$10,000 to move the Sheriff's substation
- \$10,000 to complete renovations of the Visitor Center
- \$12,000 for work on the adjacent parking lot
- \$18,000 for start up funds for the Visitor Center

Mr. Pierce stated that the actual amount for disbursement is \$25,600. Mr. Parker stated that they would reallocate the funds and adjust the amount that will be used for work on the parking lot.

**Motion by Sanders, seconded by Lockley, to approve the proposed allocations based on the \$25,600 amount; Motion carried 5-0.**

Item 4 – When we approved the last infrastructure projects we were not able to fund the entire request of the City of Apalachicola and the City of Carrabelle. As a result we asked that they provide us a revised list of their priorities not to exceed \$110,000 each. The City of Apalachicola has provided us with their “reallocation” to include the following:

- \$10,000 for Tennis Courts
- \$15,000 for the Skateboard Park
- \$55,000 for roof repairs on the Heritage Museum

Commissioner Sanders, based on verification from Mr. Parker, that as of this date the City of Carrabelle has not submitted their list of priorities for the infrastructure funding.

**Motion by Sanders, seconded by Lockley, to approve the reallocation list from the City of Apalachicola; Motion carried 5-0.**

Item 5 – We are working on the new criteria for the small grant program and expect to release an advertisement for projects in November. In addition, we will be working with your staff in October to set the criteria for the sustainable funding for non-profits in hopes of having those funds committed by the end of the year.

Commissioner Sanders suggested that the County consider increasing the TDC tax by one cent and use those funds for beach re-nourishment through out the County starting with Alligator Point. Board discussed this matter further and directed the TDC and Attorney Shuler to investigate this matter further and report back to Board at the next meeting. Mr. Pierce stated that GSG, the County’s consultant on the beach restoration project, stated at an earlier date that the TDC tax is one of the options to fund the project.

**C. J. Pickens – Escambia Housing Authority (6:19 PM)**

Ms Pickens discussed the program and the necessary steps that would be required to start the program in Franklin County.

**Motion by Lockley, seconded by Sanders, directing staff to set up public hearings with Ms. Pickens to initiate this program in Franklin County; Motion carried 5-0.**

**Planning and Zoning – Report (6:30 PM)**

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

**SITE PLAN REVIEW:**

Item 1 – approved by Planning and Zoning (4 to 3 Vote): Consideration of a request for site plan approval to construct the new facility for the Apalachicola National Estuary Research Reserve to be located on Patton Drive, Eastpoint, Franklin County, Florida. Request submitted by the Apalachicola National Estuary Research Reserve, applicant.

Seth Blich, representing the Estuary, appeared before the Board to answer questions.

**Motion by Sanders, seconded by Lockley, to approve this request; Motion carried 4-1, Putnal opposed.**

**COUNTY PLANNER’S REPORT:**

A- APPROVE: (unanimous) FRDAP Grant Review.

B- APPROVE: (unanimous) CDBG Grant Review.

**Advisory Board of Adjustment – Report (6:36 PM)**

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

The Advisory Board of Adjustment failed to meet as there was lack of a majority of the members present. The two members present, Vance Millender and Richard Harper agreed to forward the staff recommendation on the Board:

The STAFF recommends **APPROVAL** of a variance to construct an open stair platform two feet into the Critical Habitat Zone on Lot 7, Block V, Unit 1, Lanark Village. Request submitted by Jeff Dykes, agent for C.R. Barineau, owner.

**Motion by Putnal, seconded by Sanders, to approve the variance request; Motion carried 5-0.**

**Marcia M. Johnson – Clerk of Court – Report (6:37 PM)**

Mrs. Johnson presented the following items for discussion and/or approval.

Item 1-I need a motion to approve a line-item budget amendment on Funding for the Maintenance Shop. My office received the final invoice for the shop construction, and the total cost exceeded the amount budgeted by \$37,757.91. A budget amendment is needed to transfer the balance from Reserve for Contingency to Capital Outlay/Buildings to cover this final invoice.

Increase 305.40.534.6200 Capital Outlay/Building	\$37,757.91
Decrease 305.99.584.9600 Reserve for Contingency	\$37,757.91

**Motion by Putnal, seconded by Lockley, to approve the line item budget amendment; Motion carried 5-0.**

Item 2-I have resolutions for adoption on unanticipated revenues. As we begin to close out the current year's budget, you will probably see more of these resolutions which involve monies received during the year which were not included in the initial budget. We need to adopt the resolutions in order for the monies to be appropriated and expended for the purposes they were received for to comply with F.S. 129.06(2)(d). The first resolution deals with \$25,000 received from the State of Florida for Technical Assistance Planning Grant/Seafood Landing Parks. This money was put into the General Fund and into 001.20.511.3400, Other Contract Services. This was grant money received through the efforts of Mr. Kevin Begos with the Seafood Task Force.

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$25,000.00 from the STATE OF FLORIDA for TECHNICAL ASSISTANCE PLANNING GRANT/SEAFOOD LANDING PARKS, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2006-2007, and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.20.511.3400	Other Contract Services	\$25,000.00
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NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$25,000.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 18<sup>TH</sup> day of SEPTEMBER 2007.

**Motion by Lockley, seconded by Putnal, approving this Resolution; Motion carried 5-0.**

The second resolution deals with \$100,000 received during the year from the City of Apalachicola for the county's past paving project. This money was put into the Local Option Gas Tax Road Paving Fund into 141.31.541.4600 for Repair and Maintenance.

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$100,000.00 from the CITY OF APALACHICOLA for COUNTY PAVING PROJECT, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2006-2007, and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

141.41.541.4600	Repair & Maintenance	\$100,000.00
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NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$100,000.00 in the LOGT ROAD PAVING FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 18<sup>th</sup> day of SEPTEMBER 2007.

**Motion by Lockley, seconded by Sanders, approving this Resolution; Motion carried 5-0.**

Item 3-The latest financial report received from the Hospital for the month ended August 31<sup>st</sup> indicated a balance at that time in the amount of \$346,209.06.

Item 4-I received an application for a "State Aid to Libraries Grant Agreement" where the library is applying for a grant, and would like a motion to approve the chairman's signature.

**Motion by Putnal, seconded by Sanders, authorizing the Chairman's signature on the "State**

**Aid to Libraries Grant Agreement”; Motion carried 5-0.**

Item 5-Earlier this year, you approved the purchase of property adjacent to the hospital. I’d like permission from you to transfer any money remaining in the Reserve for Contingency or other line items in your budget ending September 30<sup>th</sup> to pay off the balance owed of \$250,000 plus interest. This would save you a lot of interest in the long run. A line item budget amendment would be presented for your approval in October.

**Motion by Lockley, seconded by Parrish, to authorize, based on Mrs Johnson's recommendation, the transfer of any remaining funds in Reserve for Contingency or other Line items in the Budget to pay off the balance owed on the property purchased for the Hospital; Motion carried 5-0.**

Item 6-Please remember, the final budget hearing is scheduled for next week, Monday, September 24<sup>th</sup> at 5:30 p.m. here in the Annex.

**Alan Pierce – Director of Administrative Services – Report (6:43 PM)**

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

Item 1- The committee reviewing the property insurance bids has met and recommends the Board accept the low bid. The Board had received a base bid from PRIA of \$243,151, and a base bid of \$190,243 from Pat Thomas and Assoc., which utilizes the Florida Municipal Trust for the county insurance.

While Pat Thomas and Assoc. are the low bidder by some \$50,000, PRIA sent an email thanking the Board for the opportunity to bid on the insurance, and they believe the bid process saved the county \$160,000 over last year’s insurance premium. The Clerk had recommended the county seek bids. Board action to accept low bid from Pat Thomas and Assoc.

**Motion by Sanders, seconded by Lockley, to accept the low bid from Pat Thomas for the County's property insurance; Motion carried 4-0, Putnal was absent.**

Item 2- Board action to approve a new two year Gulf Coast Workforce Services Plan for 2007-2009. The Board is required to approve the Plan. The Plan appears to be similar to the last two year plan. The Board has seen benefits from the previous plan, specifically after Hurricane Dennis the Workforce Board hired a number of displaced Franklin County residents to work at the landfill sorting debris. Board action.

**This item was addressed earlier in the meeting.**

Item 3- Board action to certify the Franklin County SHIP 2006-2007 Annual Report. This report certifies the expenditures the SHIP program has incurred. Ms. Switzer, SHIP Administrator, recommends the Board sign the Annual Report. The Report is consistent with the SHIP guidelines.

**Motion by Parrish, seconded by Lockley, to certify the SHIP 2006-2007 Annual report; Motion carried 5-0.**

Item 4- Board action to approve the annual recertification of the CRS program- Community Rating System. The county currently has earned a 10% discount for all flood policies in the county. This new certification attempts to justify an increase in the flood insurance discount. We will know what kind of discount the county will receive after FEMA reviews the program.

**Motion by Lockley, seconded by Parrish, to approve the annual recertification of the CRS program; Motion carried 5-0.**

Item 5- Provide Board with copy of Small County Technical Assistance Grant request. County made two requests for a total of \$15,000.

Item 6- Provide Board with copy of award letters from Fish and Wildlife Service for the various boat ramps county had applied for. The contract documents should arrive at the end of October. The awards are: \$400,793 for the expansion of the Bluff Road Boat Ramp; \$76,250 for engineering and design for the Ochlockonee Boat Ramp; and \$68,750 for engineering and design for the Easpoint County Landing Park next to Fred Millender's on Patton Drive.

Board discussed dredging 2 mile channel, SGI boat ramp project, purchasing property at 2 mile and moving ahead with the purchase of the Lombardi project.

Item 7- Provide Board with copy of FRDAP Phase IV grant application for \$200,000 worth of improvements at Carrabelle Park.

Item 8- Provide Board with copy of signed DOT Agreement for milled asphalt. The schedule for delivery needs to be determined by Mr. Hubert Chipman.

**This item was addressed earlier in the meeting.**

Item 9- Provide Board with copy of notice sent to the property owners in Carrabelle Beach who will receive free sewer taps from the City of Carrabelle if they sign up for sewer now. The notice was sent out with the cooperation of the City of Carrabelle.

Item 10- Board action to approve a Request for Qualifications be advertised for consultants to assist the county in developing a Utility Development Plan that will utilize DEP funding. This is

the request mentioned at the last meeting that is being developed to hold county's position with DEP in the event the county wants to pursue funding for a regional utility. The current consultants, Meridian Planning, were not selected using the language and standards required by DEP. The current consultants will be eligible to submit an RFQ because they are working for the county under an OTTED grant, not a DEP grant. The RFQs would be opened at the Nov. 6 Board meeting if approved tonight.

**Motion by Sanders, seconded by Parrish, to authorize advertisement for a Request for Qualifications for consultants to assist the County in developing a Utility Development Plan; Motion carried 5-0.**

Item 11- Board action to amend the contract with Johnson Peterson Architects for \$2500 worth of services performed outside the initial contract. The fees can be paid out of the grant. Mr. Curenton recommends the contract be amended.

**Motion by Sanders, seconded by Lockley, to amend the contract with Johnson Peterson Architects for \$2500; Motion carried 5-0.**

Item 12- Inform Board that the county once again received an EMS grant for \$2913 for minor improvements for the ambulance service. On this subject, the Hospital expects the new ambulance and the re-chasised ambulance to arrive in October.

Item 13- Mr. George Allen, Eastpoint Water and Sewer District Chairman, called last night and asked if the county was interested in paying for an upgrade to the new sewer line being built. The school is currently paying for a new 6 inch line to run from the lift station at SR 65 and C.C. Land Road back to the sewer plant, some four miles. If the county ever wants to expand the jail, or build other facilities that need sewer, now is the time to consider upgrading the 6 inch line to an 8 inch line. The county would pay only for the increase in the size of pipe for that distance. Mr. Allen estimates the cost would be \$75,000 if the larger pipe is put in the ground while construction is process. According to Mr. Allen, if the county does not act now and later needs more sewer capacity it will be many times more expensive to put in a separate sewer line than the \$75,000 cost now, perhaps 10 times as much.

Mr. Allen said the county's capacity would be preserved and recorded in a document. Mr. Allen said the suggestion has come from contractor hired to do the work, Jimmy Crowder, and they need to know what size pipe to buy. Board discussion. Mr. Allen stated that Eastpoint would consider a half and half split.

**Motion by Parrish, seconded by Sanders, to table this item; Motion carried 5-0.**

Item 14- Inform Board that they are invited to a public forum being hosted by the St. George Island Civic Club on Oct. 3, at 6:00 pm, to learn more about the proposed one cent sales tax. The forum will be similar to two hosted by the County Commission.

Item 15- Mr. Steve Fling would like the Board to know he has completed the road through South Shoal. I met with Mr. Fling yesterday and he believes he can provide the Board with a new Right of Way through the Secon Village property that avoids wetlands so that the county does not have to initiate condemnation proceedings. Mr. Fling desires to get his revised plat recorded but according to the last discussion by the Board, the Board would not record any plat until a new right-of-way is provided all the way through his property. The county would build the road with FEMA funds, but he has to provide the right of way.

Commissioner Sanders stated that this action in no way guarantees Mr. Fling the 13 plotted lots he has requested.

Item 16- I have attached to my report a status report for the Beach Renourishment project. There is no action needed by the Board, and I will be providing a copy to the residents of Alligator Point. If the Board wants to discuss it, it can, but it will probably be discussed at the MSBU hearing on Oct. 16<sup>th</sup>.

Mr. Pierce stated that there will be a meeting on Oct 8 with DEP and GSG regarding the project. Betty Cummings, of Alligator Point, asked Mr. Pierce to read the status report into the records for the benefit of the public.

Mr. Pierce read the following status report.

*FUNDING: The proposed MSBU assessment will be considered for adoption by the Board on Oct. 16 at 3:00pm public hearing. While the proposed assessment is the maximum allowable the Board has the latitude to lower the assessment since DEP has agreed to include the "Gap" area as eligible for state matching funds.*

*The first year assessment will not be part of the tax bill, but will be a separate bill, similar to the MSBU fire assessment. However, the second year the assessment will be part of the tax bill and any first year delinquent amounts would be added to the second year amounts on the tax bill. Failure to pay the assessment on the bill would be equal to failure to pay property tax, with the same consequences.*

*The county consultants, GSG and Nabors, Giblin, et al, will take the MSBU assessment through a validation process and get a court ruling on the assessment. If the ruling is challenged it will go to the Florida Supreme Court for final ruling. The notice of assessment will be sent out before the validation process is complete, and the prepayment option will be available before the validation process is complete, but penalties associated for not paying the MSBU will be applied until after the validation process is complete, and would only be applied by direction of the Board.*

*PERMITS: The county consultants, MRD & Assoc., is compiling responses to DEP's Request for Additional Information. The draft biological assessment from the US Fish and Wildlife was received Sept. 13. MRD will respond to the draft; US Fish and Wildlife may amend its assessment based upon MRD's response, and then the final biological assessment will be sent to DEP and the US Corps of Engineers for use in determining if permits for beach renourishment and dredging should be issued, and under what conditions.*

*There is some uncertainty when DEP and COE would issue permits, as both agencies have the ability to ask for additional information, which stops the clock on their respective review times. It is estimated both permits should be obtained by March, 2008.*

*CONSTRUCTION: The original public statements estimated that beach renourishment would commence before June 2008. That goal can still be achieved if the county seeks construction bids while the DEP and COE permits are being reviewed. Draft bid documents have been reviewed by DEP. Final bid documents could be ready by November, with bids being received in Jan. or Feb. The board will reserve the right to reject all bids, and will not award a bid until the permits are issued. (The funding validation process, even with a challenge, should be complete by March also, so no bids will be awarded until funding has been approved.)*

*If the Board has bids in hand in Feb. and the DEP and COE permits are issued in March, it is still possible for a contractor to commence construction before 2008 hurricane season and turtle nesting season. However, the county's consultants are seeking permission to continue the beach renourishment project through August 2008, with the understanding that additional beach monitoring will be necessary during turtle nesting season.*

Commissioner Sanders asked why the County did not use the bond option. Mr. Pierce stated that based on the amount needed for funding the project, bonding was not feasible. Commissioner Parrish asked what options are available for anyone who cannot afford the MSBU payments and discussed the possibility of this project going to a vote for all of the affected property owners, and stated his reservations of putting a lien against someone's property that cannot afford the payments for this assessment. Commissioner Parrish also discussed the County's obligation, even with moving the road, to protect the road on Alligator Point. Commissioner Sanders addressed some of the comments made by some of the Alligator Point residents, at the last public hearing, that were inaccurate and unfair regarding the rocks that were placed on Alligator Point by the County to protect the road and stated that it has always been the intention of the County to protect the road and the property owners on Alligator Point.

Mr. Pierce discussed the present vulnerability of the road, the possibilities of a storm exposing and destroying the road, and why the re-nourishment project is the best option to protect the road.

Commissioner Sanders gave some history of the how the beach re-nourishment project was started, restated that the TDC tax should be increased to pay for County beach re-nourishment

Dan Tonsmiere , of the Riverkeepers, discussed a similar situation that happened in Gulf County.

Item 17- Inform the Board, and the public, that the construction on Bluff Road is the long awaited Bike Path.

**Michael Shuler – County Attorney – Report (7:28 PM)**

Attorney Al Shuler had no items to report.

**Commissioners' and Public Comment (7:29 PM)**

Commissioner Putnal stated that Mr. Bob Allen had trailer hook ups that he would give away for affordable housing use.

Commissioner Parrish gave an update on the purchase of the Lombardi property

**Motion by Sanders, seconded by Putnal, to direct County staff to continue to pursue the purchase of the Lombardi property and to authorize Commissioner Parrish to represent the County on this matter; Motion carried 5-0.**

Commissioners Crofton and Parrish, and Mr. Pierce discussed the options for funding the purchase of the Lombardi property including the Trust for Public Lands and Florida Community Trust agencies.

Commissioner Lockley explained why he voted against the budget, stating that the State should not have placed us in the same category as the bigger counties such as Dade and others in regards to the cutbacks but use reverse logic when the County is applying for grants.

Chairman Crofton asked Mr. Pierce to give an update on the St. George Island bike path and the Road Project on Alligator Point. Mr. Pierce stated that the Secretary of Transportation has frozen all projects of this nature until he receives direction from the Governor.

**Motion by Parrish, seconded by Lockley, directing Mr. Pierce to write a letter to the State, telling them that if they do not fund these projects, Alligator Point Road and Gulf Beach Drive, the State can take ownership of those roads; Motion carried 5-0.**

Gail Riegelmayr suggested that the wording of the letter to the State include the safety issue with these roads.

Steven Allen, of the Citizens Advisory Committee, presented and discussed a letter that was addressed to the Northwest Florida Transportation Authority.

Commissioner Sanders gave an update on the Northwest Florida Transportation Authority's TRIP feasibility study.

**Adjourn (7:49 PM)**

There being no further business, Chairman Crofton adjourned the meeting at 7:49 PM.

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G. Russell Crofton, Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Court