

**FRANKLIN COUNTY BOARD
OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
SEPTEMBER 19, 2006
5:00 P.M.**

MINUTES

Commissioners Present: Cheryl Sanders – Chairman, Russell Crofton – Vice Chairman, Noah Lockley, Jimmy Mosconis, and Bevin Putnal

Staff Present: Hubert Chipman – Superintendent of Roads, Van Johnson – Solid Waste Director, Bill Mahan – County Extension Director, Dan Rothwell – County Engineer, Dewitt Polous – Mosquito Control, Marcia Johnson – Clerk of Courts, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Morón – Board Secretary

Call to Order

Chairman Sanders called the regular meeting to order at 5:00 PM

Pledge and Prayer

There was a Prayer followed by the Pledge of Allegiance

Payment of County Bills

Motion by Crofton, seconded by Lockley, to approve the payment of County Bills

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works

DOT changed the weight limit on Timber Island Bridge. Board inquired about a crack on River Road. Dan Rothwell and Hubert Chipman commented on this matter.

Van Johnson – Solid Waste Director

Item 1 – Requested Board approval to advertise to fill the vacancy in the Parks & Recreation Department, created when an employee transferred to the Road Department.

Motion by Lockley, seconded by Putnal, authorizing the advertisement to fill the vacancy within the Parks & Recreation Department with an annual salary of \$20,000; Motion carried 5-0.

Item 2 – Requested Board approval to submit an application for the Florida Animal Control Association's Small Organization Support Grant Program.

Motion by Putnal, seconded by Crofton, authorizing the submittal of an application for assistance under the Florida Animal Control Association Small Organization Support Grant Program; Motion carried 5-0.

Item 3 – Requested Board approval to accept recommended bids for Animal Disposal Cremation System and construction of the Maintenance Shop.

Motion by Lockley, seconded by Putnal, to accept the bids from B & L Cremation Systems for the Animal Disposal System and Sperry and Associates for the construction of the Maintenance Shop; Motion carried 5-0.

Item 4 – Board discussed complaints received of recycle bins in Lanark Village disturbed by bears; also discussed relocating bins to a secured area. Board directed Mr. Johnson to present a solution at the next meeting.

Item 5 – Andy Smith complimented the Board and Mr. Johnson for support received for the Annual Coastal Cleanup event.

Bill Mahan – County Extension Director

Item 1 – Stated that the UF-IFAS Fall Field day will be held on Wednesday, September 27th. Board asked about best control method for red ants; Mr. Mahan commented.

Item 2 – Discussed the new UF-IFAS Extension website.

Item 3 – Gave an update on Clam Aquaculture Workshop. Board discussed complaints from clam farmers including problems with selling their clams.

Item 4 – Gave an update on the FWC Sheepshead Fishery survey.

Item 5 – Gave an update on the National Marine Aquaculture Grant Awards

Item 6 – Gave an update on Skimmer Trawls; Board discussed this matter.

Dan Rothwell – County Engineer

Item 1 – Stated that Preble–Rish Inc. will be the lead agent for the Liberty and Franklin County inter-local agreement, since the Apalachee Regional Planning Council stated that they would not be able to. Board discussed Lake Morality Road paving project completion date; Mr. Rothwell stated that based on his conversation with C.W. Roberts he thinks the project would be completed in 90 days. Board expressed concerns with completion date and directed staff to ask C W Roberts to expedite the completion of this project. Mr. Pierce and Mr. Rothwell commented on this issue further. Board expressed displeasure with the current actions, relating to County road projects, of C W Roberts. Board discussed setting up priorities for County Projects with Mr. Rothwell.

Public Hearing – Road Abandonment - Maxwell

Jimmy Maxwell, applicant, discussed his request for the abandonment of a portion of Chapman Road behind the airport. Ted Mosteller, Airport Manager, stated that he would like to discuss this request with the airport committee to make sure it does not interfere with any future airport projects. Attorney Shuler commented on this matter.

Chairman Sanders opened the floor for public comment; there were no comments from the public.

Motion by Mosconis, seconded by Putnal, to table this request until October 3 at 9:30 AM which would give the Commissioners and the Airport Committee time to review this request; Motion carried 5-0.

Public Hearing (Continued) – Road Abandonment – Scott

Mr. Pierce discussed the request for this road abandonment on Live Oak Road in Eastpoint and expressed some concern about abandoning the road and losing it for future public use such as a site for a lift station. Attorney for Randal Scott further explained why his client, because of wetlands setbacks, is requesting this Road Abandonment

Chairman Sanders opened the floor for public comment; Dave McClain commented on this request stating that any action affecting the wetlands would not be good. Mason Bean asked if land is sold during a land abandonment procedure; Attorney commented on this issue.

Motion by Crofton, seconded by Putnal to deny this request for an road abandonment; Motion carried 4-1 Mosconis voted Nay.

Billy Snyder – Lanark Village Water and Sewer

Asked the Board to assist the Lanark Village residents in recalling Barbara Rohrs from the Lanark Water and Sewer Board; stated that the main reason for this request is her failure to follow through on promises made during her campaign. Attorney Shuler recommended that he be directed to investigate this matter and report to Board at the next meeting. Board discussed if the County Attorney was actually needed in this matter. Pauline Sullivan stated that the Lanark Water and Sewer Board was not responsive to the community and discussed the role of the attorney that represents the Lanark Water and Sewer Board.

Alan Pierce presented the following item from his report for discussion, as it related to this subject.

Item 7 - Provide Board with copy of Rural Infrastructure Grant Application submitted by the Haskell Group on behalf of the county. The Board authorized the submission of the \$200,000 grant to the Office of Tourism, Trade, and Economic Development (OTTED) at a Board meeting on June 6, 2006.

Paul Riegelmayr commented on the process for recalling a public official and stated that he didn't think that the County Attorney was needed in this matter.

Motion by Putnal seconded by Crofton to direct Attorney Shuler to investigate this matter and report at the next meeting; Motion carried 3-2 Mosconis and Lockley voted Nay.

Don Lively asked the Board to support the citizens of Lanark Village.

Harry Arnold – Presentation – United Way

Mr. Arnold was not in attendance.

Planning and Zoning Report

Mr. Pierce presented the following item for approval.

Item 1 - **Denied** (9-1 Vote) a request to construct a Single Family Private Dock on Lots 2 & 3, Block 84, Unit 5, 423 North Sawyer Street, St. George Island, Franklin County, Florida. Request submitted by GEA, Inc, agent for Jimmy Meeks, applicant.

Mr. Pierce reviewed this request; Board discussed this matter. Dan Garlick reviewed the actions at the last meeting and stated that all requirements were met and should be approved. Angela Troy distributed a picture of the property and stated her objections to this request. Dan Harthman, representing Mr. Meeks, commented and asked for approval since all of the DEP permit requirements was met. Board inquired into survey rod that was on the pictures that Ms Troy distributed; Mr Harthman commented on this inquiry. Attorney Shuler clarified some points including the joining of the 2 lots by a recorded deed and covenant, which was agreed to by the Board and the applicant. Board discussed the matter further.

Motion by Crofton to deny; Motion failed, for a lack of a second.

Motion by Putnal, seconded by Mosconis, to approve contingent on both properties being joined permanently, cannot be sold separately, by a recorded deed and covenant, which was a volunteered action by the applicant; Motion carried 3-1-1. Crofton voted Nay, Sanders abstained.

Bid Opening – Ambulance Service

Mr. Pierce opened the only bid received.

Emergystat – \$23,995.00 monthly County subsidy, to staff 2 units, 24 hours a day, 7 days a week.

Board and Mr. Pierce discussed the possibility of County Hospital managing it's own ambulance service. Skip Chormicle, of Emergystat, discussed this matter with the Board.

Motion by Mosconis, seconded by Crofton, to accept Emergystat's bid with the understanding that Emergystat will not object to the County researching and starting their own ambulance service; Motion carried 5-0.

Planning and Zoning Report continued

Mr. Pierce presented the following items for approval.

Item 2 - **Approval** (unanimous) a request to construct a Single Family Private Dock on the West ½ of Lot 1, Block N, Unit 3, Peninsular Point, 1536 Alligator Drive, Alligator Point, Franklin County, Florida. Request submitted by Docks 4 Less, agent for Joseph Pember, applicant. **Contingent upon verifying that there will only be one dock for all of Lot 1, Block N, Unit 3, Peninsular Point, 1536 Alligator Drive, Alligator Point, Franklin County, Florida.**

Mr. Pierce reviewed this request. Attorney Shuler commented on this matter. Paul Parker commented on this request and provided some information on the size of the lot and the history of how the lots were split.

Motion by Lockley, seconded by Mosconis, to approve Item 2; Motion carried 5-0.

Item 3 - **Approval** (unanimous) a request to construct a Multi-Family Private Dock for Kelly's Landing Home Owners Association (Jimmy Meeks) located on Mill Road, Carrabelle, Franklin County, Florida. Request submitted by GEA, Inc, agent for Kelly's Landing Home Owners Association, Jimmy Meeks, applicant.

Motion by Putnal, seconded by Crofton, to approve Item 3; Motion carried 4-1 Sanders abstained.

Item 4 - **Approval** (unanimous) a request to construct a Single Family Bridge Dock at 153 South Bayshore Drive, Eastpoint, Franklin County, Florida. Request submitted by Larry Joe Colson, agent for Lynn Wilson, applicant.

Board discussed this matter and Helen Spohrer commented on the neighboring property owners.

Motion by Crofton, seconded by Lockey, to approve Item 4; Motion carried 5-0.

Item 5 - **Approval** (unanimous) a request to construct a Single Family Private Dock on Lot 3, Cara Bay Estates, 1163 Russell Way, St. George Island, Franklin County, Florida. Request submitted by Diane Wyatt, applicant.

Motion by Crofton, seconded by Mosconis, to approve Item 5; Motion carried 5-0.

Item 6 - **Approval** (8-2) a request for Final Plat approval of a 14 lot subdivision named "New River Pines" located in Section 10 & 11, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. Request submitted by Bobby Cresap, applicant

Motion by Putnal, seconded by Lockley, to approve Item 6; Motion carried 4-1 Sanders voted Nay.

Item 7 - **Approval** (7-3 Vote) a request to develop a 27 acre proposed planned unit development consisting of 50 single family units, 10 boat slips, boat ramp, commercial dry stack boat housing for up to 120 vessels and a launching area for "Phoenix Harbor PUD" located on the South side of Block 3 West, Unit 1, and 10 lots in Block 3 West, Unit 1, St. George Island, Franklin County, Florida. Request submitted by GEA, Inc, agent. **Motion: to approve the master plan except for the commercial aspect. To keep the boat ramp and 33 parking spaces.**

Pierce stated that P& Z recommended this project without the Commercial aspect. Board discussed; Dan Garlick and Helen Spohrer discussed this request. Paul Riegelmayr asked if the Commercial aspect is not included presently can it be included at a later time because it is important that it is included. Mr. Riegelmayr also talked about any consequences this project may have on the seafood industry. Mr. Pierce stated that the

project could be divided into Phases and that would include commercial aspect at some point. Andy Smith, of the Riverkeepers, asked the Board make sure that this project does not cause any negative impact on the Bay.

Motion by Crofton, seconded by Putnal, to schedule a public hearing to consider the PUD and to make sure there is some environmental expert at the public hearing to comment on this issue; Motion carried 5-0.

Item 8 - **Approval** (unanimous) to request the FRDAP grant for phase 3 of the Carrabelle Recreation Park to install one handicap accessible playground and four shuffleboard courts.

Motion by Lockley, seconded by Putnal, to approve Item 8; Motion carried 5-0.

Item 9 - **Approval** (9-1 Vote) a request to extend the moratorium for the C-4 Hotel/Motel Regulations. **Motion: recommended approving the six (6) month moratorium.**

Board and Mr. Pierce discussed this matter.

Motion by Putnal, seconded by Crofton, to approve Item 9; Motion carried 5-0.

Hospital Board - Update

Gail Dodds, of the Hospital Board, recommended hiring Ralph Clark to replace Ron Wolfe, as his temporary term will be up at the end of September, as the Hospital CEO with the same payment package, which is \$10,000 per month plus living expenses. Mr. Pierce and Shuler further commented on this matter.

Marcia Johnson, County Clerk, expressed her concerns of Franklin County having paid for the Hospital's CEO living expenses without the knowledge of herself or the Board. Board agreed with Mrs. Johnson and expressed their concerns. Mr. Pierce also discussed this matter. Ms. Johnson expressed her concerns for the lack of communication coming from the Hospital, regarding what bills are being paid.

Ms Dodds stated why the Hospital Board recommended hiring Mr. Clark and discussed the future of health care in the County, including a new hospital and a new hospital board with more members and expanded authority; the Hospital Board will submit new by-laws for Attorney Shuler's review. Ms. Dodds stated that the County needs a new hospital because Weems will only last 3-5 more years. Commissioner Mosconis asked Ms Dodds to call a meeting with the Hospital Board, which he will attend, to discuss what he learned at hospitals he recently visited.

Westley Jo Dehaven asked how many patients on average is at hospital at any given time; Ms Dodds responded.

Motion by Mosconis, seconded by Lockley, to accept the hospital recommendation to hire Ralph Clarke as the CEO at \$10,000 without his living expenses; Motion carried 5-0.

Ms. Johnson presented the following Item from her report for discussion.

Item 3 – I have presented you with a breakdown on the hospitals revenues and expenditures. We did receive the \$300,000 loan from the State and we now have a balance of \$210,943.95. We still haven't received any Medicare revenue.

Board discussed the current fund balance of the hospital and some of the options if it is unable to fund the payroll within the near future. Board discussed closing the Hospital and only keeping the emergency room open as one of those options. Ms Dodds commented and asked the Board to keep the hospital open as long as possible so that Weems can keep the Critical Access designation.

Motion by Lockley, seconded by Mosconis, to have the County Attorney review the proposal from the Hospital Board to expand its authority and increase the size of the Board to seven members, to include 2 at large members, and oversee the operation of the Hospital; Motion carried 5-0.

Ken Osborne inquired into the exact authority that will be given to the expanded Hospital Board and stated that the feasibility study should examine the exact health care needs of the County and the best way to deliver these needs; Westley Jo Dehaven supported Mr. Osborne's comments.

Mr. Pierce stated that the new role of the Hospital Board should relieve the Clerk's Office of some the Hospital operational responsibilities.

Skip Frink – Citizen Advisory Committee – Update

Mr. Frink discussed the purpose, procedures, and future events of the Citizen Advisory Committee.

Advisory Board of Adjustment Report

Mr. Pierce presented the following items for approval.

Item 1 - **Approve** a request for a variance to construct a house 1.5 feet above the nine ft. height limit on Lot 4, Block 60, Unit 5, St. George Island, for TCG Holdings, LLC. Approval contingent upon the overall height not exceeding 46 feet.

Motion by Crofton, seconded by Putnal, to approve Item 1; Motion carried 5-0.

Item 2 - **Approve** a request for a variance to replace fill within the Critical Habitat Zone on Lot 79, Unit One, Holiday Beach, Alligator Point for Sandra Ward, owner.

Board and Pierce discussed the possibility of filling in wetlands. Paul Parker, representing the applicant, responded to the Board's inquiries regarding wetlands.

Motion by Lockley, seconded by Crofton, to approve Item 2; Motion carried 5-0.

Item 3 - **Approve** a request for a special exception to construct a 190 ft. cellphone tower on Tract 10, The Soundings, Section 18, Township 8 South, Range 5 West, between Eastpoint and Carrabelle, as requested by SBA Towers, Inc., applicant. Approval contingent upon tower being able to collapse within the required fall zone.

Board discussed and asked to table this item because the School Board was in negotiation with another company for a tower on their consolidated school site. Christopher, of Verizon Wireless, informed the Board that the school board denied the request for the tower on their school site so that process is over. Carl Hazen, representing SBA communications and the property owners, distributed information to the Board and discussed this request.

Motion by Putnal, seconded by Mosconis, to table Item 3 until the next Regular Meeting on October 3; Motion carried 5-0.

Item 4 - **No recommendation** for a request to construct an equipment platform six feet into the side setback on Lot 22, Block 5, Unit One West, St. George Island, as requested by Vertical Solutions, agent for Verizon Wireless.

Howard Douglas, Vertical Solutions, addressed the Board regarding this request. Justina Taylor stated that Verizon Cellular could not provide coverage in the Gulf of Mexico, as this issue was discussed by the Board.

Motion by Crofton, seconded by Putnal, to approve Item 4; Motion carried 5-0.

Public Hearing (Continued) – South Shoal – PUD Amendment

Mr. Pierce stated that South Shoal is only in a position to ask for approval to replat the existing PUD giving him 2 lots and provide a public ROW. Attorney Shuler asked for a commitment from the developer that if approval is given to replat the existing PUD there will be a public ROW that travels along the south boundary of 21, 22, 23 and other areas for future access and discussed other issues. Attorney Watkins stated that they were not in a position to commit to the discussed proposal. Steve Fling also commented on this issue. Applicant suggested scheduling a meeting to include Commissioner Sanders and staff.

Ken Osborne expressed his concerns that a decision is made without Alligator Point residents input. Mr. Pierce responded to Mr. Osborne's and other comments that were made. The Board continued the Public Hearing on this matter until the October 3, 2006 meeting at 10:00 AM.

Department Supervisor Report (Continued)

Marcia Johnson – Clerk of Courts

Ms. Johnson presented the following items for discussion and approval

Item 1 – I have received an engagement letter from Carr, Riggs, and Ingram for board approval confirming the audit services they can provide the County of the fiscal year ending on September 30th, which is a continuing contact, which may be renewed annually upon mutual consent. The price quoted is not to exceed \$58,000 excluding any hospital related auditing requirements which will be determined by the County Finance Officer and their firm. The fee has already been tentatively approved during the budget process, and Carr, Riggs, and Ingram performed last year's audit for the County.

Motion by Lockley, seconded by Crofton, to approve the engagement letter from Carr, Riggs, and Ingram for the County's audit services; Motion carried 5-0.

Item 2 – The Board needs to appoint three Commissioners to serve on the Property Value Adjustment Board, which is scheduled to meet on October 10th and 11th.

Commissioners Mosconis, Putnal, and Sanders agreed to serve on the Value Adjustment Board.

Alan Pierce – Director of Administrative Services

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

Item 1 - Board action to approve submission of FRDAP grant for Phase III of Kendrick Park. Phase III will include a handicapped children's playground area and an adult shuffleboard park

This item was addressed as Item 8 of the Planning and Zoning report.

Item 2 - Board action on funding for the lights at Kendrick Park. The best proposal is from Gulf State Bank, with an interest rate of 5.68 fixed for a period of 5 years. Board authorization of Resolution authorizing loan.

Motion by Mosconis, seconded by Lockley, to authorize the Chairman's signature on the Resolution authorizing the loan; Motion carried 5-0.

Item 3 - Provide Board with copy of FWC notice that the St. George Island Boat Ramp grant has been awarded to the county in the amount of \$877,000. This single grant award represented over half of the entire allocation of state funds for boat ramps, meaning FWC recognizes the need for a boat ramp on St. George Island.

Item 4 - Provide Board with copy of funding request to DEP Beach Management Program for state funding in FY 2007/2008 to complete the Alligator Point beach renourishment project. The county submitted funding request for the full 2.9 miles of beach renourishment, at \$8.5 Million. While the full beach renourishment project is still projected, the final project will be contingent upon the amount of local funds available.

Item 5 - Inform Board that I met with Ms. Camille Tharpe, GSG, regarding the feasibility study for Alligator Point Beach renourishment. The timeline for the study has been lengthened slightly so the findings will not be available until the end of November. Initially it had been hoped the study would have been completed by end of September.

Item 6 - Provide Board with copy of Mark Curenton's annual progress report for the Community Rating System. The county's efforts result in a 10% savings on flood insurance premiums in the county.

Item 7 - Provide Board with copy of Rural Infrastructure Grant Application submitted by the Haskell Group on behalf of the county. The Board authorized the submission of the

\$200,000 grant to the Office of Tourism, Trade, and Economic Development (OTTED) at a Board meeting on June 6, 2006.

This item was addressed during the Lanark Water and Sewer discussion.

Item 8 - Provide Board with copy of request submitted to the Northwest Florida Transportation Corridor Authority seeking funding for a feasibility study for a new US 98 corridor between Eastpoint and Alligator Point.

Item 9 - Inform Board that DOT has asked for donation of land in order to construct its storm damage protection project along US 98. I have informed DOT that I thought the Board would grant a temporary easement to allow construction but that the county would not want to donate its limited access points along US 98 to the state.

Item 10 - Inform Board on status of the FCT grant request to purchase part of the Sportsman's Lodge property in Eastpoint. Mr. Doug Hattaway, of The Nature Conservancy, provided the update. He said the project received the maximum points in project excellence based upon the presentation that Commissioner Crofton and others did at the FCT Board meeting. The project ended up being just out of the funding range, but if any project that was funded drops out, then the Sportsman Lodge project would be funded. Mr. Hattaway said that it is usual for at least one project to drop out, so that he expects a notice of funding to be issued before the end of 2006. Until the notice is given there is no action for the Board to take.

Item 11 - Inform Board that after considering all aspects of a prospective property swap with Mr. Jason White in Eastpoint, I came to the conclusion that the county should not trade property but consider leasing some land to Mr. White. I spoke to Mr. White and he was not interested in leasing land. I told Mr. White that I thought the county had no choice but to proceed to court. Board discussion with County Attorney on status of litigation.

Rex Phipps addressed the Board on this issue and requested action be taken to enforce the County's ordinance; Board directed Attorney Shuler to continue his process with litigation.

Item 12 - Board action to fill a vacancy of Mr. Granger on the Board of Adjustment. While Mr. Granger's appointment had been out of the Eastpoint area, Commissioner Putnal has an appointment in Mr. Vance Millender. Commissioner Crofton has an appointment in Mr. Richard Harper. Commissioner Lockley has an appointment in Mr. Bryant Hand. Chairman Sanders has an appointment in Mr. Joe Hambrose. Commissioner Mosconis's district does not have an appointment. Mr. Gil Autrey, from Commissioner Mosconis's district is interested in serving on the Board of Adjustment. Board action.

Motion by Mosconis, seconded by Crofton, to appoint Mr. Gil Autrey to the Advisory Board of Adjustment; Motion carried 5-0.

Item 13 - Inform Board that Ms. Lori Switzer, SHIP Coordinator, has been informed by Mr. Michael Moron, that as of Jan. 1 she will be assuming his duties related to affordable

housing. She will be expected to provide reports and direction to the Board on her activities, and that the Board expects her to be more aggressive in seeking housing grants.

Item 14 - Board action to approve SHIP Annual Report prepared by Michael Moron.

**Motion by Crofton, seconded by Lockley, to approve the SHIP Annual Report;
Motion carried 5-0.**

Item 15 - Provide Board with copy of letter written to Mr. Eubanks, DCA, regarding the schedule of any EAR based amendments to the comprehensive plan. The letter says the county will comply with state law and make any EAR based amendments within the 18 months as required by law.

Item 16 - Provide Board with copy of letter from DCA stating the EAR submission package has been found complete. DCA will begin the review process and a final sufficiency finding should be determined no later than November 29, 2006.

Item 17 - Provide Board with copy of draft Capital Improvement Element submitted to DCA as part of the grant the county received for doing the Element. Mark Curenton prepared the draft.

Item 18 - Update on future amendments to the comprehensive plan. There are three different actions currently on-going regarding future amendments to the plan.

The first action involves the legal challenge made to the comp plan by a third party. When the Governor and Cabinet issue a Final Order, that Final Order will have to be adopted into the Plan. It will be adopted without the county or anyone else making any changes to the Final Order, as it is what it is- a Final Order.

The Recommended Order issued by the Judge was a sweeping victory for the county on all counts, except three minor issues which the county and DCA believe will be the subject of the Final Order. Despite the broad attack raised against the county on issues involving wetland protection, stormwater protection, black bear issues, water access, land use changes, and the lack of a St. James Island Vision, all those were decided in favor of the county. The Judge did recommend that the county amend its plan to correct three items:

- A) Correct the number of affordable housing units needed in the county. This is clerical correction in the Housing Element
- B) Adopt a Capital Improvement Element. The county is now preparing one and it is being reviewed by DCA.
- C) Clarify the Coastal High Hazard Map in two areas of the county, where the Judge ruled the county's map was inconsistent with the Apalachee Regional Study.

I have available the changes in the Housing Element, and the changes to the Coastal High Hazard Map. The Final Order should be dealt with as soon as it is issued.

The second action which will result in amendments to the plan are those issues that have been raised in the EAR. Some of the EAR based amendments are a result of changes in the county since April 5, 2005, and some are the result in changes to state law. The EAR based amendments must be dealt with in 18 months.

The third action are those proposals which the Citizens Advisory Committee will present to the Board in January. Until the proposals are made, no comment can be made on them.

Item 19 - Provide Board with copies of fifth annual report of the St. Joe Foundation. Franklin County's Kendrick Park is featured on cover.

T. Michael Shuler – County Attorney

Attorney Shuler presented the following items for discussion and/or approval.

Item 1 – Reminded the Board of the meeting regarding hunting on Little St. George Island on Sept 21, 2006 @ 6pm at the Community Center. Stated that Mr. Miller called and asked him (Shuler) to hold off on any legal action, which was a directive from the Board, against DEP until he heard from him (Miller); Board agreed.

Item 2 – Still trying to locate documents regarding the vessel Lollipop.

Item 3 – Revisions were made, by Lucy Turner and the Finance Office, to the sick leave policy regarding the donation of sick time; recommended approval.

Motion by Lockley, seconded by Crofton, to approve the sick leave policy revisions regarding the donation of sick time; Motion carried 5-0.

Item 4 – Edwin Brown and Associates has been contacted and will survey the roads recently adopted by the Board.

Item 5 – Still meeting with the Sheriff regarding the Forfeiture Funds matter.

Item 6 – Finalized the Forgotten Coast TV contract and Helen Spohrer has provided required insurance coverage; recommended approval.

Motion by Putnal, seconded by Crofton, to authorize the Chairman's signature on the Forgotten Coast TV contract; Motion carried 5-0.

Item 7 – Judged ruled in favor of the County in the Hurst Lawsuit; additional litigation possible.

Item 8 – Requested authorization to schedule an Executive Session on October 3, 2006 after the regular meeting concerning GE matter.

Motion by Lockley, seconded by Putnal, to authorize an Executive Session on October 3, 2006 after the regular meeting; Motion carried 5-0.

Commissioners' & Public Comments

Commissioner Mosconis inquired into the status of his previous request to create an ordinance restricting the sale of over the counter drugs that can be used to create Methamphetamine; Attorney Shuler responded.

Commissioner Sanders asked if the NACO prescription cards still on schedule to be distributed on October 1, 2006 to the general public; Mr. Pierce stated that it was still on schedule as far as he knew.

Commissioner Putnal asked Mayor Kelly of Carrabelle, of the status of the ditch on the road to Timber Island. Mayor Mel Kelly stated that no work was done on the ditch as yet. Mr. Pierce stated that the Engineer was aware of that project but has not addressed it as yet. Commissioner Putnal asked that it be moved up on the priority list of projects because additional parking was needed in that area.

Paul Riegelmayr asked for clarification on the County's rule on height restrictions; Mr. Pierce stated the only exception to the County's rule is the flood zone ordinance requirements; Board discussed this matter.

Adjourn

Chairman Sanders adjourned the Regular Meeting at 8:40 PM.

Cheryl Sanders, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts