

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
NOVEMBER 06, 2007
9:00 AM**

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, Michael Shuler – County Attorney, Michael Morón – Board Secretary

Call to Order (9:00 AM)

Chairman Crofton called the meeting to order at 9:00 AM.

Prayer and Pledge (9:01 AM)

There was a Prayer followed by the Pledge of Allegiance.

Approval of the Minutes (9:03 AM)

Motion by Sanders, seconded by Lockley, to approve the Minutes from the Regular Meetings on August 30, 2005, September 20, 2005, October 2, 2007, and October 16, 2007; Motion carried 5-0.

Payment of County Bills (9:03 AM)

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

Doris Gibbs – Supervisor of Elections (9:04 AM)

Mrs. Gibbs asked for Board authorization to move a voting site from the Emergency Operation Center located at the Apalachicola Airport to the Legion Hall Building off of Highway 98.

Motion by Sanders, seconded by Lockley, to move the voting site from the EOC building to the Legion Hall building; Motion carried 5-0.

Jimmy Harris - Tax Collector - Update on possible litigation (9:05 AM)

Mr. Harris explained the possible litigation regarding fees charged for handicap placards, and stated that a court ruling could require the Board to refund approximately \$2000. Mr. Harris also asked for board action to remove hospital taxes from the tax roll for 2007 and for future years until otherwise notified by the Board.

Motion by Putnal, seconded by Lockley, to remove the hospital taxes from the tax roll for the year 2007 and future years until further notice; Motion carried 5-0.

Hubert Chipman – Superintendent of Public Works – Report (9:10 AM)

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

Mr. Chipman gave an update on milled asphalt project.

Mr. Chipman also stated that the dry weather is causing problems with dusty roads and has resulted in him changing the duties of some of the Road Department staff until further notice, and discussed a situation where someone is willfully destroying a dirt road at one of the boat ramps.

Commissioner Sanders asked Mr. Chipman to work with Division of Forestry with maintaining McIntyre Road as they start a project in Tate's Hell.

Commissioner Sanders stated that she has received complaints from residents regarding some of the Road Department staff members 'standing around' during working hours.

Commissioner Sanders asked Mr. Chipman to provide after hour emergency contact numbers for the Road Department for all of the Commissioners in case of emergency.

Van Johnson – Solid Waste Director – Report (9:20 AM)

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

Item 1 – Waste Management Waste Disposal Agreement:

The Waste Disposal Agreement between Waste Management and the County is set to expire on March 25, 2008. This agreement allows Waste Management to operate the Transfer Station at the Landfill to transport Class 1 Municipal Solid Waste out of the County for disposal.

The Board executed the initial five-year agreement on March 26, 1998 and renewed it for another five years on December 17, 2002. Does the Board want to renew with Waste Management for an additional five years or instruct staff to prepare a Request for Proposals?

Motion by Sanders, seconded by Putnal, to authorize Mr. Johnson to advertise for Requests for Proposals to operate the Transfer Station at the Landfill; Motion carried 5-0.

Dan Rothwell – County Engineer – Report (9:23 AM)

Item 1 - Airport Access Road Observations:

The access road contract was completed on 9-8-2007.

The grassing is not complete and final payment will be withheld for a portion of grassing. The road has been patched four (4) separate times by the Contractor to repair faulty construction, or damage during phase 2 of the paving. The paving is complete, but rough and uneven, though I do not believe this should affect the structural capacity of the pavement. It is believed design engineer should make recommendations if the road meets contract construction specifications for smoothness and ride quality.

Item 3 - Otter Slide Rd., Wilderness Rd., Bear Creek Rd. Ridge Rd., & Twin Lakes Rd. Speed Limit Recommendations:

From a field survey of the roads, pavement conditions, residential density and wishes of the Board to place a single speed limit for all the roads, it is recommended that Otter Slide Rd., Wilderness Rd., Bear Creek Rd. Ridge Rd., & Twin Lakes Rd. be limited to 25 mph..

Motion by Putnal, seconded by Sanders, to accept the recommendation of staff and place a speed limit of 25 mph on Otter Slide, Wilderness, Bear Creek, Ridge, and Twin Lake Roads; Motion carried 5-0.

Item 4 - Northwest Florida Water Management District Florida Forever Grant:

Staff had previously requested and received Board approval to apply for Storm water and Paving Grants. A grant application has been submitted to the District for \$1,430,000.00 to be funded over 2 years to approximately \$585,000.00 each year. The project would create a storm water swale on the bay side of East Pine Street, relocate and pave the road from E. 5th Street to E. 8th Street in years one. In year two from 8th Street to E. Gulf Beach Dr. will be completed if awarded by the district. Since Franklin County is a Rural Area of Critical Economic Concern, the County's match will be in house surveying for \$35,000.00 and design for \$116,000.00 and County permitting costs of \$1,250.00 for a total value of approximately \$127,285.0 in kind expenses.

Item 2 - Lake Morality Road:

Based on review of the field samples, lab data provided by Preble-Rish, and obtained by Magnum Engineering, Inc., unless further core testing indicates otherwise, Staff believes that the entire road should be overlaid with 1.5" of FC-12.5 or Superpave asphalt

estimated cost of \$253,000.00. See attached aerial 1 for locations of field tests and aerial 2 for locations of observed pavement damages.

Mr. Rothwell explained the testing results.

The Board and Mr. Pierce discussed this matter further.

David Kennedy, of Preble-Rish, stated that he was requested by the County to reduce the cost of the project which should explain why some of the test results were different from what was originally agreed to for the project.

Clay Kennedy, of Preble-Rish, discussed the testing process.

Commissioner Lockley asked if a performance bond was still in place.

Mr. Rothwell stated that the Engineer of record should be responsible for explaining why the final design and test result numbers were different than what was agreed to for the project.

Mr. Kennedy stated that the contractor did what he was told to do based on the budget cutbacks requested by the County.

Commissioner Sanders stated that the results of the test were even lower than what was agreed to after the cutbacks, and for that, the contractor was at fault.

Mr. Kennedy explained that the numbers in the results were not accurate for the purpose that it was being used for.

Commissioner Lockley asked if the Performance Bond would help with the cost of repairing the road.

Mr. Rothwell recommended that the Board authorize an overlay before proceeding with any other actions on this matter.

Commissioner Sanders stated that the County should not pay for the entire project.

Alan Feifer, of Alligator Point, asked if a compaction testing was done and explained the need for this type of testing.

Mr. Rothwell addressed Mr. Feifer's concerns.

Motion by Sanders, seconded by Putnal, to direct Attorney Shuler and Mr. Rothwell to discuss this project with Preble-Rish and present some recommendations and options to the Board at the next meeting; Motion carried 5-0.

Commissioner Sanders asked Mr. Rothwell to work Mr. Johnson on securing the area in Lanark Village designated for recycling collection from bears. Mr. Rothwell stated that permission is needed from Progress Energy to actually secure that area.

Commissioner Lockley asked Mr. Rothwell to check on a project on Earl King Road that is causing a traffic safety hazard.

Bill Mahan – County Extension Office Director – Report (10:04 AM)

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

Item 1 FL Red Tide Status: A patchy bloom of *Karenia brevis*, the Florida red tide organism, is still being found in the FL Panhandle from Gulf County, FL to Baldwin County; AL. Patchy moderate-impacts are possible in bay regions of Gulf County through Wednesday. Patchy low-impacts are possible in Walton, County through Wednesday. No impacts are expected in Bay, Walton, Santa Rosa and Escambia Counties through Wednesday.

Item 2 NOAA Red Tide Media Advisory: Researchers from NOAA's National Centers for Coastal Ocean Science have published a peer-reviewed theory on the sources of red tides off the FL Gulf Coast. The theory points to a combination of seasonal weather patterns and nutrient outflow from the Mississippi River. There will be a media teleconference Wednesday, Nov. 7th 10:00 a.m. – 10:45 a.m. EST when reporters will be able to ask questions via teleconference following a brief presentation by Dr. Richard Stumpf, NOAA Harmful Bloom Forecasting Coordinator and lead author of the paper.

Item 3 NMFS/NOAA Red Snapper Plan Update: Rules governing red snapper and reef fish catch limits and proper safe release techniques and tools were published in the Federal Register on October 23rd, affect both commercial and recreational anglers. The new rules, Amendment 24/17, cover the Caribbean, Gulf of Mexico and South Atlantic Reef fisheries and call for the use of specific devices to reduce the mortality of bycatch including non-stainless steel circle hooks (when using natural baits), venting tools and dehookers. The rules in the Amendment may be finalized as early as December 12, 2007. Commercial and recreational fishermen will be required to carry and use these tools after that date. Revision of the plan must ensure a reasonable probability of ending overfishing by 2010 and rebuilding the stock by 2032. NOAA Fisheries Service is currently seeking comments on the proposed rule. Written comments must be received no later than 5 p.m. EST, on December 7th. Please see attached NOAA PR for details.

Item 4 Gulf of Mexico Fishery Management Council Update: The GMFMC will convene its newly formed Ad Hoc Recreational Red Snapper Advisory Panel November 13th & 14th. The panel will evaluate and recommend innovative management strategies for the private and for-hire recreational red snapper fisheries of the Gulf of Mexico. It will also evaluate and recommend innovative approaches to minimizing bycatch and bycatch mortality in those fisheries. The Panel may also discuss related issues such as regional management, monitoring methods, accountability measures, goals and objectives for recreational red snapper fisheries management.

Item 5 Annual Monarch Tagging Underway: I've been working with staff at the Research Reserve to conduct our annual Monarch Tagging Program. A year ago at this time we were seeing and collecting hundreds of monarchs when we went out. So far this year the highest daily count has been about 100. However, we haven't had the

strong cold-fronts coming through like we did last year. One already tagged monarch from VA was recaptured, documented and released last week. In addition to the tagging, I have been taking some of the monarchs to classrooms at the ABC School and the Franklin County Schools West Campus to teach the students about the monarch tagging program and to release the butterflies.

Item 6 Oyster School 2007 Final Report: The First Annual Oyster School was a tremendous success; and plans are already underway for Oyster School 2008.

Item 7 Joint Apalachicola Watershed Invasive Exotics Working Group/Apalachicola Regional Stewardship Alliance Meeting: The next meeting of the Apalachicola Watershed Invasive Exotics Working group will be held on November 13, 2007 in conjunction with the regular meeting of the Apalachicola Regional Stewardship Alliance (ARSA). The meeting will begin at 10:00 a.m. Eastern Time at The Nature Conservancy Apalachicola Bluffs and Ravines Preserve new educational center just north of Bristol. The afternoon field trip includes a first-hand look at the longleaf pine/native groundcover restoration efforts in rare sandhill natural community, the recently completed Kelly Branch dam restoration project, and TNC's prescribed fire program.

Board members stated that they had heard rumors regarding an upcoming meeting that would discuss closing the Bay for 5 years.

Mr. Mahan stated that there is no such meeting that is being considered or scheduled.

Open Request for Qualifications – Regional Utility Program (10:15 AM)

Mr. Pierce stated that there was only one response to this request, Meridian Planning, and recommended forwarding this response to the review committee for a recommendation.

Motion by Sanders, seconded by Lockley, to forward the single response to committee for a recommendation; Motion carried 5-0.

Open Request for Proposals – County Web Page Design and Hosting (10:16 AM)

Mr. Pierce opened the proposals.

Bay Media
Bluewater INet
Server Solutions
WEB Group 2k

Motion by Lockley, seconded by Sanders, to forward the proposals to the review committee for a recommendation; Motion carried 5-0.

Rick Marcum – Opportunity Florida – Update on Affordable Housing (10:18 AM)

Mr. Marcum stated that Opportunity Florida's Housing Program currently had 5 lots available, with 20 applicants already being processed, and applications are available online.

Mr. Marcum stated that with down payment assistance, the purchase price should be in the range of \$95,000 with financing from USDA at about 1%.

Mr. Marcum then introduced Mr. Roger Miller to the Board, and Mr. Miller distributed a handout and discussed his project with the Board.

Advisory Board of Adjustment Report (10:24 AM)

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

Item 1. Deny a variance request to construct an air-conditioning platform 4 feet into the side setback line on lot 7, Block V, Lanark Beach, Unit 1 as requested by Jeff Dykes, agent for C.R. Barineau.

Rachel Ward, of the Planning and Zoning Office, commented on the Advisory Board of Adjustment actions.

Jeff Dykes, the applicant, explained his request for a variance to the Board.

Motion by Putnal, seconded by Sanders, not to uphold the recommended denial of the Advisory Board of Adjustment and approve the variance request for item #1; Motion carried 5-0.

Item 2. Approve a request for a Special Exception to cluster 10 lots on 10.8 acres lying between Eastpoint and Carrabelle in Section 24, Township 8 South, Range 6 West, as requested by Paul Osterbye, agent for S & PNB, LLC

Motion by Putnal, seconded by Sanders, to accept the recommendation of the Advisory Board of Adjustment and approve the variance request for Item #2; Motion carried 5-0.

Public Hearing – Adopt Resolution for Escambia County Housing Authority First Time Home Buyer Program (10:31 AM)

Ms. C. J. Pipkens, of Escambia County Housing Authority, discussed this Resolution with the Board, and explained the process that would take place if the Board approves the Resolution, which is good for three years.

Chairman Crofton opened the floor for public comments.

David Butler, of Gulf State Bank, asked if the Resolution would restrict access to funds set-aside for affordable housing for any other housing groups within the County. Ms. Pipkens told him that it wouldn't.

Attorney Shuler and Ms. Pipkens discussed the affects this Resolution would have on any other bonds or the financial standing of the County.

Mr. Pierce read part of the Resolution.

Motion by Lockley, seconded by Putnal, to approve this Resolution contingent on Attorney Shuler's approval; Motion carried 5-0.

Emergency Management Office – Update NIMS Compliance and Price List Openings For Debris Management (10:43 AM)

Butch Baker, Emergency Management Director, gave an update on the NIMS program and stated that if all of the necessary staff does not complete the training, the County might lose grant funding.

Commissioner Parrish and Mr. Baker discussed possible options of offering the classes on the Eastern end of the County for the staff members that needs it.

Mike Rundel, Assistant Director, announced the prices included in the proposals for emergency debris removal.

AshBritt Environmental.....\$7.50 per cubic yard
Crowder Disaster Recovery.....\$6.25 per cubic yard
BAMACO, Inc.....\$6.00 per cubic yard

Motion by Sanders, seconded by Putnal, to forward the proposals to the review committee for a recommendation; Motion carried 5-0

Marcia M. Johnson – Clerk of the Court – Report (10:50 AM)

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

Item 1-I need approval of a budget amendment for courthouse renovations for the FY 2007-2008. Peter Brown Construction received bids for the project, and county staff has determined which projects are the highest priority and need to be completed as part of the renovation. The cost of those projects (\$798,902.00) exceeds the amount budgeted (\$635,000.00) by \$163,902.00. In order to complete all phases, it's recommended we use funds originally budgeted for transfer to the Capital Outlay Fund for the courthouse renovation project. We'd increase 001.20.511.6300 Improvements Other Than Buildings by \$163,902.00 and decrease 001.20.581.9100 Transfer to Capital Outlay by the same amount of \$163,902.00. We did cut out part of the project of adding offices to the courtroom to save money because the first initial figures were over 1 million.

Motion by Sanders, seconded by Lockley, to approve the budget amendment as

requested by Mrs. Johnson; Motion carried 5-0.

Motion by Lockley, seconded by Sanders, to approve the courthouse renovation project and authorize the Chairman's signature on the contract; Motion carried 5-0.

Item 2-I want to make you aware that I received the Certification of Final Taxable Value from the Property Appraiser, and there was a decrease of 2.35 % in value from the value provided us to prepare the budget. As a result, at the millage rate you adopted, we'll collect less ad valorem, and that difference is \$334,089. I'm providing each of you with a copy of the Certification, and if you have any questions after you've had an opportunity to look at it, you're welcome to come by my office.

Board discussed this matter.

Commissioner Putnal stated some concerns about the letters that have been sent to the public regarding the Revolving Loan.

The Board discussed this matter further and it was stated that this action was needed in order to build up the available funds in this program in case of future disaster and to address the comments and concerns that has been repeatedly raised by the County auditors.

Alan Pierce – Director of Administrative Services – Report (11:09 AM)

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

Item 1- Update on River war with Georgia. Mr. Dan Tonsmeire will present current situation. Board action on Resolution on necessary water flow in the Apalachicola River. Dan Tonsmeire, of Apalachicola Bay and River Keepers, gave an update on the water situation.

Motion by Sanders, seconded by Putnal, to approve the Resolution; Motion carried 5-0.

Commissioner Putnal stated his concerns and some of the possible causes of the dead oyster bars in the County.

Motion by Sanders, seconded by Putnal, to amend the Resolution to include 3 representatives which will be Kevin Begos, Commissioner Parrish, and Dave McLain to represent the County at meetings with the Governor and his staff; Motion carried 5-0.

Motion by Sanders, seconded by Parrish, to approve the draft letter to the Fish and Wildlife Commission; Motion carried 5-0.

Mr. Tonsmeire stated that Bill Mahan will assist with getting economic figures regarding the seafood industry to Franklin County.

Kevin Begos stated that the County and the State needs to do as much as possible to get Governor Christ's attention on this matter, as his recent actions have not benefited Floridians. Mr. Begos also stated that Lombardi property owner will have an independent appraisal done as soon as possible and he will work with Bill Mahan on the economic figures for the seafood industry that will be needed.

Item 2- Previously the TDC has informed the Board that it was time to recommend awarding the Non-profit Sustainable Grants for the current fiscal year. Two applications were received- Camp Gordon Johnston Museum for \$30,000, and the St. George Island Lighthouse Museum and Visitor Center for \$25,000. Both can be fully funded. A letter from the City of Apalachicola has also been received asking for help on operating the city owned Raney House as a museum, but no budget amount was submitted. Board action to turn over all 3 proposals to the TDC for their review and recommendation.

Motion by Sanders, seconded by Lockley, to forward the 3 proposals to TDC for their recommendation; Motion carried 5-0.

Item 3- Board action to sign three FWC Florida Boating Improvement Grant Agreements:

- A) Ochlockonee Bay Boat Ramp for \$76,250 for permitting and engineering.
- B) Eastpoint County Landing Park for \$68,750 for permitting and engineering.
- C) Bluff Road Regional Boat Ramp for \$400,793 to construct an additional boat ramp and additional parking.

Board action.

While the county does have Preble-Rish as its county engineers, it does not have any contract with Preble-Rish for the permitting and engineering work on these grants.

Because engineering services are considered professional services, the Board would not go out for bid based on engineering fees. It would seek Request for Qualifications for an engineering firm, select the most qualified firm, and then negotiate fees as projects come along. The Board can currently negotiate with Preble-Rish on its proposed fee because it already selected them several years ago, or it can seek a Request for Qualifications from other engineering firms and then negotiate fees based upon who the Board thought was most qualified to supervise the project.

The Board could decide on engineering fees now but does not have to; because the grants have to be sent back to FWC for their signature, but before any work is done engineering firm will have to be under contract.

Motion by Lockley, seconded by Sanders, to authorize the Chairman's signature on the three FWC Boat Improvement Grants; Motion carried 5-0.

Motion by Sanders, seconded by Putnal, to advertise for Request for Qualifications for the engineering services for the three FWC Boat Improvement Grants; Motion carried 5-0.

Item 4- Inform Board that a Notice to Proceed has been received for the St. George Island Bike Path. The project is ready to go out for bid. Preble-Rish has designed the project so I recommend the Board negotiate with Preble-Rish to supervise construction based upon an acceptable fee, and then direct that Preble-Rish prepare the bid packets and advertise; Board action.

Motion by Sanders, seconded by Lockley, to negotiate with Preble-Rish for an acceptable fee and direct Preble-Rish to prepare the bid and advertise; Motion carried 5-0.

Clay Kennedy, of Preble-Rish, gave an update on St. George Island Boat Ramp.

Item 5- The Franklin County Housing Board is still working on Affordable Housing, and is trying to leverage SHIP money with a program called CWHIP- Community Workforce Housing Innovative Program, so that more housing funds are available to county residents. One of the requirements of CWHIP is to have a definition of "Essential Service Personnel." Essential Service Personnel are essentially the workforce a community needs to have living in the community, but the county has some discretion on that definition. The Housing Board would like to adopt the definition for as "Essential Service Personnel" as **"The persons in need of affordable housing who are employed in occupations or professions such as teachers and educators, other school employees, police and fire personnel, health care personnel and skilled building trades personnel."**

The phrase " **and any working person below 120% of the Area Medium Income,**" could be added.

Board action to adopt a definition for Essential Service Personnel.

Motion by Parrish, seconded by Sanders, to adopt the following definition for Essential Service Personnel "The persons in need of affordable housing who are employed in occupations or professions such as teachers and educators, other school employees, police and fire personnel, health care personnel and skilled building trades personnel or any working person below 120% of the Area Medium Income"; Motion carried 5-0.

Item 6- Under the Chairman's signature letters went out to all the delinquent revolving loan accounts asking that repayment be re-started. These are the loans which the ARPC was handling but turned back to the county for collection. The loans were part of a

1995 Tropical Storm Alberto CDBG program. The county has been cited every year in the audit for failing to take adequate steps to collect the loans.

The Board is ultimately responsible for the funds, as the funds were provided to the county to form the basis of a revolving loan program for the seafood industry. If the Board fails to collect the loans it might not be given another opportunity for another revolving loan program.

The repayment letters asked for repayment of principal and interest. At some point the Board will have to deal with those loans which are not repaid.

This item was addressed earlier in the meeting.

Item 7- Inform the Board that Mr. Larry Watson, Progress Energy, is no longer our contact. He has been promoted to another program in Progress Energy. Our new contact is Ms. Gaye Hanna. I have her contact information for those who want it.

Item 8- Courthouse Renovations: The Clerk's Office and the county staff have met with representatives of Peter Brown Construction and have agreed on a Maximum Price for the courthouse renovations and a revised scope of work. The original scope of work included the creation of offices in the back part of the third floor courtroom. In order to bring the project within a reasonable cost, and considering potential future demands by the judicial system it has been decided not to build the offices in the third floor. A bathroom will be added, and all of the requests made by the Judge will be made, but the courtroom will be left alone in the event a future judge wants to have a second courtroom in the courthouse.

Board action to approve a project not to exceed \$798,902, and which essentially includes improving the courtroom to meet the judicial requirements, adding a bathroom, fix the leaking windows in the back of the courthouse, fix electrical problems in the courtroom, and replace all of the ceiling tiles in the hallways. Board action.

This item was addressed earlier in the meeting.

Item 9- Inform the Board that the St. Joe Company has removed the No Trespassing signs from the access points along Alligator Harbor, so a letter never was sent to Mr. Rummell. I have spoken to Mr. Buzzett, among others, and the county and St. Joe are going to work toward a permanent solution for access in that area.

Item 10- Inform the Board that the Eastpoint Christmas Parade will actually be on Dec. 8th, instead of Dec. 15th. The DOT has been made aware of the change.

Item 11- Inform Board that two members on the Weems Hospital Board have come to the end of their terms. Both the expiring members and the Board would like to have them continue to serve. Board action to accept Hospital Board recommendation that

Ms. Tammi Hardy and Mrs. Margie Solomon be re-appointed to the Hospital Board to serve three year terms, expiring Oct. 1, 2010.

Motion by Putnal, seconded by Lockley, to reappoint Ms. Tammie Hardy and Mrs. Margie Solomon to the Hospital Board; Motion carried 5-0.

Item 12- Apalachicola Airport Business:

A) Board action to sign Joint Participation Agreement for the purchase of a mower to replace the one damaged by the oil filter failure. No county funds will be involved. JPA is for \$53,095.

Motion by Putnal, seconded by Parrish, to authorize the Chairman's signature on the Joint Participation Agreement; Motion carried 5-0.

B) When the Board appointed Mr. Dan Rothwell, County Engineer, to the Airport Advisory Board, the Advisory Board went from seven members to eight members. This may someday cause a problem in case of tie votes. Mr. Roger Newton has expressed an interest in serving on the Airport Advisory Board. While he no longer lives in the county, he does own property here, and was a former Mayor of Apalachicola, and he does use the airport. Board direction on whether they want to add a member, or subtract a member to get back to an odd number for the Airport Advisory Board. If the Board did not want to subtract or add a member it could turn the County Engineer into a non-voting member.

Motion by Lockley, seconded by Sanders, to turn the County Engineer into a non-voting member of the Airport Advisory Board; Motion carried 5-0.

Item 13- Inform Board that the Governor forwarded the Board's letter regarding property insurance relief to the Chief Financial Officer, Ms. Alex Sink, and her office has responded in a three page. The essence is this" Property rates were expected to be lower based on the insurance company's ability to purchase higher levels of reinsurance from the Florida Hurricane Catastrophe Fund and realize savings from what their reinsurance coverage used to cost. However, the new approved rates based on the presumed factor would not take effect until June 1, 2007 so no savings were seen on policies that renewed prior to June 1, 2007."

The letter goes further to say there is a web site where you can look at what the expected decline for property insurance in Franklin County is supposed to be, but there is the caveat "Keep in mind that depending on a policy's specific risk factor(s), the premium may not go down by the same percentage that is on this list."

Item 14- The Department of Community Affairs has contacted the county and said that additional planning funds are available specifically for rural counties and encouraged the county to apply.

There is a very short time line to utilize the funds, being June 1, 2008, so while the county prepares a scope of work agreeable to DCA, I request Board authorization to advertise for Request for Qualifications of a planning firm to do the planning work. The idea being that by the time DCA agreed to our scope of work, the Board would have selected a planning firm that we would then negotiate to do the work. The proposed scope of work will involve completing the required amendments to the comp plan listed in the EAR, and will attempt to include work to assist the Seafood Task Force do some long range planning to maintain the seafood industry. Board action to advertise for Qualifications for a planning firm to assist Franklin County based upon the DCA grant being awarded.

Motion by Sanders, seconded by Parrish, to advertise for Request for Qualifications to provide planning services for the County; Motion carried 5-0.

Item 15- Inform Board St. Joe has tendered its check for its share of the water access improvements agreed to in the Ashley settlement. The Board will utilize the funds to make the improvements agreed to in the settlement.

Item 16- Because of the uncertainty of the impact on the Franklin County property roles if the Legislative initiative on property tax is approved by the voters on Jan. 29, I recommend the Board request all Departments, and constitutional offices, enact a hiring freeze at least until the impact of the initiative is known; Board action.

To that end, I do not plan to fill the vacant janitorial position at this time, and will do the work with existing personnel. Mr. Frankie Crosby is back full time.

Motion by Sanders, seconded by Parrish, to enact a hiring freeze, unless a essential position has to be filled, in which case Board authorization would be necessary; Motion carried 5-0.

Item 18 – Board support on a Letter of Support from Franklin County to the Department of Elder Affairs for an application to renovate Holy Family into Senior Center.

Motion by Sanders, seconded by Lockley, to authorize the Chairman's signature on the letter of support for the application to renovate Holy Family into a Senior Center; Motion carried 5-0.

Item 17- Alligator Point Beach Renourishment: The law firm of Nabors, Giblin & Nickerson have provided the county with a suggested ballot language. It is as follows:

Shall Franklin County levy special assessments to fund beach restoration improvements on Alligator Point to be collected in 8 annual installments beginning in 200_/200_ at rates of \$542 per Trip ERU for all properties on Alligator Point plus either \$1,987 per Parcel Unit for all properties abutting the Gulf of Mexico in the beach restoration area or \$542 per Parcel Unit for all properties not abutting the Gulf of Mexico in the beach restoration area?

Yes ___

No ___

These rates are less than those previously announced because these rates do include the Gap properties, but does not include any contribution the county might make.

The Board has previously said it wanted all of the property owners who will pay an assessment to have a vote. That means it has to be a mail out vote. The Board needs to determine when that mail out will be, and also the guidelines for the vote. Is it one vote per lot, and then if it is then where the one ballot does get mailed in the case of joint owners of one lot?

A decision does not have to be made today on the election because the Board can set any date for a mail-out election, but there is lead time to get an election done, and the bond validation process, among other things, will be held up until after the election.

I have conferred with Ms. Camille Tharpe and Mr. Mike Dombrowski and based upon where the county is in the permitting process the assessment do not have to be collected this year, and can be deferred until next year's tax bills, so the annual installment will be starting in 2008/2009 if the Board agrees, and that would be reflected in the ballot language above.

The Board has received a letter from Mr. Mowrey stating his clients in The Gap still oppose being in the project, election or no election.

Board discussion.

Dick Waters, of Alligator Point, wanted to make sure that the figures in this language was not being approved today and discussed the differences in those figures from when the project was first presented prior to today. Mr. Waters also discussed some information recently released by the Department of Environmental Protection regarding beach restoration.

Attorney Shuler stated that the vote today is not on the specific language but the language will be ready for approval at the next regular meeting along with the proposed voting regulations. Attorney Shuler also distributed information regarding the memorandum of law that was raised by some of the audience members at the last meeting.

Sanders suggested sending the ballots after the Christmas season at the beginning of the New Year.

Justin Green, of Mowery and Mitchell law firm, representing specific property owners in the area known as “the GAP”, suggested including all property owners, not just registered voters. Mr. Green also stated that the referendum will not address some of the MSBU problems, did not think that MSBU was a valid assessment for this project and explained why.

Ken Osborne of Alligator Point stated that there were people living in the “Gap” area that were in favor of the project.

Daniel Withers of Alligator Point stated that the referendum was a good idea, but the Board should have some backup plan to secure the road and provide other services in case the referendum did not pass.

Motion by Sanders, seconded by Lockley, to direct Attorney Shuler to start the procedure to create a mail out binding ballot election that will be conducted by the affected property owners; Motion carried 5-0.

David Butler – Citizens Advisory Committee (CAC) – Update (12:20 PM)

Mr. Butler gave an update of the CAC recent actions and some of the concerns of this committee.

Mr. Pierce addressed some of the issues discussed by Mr. Butler.

Recess (12:30 PM)

Chairman Crofton recessed the meeting until 12:30 PM.

Reconvened (1:31 PM)

Chairman Crofton reconvened the meeting at 1:31 PM.

Michael Shuler – County Attorney – Report (1:31 PM)

Attorney Shuler stated that all items on his report were addressed earlier during the meeting.

Nick Yonclas – Representing Concerned Citizens of Lanark Village – Present Petitions for Lanark Village District Dissolution (1:32 PM)

Attorney Yonclas reviewed some of the events and stated some of the reasons that have led up to the decision of the Concerned Citizens of Lanark Village to present 816 petitions, which represents 50% of land owners and 60% of the parcels, asking the Board of County Commissioners to dissolve the Lanark Village Water and Sewer District. Attorney Yonclas asked that the Board allow the dissolution process to move forward by

acting at the next meeting, once the Property Appraiser has certified 10 % of the petitions, and to set an election to dissolve the District. Attorney Yonclas reviewed some of the options that can be used to dissolve the District, without having to assume the liabilities and assets of the District or manage the District, namely a law that allows the County by ordinance to avoid assuming the assets, liabilities, and management responsibilities of the Lanark Village Water and Sewer District. Attorney Yonclas explained the difference between a merger of the two districts or simply dissolving the Lanark Water and Sewer District.

John McInnis, City of Carrabelle Administrator, stated that if the Lanark Village Water and Sewer District is dissolved the City of Carrabelle is willing to assume the liabilities and assets. Mr. McInnis also stated that because of the planned future development in the County, the current utilities has to work together to be able to provide the services that is needed and that representatives of City of Carrabelle will attend a public workshop held by the Lanark Village Water and Sewer District Board on Monday November 12, 2007 at 6:30 PM at Chillas Hall.

Pauline Sullivan, a Lanark Village District Board Member, stated that Barbara Rohrs, Chairman of the Lanark Village District, said in a public meeting that she did not know where she stood with the merger and discussed other issues regarding the Lanark Village Water and Sewer District.

Jean Jasper said that she needed more information about specifics issues regarding the merger such as the difference between an inter-local agreement and a merger.

Brian Armstrong, the Lanark Village District's Attorney, stated that the petitions were obtained with misleading information, and there will be discussion on both merger and interlocal agreements options on Nov 12 at the public workshop. Attorney Armstrong explained what dissolution, a merger or transfer of assets and liabilities, and interlocal agreements are as it related to the City of Carrabelle and the Lanark Village Water and Sewer Board. Attorney Armstrong said that the auditor from the Governor's Office did not find any misconduct when reviewing the records of the Lanark Village District, there has been no discussion of Government Utility Authority by the Lanark Village Water and Sewer Board, and asked that the Board of County Commissioners allow for the City of Carrabelle and the Lanark Village Water and Sewer District to continue with their discussions regarding a transfer of assets and liabilities.

Commissioner Sanders asked Attorney Armstrong if it is his recommendation to the Lanark Village Water and Sewer Board to ask the City of Carrabelle to agree to a transfer of assets and liabilities. Attorney Armstrong stated that it was.

Commissioner Putnal asked if the two districts reach an agreement is an election and other items necessary? Attorney Shuler stated that if both districts agree to a transfer of assets and liabilities, effectively the Lanark Village District could be dissolved without a referendum.

Attorney Shuler also stated that an approval by this Board for a referendum to dissolve the District would be needed by November 20, 2007 to get on the Jan 29, 2008 ballot, but it is unlikely that the deadline would be met.

Attorney Armstrong stated that he will put it in writing that it is his recommendation to agree to the transfer of assets and liabilities of the District to the City of Carrabelle.

David Butler, of St. James, gave some additional information regarding previous discussion about the referendum to dissolve the District.

Ray Courage asked the Board to ask Attorney Armstrong if Ms Rohrs, the Chairman of the Lanark Village District Board, is in favor of the transfer of assets and liabilities to the City of Carrabelle. Attorney Armstrong stated that Ms Rohrs is in favor of the transfer as far as he knows.

William Snyder, Concerned Citizen of Lanark Village, stated what advertisements and process was used to obtain the petitions and discussed other matters having to do with the merger.

Attorney Yonclas stated that he was encouraged by Attorney Armstrong's statements but stated that he will proceed with filing the petitions and will discuss this issue at the next regular meeting.

William Webber, Concerned Citizen of Lanark Village, wanted to make sure that all assets and liabilities would be transferred to the City of Carrabelle. Attorney Armstrong confirmed that they would be.

David Butler stated that he was also encouraged by what was said by Attorney Armstrong and hoped that this process would move forward. He hoped that some tentative agreement is reached to encumber some of the State funds to help with expanding the sewer lines, and discussed other items that he would liked addressed with the transfer of assets and liabilities.

Commissioner Sanders stated that after all this is over, she wants all the residents of Lanark Village to get along.

Joann Sparling asked why Ms Rohrs did not attend this meeting. Attorney Armstrong stated that she had a previous engagement.

Ashley Teat – Fire Safety Program (2:49 PM)

Mr. Teat presented a power point presentation on fire safety and discussed the need for a County Fire Inspector.

Commissioners' & Public Comments (3:13 PM)

Commissioner Lockley asked the Board to consider a one-time \$1000 bonus for the County employees.

The Board discussed possible funding sources for this proposed bonus but could not agree to any funding source.

Motion by Lockley, seconded by Putnal, to authorize a one-time \$1000 bonus for the County employees, except for the department heads; Motion failed 2 – 3 Crofton, Sanders, and Parrish voting nay.

Commissioner Sanders reminded everyone of the Legislative Delegation meeting on November 15, 2007.

Mr. Pierce mentioned some items that could be discussed during the delegation meeting.

Sherman Thomas (3 minutes)

Mr. Pierce stated that this item was already addressed as it related to the City of Apalachicola.

Mark Lowen, Sands North, LLC (3 minutes)

Attorney Shuler stated that Mr. Lowen wanted to discuss the newly created Hotel/Motel Ordinance.

Mr. Ken Fish gave some information on his project.

Attorney Mark Bloson asked the Board to clarify that the new Hotel/Motel Ordinance does not apply to his clients' project, by approving a Resolution, and that his project is grandfathered in.

Attorney Shuler stated that even though it was not a legal obligation of the County he has no problem with approving the Resolution subject to his review but warned that other projects might also come before them regarding this.

Motion by Sanders, seconded by Lockley, to approve the Resolution contingent on the Attorney's approval and any other project seeking this type of Resolution would be decided on a case by case basis; Motion carried 5-0.

Commissioner Lockley asked if funds or grants could be located which would allow the County to consider funding a fire inspector position that Mr. Ashley referred to. Board discussed this matter and was in favor of this position.

Adjourn (3:41 PM)

There being no further business Chairman Crofton adjourned the meeting.

G. Russell Crofton, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts