

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
JANUARY 2, 2008  
9:00 AM**

**MINUTES**

**Commissioners Present:** Noah Lockley Jr. – Chairman, Joseph Parrish – Vice Chairman, Russell Crofton, Cheryl Sanders, 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 Lockley called the meeting to order at 9:00 A.M.

**Prayer and Pledge (9:00 AM)**

There was Prayer followed by the Pledge of Allegiance

**Payment of County Bills (9:01 AM)**

**Motion by Crofton, seconded by Putnal, to authorize payment of the County bills as presented, Motion carried 5-0.**

**Department Supervisor Report**

**Van Johnson – Solid Waste Director (9:03 AM)**

Mr. Johnson did not have any items for discussion and/or approval.

Mr. Johnson did state that his department will pick up all used Christmas trees.

**Dan Rothwell – County Engineer (9:04 AM)**

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

Item 1 - Lake Morality Road:

No updates from Preble – Rish concerning the 12-17-2007 C. W. Roberts test results or repair recommendations.

Item 2 - RFQ's for Boat Ramps Professional Services:

The review of the Request for Qualifications has yielded the following qualified firms:

1. Bailey, Bishop and Lane
2. Preble-Rish

### 3. Baskerville-Donovan

Staff desires direction, in a motion, by the BOCC to select which of the above firms to award the Fish & Wildlife Commission grants (Ochlocknee Bay and Eastpoint) for boat ramp engineering.

Alan commented on this project.

Board discussed the benefits of the County using additional engineering firms.

Chairman Lockley stated that the Board should assign each engineering firm one of the projects.

**Motion by Sanders, seconded by Crofton, to enter into negotiations, for the Boat Ramp Project, with the #1 ranked firm Bailey, Bishop, & Lane, and if staff is unable to agree then start negotiations with the next ranked firm; Motion carried 4-1, Lockley opposed**

#### Item 3 - Summer Camp S/D Construction Observation:

On 12-12-2007 Staff met with St. Joe Company representatives to observe the completion status of Phase 1 of Summer Camp S/D. The engineer of record has sent statements of satisfactory completion of the infrastructure of Summer Camp Phase 1. It is recommended that the BOCC vote to release the bonds for Phase 1 of Summer Camp.

Mr. Pierce and Attorney Shuler discussed this matter.

Commissioner Putnal asked if each of the Commissioners could tour the Summer Camp property. Mr. Billy Buzzett, of the St. Joe Company, stated that he would be happy to arrange the tours for each of the Commissioners.

Commissioner Putnal asked if the St. Joe Company is building a plant at the Summer Camp development. Mr. Buzzett stated that the development does have a sewer plant and it has room for expansion.

Commissioner Putnal, Mr. Pierce, and Mr. Buzzett discussed Alligator Point using the sewer plant at Summer Camp in the future.

**Motion by Putnal, seconded by Parrish, to authorize the Chairman to release bonds for Phase 1 of the Summer Camp project; Motion carried 5-0.**

#### Item 4 - Carrabelle Sports Complex Football Field:

Staff is preparing plans from an in house survey and field staking will be done when plans are completed.

#### Item 5 - CR-67 Widening & Resurfacing:

CR-67 widening and resurfacing is complete and staff requests that the BOCC authorize the Chairman to approve the payment of Invoice #3 (not yet received) of \$468,967.45 and the final Invoice #4 of \$73,920.52.

**Motion by Sanders, seconded by Crofton, to approve payments of Invoices 3 & 4 for the CR-67 widening and resurfacing project; Motion carried 5-0.**

#### Item 6 - Airport Access Road:

The contractor has been asked to revised his final invoice and resubmit it to the Engineering of Record and to Franklin County.

Mr. Rothwell gave an update on the new maintenance shop. Mr. Johnson also discussed his options with the problems with Progress Energy getting power to the maintenance shop.

**Hubert Chipman – Superintendent of Public Works (9:31 AM)**

Mr. Chipman did not present any items for discussion and/or approval.

Mr. Chipman stated that the milled asphalt project would resume soon.

Commissioner Sanders asked Mr. Chipman to have his department do some trash pickup and maintenance along Highway 67.

Mr. Chipman stated that the high winds are causing problems with Sawyer Street on St. George Island.

Mr. Pierce stated that he is aware of the problem and is working on it.

The Board discussed amending the agenda and starting the process of opening up the proposals and allowing the appropriate department heads to review the proposals.

**Motion by Sanders, seconded by Crofton, to amend the agenda and begin the process of opening the proposals at 9:37 AM; Motion carried 5-0.**

**Open Bids – Waste Disposal Agreements (9:37 AM)**

Mr. Pierce opened the RFQs and stated the name of the companies that responded.

Waste Pro of Florida

Waste Management of Panama City

**Motion by Sanders, seconded by Putnal, to forward the proposals to Mr. Johnson of the Solid Waste Department for a recommendation; Motion carried 5-0.**

**Open Bids – Lights @ D. W. Wilson Park (9:40 AM)**

Mr. Pierce opened the packages and stated the name of all of the companies that responded and their bid amount.

Jankowski Electric – \$38,523.67

Jerry Pybus – \$73,600.00

Aaron's Electric – \$24,635.00

Alternative Electric – \$43,964.00

**Motion by Sanders, seconded by Crofton, to forward the responses to Mr. Johnson of the Park and Recreation Department for a recommendation; Motion carried 5-0.**

**Open Bids – St. George Island Multi Use Path (9:44 AM)**

Mr. Pierce opened the packages and stated the name of all of the companies that responded and their bid amount.

GAC – \$639,700.00

North Florida Asphalt – \$639,728.70

C. W. Roberts – \$521,221.25

Carter's Construction – \$846,747.00

**Motion by Sanders, seconded by Crofton, to forward the responses to Preble-Rish, the engineer of record for this project, for a recommendation; Motion carried 5-0.**

**Department Supervisor Report - Continued**

**Bill Mahan – County Extension Director (9:46 AM)**

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

**National Marine Fisheries Service Update:**

Item 1 - NW Florida/Alabama Red Tide: A harmful algal bloom persists in patches in bay regions in Okaloosa County, FL and in Baldwin County, AL. As of December 31<sup>st</sup>. satellite imagery is obscured by clouds. A fully updated bloom report is not available and the region will continued to be monitored. Strong northerly winds this week may promote westward transport and intensification of remaining harmful algae along the coast.

**Gulf of Mexico Fishery Management Council Updates:**

Item 2 - Upcoming Council Meeting: The next Council meeting is scheduled for January 28-31, 2008 in St. Petersburg, FL. Agenda topics include – Aquaculture Amendment, Final Action on Reef Fish Amendment 30A (Greater Amberjack & Gray Triggerfish), Final Action on Generic Aquaculture Amendment, Spiny Lobster Scoping Document and Exempted Fishing Permits (if any).

Item 3 - Panel & Committee Meetings: The following GMFMC meetings are scheduled for January – Ad Hoc Recreational Red Snapper Advisory Panel, January 9 – 11, 2008 – Tampa, FL; Shrimp AP, January 9, 2008 – Huston, TX and Standing and Special Reef Fish Scientific & Statistical Committee , January 9 – 10, 2008 – Huston, TX.

**FL Fish & Wildlife Council Update:**

Item 4 - Beaver Control: I spoke to Ms. Susan Carroll-Douglas at the FWC's Regional Office in Panama City, about control options for beavers. Ms. Douglas reported that for trapping on private property, a steel trap permit is required for each specific site. However, since our situation involved multiple sites on County property, she thought a "blanket steel trap permit" could be issued to the County, but she would have to check. After checking, she called me back and reported that the County could be issued a blanket steel trap permit and recommended that it be put in the Road Department's name. The permit would cover a County employee, or for-hire nuisance wildlife trapper working under the Department's supervision to trap problem beavers on county property. She also recommended that if the County hires a licensed trapper, to be sure that the person hired has experience trapping beavers, since they are not easy to catch. Other options I'm exploring with FWC are, live-trapping and relocating the problem beavers, and gun & light permits. In doing additional research on beavers, I found that regularly "breaching" the beaver's dam and removing "building materials" has mixed results. Some beavers will abandon

the area while others will use it as an opportunity to practice their dam-building skills. Another option I read about was inserting a water control device in the beaver's dam can effectively control excess flooding. Finally in one report it stated that the land-owner needs to understand that even removing a problem beaver may only be a temporary fix, since another beaver may move into the neighborhood.

#### Franklin County Clam Update:

Item 5 - Rare Purple "Pearl" Found in Franklin County Clam?: Attached is an Associated Press story about George Brock who found a rare iridescent purple pearl while eating his order of steamed clams at a restaurant in Lake Worth, FL. At least one "expert" says the pearl may be worth \$1,000's. The clam is reportedly from "Apalachicola."

#### **Alan Pierce – Director of Administrative Services – Report (9:55 AM)**

Mr. Pierce presented the following item as it related to Mr. Mahan's report for discussion and/or approval.

Item 5 - Inform Board that FWC has responded regarding nuisance bears. Among other things, FWC has entered into a cost-sharing agreement with Waste Pro and Defenders of Wildlife to expand use of wildlife resistant commercial dumpsters at "hot-spot" locations in the county. Regarding hunting, FWC responded, "Prior to consideration of a harvest for bears in Florida, we need to develop an overall management plan for the conservation of bears. This will no doubt be an issue that many citizens will feel passionately about and we hope we can develop a plan that has broad public support across the state. Regardless of whether we institute a harvest in the future, we recognize that hunting alone will not solve human-bear interaction problems. A number of states that have bear hunts also have serious problem bear issues."

FWC closes with offering to establish a partnership with the county to develop a course of action. Is the Board interested, and if so, does it want to designate a contact person? I recommend Mr. Bill Mahan, County Extension Agent.

Chairman Lockley suggested having neighboring counties send FWC a letter regarding the bear problems. Mr. Mahan stated that he would contact the neighboring counties.

The Board discussed the bear problem further.

Ken Osborne, of Alligator Point, commented on bear problem and how it affects the resident on Alligator Point and stated some possible options on solving the problems such as providing food in the forest which might keep the bears from populated areas.

Paul Osterbye suggested that FWC create a hotline so that the public can report all incidents involving bears.

Mr. Pierce gave an contact person and number for FWC.

**Motion by Sanders, seconded by Putnal, to designate Mr. Bill Mahan as the contact person for FWC regarding the bear problems; Motion carried 5-0.**

**Marcia M. Johnson – Clerk of Courts (10:07 AM)**

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

Item 1 - As most of you know, Ruth Williams retired as my finance director. I'd like to introduce Linda Phillips, who is now the finance director for my office. Linda has been working with my office since February of 2005. She has a degree in accounting and an extensive background as well, and is looking forward to working with you all. She'll be assisted in my office by Erin Griffith who has been employed by the Clerk since 2003 and Connie McKinley who has been employed since 1997. Both of these ladies have much experience also. At this point in time, we're in a transitional period, and since the Board has initiated a hiring freeze, we're going to adhere to it. I may need to come back before you at a later date and request permission to replace the vacant position, depending on workload.

Commissioner Sanders complimented the Finance Department.

Item 2 - The last report received from the hospital, for the month of November, indicated a balance in the account of \$109,882.59.

Item 3 - I have two budget amendments for approval from the fiscal year 2006/2007 involving the Tourist Development Council. The funds were carried forward from the prior year and budgeted under reserve for contingency in the Tourist Development Fund. The first deals with an award from the TDC to the Dixie Does Nashville #4 for \$7,500. We would increase 130.33.552.4800 Promotional Activities by the \$7500 and decrease 130.99.584.9600 Reserve for Contingency by \$7500. The second deals with an award to the Historic Apalachicola Community Yard Sale for \$4,045. We would increase 130.33.552.4800 Promotional Activities by \$4,045 and decrease 130.99.584.9600 Reserve for Contingency by \$4,045.

**Budget Amendment #1**

Increase	130.33.552.4800	Promotional Activities	\$7,500.00
Decrease	130.99.584.9600	Reserve for Contingency	\$7,500.00

**Budget Amendment #2**

Increase	130.33.552.4800	Promotional Activities	\$4,045.00
Decrease	130.99.584.9600	Reserve for Contingency	\$4,045.00

**Motion by Crofton, seconded by Putnal, to approve both of the requested amendments; Motion carried 5-0.**

**Alan Pierce – Director of Administrative Services – Report (10:11 AM)**

Item 1- Inform Board that the Governor's Office will be holding an Inter-agency Assistance meeting on Jan. 10, from 10-4, in the third floor courtroom in the Courthouse. The purpose of the meeting will be to inform seafood workers, and other affected people, of potential benefits that could be available if the existing oyster bars become over-harvested because of the drought, and people lose their income.

The meeting will be coordinated by Ms. Mary Helen Blakeslee, and Ms. Diane Scholz from the Governor's Office.

Board discussed this matter and decided to postpone this meeting until there is a need for the assistance.

Item 2- Inform the Board that on Dec. 20, the Board did become the owners of the south side of the Sportsman Lodge Property. Through the grant application, the property has been called Indian Creek Park, and that name will stay until the Board decides to change it.

There should be some formal dedication of the site, as it was a \$4.4 Million dollar acquisition, but the details can be worked out later.

Commissioner Putnal suggested changing the name of the property. Board discussed this matter and decided to address it at a later date.

Item 3- Inform the Board that an elected official must represent the county on the ARPC. It can be any elected official, not just a county commissioner, but it can not be a staff person. Board direction. Board did not take any action on this matter.

Item 4- Provide Board with written confirmation that the Dept. of Revenue acknowledges the effective date of Jan. 1, 2008 for the local sales tax.

Mrs. Johnson, the Clerk of Courts, stated that business people were complaining that the Department of Revenue (DOR) was not giving them any direction on collecting this new tax.

Mr. Pierce and Attorney Shuler discussed this matter.

Paul Osterbye asked for clarification on the collecting this tax.

Angela Troy, owner of Island Outfitters, stated what DOR explained to her regarding the collection of this tax.

**Motion by Sanders, seconded by Crofton, to direct Shuler to contact DOR and explain the problems the local businesses are having getting information collecting this tax; Motion carried 5-0.**

Item 5- Inform Board that FWC has responded regarding nuisance bears. Among other things, FWC has entered into a cost-sharing agreement with Waste Pro and Defenders of Wildlife to expand use of wildlife resistant commercial dumpsters at "hot-spot" locations in the county. Regarding hunting, FWC responded, "Prior to consideration of a harvest for bears in Florida, we need to develop an overall management plan for the conservation of bears. This will no doubt be an issue that many citizens will feel passionately about and we hope we can develop a plan that has broad public support across the state. Regardless of whether we institute a harvest in the future, we recognize that hunting alone will not solve human-bear interaction problems. A number of states that have bear hunts also have serious problem bear issues."

FWC closes with offering to establish a partnership with the county to develop a course of action. Is the Board interested, and if so, does it want to designate a contact person? I recommend Mr. Bill Mahan, County Extension Agent.

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

**Open Bids – Lights @ D. W. Wilson Park – Continued (10:28 AM)**

After reviewing the proposals Mr. Johnson recommended selecting Aaron's Electric to complete the lighting project at D. W. Wilson Park.

**Motion by Putnal, seconded by Sanders, to select Aaron's Electric, based on Mr. Johnson's recommendation, to complete the lighting project at D. W. Wilson Park; Motion carried 5-0.**

**Public Hearing – Golf Cart Ordinance (10:30 AM)**

Pierce discussed the proposed St. George Island Golf Cart Ordinance.

Commissioner Crofton stated some of the issues with the golf cart usage on St. George Island. Commissioner Parrish expressed his concerns regarding the regulations of golf cart rentals. Commissioner Crofton stated some of the reasons for the restrictions on rentals of the golf carts. Roy Solomon stated that the City of Apalachicola requires each golf cart to be registered and also requires safety reflectors on the golf carts and suggested that the County consider these requirements.

Board suggested adding the registration of the golf carts to the ordinance as reflectors are already a requirement.

Attorney Shuler suggested having the office of Planning and Zoning handle the registration process.

Attorney Nick Yonclas, representing Jerry Ison of the Jolly Roger Beach Shop, stated that his client rents "gem carts" which are golf carts that can be licensed to drive on Florida roads. Mr. Ison discussed his business further. Attorney Yonclas stated that the passing of this Ordinance, specifically the restrictions on the rentals section, will discriminate against his client.

Attorney Shuler addressed some of Attorney Yonclas' concerns and statements and stated that the primary purpose of this Ordinance is safety.

Commissioner Crofton stated that the main reason for the restriction on rental in the ordinance was to gather statistical information for the Board to review and restrict the amount of golf carts that would be on the roads in St. George Island.

Mr. Ison stated how the rental restriction would affect his business.

Commissioner Crofton stated that the restriction actually doesn't change the status quo regarding rentals.

Commissioner Sanders stated that she was against discriminating against the businesses.

Angela Troy, of St. George Island, stated that the ordinance was only needed to allow golf carts to drive on the Island but not to restrict the rentals of golf carts.

Commissioner Sanders agreed with Ms. Troy.

A resident of St. George Island offered some suggestions for amending the proposed ordinance.

Russ Boyd, of Apalachicola, discussed his experiences with driving a golf cart in Apalachicola.

Mr. Pierce stated that the registration should be done on the Island such as the Sheriff substation or the Visitors center.

**Motion by Sanders, seconded by Crofton, to authorize the Ordinance with annual registration, similar to the City of Apalachicola, eliminate the rental restriction (Section 8), and include a limit on rentals to 5 per business until statics are reviewed during the first year; Motion carried 5-0.**



**Alan Pierce – Director of Administrative Services – Report – Continued (11:16 AM)**

Item 6- Inform Board that the Gulfside IGA has agreed in principle to be a pay station for Progress Energy. They are waiting for the training before they can take money.

Item 7- DCA has responded in writing to the county's affordable housing proposal. The letter arrived on Dec. 20<sup>th</sup>. County staff is preparing a response in consultation with DSW. The essential tone of the letter is this: "The Department commends you (DSW) and Franklin County in your efforts to increase affordable housing in the county." Mr. Shuler and I also participated in a tele-conference with DCA General Counsel Shaw Stiller who was also supportive of the Board's effort, and he encouraged us to work through the list of questions DCA has submitted. As soon as there is a complete response, it will be presented to the Board for its review.

Chairman Lockley asked staff to schedule a workshop with the City of Apalachicola to discuss this matter.

Item 8- Inform the Board that the U.S. Army Corps of Engineers has notified the county it has completed its review of the Alligator Point Beach Renourishment, and is prepared to issue the permit, contingent upon the state issuing a permit. The consultants are still working on the state permit.

Item 9- Remind Board that it will open bids on the Alligator Point Beach Renourishment on Jan. 15, at its regular Board meeting, and then hear a recommendation from consultants on the bids at a special meeting on Jan. 22, at 9:00 am here in the annex.

**T. Michael Shuler – County Attorney – Reports (11:19 AM)**

Attorney Shuler did not present any items for discussion and/or approval.

**Commissioners' & Public Comments (11:19 AM)**

Commissioner Putnal that he was contacted by Ms. Pam Watson who asked about adding street lights on the side walk of Highway 98 in Eastpoint. Commissioner Sanders suggested having staff contact DOT to discuss this matter. Chairman Lockley suggested telling DOT that it is a safety problem.

Commissioner Sanders asked staff to inform all department heads that there are no more 5 pm meetings in 2008.

**Adjourn (11:23 AM)**

Chairman Lockley adjourned the meeting at 11:23 AM.

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Noah Lockley Jr., Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Courts