

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

**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, Connie McKinley – Board Secretary

**Call to Order (5:00 PM)**

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

**Prayer and Pledge of Allegiance (5:01 PM)**

There was a Prayer followed by the Pledge of Allegiance.

**Secretary Sole – Department of Environmental Protection (5:02 PM)**

Kelly Lehman of DEP introduced some of the other people from the Department that were in attendance including Secretary Sole. Secretary Sole explained the tri-state drought issue with the assistance of a power point presentation. Secretary Sole stated that earlier the Governors of Florida, Georgia, and Alabama met in Washington to discuss the drought and the Army Corps of Engineers reduced the water flow based on the outcome of this meeting. After the Corps actions, Florida raised some concerns and the Corp made some changes, but that the recent rains has actually increased the water flow especially from the Flint River. Secretary Sole admitted that allowing the Corp to determine how much water flow comes down the river was a bad idea, but they have been told not to reduce the flow any further. Secretary Sole stated that a revised water flow plan should be in place before next spring, a sound long term plan that will be fair to all three states should follow not too long after, but reminded everyone that litigation on this matter has been ongoing for 17 years.

Commissioner Putnal expressed his concerns of the reduced water flow affecting the seafood industry in the County especially the oysters and discussed the effect of dams on the seafood industry.

Secretary Sole discussed some of the County's water sources and asked the Board to make decisions strictly on what is factual.

Chairman Lockley asked if the department had any alternate plans. Secretary Sole stated that if the current plans do not work out the State is prepared to litigate.

Commissioner Crofton asked if there were any plans to reduce the water flow from the current amount of 4150. Secretary Sole stated that the flow would not be reduced and the current amount is 4750 until June 1<sup>st</sup> to accommodate spring flows.

Commissioner Putnal asked Secretary Sole to make sure that South Florida's water use does not negatively affect North Florida.

Commissioners Sanders and Parrish expressed their appreciation to the representatives of DEP for taking the time to attend the meeting, listen to the concerns of Franklin County, and explain the situation as it currently stands.

### **Approval of the Minutes (5:31 PM)**

**Motion by Sanders, seconded by Crofton, to approve the Minutes of the November 20, 2007 and December 4, 2007 Regular Meeting; Motion carried 5-0.**

### **Payment of County Bills**

**Motion by Sanders, seconded by Crofton, to approve payment of the County's bills as presented; Motion carried 5-0.**

### **Department Supervisor Report**

#### **Hubert Chipman – Superintendent of Public Works (5:33 PM)**

Mr. Chipman did not present any items for discussion and/or approval but invited the Commissioners, other Department Heads, and Constitution Officers to the Road Department's Christmas Party on December 20, 2007 at 12 noon.

Commissioner Putnal asked Mr. Chipman to do some maintenance to a ditch on Hickory Dip Road.

Commissioner Sanders asked about the hours of operation and an on call person during the holiday season.

Mr. Chipman stated that he would forward this information to the Board and also leave the same info on the Department's answering machine.

Commissioner Crofton asked if any progress was made with the company providing the radio service. Attorney Shuler stated that he made contact with Williams Communication and they will be down to test the system after the first of the year when the Road Department will have a full crew working.

Jim Forest and William Eaton of Liberty Communication discussed a proposal for radio service their company was willing to provide for the County.

Commissioner Parrish asked Mr. Forest to put his proposal in writing and submit to the County.

Attorney Shuler welcomed the possibility of options for radio service in the County.

#### **Van Johnson – Solid Waste Director (5:45 PM)**

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

Commissioner Parrish asked for an update on the RFPs for the lights at D. W. Wilson Park. Mr. Davis and Mr. Pierce stated that the RFPs were sent out and will be opened at the January 2, 2008 meeting.

Mr. Davis stated that the Landfill would be closed on December 24 to December 26 for the Christmas Holidays.

#### **Dan Rothwell – County Engineer (5:47 PM)**

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

##### **Item 1 - Lake Morality Road:**

Further asphalt and base thickness tests were performed on 12-17-2007 by C. W. Roberts to verify the findings of the Preble-Rish test company, PSI. Preble-Rish will not have a recommendation for the repair strategy until the new test results are reviewed.

##### **Item 2 - RFQs for Boat Ramps Professional Services:**

The review and checking of references is not yet completed.

**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. A report and recommendation will be presented to the BOCC meeting in January 2008.

**Item 4 - Sawyer Street Inspection by Florida Department of Environment Protection (FDEP) & Apalachicola National Estuary Research Reserve (ANERR/FDEP):**

Staff met with Lee Edminson (Apalachicola NERR/FDEP), Tom Franklin (Submerged Lands Program, DEP), Laban Lindley (Submerged Lands Program, DEP) to review the proposed design and made several requests for modifications of the plans. Those requests will be forwarded to the Engineer once they are reviewed and approved by Northwest Florida Water Management District.

**Item 5 - Carrabelle Sports Complex Football Field:**

Staff is preparing grading plans from a survey completed in house, to do cut, haul, fill, and final grading of the football field.

Commissioner Putnal raised the concerns of the dams that have been created by the beavers and the Board discussed some options to help with eliminating the beavers.

**Bill Mahan – County Extension Director (5:52 PM)**

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

**Item 1 - NW Florida Red Tide:** A harmful algal bloom has been indentified in patches from Gulf County, Florida to Hancock County, Mississippi. Patchy, very-low impacts are possible through Thursday, in bay regions of Gulf & Okaloosa Counties as well as Mobile & Baldwin Counties, AL and Hancock County, Mississippi.

**Item 2 - Offshore Aquaculture Public Hearing:** At a GMFMC public hearing in Tampa on December 10<sup>th</sup>, federal regulators got an earful from people worried about offshore fish farming in the Gulf. Concerns ranged from pollution, to hurricanes, to animal cruelty. About 70 commercial fishermen, recreational fishermen, environmentalists and 'plain' citizens – cheered each other on for a mutual cause. They almost all hate the idea.

**Item 3 - Reef Fish Amendment 30A: Greater Amberjack & Gray Triggerfish:** The GMFMC released on December 5<sup>th</sup>, the Final Draft of Reef Fish Amendment 30A: For Greater Amberjack and Gray Triggerfish. The Amendment revises the rebuilding plan and accountability measures for Greater Amberjack and establishes a rebuilding plan to end overfishing and accountability measures for Gray Triggerfish. The 337-page Amendment proposes 10 separate action items, consisting of 39 alternatives and 6 sub-alternatives to address the rebuilding and overfishing of the greater amberjack and grey triggerfish fisheries.

**Item 4 - Amberjack:** The preferred alternative (#4) would have a recreational bag limit of one fish, increase the minimum size limit to 31-inches, fork-length and eliminate the bag limit for captain and crew of for-hire-vessels. This is estimated to reduce landings by 26%. The preferred alternative (#4) for commercial fishermen would reduce landings by at least 38% and establish an annual commercial quota for amberjack.

**Item 5 - Grey Triggerfish:** Five alternatives presented all reduce recreational landings by at least 45% with a bag limit of 1 – 8 fish, and a minimum-size of 13-14 inches. For commercial fishermen six alternatives are presented. Alternatives 2-6 propose various size limits, trip limits, and/or quotas to regulate harvest and reduce landings by at least 61%.

Item 6 - Office Video Conferencing Upgrade: A few weeks ago, we received a new PolyCom video conferencing unit from UF IFAS. The University also purchased a large monitor to go with the unit which should arrive early next year. The new PolyCom unit will allow us to greatly expand our video conferencing and educational capabilities at the office. With the new unit we will be able to "beam-in" people from around the state, or U.S. if they have the equipment, to participate in local meetings. Steve Otwell and Victor Garrido have already said they can't wait to try the unit for Oyster and Seafood task Force Meetings when they can't drive from Gainesville for the meeting.

Mr. Mahan stated that Fish and Wildlife Commission staff asked the Board to voice more of their concerns regarding the bear issue so that they can forward their concerns to the FWC administration.

**DeWitt Polous – Mosquito Control Director (6:00 PM)**

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

Item 1 – Recent activities: All ditches were cleaned from Putnal Street to South of Highway 98 in Lanark Village and Carrabelle area. Ditches were also cleaned at the Apalachicola Airport, Pine Street, and Squire Road.

Item 2 – Salary Increase request: Mosquito Control Department might lose one of its fulltime employees to an advertised job opening with the City of Apalachicola which has a starting pay of \$29,000, which is more than any of the fulltime employees with the Department makes. Mr. John Layne, one of the fulltime employees has passed many of the courses and obtained many certificates that is required by the State for Mosquito Control and would be a great loss to the County if Mr. Layne leaves. I am therefore requesting that Mr. Layne's salary be increased to \$27,800 which is a \$3000 increase.

Commissioner Crofton stated that because of the precedent it would set with other County employees, and that the Board voted against any employee raises, he could not support Mr. Polous' request.

Mr. Polous stated that during the budget hearings another department was approved to hire a secretary with a starting salary of \$25,000, which is more than what Mr. Layne currently earns with all of his state certificates.

Commissioner Sanders agreed that if the Board approved this request, a precedent would be set for other County employees, which would add to the \$334,000 budget shortfall the County has experienced during this budget year.

Mr. Polous stated that it would cost the County more than \$3000 in the long run if Mr. Layne left the Department.

Commissioner Putnal discussed the need for establishing grades within the County departments for its employees during the next budget cycle so that the County can be competitive with other employers.

Commissioner Sanders stated that she had recently seen a salary comparison survey that showed Franklin County salaries as average in comparison to other employers in the area.

Commissioner Lockley stated that he did try to get raises or bonuses for the County employees but was not successful.

Mr. Polous thanked the Board for listening to his request.

**Public Hearing – Notice of Assessment for Proposed MSBU on Alligator Point (6:20 PM)**

Mr. Pierce explained that this action doesn't implement any rates but adopts the Resolution that institutes the MSBU.

**Motion by Sanders, seconded by Parrish, to adopt the Resolution instituting the MSBU on Alligator Point; Motion carried 5-0.**

**Paul Parker – Tourist Development Council – Update (6:22 PM)**

Mr. Parker, the TDC Chairman, stated that revenues are up about 10% from last year but are a few months behind in

actual receipts. Mr. Parker gave an update on the grant awards, requested Board approval for the allocations, and requested authorization for the Chairman signature on an agreement with 2K Webgroup for website design and hosting.

**FCTDC  
 Non-Profit Sustainable Grants  
 2007-08 Awards**

#1 Camp Gordon Johnston	\$30,000
#2 Dixie Theater	\$36,000
#3 Raney House Museum	\$21,500
<b>Total Awarded</b>	<b>\$87,500</b>

**Non-Peak Small Grant Program  
 2007-08 Awards**

*Assistance*

	<i>Score</i>	<i>Rank</i>
<i>Apalachicola Antique Boat Show</i>	<i>\$2000 98</i>	<i>1</i>
<i>Forgotten Coast Plein Air Paint Out</i>	<i>\$2000 96</i>	<i>2</i>
<i>Forgotten Coast Community Yard Sale</i>	<i>\$2000 94</i>	<i>3</i>
<i>Apalachicola Art Walk</i>	<i>\$2000 89</i>	<i>4</i>
<i>Bully – A One Man Play</i>	<i>\$2000 86</i>	<i>5</i>
<i>Senator Sam</i>	<i>\$2000 85</i>	<i>6</i>
<i>Rock By The Sea</i>	<i>\$2000 82</i>	<i>7</i>
<i>Bob Milne Ragtime Piano</i>	<i>\$2000 82</i>	<i>7</i>
<i>Trinity Tour of Homes</i>	<i>\$2000 80</i>	<i>8</i>
<i>6<sup>th</sup> Annual Apalachicola Music Fest</i>	<i>\$2000 80</i>	<i>8</i>
<i>Dixie Does Nashville</i>	<i>\$2000 74</i>	<i>9</i>
<i>Dog Days of Summer</i>	<i>\$0 72</i>	<i>10</i>
<i>Total Award</i>	<i>\$22,000</i>	

*Sponsorship*

	<i>Score</i>	<i>Rank</i>
<i>45<sup>th</sup> Annual Seafood Festival</i>	<i>\$5000 166</i>	<i>1</i>
<i>Carrabelle Holiday Harbor</i>	<i>\$5000 113</i>	<i>2</i>
<i>Oyster Spat</i>	<i>\$5000 107</i>	<i>3</i>
<i>Carrabelle River Front Festival</i>	<i>\$5000 106</i>	<i>4</i>
<i>Historic Apalach Christmas Market</i>	<i>\$5000 96</i>	<i>5</i>
<i>Camp Gordon Johnston Days</i>	<i>\$5000 92</i>	<i>6</i>
<i>A Nice Family Gathering</i>	<i>\$5000 79</i>	<i>7</i>
<i>Total Award</i>	<i>\$35,000</i>	

*Small Grant Total*                      *\$57,000*

**Fund Transfers**

*Promotions*

<i>\$31,000</i>	<i>Geiger 2006-07 Allocation</i>
<i>\$511</i>	<i>Transfer from 2006-07 Geiger Allocation to Visit Florida Ad</i>
<i>\$5000</i>	<i>Transfer from 2006-07 Geiger Allocation to Web Site Development</i>
<i>\$25,489</i>	<i>Transfer from 2006-07 Geiger Allocation to other promotional activities</i>

*Small Grant*

*\$80,000*  
*\$57,000*  
*\$23,000*  
*\$2,850*  
*\$5,000*

*2007-08 Small Grant Allocation*  
*Fall 2007-08 Small Grant Awards*  
*From 2007-08 Grant Fund to fund assistance to non-profit marketing activities*  
*From 2006-07 Small Grant Award "RiverKeepers Expo to Small Grant Fund"*  
*From 2006-07 Small Grant Award "Apalachicola Fine Arts Festival to Small Grant Fund"*  
*\*Explanation: Event did not occur*

*Infrastructure*

*\$50,000*  
*From 2006-07 Infrastructure Fund "Land Acquisition" to Lombardi Seafood Acquisition*

**Motion by Crofton, seconded by Parrish, to authorize the Chairman's signature on the webhosting and design agreement with 2K Webgroup and approval of the TDC's recommended allocations; Motion carried 4-0, Sanders abstained.**

**Marcia M. Johnson – Clerk of Courts – Report (6:31 PM)**

Mrs. Johnson presented the following item from her report for discussion and/or approval as it related to the Tourist Development Council update.

Item 5 - My finance office received inquiries from the TDC regarding the interest earned on the account. It was determined that interest earned in the last 3 fiscal years since the tax started totaled \$59,495.05. Pursuant to Florida Statutes 28.33, the interest earned is deemed income of the office of the clerk. Since this was interest from prior years, the money will be deposited into the county's general fund. I need a motion approving a budget amendment to transfer this money from the Tourist Development fund into the General Fund.

**Motion by Sanders, seconded by Parrish, to approve the budget amendment to transfer the funds from the TDC fund to the General fund; Motion carried 5-0.**

**Public Hearing – Lombardi Property (6:33 PM)**

Mr. Pierce stated that because of the advertising requirements the Public Hearing would be rescheduled to a later date but Mr. Kevin Begos, of the Seafood Task Force, was in attendance to give an update of the Lombardi Property purchase.

Mr. Begos stated that permitting of the property would not be a problem and the seller was willing to put his offer in writing as the appraisals were completed.

Attorney Shuler stated that after a binding written offer is received by the County, a 30 day public notice must be advertise with the date of a scheduled public hearing, when Board action on this matter would be required.

Mrs. Johnson asked Mr. Begos if he had any firm figures on the liability or property insurance for this property. Mr. Pierce stated that those are some of the questions that will have to be answered before the Board could make a final decision.

Commissioner Putnal stated that the oysterman would be willing to pay to have this property available as a boat landing.

Commissioner Crofton inquired about funding sources for the purchase of this property. Mr. Begos stated that there are quite a few funding requests in the works which included grant funding.

**City of Carrabelle – Lanark Village Water and Sewer Transfer of Assets Update (6:46 PM)**

Mr. Curly Messer, Mayor of the City of Carrabelle, Mr. John McInnis, City Administrator for the City of Carrabelle, and Attorney Brian Armstrong, representing the Lanark Village Water and Sewer District, all appeared to discuss the transfer of assets and liabilities from the Lanark Village Water and Sewer District to the City of Carrabelle. Mr. McInnis stated that the merger is moving forward and an agreement has finally been reached.

**Motion by Sanders, seconded by Putnal, directing Attorney Shuler to work with the City of Carrabelle and the Lanark Water and Sewer District on finalizing the agreement and moving forward with the process; Motion carried 5-0.**

Commissioner Putnal asked if this process could be completed without a referendum. Attorney Shuler recommended that the Board not take any action at this time, not even on the referendum or dissolving the District, as a final decision will occur in January by the City of Carrabelle and the Lanark Village Water and Sewer District on the merger.

**Marcia M. Johnson – Clerk of Courts – Report (6:56 PM)**

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

Item 1 - I met with 2K Webgroup to finalize the agreement for the design of the county's new website. I'm happy to report that after discussions, the estimate for producing the site totaled \$1,556.22 which is more than \$1000 less than their proposed quote. I need a motion from the Board approving the agreement which has already been forwarded to your attorney.

**Motion by Crofton, seconded by Parrish, to approve the agreement with 2K Webgroup to re-design and host the County's website; Motion carried 4-0, Sanders abstained.**

Item 2 - I have a resolution for adoption on unanticipated revenues which involves money received which was not included in the initial budget. You need to adopt the resolution in order for the money to be appropriated and expended for the purpose received to comply with F.S. 129.06(2)(d). The resolution deals with \$24,999 received from the St. Joe Company for settlement of the Don and Pamela Ashley v. Franklin County, et al v. St. Joe Company, Case No. 07-0967GM. This money was put into the General Fund into 001.20.511.4600 Repair and Maintenance.

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

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

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

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$24,999.00 from the ST. JOE COMPANY for SETTLEMENT OF THE DON ASHLEY AND PAMELA ASHLEY V. FRANKLIN COUNTY, et al V. ST. JOE COMPANY CASE NO. 07-0967GM, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2007-2008, and

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

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

001.20.511.4600	Repair and Maintenance	\$24,999.00
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NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$24,999.00 in the GENERAL FUND in order to comply with FS129(2)(d).

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

**Motion by Crofton, seconded by Sanders, to adopt the Resolution for unanticipated revenues; Motion carried 5-0.**

Item 3 - I need a motion to approve some line-item budget amendments:

A-The first involves the Tourist Development Council's awards to the City of Carrabelle for \$110,000 and for the Oyster Spat Festival for \$7,500. The money was awarded but wasn't spent during the 06-07 budget year and had been placed in Reserve. We would increase 130.33.552.4800 Promotional Activities by \$7,500, increase 130.33.552.3401 Other Cont/Tourist Development by \$110,000, and decrease 130.99.584.9600 Reserve for Contingency by the total of the two or \$117,500.

**Motion by Putnal, seconded by Crofton, to approve the line item budget amendment for the City of Carrabelle and the Oyster Spat Festival; Motion carried 5-0.**

B- The second involves the courthouse renovation project where the architect proposed an increase of \$8,299 for additional work because of revisions made. We would increase 001.20.511.6300 Improvements Other Than Buildings by \$8,299 and decrease 001.99.584.9600 Reserve for Contingency by \$8,299. I believe Alan Pierce may have further information or need some action also regarding the revisions.

**Motion by Putnal, seconded by Sanders, to approve the line item budget amendment for the Courthouse Renovation Project; Motion carried 5-0.**

4-I want to remind the Board that our meeting date for January has been changed. Your first meeting will be held on Wednesday, January 2<sup>nd</sup> at 9:00 A.M. since that Tuesday is a holiday.

5-My finance office received inquiries from the TDC regarding the interest earned on the account. It was determined that interest earned in the last 3 fiscal years since the tax started totaled \$59,495.05. Pursuant to Florida Statutes 28.33, the interest earned is deemed income of the office of the clerk. Since this was interest from prior years, the money will be deposited into the county's general fund. I need a motion approving a budget amendment to transfer this money from the Tourist Development fund into the General Fund.

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

6-I need a motion approving the chairman's signature on a grant application certificate of acceptance for the Sheriff's Dept. They were approved to receive \$1878 from the Florida Dept. Of Law Enforcement for a project entitled "Patrol



Officer Radar Grant”.

**Motion by Putnal, seconded by Crofton, to authorize the Chairman’s signature on the grant application for the Sheriff’s Department; Motion carried 5-0.**

7-For your information, I’ve presented you each with a list of my office’s holidays for the year 2008.

**Alan Pierce – Director of Administrative Service – Report (7:03 PM)**

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

Chairman Lockley asked Mr. Pierce for an update on a local pay station for Progress Energy.

Commissioner Putnal suggested possibly using the Supervisor of Election as a payment center. Commissioners Parrish and Lockley stated that Progress Energy should provide their own payment location not use a County or Constitution office.

Chairman Lockley asked Mr. Pierce to request a representative from Progress Energy appear at the next regular meeting.

Item 1 - Inform the Board that SHIP office is moving to Dr. Nichols old building on US 98. It is more accessible than the current office. The phone number and P.O. Box should stay the same.

Item 2 - Provide Board with copies of the CBIRs requests submitted to the Legislative Delegation. They were \$750,000 for Seafood Landing Facility, \$500,000 for Courthouse Renovations, and \$1.5 Million for Regional Utility Project that we hope will be put in the DEP budget.

Item 3 - Board action to sign DOT agreement to maintain School Flashing Zone Sign on US 98 for the new school. While the county can try to have the school board be responsible for the sign, DOT is insisting that the county must sign the Maintenance Agreement. All the other agreements for other school signs have been signed by the county, and the Road Dept. has been responsible.

**Motion by Sanders, seconded by Parrish, to authorize the Chairman’s signature on the DOT agreement to maintain the School Flashing Zone Sign on US 98; Motion carried 5-0.**

Item 4 - Board action to approve a Resolution authorizing the Chairman to apply for a grant to finance Water and Wastewater Utilities Studies. This Resolution was prepared by the county consultants, Meridian Planning, as part of the request to DEP for the \$1.5 Million discussed previously.

**Motion by Sanders, seconded by Parrish, to approve the Resolution authorizing the Chairman to apply for a grant to finance the Water and Wastewater Utilities Studies; Motion carried 5-0.**

Item 5 - Board action to sign change order for \$8,299 to Johnson Peterson to prepare new plans consistent with the reduction in the scope of work on the courthouse renovations. The Clerk has prepared a budget amendment.

**Motion by Putnal, seconded by Crofton, to sign the change order for \$8,299 to Johnson Peterson; Motion carried 5-0.**

Item 6 - Inform Board that it had approved a DOT grant on Oct. 2, which included some sewer work at the airport. The County Attorney and I, with Mr. Mosteller, have discussed the situation and we are going to have Chairman Lockley

sign the grants and submit them. We need to get DOT money tied up, which takes some time, so while DOT is processing the grants we can continue to try and get the City of Apalachicola to accept responsibility for the sewer line in writing.

Item 7- Board action to appoint Mr. John Sink to represent the county at the Wilderness Coast Library. Mr. Sink has been recommended by Ms. Judi Rundel, Franklin County Librarian. Mr. Sink wants to assist the Library and has volunteered. This will save either me, or the Chairman, from attending meetings where no Franklin County funds are being expended.

**Motion by Sanders, seconded by Parrish, to appoint Mr. John Sink to represent the County at the Wilderness Coast Library; Motion carried 5-0.**

Item 8 - Mr. Alvin Morris and his dock. The Planning and Zoning Commission has been supportive of developments that cluster lots away from the water, so I am concerned about encouraging developments for clustering houses off the water, and then later penalizing them by restricting water access. At the same time, the Commission is aware of neighborhood impacts to docks that serve more than the residents of the area. It appears from the record that we have approved multi-family docks for a subdivision if the dock is part of the original parcel of land that contains the subdivision, and that we have been restrictive on multi-family docks for subdivisions that acquire a parcel outside of the original subdivision. Mr. Morris is part of the original parcel for the subdivision wanting the dock. Two examples of docks trying to gain water access thru another parcel of land is the Lakes on the Bluff scenario on Magnolia Bluff, and the project down by the great wall. Both of these platted subdivision bought a water front lot that was not part of the original subdivision and that is where most of the problems have occurred. Board direction.

Attorney Steve Watkins, representing Mr. Morris, stated that the property in question was subdivided and there has been DEP approval for the slips for the subdivided lots and in his opinion were in compliance with County regulations and were multi-family lots. Attorney Watkins also stated that there were already 3 existing boat slips with the 9 lots and his client wanted to add an additional 6 slips.

Attorney Shuler stated that this request was in line with requests that have been previously approved by the Board, but this request is a policy decision for the Board to make.

**Motion by Sanders, seconded by Putnal, to approve this request contingent on the information received being accurate, to state that all future dock request will be reviewed on a case by case situation, and to direct staff to develop a policy on docks; Motion carried 5-0.**

Item 9 - The Planning Office has finally completed discussions with DCA about the comp plan amendment submitted for Port Haven, among others, back in August. Board action to schedule a public hearing to consider adopting the settlement. Recommended date would be first meeting in February, Feb. 5.

Commissioner Sanders asked Mr. Pierce to provide the Board with a copy of DCA's concerns and issues with the Port Haven project before a public hearing is scheduled.

Chairman Lockley asked for an update on the DSW project. Attorney Shuler stated that a letter is forthcoming confirming a phone conference and an approval for the project. Attorney Shuler also stated that legislation is forthcoming to clarify language in the statute on density transfer.

Item 10 - The Committee ranking Planning Services ranks Wilson Miller first and recommends the Board enter into negotiations with Wilson Miller for specific planning services. Board action to accept recommendation.

**Motion by Sanders, seconded by Parrish, to enter into negotiations with Wilson Miller for specific planning services; Motion carried 5-0.**

Item 11 - Board action to sign DEP Beach Restoration Agreement, 07FR2, which ties up some of the state matching

funds for the Beach Renourishment Project. When the Board increases public access the amount of funds that state makes available will increase.

**Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on the DEP Beach Restoration Agreement (07FR2); Motion carried 5-0.**

Item 12 - Board action to direct County Attorney to investigate the type of easement Mr. J. Don Nichols has to see whether it can support conversion to a public beach access point on Alligator Point.

**Motion by Sanders, seconded by Crofton, to direct Attorney Shuler to investigate Mr. J. Don Nichols' easement for the purpose of a possible conversion to a public beach; Motion carried 5-0.**

Item 13 - Inform the Board that School Superintendent Jo Ann Gander has responded to the Board's December 3 letter about using certain school property. She said she wants to meet with Mr. Johnson and myself regarding the details before she presents a proposal to the School Board.

Item 14- Board action to allow Commissioner Parrish to attend and represent the County at Gulf Oyster Industry Council conference in Washington D.C. in January as requested by the University of Florida.

**Motion by Sanders, seconded by Crofton, to approve the payment of travel expenses for Commissioner Parrish when he attends the Gulf Council Oyster Industry conference in Washington D. C.; Motion carried 5-0.**

**Michael Shuler – County Attorney – Report (7:41 PM)**

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

Item 1 - St. George Island Golf Cart Ordinance

A. The public hearing on this ordinance is scheduled for January 2, 2008 at 10 a.m.

B. A draft copy of the ordinance was presented to you on November 20, 2007.

BOARD ACTION NEEDED: None recommended.

Item 2 - Apalachee Mental Health Deed to Franklin County

I am meeting with Mr. Kirkland at my office on December 20, 2008 at 11 a.m.

BOARD ACTION NEEDED: None recommended.

Item 3 - Alligator Point Beach Renourishment

A. See attached memorandum from myself and Crystie Carey **which requires board action.**

**Motion by Sanders, seconded by Crofton, to hereby clarify the Board's intent that the ballot on the Alligator Point Beach Renourishment assessments is a non-binding poll of public opinion within the proposed district; The Board of County Commissioners may consider the outcome of the poll in their final decision and give it additional weight in its decision whether to create the proposed district; The poll will be by mail ballot with each parcel receiving one**

**vote, regardless of ownership; Motion carried 5-0.**

B. Attached are letters I have sent to various lenders seeking bids from them concerning financing the renourishment project. The letters are for your information only.

#### Item 4 – Williams Communications

I have discussed the communications problems with the representative of Williams Communications. Williams is sending a technician to field test the communications problem. Hubert says that he prefers to do this after the first of the year.

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

#### Item 5 – Airport Sewer Grant

Ted and I appeared before the Apalachicola City Commission at their December 4, 2007 meeting. They have approved working on a plan to install lines and connect same to their system. Their engineer will prepare the plan. The County Engineer will review same. The City and County will act on that plan once it is created. Pending that, the grant application will now be submitted and the money banked until an approved plan is in place. The money can always be returned if the project fails approval, but the airport manager advises that we should submit the grant to avoid the risk of losing the money.

BOARD ACTION: None Recommended.

#### Item 6 – Lombardi Property

I have received the second appraisal. It is presently confidential from public disclosure; however it is available to any commissioner who wants a copy.

#### Item 7 – South Shoals/Alligator Point Water and Sewer District

A. Ron Mowrey's December 3, 2007 letter is attached. It is self-explanatory..

B. My December 18, 2007 reply letter is attached denying responsibility for any such damage, if it occurred.

C. My December 18, 2007 letter to Ron Mowrey notifying the Alligator Point Water District if they would like the County to ask FEMA for additional funds to relocate their water line when we relocate part of the road at Alligator Point.

#### Item 8 – Relevant Litigation Status (cases are pending, but only cases that need an update or action are discussed below):

A. None

**Commissioners and Public Comments (7:45 PM)**

Commissioner Sanders thanked the Board members for their support on the Lanark Village Water and Sewer issue.

Commissioner Crofton stated the public hearing on the St. George Island Golf Cart Ordinance and the opening of the RFPs on the multi-use bike path will be on January 2, 2008, and the opening of the RFPs for the St. George Island boat ramp will be on the February 5, 2008.

Commissioner Parrish requested board approval for travel expense payment to attend the Commissioner Certification classes on January 9, 2008.

**Motion by Sanders, seconded by Putnal, to approve payment for travel expenses for Commissioner Parrish to attend his County Commissioner Certification classes on January 9, 2008; Motion carried 5-0.**

Chairman Lockley expressed his concerns about the length of time it is taking to get the radio system working and its affect on public safety. Commissioners Sanders and Crofton also expressed their concerns with the radio system and the inability for County and State Agencies to communicate with each other because of the different frequencies and channels that are used. Attorney Shuler stated that Williams Communication, after communicating with Mr. Chipman of the Road Department, is sending someone to work on the radio system during the first week of January 2008. Commissioner Parrish stated that the forestry service is the only State agency that is not using the 800 radio system that the County is using.

Commissioner Putnal congratulated the Franklin County Seahawks Basketball Team for their success during start of the basketball season and wished everyone a Merry Christmas and Happy New Year from the Board of County Commissioners.

**Adjourn (7:56 PM)**

Chairman Lockley adjourned the meeting at 7:56 PM.

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Noah Lockley Jr., Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Courts