

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
DECEMBER 4, 2007  
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 AM.

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

There was a Prayer followed by the Pledge of Allegiance.

**Payment of County Bills (9:03 AM)**

**Motion by Sanders, seconded by Crofton, to approve the payment of the County bills as presented; Motion carried 4-0, Lockley abstained.**

**Department Supervisor Report**

**Hubert Chipman – Superintendent of Public Works (9:03 AM)**

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

Item 1 - Invited the Board and the Constitution Officers to the Road Department Christmas Party on December 20, 2007 at 12 PM.

Commissioner Sanders stated that some of the roads in Eastpoint needed maintenance. Mr. Chipman stated the Road Department maintenance schedule.

Attorney Shuler and Mr. Chipman gave an update on the radio system problems. Commissioner Crofton stated that all agencies, County and any State related, need to agree to a frequency that will be used during an emergency in the County. There was more discussion on this matter.

Mr. Baker, Director of Emergency Management Services, discussed the communication system that is used at the Emergency Management Center.

Mr. Chipman gave an update on the milled asphalt project.

**Van Johnson – Solid Waste Director (9:14 AM)**

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

Item 1 – Waste Disposal Agreement

**Motion by Sanders, seconded by Putnal, to authorize the Solid Waste Department to advertise for Request for Proposals for Waste Disposal at the Transfer Station; Motion carried 5-0.**

Item 2 – Will S. Kendrick Park Update

Item 3 – D. W. Wilson Park Complex Lighting

**Motion by Sanders, seconded by Putnal, to authorize the Parks and Recreation Department to advertise for Request For Proposals for lighting at D. W. Wilson Sports Complex which will be paid out of the TDC Grant; Motion carried 5-0.**

Item 4 – Carrabelle Beach Rest Area Update

Paul Osterbye gave some additional information on this item.

Commissioner Lockley expressed his concerns of the unavailability of a local pay station for Progress Energy, as Croom's Transportation is no longer accepting payments.

**Dan Rothwell – County Engineer (9:26 AM)**

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

Item 1 - VMS Bridge Inspection Report:

On November 14 we received a FDOT Bridge Management System Inspection-Bridge Profile Report of New River Road (Mill Rd) Bailey bridge. Inspectors recommend repair of bridge abutment wood wing walls replacement and a pile replacement. Staff would like to know if the BOCC desires the County to maintain this Tate's Hell Forest Bridge.

Item 2 - Earl King Road:

Staff met with Commissioner Lockley to discuss possible ways to enhance safety on Earl King St to 13<sup>th</sup> St, 13<sup>th</sup> St to Ave M, and Ave M to 15<sup>th</sup> St. a request for additional signage has been sent to the City to enhance public safety. County Public Works is in the process of applying asphalt millings to Earl King St from 23<sup>rd</sup> Ave to 13<sup>th</sup> St, 13<sup>th</sup> St from Earl King St to Ave M, and Ave M from 13<sup>th</sup> St to 15<sup>th</sup> St.

Item 3 - Lake Morality Road:

Tests were performed the week of 11-27-2007 and the test report should be delivered to Preble-Rish by the end of this week. Repair recommendations should be formulated by the 12-18-2007 BOCC meeting.

Clay Kennedy, of Preble-Rish, confirmed Mr. Rothwell's statements.

Item 4 - Squire Road Drainage:

The survey and drawings have been completed for the drainage on the south side of Squire Road. A copy of the plans and recommendations will be delivered to Public Works and a discussion on how to proceed will be held at the Superintendent's convenience.

Item 5 - Lanark Village Recycle Center Relocation:

Staff has completed property research and has started the layout for the facility. Survey, staking and completed drawings, and stake out will be forthcoming.

Item 6 - School Road, Eastpoint:

In accordance with the Manual on Uniform Traffic Control Devices, staff recommends that a school speed sign with 20 mph and with hours placard be placed a maximum 100' either side of school property. The existing school warning with hours placard sign at northbound School Road should stay at School Road and Ave A. Add a school warning with hours placard sign 700' from school property on the east bound lane of Tip Tucker Road, and add 2 school warning crosswalk signs in opposing directions at the crosswalk(s).

**Motion by Putnal, seconded by Crofton, to authorize staff to place a speed sign with 20 mph and with hours placard a maximum of 100' on either side of school property, a school warning with hours placard sign 700' from school property on the east bound lane of Tip Tucker Road, and 2 school warning crosswalk signs in opposing directions at the crosswalks; Motion carried 5-0.**

Item 7 - CR67 Change Order:

C. W. Roberts has submitted a Contract Change Order to reduce the contract amount by \$9,401.72 due to a decrease in material volumes, and the change has been approved by Preble-Rish. Staff requests the BOCC to authorize the Chairman to approve and sign the Change Order.

**Motion by Sanders, seconded by Putnal, to authorize the Chairman's signature on the Change Order reducing the contract amount by \$9,401.72; Motion carried 5-0.**

Mr. Rothwell gave an update on the Maintenance Shop.

Commissioner Putnal suggested that Mr. Dewitt Polous, the Mosquito Control Supervisor, should be appointed as the Supervisor of the Maintenance Shop.

Board discussed this matter and decided that this decision should be made at a later date.

Commissioner Parrish suggested that once the shop is operational, a workshop should be scheduled to discuss the manner in which the departments will utilize the Maintenance Shop and at that time institute some procedures.

Commissioner Sanders thanked Mr. Rothwell for using the areal photos in his reports as it helps locating some of the areas that he refers to.

**Bill Mahan – County Extension Director (9:45 AM)**

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

**FL Fish & Wildlife Commission Updates:**

Item 1 - Fish & Wildlife Research Institute Red Tide Report:

A patchy bloom of *Karenia brevis*, the Florida red tide organism, is still being found in the FL Panhandle from Bay County, FL to Harrison County, Mississippi.

Item 2 - FWC Key Largo Meeting December 5 – 6:

Items on the agenda include: consider final approval of the FL Manatee Management Plan; consider reclassifying manatees from endangered to threatened; and consider various federal fisheries management issues, including gag grouper, vermilion snapper & Gulf gag and red groupers, amberjack and gray triggerfish.

Commissioner Putnal asked Mr. Mahan to recommend some options to help solve the problem the County is having with bears attacking pets and approaching the general public seeking food.

Commissioner Sanders suggested sending the Fish and Wildlife Commission (FWC) a letter stating the Board's concerns regarding this problem.

**Motion by Putnal, seconded by Sanders, directing staff to send FWC a letter regarding the problems that County is having with the bear population and suggest, as an option, that a short bear hunting season is opened; Motion carried 5-0.**

#### **National Marine Fisheries Service Updates:**

Item 3 - Gulf of Mexico Research Planning Workshops:

The Gulf of Mexico Sea Grant College Programs and numerous federal, state, academic and non-governmental partners will be holding a series of workshops around the Gulf to identify and prioritize research /information needs and contribute to a plan that will address the most pressing needs in the region. Participants will be asked to identify specific regional research priorities and gaps that fall within the broad themes of – Stewardship of National and Cultural Ocean Resources; - Increasing Resilience of Natural Hazards; - Enabling Marine Operations, Business and Commerce; - The Ocean's Role in Climate; - Improving Ecosystem Health; and - Enhancing Human Health. The Workshop dates are: – January 15, 2008, Spanish Fort, Alabama; January 17, 2008, Biloxi, Mississippi; February 19, 2008, St. Petersburg; February 26, 2008 Baton Rouge, Louisiana; and February 28, 2008 in Galveston, Texas.

Item 4 - Offshore Aquaculture Update:

In November NOAA released an almost 400-page report on Offshore Aquaculture. The report identified eight action items and alternatives that need to be done to make offshore aquaculture feasible and three areas of controversy (potential environmental impacts; competing interests between fishermen, fishing communities and aquaculture operations; and exclusive use of public resources for private profit. The report also states the following reasons for the need of offshore aquaculture. Demand for protein is increasing in the United States; nearly 75 percent of all seafood consumed is currently imported from other countries creating a 7.8 billion dollar trade deficit. It is estimated by 2025, two million more metric tons of seafood will be needed over and above what is consumed today. As demand grows, commercial wild-capture fisheries will not likely be adequate to meet this growing demand.

Aquaculture is one method to meet current and future demands for seafood. Currently, NOAA Fisheries Service requires an exempted fishing permit (EFP) to conduct aquaculture in federal waters. This permit is of limited duration and is not intended for commercial production of fish, making aquaculture in federal waters not viable under the current permitting process. The purpose of this FMP amendment is to develop a regional permitting process for regulating and promoting environmentally sound and economically sustainable aquaculture in the Gulf EEZ.

By establishing a regional permitting process for aquaculture, the Council will be positioned to achieve their primary goal of increasing maximum sustainable yield (MSY) and optimum yield (OY) of federal fisheries in the Gulf of Mexico by supplementing harvest of wild caught species with cultured product.

Item 5 - Magnuson-Stevens Fishery Conservation Act – Fisheries Disaster Assistance:

NOAA is currently requesting information/data from the general public, fishing industry, scientific community, coastal communities and Federal and State resource agencies on all aspects of Fisheries Disaster Assistance, including the following topics: Definition of a Commercial Fishery Failure; Definition of a Fishery Resource; Definition of a Fishery Resource Disaster. Comments/information must be received no later than 5 PM on January 4, 2008.

Item 6 - ISSC Membership Renewals:

The membership fees for 2008 are due. The individual membership fee is \$60.00. Note: the ISSC Constitution was amended last year to require that all Committee members be appointed from the membership. At this time I would like to know if the Commissioners would like me to submit their membership applications for renewal and if they are interested in requesting a committee appointment.

**Motion by Crofton, seconded by Putnal, to renew the membership for all Commissioners on the ISSC; Motion carried 5-0.**

Commissioner Parrish stated that he would be available to serve on an ISSC committee.

**Open Requests for Qualifications – Planning Firm (9:59 AM)**

Mr. Pierce discussed the reason for the RFQ and stated the name of the companies that responded.

- Garlick Environmental
- WilsonMiller

**Motion by Sanders, seconded by Parrish, to forward the responses to the review committee for a recommendation; Motion carried 5-0.**

**Open Requests for Qualifications – Boat Ramp Design, Engineering, and Construction Supervision (10:01 AM)**

Mr. Pierce discussed the reason for the RFQ and stated the name of the companies that responded.

- Preble - Rish
- Garlick Environmental
- Baskerville-Donovan
- Bailey, Bishop, & Lane
- Inovia
- ECT

Board, Mr. Pierce, Attorney Shuler discussed the fact that Mr. Pierce once worked for Preble-Rish and if there would be a conflict if he served on the review committee. Attorney Shuler agreed to serve on the committee.

**Motion by Sanders, seconded by Crofton, to forward the responses to the review committee, consisting of Mark Curenton, Dan Rothwell, and Attorney Michael Shuler for a recommendation; Motion carried 5-0.**

**Kevin Begos – Seafood Task Force – Discussion of Land Acquisition for Seafood Industry (10:10 AM)**

Mr. Begos gave an update on the Lombardi property purchase and asked the Board to schedule a Public Hearing to discuss this purchase.

Mr. Begos discussed the funding options for this land purchase, but expressed the need for the County to own this property for the seafood workers of Franklin County.

Commissioner Parrish also commented on this

**Motion by Sanders, seconded by Parrish, to schedule public hearing on this land purchase on Dec 18 at 6:00 PM; Motion carried 5-0.**

Commissioner Putnal suggested inviting the Department Environmental Protection permit department to the Public Hearing to discuss the proposed use for this property.

Chairman Lockley suggested contacting the St. Joe Company since they own adjacent property to the Lombardi property.

**Alan Pierce – Director of Administrative Services – Report**

Mr. Pierce presented this item from his report for discussion and/or approval as it related to Mr. Begos request and discussion.

Item 1 - Provide Board with copy of letter to Governor declaring local state of emergency and requesting the Governor investigate the situation before the three Governors' meeting in December. Review of situation since the meeting with Governor on Thursday and the visit by DEP Secretary Mike Sole, and other representatives on Friday.

Franklin County has been included in the drought declaration but at this time that only provides SBA loans. County staff has made contact with Dept. of Ag staff regarding the opening of Pig Pen bar, and the bars near Channel marker 7 and 9, which are usually closed because of too much freshwater.

Board discussion on seeking relay or shell planting in case winter bars are depleted because of too much harvesting pressure.

Chairman Lockley suggested that the Board request the State to include the oystermen in the disaster aid that was discussed at the meeting with DEP.

Mr. Begos suggested that the State also offer job training along with any benefits the State will offer the seafood workers of the County in case the winter bars are depleted.

**Motion by Sanders, seconded by Putnal, to send a letter supporting Kendrick efforts on relay or shell planting relief funds in case the winter bars are depleted; Motion carried 5-0.**

Commissioner Sanders and Mr. Begos discussed the meeting with Governors in Tallahassee and having representatives from the County attend.

**Marcia M. Johnson – Clerk of Courts – Report (10:27 AM)**

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

Item 1-I need Board action to approve a proposal from Fairpoint Communications for the purchase of a new telephone communication system for the courthouse and annex buildings. We received a quote of \$34,824.00 and we did include an amount of \$35,000 in your budget for the purchase. Our current telephone system was installed over ten years ago. That system is now outdated and we are having difficulty keeping it maintained. Repairs are becoming more expensive and more frequent because of the age of the software and system. Fairpoint Communications installed and maintained our current system. Since they are the only company in this area, I'd like approval to proceed with this purchase as if it were from a sole source provider. I will need approval of the Board to proceed with the purchase outside the bid policy.

**Motion by Sanders, seconded by Crofton, to proceed with the purchase of the new telephone communication system from Fairpoint Communications as a sole source provider; Motion carried 5-0.**

Item 2-I just received a report on hospital finances ending the month of October. It indicated a bank balance of \$187,269.87.

Item 3-I realize you may have received information regarding the Local Government Investment Pool managed by the SBA (State Board of Administration) and the freezing of the funds within that investment pool. Franklin County has been relying on the SBA for over 20 years and my staff and I have been participating in conference calls. A statewide advisory committee has been established and recommendations are being made to the SBA that will hopefully work towards re-establishing the trust and confidence of the local governments in the LGIP. To the best of my knowledge, there is approximately 14% of a total 14 billion in the fund that is in default or under distress and the remaining 86% is considered to be high quality funding to be placed in clean, money market investments. Franklin County has 14.6 million in the Pool, and my office will continue to monitor the situation. Thankfully, at this point in time, we are receiving enough ad valorem tax dollars from our

Tax Collector to handle our current needs, and it's my hope that if the recommendations being made are followed, the liquidity of the fund will be improved. SBA is meeting today with BlackRock, an asset management consulting firm hired by the State to assist in developing a plan to resolve the issues. We can make decisions once we know the outcome of the meeting. I would ask the Board to approve notification to all departments and constitutional officers to limit expenditures to only those absolutely necessary for payroll and operations until we have more information.

**Motion by Sanders, seconded by Crofton, to authorize the Clerk to notify all departments and Constitutional Officers that all expenditures should be limited to what is absolutely necessary for payroll and operations until further notice; Motion carried 5-0.**

**Alan Pierce – Director of Administrative Services – Report (10:32 AM)**

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

Item 1 - Provide Board with copy of letter to Governor declaring local state of emergency and requesting the Governor investigate the situation before the three Governor's meeting in December. Review of situation since the meeting with Governor on Thursday and the visit by DEP Secretary Mike Sole, and other representatives on Friday.

Franklin County has been included in the drought declaration but at this time that only provides SBA loans. County staff has made contact with Dept. of Ag staff regarding the opening of Pig Pen bar, and the bars near Channel marker 7 and 9, which are usually closed because of too much freshwater.

Board discussion on seeking relay or shell planting in case winter bars are depleted because of too much harvesting pressure.

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

Item 2 - Board authorization for letter to School Board concerning three items:

- a) Potential medical clinic on Carrabelle School property
- b) Use of Apalachicola High School football field for youth soccer and football
- c) Use of an indoor basketball court in Apalachicola for winter youth basketball

**Motion by Sanders, seconded by Crofton, authorizing staff to send a letter to the school board concerning the three requested items; Motion carried 5-0.**

Item 3 - Board action on ISSC membership renewal. It is \$60 for individual memberships.

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

Item 4 - Board action on request from City of Carrabelle to extend sewer and water west along US 98 to Cape Street and north on Cape Street to serve the Crooked River Lighthouse Park that is owned by the City.

**Motion by Sanders, seconded by Parrish, to approve the request from the City of Carrabelle to**



**extend the sewer and water as requested; Motion carried 5-0.**

Mr. Pierce stated that the property owners in the area will not be allowed higher density because of this action by the Board.

Item 5 - Upon change of Board chairman, there are several appointments normally reserved for the Chairman: Apalachee Regional Planning Council, Wilderness Coast Library Board, Franklin County Tourist Development Council, and Franklin County Transportation Disadvantaged Committee. It is the Chairman's discretion if he chooses to keep all appointments or solicits help from other commissioners.

**Motion by Parrish, seconded by Sanders, to appoint Chairman Lockley to the Transportation Disadvantaged Committee, Commissioner Crofton on Tourist Development Council, and direct staff to attend the other committee meetings; Motion carried 5-0.**

Item 6 - Board action to approve Preble-Rish services for 3 projects the Board has indicated they want Preble-Rish to continue:

Item 6A - Alligator Point Erosion Control Final Design- this is a pass through to Mike Dombrowski/ MDR. This will be paid using state funds from the Alligator Point Legislative Appropriation.

**Motion by Parrish, seconded by Crofton, to approve Item 6A; Motion carried 5-0.**

Item 6B - Bluff Road Boat Ramp Phase II – This will be paid using Florida Boating Improvement Trust Fund grant.

**Motion by Parrish, seconded by Sanders, to approve Item 6B; Motion carried 5-0.**

Item 6C - Alligator Point Road Resurfacing- This will be paid using the DOT Small County Outreach Program.

**Motion by Parrish, seconded by Crofton, to approve Item 6C; Motion carried 5-0.**

Board stated that wanted this road paved with a better base that was used during the paving project for the Lake Morality Road project.

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

Item 7 - Alligator Point Beach Renourishment update:

The Board will open bids Jan. 15<sup>th</sup> for the beach renourishment construction. MDR says it will take approximately a week to review the bids and report to the Board. Staff recommends the Board hold a special meeting on Tuesday, Jan. 22, at a time selected by the Board, to receive a recommendation on the bids, and at the same time determine the county contribution. GSG will be at the meeting and will have computer capabilities to calculate bid amount and various county

contributions to determine what assessments will be per lot. Board action to set meeting date and time.

The Board still needs to finalize election date, and election rules.

**Motion by Sanders, seconded by Crofton, to hold a special meeting on Tuesday January 22, 2008 at 9 AM to receive a recommendation on the bids and determine the County's contribution to this project; Motion carried 5-0.**

Item 8 - Inform the Board that bids will be opened at the regular Board meeting on Jan. 2 for the St. George Island Bike Path, and the St. George Island Boat Ramp.

Item 9 - Board action on closing statements between county and Trust for Public Land to acquire south half of Sportsman Lodge property. Previously, the Board had approved grant closing statements between county and the Florida Communities Trust, which was providing the county the money to pay for appraisals, and buy the land. Now, the county is taking the money and using it to buy the land from the Trust for Public Land. The appraisals have already been paid for. The recording fee has been paid for out of the grant. The deed should be recorded before Christmas; Board action.

**Motion by Sanders, seconded by Putnal, to approve closing statements between the County and Trust for Public Land to acquire the south half of Sportsman Lodge; Motion carried 5-0.**

Commissioner Putnal stated that the creek on the Sportsman Lodge property was dried up and asked Mr. Pierce to check if there was some blockage further up causing the weak water flow.

**T. Michael Shuler – County Attorney – Report (10:54 AM)**

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

**Commissioners' & Public Comments (10:54 AM)**

Commissioner Crofton expressed his concerns regarding the proposed new power lines Progress Energy will be installing around the Apalachicola Airport and stated that his calls to the Public Service Commission were going unanswered.

**Motion by Crofton, seconded by Putnal, to send the Public Service Commission a letter regarding the power lines that will be installed at the Apalachicola Airport; Motion carried 5-0.**

Commissioner Sanders reminded the Board of the Camp Gordon Johnston parade on March 8 at 10:45 AM.

Board discussed the Eastpoint Christmas Parade and Carrabelle Harbor lighting event.

Commissioner Sanders stated that the City of Carrabelle's monthly meeting will have representatives from the Lanark Village Water and Sewer District to discuss the water and sewer merger.

**Motion by Crofton, seconded by Parrish, to authorize Commissioners Sanders and Putnal to**

**represent the County at this meeting; Motion carried 5-0.**

Attorney Nick Yonclas, representing Concerned Citizens of Lanark Village, commented on the negotiations between Lanark and Carrabelle on combining the water and sewer districts, and stated that if the window of opportunity closes for this merger he will return at the next meeting to move forward with a possible referendum based on the petitions that were signed and submitted at the previous meeting.

**Adjourn (11:05 AM)**

There being no further business Chairman Lockley adjourned the meeting at 11:05 PM.

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G. Russell Crofton, Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Court