

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
FEBRUARY 19, 2008
9:00 AM**

MINUTES

Commissioners Present: Noah Lockley Jr. – Chairman, Joseph Parrish – Vice Chairman, Cheryl Sanders, Russell Crofton, 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 (9:01 AM)

Chairman Lockley called the meeting to order.

Prayer and Pledge

There was a Prayer followed by the Pledge of Allegiance.

Approval of Minutes: February 5, 2008 Regular Meeting & February 7, 2008 Special Meeting (9:04 AM)

Motion by Crofton, seconded by Sanders, to approve the Minutes for the February 5, 2008 Regular Meeting and the February 7, 2008 Special Meeting; Motion carried 5-0.

Payment of County Bills (9:04 AM)

Motion by Sanders, seconded by Crofton, to authorize payment of the County bills as presented except for the payment to G & N Painting; Motion carried 5-0.

Motion by Putnal, seconded by Crofton, to authorize payment for G & N Painting; Motion carried 4-0, Lockley abstained.

Jim Dunkin- Chili Cook Off Board (9:06 AM)

Mr. Dunkin stated the Chili Cook Off event schedule.

Dave McLain – ACF Water War Update (9:09 AM)

Mr. McLain discussed recent actions by the Court regarding the release of waters to the Apalachicola River and also addressed Congressman Boyd role in assisting the County with this matter. Mr. McLain stated that Mr. Jeremy Branch, a Jackson County Commissioner, will represent the six local affected counties, at a "drought" Congressional meeting that will be held on March 11, 2008. Mr. McLain gave some background info on Commissioner Branch. Commissioner Parrish asked Mr. McLain to inform Congressman Boyd that someone with more information relating to Franklin County needs to assist Commissioner Branch at the meeting. Chairman Lockley suggested that a two part presentation, with someone representing Franklin County, is done at the March meeting. Mr. McLain stated that since he will be acting as Commissioner Branch's backup, Franklin County will be represented, but he will forward the Board's concerns to Congressman Boyd. Mr. Pierce asked if it is possible to get the State's position on this matter. Mr. McLain stated that it is very difficult to get this information and explained why, especially because of the State's use of the Attorney-Client privilege. Chairman Lockley asked Mr. McLain to forward the results of the meeting with Congressman Boyd to the Board. Commissioner Parrish stated that if Franklin County will be directly part of these discussions, he would like to attend the meeting. Kevin Begos, of the Seafood Task Force, stated that the Seafood Task Force has asked for an explanation from DEP regarding the confidentiality clause.

Motion by Sanders, seconded by Putnal, to direct Mr. Pierce to contact both DEP and the Governor's Office and ask for State's current position on the ACF water wars; Motion carried 5-0.

Commissioner Putnal suggested joining the City of Apalachicola lawsuit regarding the water wars. Commissioner Parrish stated the individual States did not have the authority to request the Army Corp of Engineers to change the amount of water that is being released; only Congress has the authority, so he needs information on the lawsuit before he can agree to join. Chairman Lockley stated that joining the lawsuit might help us get the information regarding the State's role in this matter. Commissioner Putnal stated that his main reason to join the lawsuit is to show a sign of unity between the County, City and Seafood Task Force. Mr. Begos stated that Seafood Task Force is in agreement with the lawsuit but there is a question of how the lawsuits can be ended after the matter is settled. Commissioner Crofton stated that he needs more information on the lawsuit before he can agree to it and would rather Attorney Shuler review the lawsuit and make a recommendation to the Board. Commissioner Parrish agreed with Commissioner Crofton. Mr. Begos stated what he knew about the lawsuit and recommended that the Board review the lawsuit with urgency. Attorney Shuler agreed that he should review the lawsuit before the Commission rules on this matter.

Motion by Putnal to become active in the City of Apalachicola lawsuit against the Army Corp of Engineers regarding the ACF water wars; motion failed as it lacked a second.

Board Review of Department Supervisors Reports

Hubert Chipman – Superintendent of Public Works-Report (9:44 AM)

Mr. Chipman submitted the following report for the Board's review.

Apalachicola Health Department Parking lot work performed

- ❖ Hauled 2 loads (Approximately 36 tons) of lime rock
- ❖ Hauled 36 loads (Approximately 648 tons) of debris (roots, trees, garbage)
- ❖ Root Raked, Dug up trees, Cut trees

Work Performed Summary

- ❖ Hauled 74 loads (approximately 1422 tons) of lime rock to Will S Kendrick Ball Park in Carrabelle.
- ❖ Hauled 4 loads (Approximately 72 tons) of dirt to Will S. Kendrick Ball Park in Carrabelle
- ❖ Hauled 22 loads (433 tons) of screened black dirt to Will S. Kendrick Ball Park in Carrabelle
- ❖ Build parking lot at Will S Kendrick Ball Park in Carrabelle.
- ❖ Building football field at Will S Kendrick Ball Park in Carrabelle.
- ❖ Cleaned sidewalks in Lanark
- ❖ Graded roads in Apalachicola, Carrabelle and Eastpoint
- ❖ Cut shoulders on St. George Island
- ❖ Filled in pot holes in Apalachicola, Carrabelle and Eastpoint
- ❖ Tilled roads in Apalachicola and Carrabelle
- ❖ Shoulder work on St. George Island
- ❖ Litter control in Alligator Point, Apalachicola, Carrabelle, Eastpoint and Lanark'
- ❖ Cut grass in Apalachicola
- ❖ Pulled and raked ditches in Apalachicola
- ❖ Put up signs in Carrabelle, Eastpoint and St. George Island
- ❖ Replaced signs in Carrabelle and Eastpoint

Sign Inspection in Alligator Point, Carrabelle, Eastpoint and St. George Island

Mr. Chipman stated that his department has started hauling milled asphalt.

Chairman Lockley asked Mr. Chipman what material he was planning on using to cover the newly cleared parking lot behind the Mental Health building. Mr. Chipman stated that the Health Department mentioned using lime rock but there were no final decision made as yet. Chairman Lockley suggested staff seeking some type of grant that would pay for covering the parking lot because the current parking situation is a safety hazard for vehicular and pedestrian traffic.

Dan Rothwell – County Engineer-Report (9:50 AM)

Mr. Rothwell submitted the following report for the Board's review.

1. BOARD ACTION - CR-30 Road Bank Re-Nourishment & Revetment Installation : Public works believes the major portion of fill haul, small lime rock purchase - delivery, and concrete debris haul for the project may be completed with approximately three (3) weeks of work. This would require project dedicated work for that time span. Staff requests the bid be awarded to Jason White Construction LLC, with the understanding that the contractor's portion of the project does not exceed the grant funds available.

Motion by Putnal, seconded by Crofton, to award the project to Jason White Construction LLC with the understanding that the contractor's portion of the project will not exceed the grant funds available; Motion carried 5-0.

2. BOARD ACTION – Rehabilitate Runway 06-24 Contract Administration Services: Staff requests Board approval for the use grant funds to pay Ted Mosteller \$7,500.00 from the Transportation Regional Incentive Program (TRIP) grant of \$750,000.00, to perform Contract Administration Services for the runway 06/24 restoration project.

Motion by Crofton, seconded by Sanders, to use the grant funds to pay Ted Mosteller \$7,500.00 from the TRIP grant of \$750,000 to perform contract administrative services; Motion carried 5-0.

3. BOARD ACTION – Rehabilitate Runway 06-24 Engineering Services Contract: Staff requests permission to award the Engineering Services and Inspections to URS for the runway 06/24 rehabilitation contract.

Motion by Crofton, seconded by Sanders, to award the Engineering Services and Inspections to URS for the runway 06/24 rehab contract; Motion carried 5-0.

4. Eastpoint County Landing Park Project:
Bailey, Bishop & Lane has been sent the revised professional services contract from the County Attorney.

5. Ochlockonee Bay Boat Ramp Project:
Bailey, Bishop & Lane has been sent the revised professional services contract from the County Attorney.

6. St. George Island Boat Ramp:
Preble-Rish has met with the low bidder and has given them contracts for review and signatures.

7. Lake Morality Road:
Staff has requested Preble-Rish submit their recommendation(s) under the seal and signature of the Engineer of Record for the project, prior to board final acceptance the recommendation.

8. Airport Access Road:
Staff has met with FDOT, URS and Ben Withers, Inc (BWI) on site to review work to be completed. BWI has agreed to repair many items on the retainage list. FDOT on 2-13-2008 has recommended payment for value added line striping of Apalachee Street as a field directive.

9. Government Accounting Standards Board Statement 34 (GASB34):
The GASB34 project work has been started with the assistance of Public Works and with staff assistance from the Building Inspection Department.

10. Drainage Survey of Linden Road:

Staff will survey Linden Road eastern drainage ditch this week with an expected value of \$1,200.00 for surveying and \$1,500.00 for engineering.

11. Alligator Point Dune Walkovers:

The dune walkover plans have been completed and delivered, and locations staked.

12. St. George Island (SGI) Multi-use Path Bids:

Preble-Rish will send C.W. Roberts a contract and once they have signed it will be sent to the Board.

13. Lanark Village Recycling Center Relocation:

Staff has completed the survey and staking for the proposed recycling center location. The work was approximately \$1,200.00 worth of surveying and \$1,500.00 of engineering.

14. Carrabelle Sports Complex Football Field:

Staff has performed several topographic surveys, with assistance from the Building and Inspection Staff for the grading of the football field. This work would have cost approximately \$3,000.00 to date for the survey and staking work.

Commissioner Putnal asked Mr. Rothwell to check on the condition of Ave A from Otter Slide to Ballpark because it might have been destroyed by the heavy concrete trucks used by the contractor. Commissioner Putnal reminded Mr. Rothwell that it states in the contract that the contractor will assist the County in repairing the road if it is destroyed by the trucks. Mr. Rothwell and Attorney Shuler stated that they would investigate this matter.

Chairman Lockley stated that the road toward Indian pass on C 30 might need some type of fill.

Commissioner Putnal stated that the boat ramp in Eastpoint needs dredging as soon as possible because many of the boat owners are experiencing damage to their boats when using the boat ramp. Mr. Pierce stated that engineers are working on a design change that will solve that problem.

Van Johnson – Solid Waste Director – Report (10:04 AM)

Mr. Johnson submitted the following report for the Board's review.

CARRABELLE PARK:

FOR BOARD APPROVAL: We are fast approaching the completion of the new County Park outside Carrabelle and I'm requesting Board approval to officially name the five (5) baseball fields, concession stand and football field at the complex after the following individuals.

Baseball Field #1:

Mayor Wilburn "Curly" Messer - (Mayor Messer has served an unprecedented four terms as Mayor of the City of Carrabelle).

Baseball Field #2:

Coach Sam Westbrook - (Coach Westbrook served the Carrabelle community as a youth league girl's softball coach). *Deceased*

Baseball Field #3:

Chairman Percy Mock - (Mr. Mock, served as Chairman of the Franklin County Board of County Commissioners). *Deceased*

Baseball Field #4:

Buck O'Neal (Mr. O'Neal grew up in Carrabelle and later turned professional baseball player). *Deceased*

Baseball Field #5:

Assistant Superintendent Mike Clark (Mr. Clark has provided a major contribution to the kids of Franklin County as a High School Coach and an Assistant Superintendent of Schools).

Baseball Field Concession Stand:

Officer Van Simmons (Officer Simmons using State Inmate labor built 90% of the new Carrabelle Complex including the Concession Stand)

Football Field:

Dr. George L. Sands (During Dr. Sands practice he provided sports medicine for area athletes and delivered half the children in Franklin County). *Deceased*

ACTION REQUESTED: Motion approving the official names as requested.

Motion by Sanders, seconded by Putnal, to approve the official name as requested; Motion carried 5-0.

Mr. Johnson stated that the baseball league will present a schedule in the near future.

Bill Mahan- Extension Agent-Report (10:07 AM)

Mr. Mahan submitted the following report for the Board's review.

FL Fish & Wildlife Commission (FWC) Updates:

New Red Snapper Rules Approved: During the February 6-7, FWC meeting the Commission adopted new red snapper regulations similar to the new federal guidelines. The new rules will reduce the daily recreational & commercial bag limit for red snapper in state waters from four fish to two fish per person and establish a zero daily bag limit for captains and crew of for-hire

vessels in all Gulf waters off Florida's coast. The minimum size for commercially harvested red snapper and imported red snapper will be reduced from 15 to 13-inches total length.

The new rules will also require fishermen on all vessels in the Gulf reef fish fishery to possess and use certain gear, including non-stainless steel circle hooks that must be possessed aboard a vessel and used to harvest any Gulf reef fish when natural baits are used. At least one dehooking device is required that must be used to remove hooks embedded in Gulf reef fish with minimum damage. The dehooking device must be constructed to allow the hook to be secured and the barb shielded without re-engaging during the removal process. It must be blunt and all edges rounded, and it must be of a size appropriate to secure the range of hook sizes and styles used in the Gulf reef fish fishery. At least one venting tool is also required and must be used to deflate the swim bladders of Gulf reef fish to help release the fish with minimum damage. This tool must be a sharpened, hollow instrument, such as a hypodermic syringe with the plunger removed or a 16-gauge needle fixed to a hollow wooden dowel. A knife or an ice-pick may not be used. The venting tool must be inserted into the fish at a 45-degree angle approximately 1 to 2 inches from the base of the pectoral fin and be inserted just deep enough to release the gases so that the fish may be released with minimum damage.

However, a major difference between the state and federal red snapper rules will be the length of the season. No change will be made to the April 15 through Oct. 31 Gulf recreational red snapper harvest season in state waters. However, new federal rules establish a June 1 through Sept. 30 recreational harvest season in Gulf federal waters adjacent to Florida waters. Because the FWC didn't approve the shorter season that NOAA Fisheries proposed and Texas rejected all of the federal guidelines, NOAA Fisheries will in all likelihood be required to adopt some more restrictive snapper rules in federal waters.

FWC's new red snapper rules take effect on April 1. The rules requiring circle hooks, dehooking devices and venting tools for all reef fish species take effect on June 1.

Internet Hunting Illegal: Commissioners passed a rule prohibiting Internet hunting that makes it illegal to hunt via remote-control methods when a person is not physically present at the location of the gun.

The next FWC meeting: The next FWC meeting is set for April 9-10 in Tallahassee.

Commercial Mullet Meetings: The FWC has scheduled a series of workshops to consider ways to allow more fishing opportunities for commercial fishermen and possibly modifying the July – January weekend closures for commercial mullet fishermen. The meetings nearest to us are tonight, February 19th, in Panama City at Gulf Coast Community College and on February 20th in Crawfordville at the Tallahassee Community College Branch Campus. The meetings will be held from 6:00 pm – 8:00 pm local time.

Grouper Forum 2008: The FWC's Fish & Wildlife Research Institute will be holding a Grouper Forum on February 26th, from 6:00 – 10:00 pm in St. Petersburg. The goals of the meeting

include – explaining the role of science in the fishery management process; provide and overview of federal management actions related to grouper; discuss how to maximize the public input in fishery management decisions; and enhance communication between fishery management agencies and the public on regulatory issues.

UF – IFAS Extension Updates:

Franklin County Oyster & Seafood Industry Task Force Meeting: We used our new video-conferencing equipment at the office last week during the monthly Oyster & Seafood Industry Tasks Force Meeting. We used the equipment to allow Dr. Steve Otwell and Victor Garrido to join the meeting from Gainesville. The equipment worked well.

UF IFAS Master Gardener Distance Education Training: Currently three Franklin County residents have registered to take the UF IFAS Master Gardener Training Program via video conference from Gainesville. This is the first time that the MG training is being offered as a distance education program. The training begins on Wednesday February 27th from 9:30 am – 2:30 pm and meets weekly for nine-weeks ending April 23rd. The cost for the program is \$150.

Sea Oats Garden Club Program: I will be meeting with the members of the Sea Oats garden Club tomorrow, February 20th at the Carrabelle Library to discuss the upcoming UF IFAS Master Gardener Training Program.

Black Bear Program: I will be one of the speakers at the Research Reserve's Bear Program tomorrow night from 7:00 – 8:30 pm at the St. Joe's Summer Camp Events Room. For additional information, contact Alan Knothe at 653-8063.

Commissioner Putnal asked about the de-hooking device. Mr. Mahan discussed.

Bruce Drye: Revision of the Turtle Lighting Ordinance (10:08 AM)

Bruce Drye and Bruce Hall stated that they were present to answer any questions the Board might have on this ordinance. Commissioner Crofton asked about the lack of code enforcement language in the ordinance. Attorney Shuler, Mr. Pierce, and the Board discussed this matter.

Commissioner Crofton asked about the proposed expansion of the affected area and stated concerns, that some of the property owners whose property is not on the beach, discussed with him. Ms. Hall discussed provisions in the ordinance that would address these property owners. Mr. Pierce asked about the wording that addressed wattage restrictions in the ordinance. Ms Hall discussed this matter.

Bill Wargo stated that more turtle nesting areas should be included in the ordinance.

Walter Armstead stated that public health and welfare issues should also be considered when revising the ordinance, and some of the State's rules should be used instead of the more restrictive County rules. Chairman Lockley stated that these and any other issues with the proposed revised ordinance will be discussed at the scheduled public hearing.

Motion by Putnal, seconded by Sanders, to schedule a public hearing to discuss the proposed revised ordinance; Motion carried 5-0.

Open Bids - Landscaping @ Indian Creek Park (10:27 AM)

Mr. Pierce stated that the funding source for this project will be approximately \$10,000 from interest earned from the TDC account. Commissioner Putnal expressed his concerns of this project affecting parking at the boat ramp. Mr. Begos, of the Seafood Task Force, stated that this re-vegetation project was part of the management plan when the County accepted the funds to purchase the property.

Mr. Pierce opened and read the bids.

Rancho La Orquidea, Inc. - \$3400 - provided an 80% guarantee for plants after one year

Landscape Design by Gardens - \$2461.25 - William Coller of Landscape Design by Garden stated that his company agreed to the 80% survival rate and the 10% retainage fee as stated in the bid.

Mr. Begos, of the Seafood Task Force, recommended awarding the project to Landscape Design by Garden.

Motion by Sanders, seconded by Crofton, to accept Mr. Begos' recommendation and award the project to Landscape Design by Garden; Motion carried 5-0.

Paul Parker - TDC Update (10:36 AM)

Mr. Parker stated that collections have increased since this time last year, discussed the requests for the infrastructure grants, the small grants awards, and asked for Board action to approve a contract with forgotten coast TV (FCTV). Attorney Shuler recommended approval of the contract and discussed some of the savings the TDC was able to negotiate with FCTV. Mr. Parker discussed the contract and project further.

Commissioner Putnal asked Mr. Parker to have the Gieger group promote the local seafood industry during their promotion campaign.

Motion by Crofton, seconded by Putnal, to approve the TDC's contract with FCTV; Motion carried 5-0.

Pat McWhinnie – 911 Coordinator - 911 Recorder Replacement (10:43 AM)

Ms. McWhinnie stated that the manufacturer of the current recorder is out of business and because of the lack of parts the recorder cannot be maintained any longer and needed Board

action to purchase a new recorder; the funds for this purchase will come from the \$.50 surcharge.

Commissioner Putnal thanked Ms. McWhinnie for her years of service as the 911 Coordinator.

Motion by Sanders, seconded by Putnal, to declare an emergency, declare NICE systems a sole source provider, and authorize the purchase of a new 911 recorder; Motion carried 5-0.

P & Z Report (10:48 AM)

Mr. Pierce submitted the following report for discussion and/or approval.

CRITICAL SHORELINE APPLICATIONS:

- 1- Approved By P & Z (unanimous) Consideration of a request to construct a Single Family Residential dock at Lot 4 Marina Sunset, 2374 Highway 98 East, Carrabelle, Franklin County, Florida. This application meets all state, federal and local requirements. This dock will be 160' x 4' long with a 60' x 4' boardwalk and a 20' x 6' platform. Request submitted by GEA, Inc, agent for Jim Carey, applicant.

Clayton Studstill, of GEA, discussed this request with the board.

Motion by Putnal, seconded by Sanders, to approve Item 1 of the Planning and Zoning Report; Motion carried 5-0.

- 2- Approved by P & Z (unanimous) Consideration of a request to construct a Single Family Pier on Lot 14, Shell Harbor, 1735 East Gulf Beach Drive, St. George Island, Franklin County, Florida. This application meets all state, federal and local requirements. This pier will be 191' x 4' long and have an 8' x 20' platform. Request submitted by Docks 4 Less, agent for Susana Van Yorx, applicant.

Motion by Crofton, seconded by Sanders, to approve Item 2 of the Planning and Zoning Report; Motion carried 5-0.

SMALL SCALE LAND USE CHANGE:

- 3- Approved by P & Z (unanimous) Consideration of a request to re-zone 4.93 acres on property lying in Section 36, township 8 South, Range 7 West, 198 US Highway 98, Eastpoint, Franklin County, Florida from Z-1 Public Facilities to C-4 Mixed Use Residential and request for Land Use change from Public Facilities to Commercial. Request submitted by C.W. Randolph, Jr., M.D., P.A., applicant.
- 4- Approved by P & Z (8-1 Vote) Consideration of a request to re-zone a one (1+/-) acre tract lying in Section 25, Township 7 South, Range 5 West, 1881 US Highway 98 West, Carrabelle, Franklin County, Florida from R-1 Single Family Residential to Z-1 Public

Facilities and request for Land Use change from Residential to Public Facilities. Request submitted by The Camp Gordon Johnston Association, Inc., applicant.

- 5- Approved by P & Z (unanimous) Consideration of a request to re-zone a 6.00 acre parcel lying in Section 13, Township 7 South, Range 5 West, 423 Mill Road (parcel), Carrabelle, Franklin County, Florida from A-2 Forestry Agricultural to R-1 Single Family Residential and request for Land Use change from Agricultural to Residential. Request submitted by GEA, Inc, agent for Coastline Properties of N. FL, LLC, applicant.
- 6- Approved by P & Z (unanimous) Consideration of request to re-zone a 10 acre parcel lying in Section 30, Township 5 South, Range 7 West, North of Eastpoint, Franklin County, Florida from R-6 Rural Residential to R-3 Single Family Estate Residential and request a Land Use change from Rural Residential to Residential. Request submitted by GEA, Inc, agent for Dale Anderson, applicant.
- 7- Approved by P & Z (unanimous) Consideration of a request to re-zone a 10 acre parcel lying in Section 33, Township 8 South, Range 8 West, West of Apalachicola, Franklin County, Florida from A-2 Forestry Agricultural to R-2 Single Family Mobile Home and request a Land Use change from Agricultural to Single Family Mobile Home. Request submitted by DSW Holdings, LLC, applicant.
- 8- Approved by P & Z (unanimous) Consideration of a request to re-zone a 10 acre parcel lying in Section 33, Township 8 South, Range 8 West, West of Apalachicola, Franklin County, Florida from A-2 Forestry Agricultural to R-2 Single Family Mobile Home and request a Land Use change from Agricultural to Single Family Mobile Home. Request submitted by Travis Stanley, applicant.
- 9- Approved by P & Z (8-1 Vote) Consideration of a request to re-zone a 10 acre parcel lying in Section 10, Township 8 South, Range 7 West, North of Eastpoint, Franklin County, Florida from A-2 Forestry Agricultural to R-3 Estate Residential and request for Land Use change from Agricultural to Estate Residential. Request submitted by John Patrick Floyd, applicant.
- 10- Approved by P & Z (8-1 Vote) Consideration of a request to re-zone a 10 acre parcel lying in Section 10, Township 8 South, Range 7 West, North of Eastpoint, Franklin County, Florida from A-2 Forestry Agricultural to R-3 Estate Residential and request for Land Use change from Agricultural to Estate Residential. Request submitted by James Barrs Floyd, applicant.
- 11- Approved by P & Z (unanimous) Consideration of a request to re-zone a 10 acre parcel lying in Section 30, Township 5 South, Range 7 West, North of Eastpoint, Franklin County, Florida from R-6 Rural Residential to R-3 Estate Residential and request Land Use change from Rural Residential to Estate Residential. Request submitted by Goldie Harris, applicant.

12- Approved by P & Z (unanimous) Consideration of a request to re-zone a 7.5 acre parcel lying in Section 30, Township 8 South, Range 6 West, Eastpoint, Franklin County, Florida from A-2 Forestry Agricultural to R-2 Single Family Mobile Home and request a Land Use change from Agricultural to Single Family Mobile Home. Request submitted by James and Carol Vitek, applicant.

Motion by Sanders, seconded by Crofton, to authorize the scheduling of Public Hearings for Items 3-12 of the Planning and Zoning Report; Motion carried 5-0.

SKETCH PLAT APPROVAL:

13- Approved by P & Z (unanimous) Consideration of a request for Sketch Plat approval of a 14 lot subdivision named "Callee's Corner" a 49.19 acre parcel lying in Section 30, Township 8 South, Range 6 West, Eastpoint, Franklin County, Florida. Request submitted by Aaron Wray, agent for Magnolia Ridge, LLC, applicant.

Commissioner Putnal expressed his concerns of overloading the Eastpoint Water and Sewer District system which could negatively affect the Bay and would like Mr. Allen of the Eastpoint Water and Sewer District to appear at the next regular meeting to discuss this matter further.

Motion by Crofton, seconded by Sanders, to approve Item 13 of the Planning and Zoning Report; Motion carried 5-0.

COUNTY PLANNER'S REPORT:

14- Approved by P & Z (unanimous) Community House is a Special Exception under the R-1 District for libraries. This Special Exception will be placed on the next Advisory Board of Adjustment for review.

Commissioner Crofton discussed possible a problem of more than one commissioner showing up to meetings such as the library board meeting that was held the previous night. Attorney Shuler discussed this matter further explaining what to do to avoid violating Florida Sunshine Law.

15- Approved by P & Z (unanimous) R-3MH: Single Family Estate Residential Mobile Homes District.

Jeff Vonier asked for clarification on this matter. Attorney Shuler explained the Public Hearing process.

Motion by Sanders, seconded by Crofton, to authorize the scheduling of a Public Hearing for Item 15 of the Planning and Zoning Report; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (11:12 AM)

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

1-I received the hospital's financial report for the month ended January 2008, and it indicated a balance in the account of \$438,293.10.

2- I'd like to thank the Board for taking the action you did to reduce the department head's verbal reports. Their written, detailed reports were provided as part of the agenda, both in paper and on-line at the county's website at www.franklincountyflorida.com, and I've received several good comments on this action.

3-The First Amendment Foundation would like to invite the County Commissioners, all county employees, and members of the public to a free seminar. It will be held on Thursday, March 13th at 6:00 P.M. at the Eastpoint Fire Station. The First Amendment Foundation is a private, non-profit organization whose mission is "protecting and advancing Florida's free speech and open government." This free seminar is being sponsored by the Concerned Citizens of Franklin County who asked that I make this announcement.

Alan Pierce – Director of Administrative Services – Report

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

1- Associated with the Engineer's report, Board action to direct Chairman to sign application allowing Garlick Environmental to apply for a storm water permit for a building at the airport. The Chairman has to sign because it is county owned land.

Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on the application to apply for a storm water permit; Motion carried 5-0.

2- Board action to transfer \$5818 of TDC funds allocated for the Visitor Center to the Lighthouse. The Visitor Center is complete, and through good fiscal management, they have funds leftover that could be used at the Lighthouse. This request is made by Ms. Alice Collins on behalf of the Lighthouse.

Motion by Crofton, seconded by Sanders, to transfer \$5818 of TDC funds allocated for the Visitor Center to the St. George Island Lighthouse; Motion carried 5-0.

3- Board action on letter of support for a regional approach to economic development that is being spearheaded by the Greater Tallahassee Chamber of Commerce. The letter of support will be used in a DCA grant application. The following counties have been asked to participate: Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla. The request comes from Mr. Randy Hanna, Tall. C of C.

Motion by Sanders, seconded by Crofton, to direct Mr. Pierce to find out more about the grant and how it would benefit Franklin County; Motion carried 5-0.

4- Board action on whether it wants to continue to pay membership dues for Opportunity Florida. Board dues are \$1,084.50. And, if continuing, clarification on official contact. Commissioner Cheryl Sanders is still listed as the contact.

The Board asked Mr. Pierce to invite Mr. Rick Marcum of Opportunity Florida to the next meeting and present some type of outline as to the benefits of Opportunity Florida for Franklin County.

5- Inform Board that the Hosp. is applying for a 90/10 matching grant for a new ambulance and to re-chassis another. Mr. Colvert has been informed that Franklin County EMS is now eligible for the 90/10 grant when for the last several years we had been denied that grant. So, if the grant is awarded, rather than spending the \$200,000 that was budgeted for a new ambulance and re-chassis, the Board will only have to spend \$20,000.

6- Board action to sign Notice of Award, and Contract Agreement with C.W. Roberts to build the St. George Island Multi-Use Path and Contract Agreement for the St. George Island Boat Ramp to BCL. The bids were awarded to C.W. Roberts and BCL several meetings ago, but now it is time to sign the Contract and the Notice of Award. The contract for the Multi-Use Path is for the bid amount of \$521,221.25 and for the St. George Island Boat Ramp is for the bid amount of \$593,062.40.

Motion by Crofton, seconded by Sanders, to authorize the Chairman's signature on the Notice of Award and Contract Agreement for the St. George Island Multi-Use Path and the Contract Agreement for the St. George Island Boat Ramp; Motion carried 5-0.

7- Board action to direct me, and for me to consult with Mr. Shuler if appropriate, regarding some property damage at the Road Dept. The issue is to make sure the insurance is covered and that the correct county protocol was followed.

Motion by Parrish, seconded by Crofton, to direct Mr. Pierce to investigate the incident at the Road Department that damaged a building; Motion carried 5-0.

8- Board action on requests to TDC for infrastructure funding. The TDC has announced that \$100,000 is available to be split between the county and the cities of Carrabelle and Apalachicola. However, the TDC understands that it needs to provide \$25,000 for the Alligator Point Beach Renourishment, in the event the property owners approve it. I have asked the City of Apalachicola to consider minimizing their requests this year so that more funds would be available to assist in improving the recently purchased Indian Creek Park, and the soon to be purchased Lombardi Property. The Indian Creek Park has an approved management plan that must be implemented over time. I have attached to my report the estimated costs of the improvements we are obligated to make at Indian Creek. Similar improvements could be expected at Lombardi.

There is a total of some \$35,000 worth of improvements required at Indian Creek. A similar amount could be spent at Lombardi. If the City of Apalachicola were to see the improvements at Lombardi as beneficial to the City, then the county could pursue similar

funding for Indian Creek. Board action to request \$85,000 of TDC funds for Alligator Point, three scoreboards to finish out the baseball fields at D.W. Wilson and Kendrick Park and for the rest of the \$85,000 to be spent on as many improvements at Indian Creek and Lombardi as possible.

Board asked Mr. Pierce to discuss this matter further with both the City of Apalachicola and the City of Carrabelle and then discuss the options at the next meeting.

9- Alligator Point Beach Renourishment Update. The Ballots are in the hands of the property owners. The assessments on the ballot reflect a proposed interest rate of 3.75%. This is higher than the 3.18% discussed at the public meeting, but it is the interest rate recommended by the bond attorneys. The change in interest rate, along with two other adjustments to the assessments, meant that the ranges of assessments shown on the ballot are as follows:

Beachfront	\$3,303 to \$3,566
Recreation	\$1,191 to \$1,286
Road Protection	\$519 to \$560.

Dick Waters, of Alligator Point, explained what wording and figures were included on the ballot that he received.

Michael Shuler – County Attorney – Report (11:38 AM)

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

1. Franklin County Affordable Housing Initiative

The Department of Community Affairs approval is imminent. They recently contacted me with only two procedural points they wanted the county to agree to.

First, the Department asked that the County place on its Future Land Use Map the maximum number of units which the developer may build. As you may recall, the developer received a bonus increasing the density of units because of the 40 acres he is donating to the county for affordable housing. Typically, the County does not place such information on the Future Land Use Map. However, since this is at present our only affordable housing project and since you have previously approved those units, I have asked Mr. Pierce to place that information on your Future Land Use Map. That should move this project closer to completion.

Second, the Department asked that the County provide to them written assurances that if affordable housing at three units per acres is built, it will be served by central sewer. I have asked Mr. Pierce to forward to the Department the letter we obtained from the City of Apalachicola concerning its willingness to work with the County to extend the sewer line to the county's affordable housing site.

Finally, I have informed the St. Joe Company that approval of the project is imminent and that they need to be prepared to execute and deliver to the county the access easement needed for public access to the affordable housing area.

BOARD ACTION NEEDED: None

2. South Shoals

On February 7, 2008, Mr. Pierce and I met with the attorney for South Shoals and Se-Con Cove to discuss pre-suit mediation options. I am seeking to settle the condemnation matter without

the need to file suit. If any agreement is reached, it will be brought to you for your consideration.

I expect nothing concrete until after the County decides whether to renourish the beach. That decision is set for March 12, 2008.

The Alligator Point Water District continues to allege county responsibility for Developer's failures in the project and wants the county to commit to repave the road in the event of water line repairs, as the developer placed the line under the road.

BOARD ACTION NEEDED: None

3. LANARK VILLAGE

On February 4, 2008, the Lanark Village Water and Sewer District has signed the merger agreement with Carrabelle. Closing is scheduled to occur on March 1, 2008.

4. BOAT RAMP CONTRACTS

I have reviewed the engineering contracts from the engineering firm of Bailey, Bishop and Lane concerning design of the boats ramps in Eastpoint and Ocklocknee Bay Bridge. My comments thereon have been delivered to Dan Rothwell, the county engineer, so that the engineering firm can amend the contracts.

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

5. HOSPITAL

Attached for your information are two letters concerning General Electric's claim to approximately \$400,000.00 from the hospital. One is the letter from GE making the claim. The other is my reply letter to GE. The letters speak for themselves. This matter discussed in detail at the last board meeting.

\$260,000 of the GE claim is for government subsidies which are explicitly excluded from the settlement with GE.

\$130,000 of the GE claim relates to the split of pre-2006 Medicaid and Medicare accounts receivable. I have asked GE to provide a written accounting of how they arrived at the amount they claim.

BOARD ACTION: None Recommended.

6. AURORA LOAN SERVICES VS. CLYDE OLIVER AND FRANKLIN COUNTY Case No. 08-43-CA

The County has been named as a party in a foreclosure suit for the purpose of extinguishing one of our Fire Tax liens for \$42.00.

BOARD ACTION: None recommended. Let the bank foreclose the special assessment.

7. Florida Association of Counties

Attached is a December 11, 2007 letter from the Florida Association of Counties Trust (F.A.C.T.) taking over the defense of a lawsuit filed against the building official by Carl and Sandra Bifano. I will remain on the case only to the extent requested by the F.A.C.T. attorney assigned to this case.

BOARD ACTION: None.

8. Relevant Litigation Status (cases are pending. but only cases needing an update or action is discussed below):

a. Franklin County vs. Jason White Construction and Stuart White

This is a lawsuit filed by the County to enforce its R4 zoning restrictions in Eastpoint. The Defendant's lender recently filed suit to foreclose the property. I am ceasing work on the case for this reason.

9. LOMBARDI PROPERTY

The seller's attorney has received the county contract. To date, I do not have a signed contract back from the seller.

BOARD ACTION: None recommended.

10. TDC CONTRACT

The TDC has agreed to pay \$7,500.00 to Franklin County T.V. to produce a show educating tourists on the three visitor's centers and amenities in Apalach, St. George Island and Carrabelle.

The County will own all rights to the show. The TDC will control and approve the content and no other sponsorship will be allowed.

BOARD ACTION: It is at the Board's discretion whether to approve the contract.

Commissioners and Public Comments (11:43 AM)

Commissioner Sanders reminded the Board of the Camp Gordon Johnston Parade, which all of the other Commissioners stated that they would participate. Commissioner Sanders asked that the County starts working with the City of Carrabelle to locate property the seafood industry can use to load and unload on that side of the County and then asked for update on hospital and health services in Carrabelle. Mr. Pierce gave an update and discussed the possibility of other companies managing or leasing the hospital. Commissioner Sanders discussed some complaints she has received from the current hospital employees regarding their future and the future of the hospital, discussed keeping the promise of the one cent sales tax to provide health services in the eastern side of the County, and read a letter from a citizen who wanted a new hospital to be built in the center of the County, not in Apalachicola. Commissioner Sanders also wanted to verify that only the County Commission will decide the future of the employees of the hospital. Mr. Pierce stated that Commissioner Sanders was correct with that line of thinking.

Commissioner Sanders asked Mr. Pierce to proceed with confirming the reservations and accommodations for the annual FAC conference in Miami in June.

Motion by Sanders, seconded by Crofton, to authorize the payment for the reservations and accommodation for the FAC annual conference in Miami in June; Motion carried 5-0.

Chairman Lockley and Mr. Pierce discussed some affordable housing matters.

Bill Wargo, of Alligator Point, discussed the Alligator Point referendum and the unity of title issue as it related to the restoration project.

Attorney Shuler and Mr. Pierce suggested forwarding Mr. Wargo's concern to GSG, the County's consultant on this project, for them to research and provide an answer. The Board agreed.

Adjourn (12:04 PM)

There being no further business, Chairman Lockley adjourned the meeting.

Noah Lockley Jr., Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts