

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MAY 6, 2008
9:00 AM**

MINUTES

Commissioners Present: Noah Lockley Jr. – Chairman, Joseph Parrish – Vice Chairman, Russell Crofton, Cheryl Sanders, Bevin Putnal

Others Present: Marcia M Johnson – Clerk of Clerks, Linda Phillips – Finance Officer, 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.

Pledge and Prayer

There was a Prayer followed by the Pledge of Allegiance.

Payment of County Bills (9:01 AM)

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

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:01 AM)

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

Would like to inform the board:

- The 9 Mile Renourishment project has been completed and through the entire process approximately 24 loads of lime rock , 56 loads of 6-12" Rock, 59 loads of screened fill dirt and 115 loads of dirt from the spoil site was hauled for this project these numbers are not including what the landfill also hauled.

Work Performed Summary

- ❖ 4 loads of Lime Rock was hauled to the monument in Apalachicola
- ❖ 1 Load of Lime Rock was hauled to the City of Carrabelle
- ❖ 2 Loads of Lime Rock were hauled to Apalachicola
- ❖ 3 Loads of Lime Rock were hauled to Carrabelle
- ❖ 3 Loads of Lime Rock were hauled to Lanark
- ❖ 3 Loads of Debris was hauled from Apalachicola
- ❖ 5 Loads of Debris was hauled from Eastpoint
- ❖ 2 Loads of Debris was hauled from

- ❖ 37 loads of 6-12" rock was hauled to the 9 Mile Renourishment Project
- ❖ 1 load of asphalt was hauled to St. George Island
- ❖ 30 loads of black dirt was hauled to the 9 Mile Renourishment Project
- ❖ 6 loads of black dirt was hauled to Carrabelle
- ❖ 9 Loads of dirt was hauled from the Monument Statue in Apalachicola
- ❖ 39 loads of Black dirt was hauled to the Monument Statue in Apalachicola
- ❖ 4 load of dirt was hauled to the Carrabelle Senior Citizens Center
- ❖ 2 loads of dirt was hauled to the Franklin County Correctional Institute
- ❖ 36 loads of dirt/mud was hauled from the state yard to the Landfill
- ❖ 12 loads of dirt/mud was hauled from the Monument Statue
- ❖ 55 loads of black dirt was hauled to the Monument Statue
- ❖ Ground Maintenance at Emergency Management, Weems Memorial Hospital in Apalachicola
- ❖ Pushed trees out of road inside the Airport's Fence
- ❖ Ground Maintenance at courthouse annex in Carrabelle
- ❖ Ground Maintenance at the Franklin Learning Center in Eastpoint
- ❖ Dug out ditches around the jail house in Eastpoint
- ❖ Patched holes on the bike path on St. George Island
- ❖ Graded roads in Lanark and Carrabelle
- ❖ Fixed driveways in Apalachicola
- ❖ Swept roads and intersections in Apalachicola
- ❖ Fixed driveways and shoulders of the roads in Carrabelle
- ❖ Milled roads in Eastpoint
- ❖ Cut down trees in Lanark
- ❖ Filled in potholes in Lanark
- ❖ Swept roads and intersections in Lanark
- ❖ Filled in pot holes on St. George Island
- ❖ Shoulder work in Apalachicola and Carrabelle
- ❖ Picked up litter in Alligator Point, Apalachicola, Eastpoint and Lanark
- ❖ Cut grass in Alligator Point, Apalachicola, Carrabelle and Eastpoint
- ❖ Ditch work in Carrabelle, Eastpoint and Lanark
- ❖ Culvert maintenance in Carrabelle and Eastpoint
- ❖ Sign Maintenance was performed in Apalachicola, Eastpoint, Lanark and St. George Island

Commissioner Putnal asked Mr. Chipman to wet some of the dirt roads which should help with reducing the dust problems. Mr. Chipman stated that his department has already starting "wetting down" the dirt roads. Commissioner Crofton and Mr. Chipman discussed using fresh water versus recycled water for wetting the roads.

Commissioner Sanders stated that 8th Street, in Eastpoint, needs some maintenance due to trucks hauling heavy loads. Mr. Pierce stated that the contractors should use State roads instead of County roads for hauling. Chairman Lockley directed Mr. Pierce to send a letter to the contractor about using the County roads for hauling.

Commissioner Putnal discussed the possibility of the Road Department using vehicles to pick up the workers who live on the far ends of the County from a central location. The Board and Chipman discussed this matter further and Attorney Shuler stated that this policy would have to apply for all County employees.

Motion by Sanders, seconded by Crofton, that the Board table this item for now and allow all the Department Supervisors, Mr. Pierce, and Mrs. Johnson, to research this matter further and return with a recommendation at the next meeting; Motion carried 5-0.

Van Johnson – Solid Waste Director (9:18 AM)

Mr. Johnson did not submit a report.

Commissioner Sanders stated that the Legislature has funded \$150,000 for Lombardi property and \$100,000 for Vrooman Park in Eastpoint which will be funded through the Parks and Recreation Department and asked Mr. Johnson to check with Representative Kendrick's office to see if any oversight plan is required for this funding. Commissioner Sanders also discussed the Tate's Hell liaison meeting, where the matter of deer carcass was addressed.

Motion by Sanders, seconded by Parrish, directing Mr. Johnson to create and recommend a County program to remove deer carcasses during hunting season; Motion carried 5-0.

Chairman Lockley and Mr. Johnson discussed the increase to his budget for maintaining the new County parks.

Dan Rothwell – County Engineer (9:23 AM)

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

1. BOARD ACTION– Timber Island Bridge Approach Repairs:

Staff desires BOCC permission to authorize the Public Works Department to perform repairs in the bridge to clean and seal slab cracks and fill and stabilize the void in the approach slab. Also to replace sand bags near a corner of the bridge as dictated by Volkert & Associates, Inc. under contract to FDOT through VMS.

Mr. Rothwell stated that funding for this project would likely come from the Road Department Budget.

Board discussed this matter and asked for a cost report on this project.

Board and Mr. Rothwell discussed the need for this project.

Motion by Sanders, seconded by Putnal, to authorize repairs to the bridge by the Public Works department; Motion carried 5-0.

2. Eastpoint Stormwater Treatment Baffle Boxes:

The first of the baffle boxes on the north side of US98 in Eastpoint is being installed this week. These boxes extract trash and suspended solids from the stormwater stream prior to entering Apalachicola Bay. There are eight (8) boxes planned and paid for from by EPA for \$251,000.00 and the Northwest Florida Water Management District for approximately \$183,000.00 totaling \$434,000.00.

3. CR-30 Road Bank Re-Nourishment & Revetment Installation :

The project is to be completed by this weekend.

4. Eastpoint County Landing Park Project:

Bailey, Bishop & Lane are working on the final plans and specifications, and construction grant applications are completed.

5. Ochlockonee Bay Boat Ramp Project:

Bailey, Bishop & Lane are working on the final plans and specifications, and construction grant applications are completed.

6. Lake Morality Road:

The work has been completed and staff is awaiting results of the in field test taken during the construction.

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

C.W. Roberts survey and staking is complete but, has not yet started work.

8. Squire Road: Work on the plans and field marking is still pending.

9. Linden Rd Survey:

Public Works has cleaned a portion of the road and staff will work with them on any further efforts.

10. Peachtree Rd Survey:

Work on the plans and field marking is still pending.

11. Long Rd Survey:

Work on the plans and field marking is still pending.

Bill Mahan – County Extension Director (9:28 AM)

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

Florida Fish & Wildlife Commission Updates:

Red Snapper Fact Sheet: The FWC has produced a Red Snapper fact sheet to help explain the new red snapper fishing regulations, state and federal, for this year. The fact sheet is attached for your information.

Pending Grouper Regulations: The FWC has produced a Grouper Fact Sheet (Gag, Black & Red) that explains the new grouper regulations that are being considered for both state and federal waters of the Gulf of Mexico. The fact sheet is attached for your information.

Shore Birds Press Release: The FWC sent out a press relapse on April 18th titled "Shorebird disturbances become a matter of survival." The press release is part of FWD's effort to educate beach goers about how they can help protect shore-nesting birds.

Bears, Trash Cans and Fun: Tillie Miller Park Dedication and Blues in the Park Celebration on Saturday, May 17, 2008 11:00 p.m. – 3:00 p.m. bring the whole family and join your neighbors in some good fun and learn how to love living in bear country! Bring your trash container for bear-resistant retrofitting; Swap out your trash container for a free bear-resistant container; Join a bear-resistant trash container caddy build-off competition; Ask the experts your questions about bears; Participate in family friendly activities, games and fun crafts; Enjoy presentations about bears; and Learn helpful tips to avoid attracting bears.

For more information please e-mail Jessica.Tice@MyFWC.com, call 850- 617-6065, or visit MyFWC.com/bear.

UF – IFAS Extension Updates:

UF IFAS/DACS Oyster Forum Held: The UF IFAS Extension Program and the Florida Department of Agriculture held an Oyster Forum April 24th, to update County Commissioners, members of the Oyster and Seafood Industry Task Force and members of the Seafood Workers Association about *Vibrio* issues and projects that the UF Oyster Research Team would like to do with the harvesters to gather critical research information that can be used to better understand several *Vibrio* issues.

BRD Outreach Program: The By-catch Reduction Device (BRD) Outreach Program will be held today from 3:00 pm – 5:00 pm at the Research Reserve’s office in Apalachicola. I am working with Gary Graham (Texas Sea Grant), Lindsey Parker (Georgia Sea Grant) Lindsey to conduct the program. The goal of the program is to update the members of the shrimp industry on the new BRD regulations that have either come out or are in the making. In addition, representatives from NOAA Fisheries will be here to talk about their BRD handout program and will be distributing some of the newly approved BRDs. Michelle Maki from FWC will also be attending to answer any questions related to the new federal guidelines and state rules. The funding for the program is being provided by the Gulf & South Atlantic Fisheries Foundation.

4-H Tropicana Public Speaking Program: Our annual 4-H Tropicana Public Speaking Program is underway in county schools. Fourth, Fifth and Sixth Grade students at the ABD Charter School and Franklin County West, Central and East Campuses are currently preparing their speeches for the event. The County 4-H Tropicana Public Speaking Finals will be on May 22nd.

4-H Butterfly Development Program: The caterpillars for our annual 4-H Butterfly Development Program have been ordered and should be in this week. The caterpillars will then be distributed to the schools where students will raise them to butterflies and release them at the school. This is our largest 4-H youth program in the County with more than 600 students participating in the program.

UF’s Wedgworth Leadership Institute for Agriculture and Natural Resources: The 30-members of the Wedgworth Leadership Institute’s Class VII will be coming to Franklin County May 20 -21 as part of their two-year training program. The program is designed to develop leadership capabilities of people in the agriculture/natural resource industry who will become increasingly involved in policy formation at the local, state, national and international levels. Since the beginning of this program in 1993, Franklin County has been a featured seminar site to meet with local community, natural resource & business leaders to learn about the challenges our county faces and to spend some time in a very unique place.

4-H County Camp: Plans for our annual 4-H County Summer Camp are underway. This year’s camp will be the week of July 14th – 18th at 4-H Camp Timpoochee. We will again be camping with Covington County, AL and Walton County, FL. We are the only multi-state summer 4-H camp held during the summer.

Grouper Fishery Information

Both the Gulf of Mexico and South Atlantic Fisheries Management Councils are contemplating [changes to grouper regulations](#) that apply in the federally-managed waters off Florida. The FWC is actively participating in these decision-making processes and may **address any potential regulation changes for state** waters following the Councils' actions. These proposed changes largely affect red, gag and black grouper.

Atlantic Ocean ([including ocean-side of Monroe County](#))

Current Recreational Regulations
- Gag, Black, Red Grouper -
(State and Federal Waters)

| | Gag | Black | Red |
|--------------------|-----------------------------------------------------|-----------------------------------------------------|----------------------------------------|
| Minimum Size Limit | 24" TL | 24" TL | 20" TL |
| Bag Limit | up to 2 gag or black within the 5 grouper aggregate | up to 2 gag or black within the 5 grouper aggregate | up to 5 within the 5 grouper aggregate |

Gulf of Mexico (including [Gulf-side of Monroe County](#))

| | Gag | Black | Red |
|--------------------|-----------------------------------------------------------------------------------------|----------------------------------------------|---------------------------------------------|
| Minimum Size Limit | 22" TL | 22" TL | 20" TL |
| Bag Limit | up to 5 gag within the 5 grouper aggregate | up to 5 black within the 5 grouper aggregate | 1 per person within the 5 grouper aggregate |
| Capt/Crew | charter captain/crew - zero bag limit | | |
| Gear | circle hooks, dehooking and venting tools required (effective June 1st) | | |
| Closure | Feb 15 until Mar 15 in federal waters | | |

**Pending Regulation Changes (Federal Waters)
 - Gag, Black, Red Grouper -**

Gulf of Mexico [Federal Waters (> 9mi)]

The Gulf of Mexico Fishery Management Council is scheduled to take action or continue developing the proposed regulations for gag, black, and red grouper at their [June 2-6, 2008 meeting](#) in Houston. It is expected that these regulations would take effect in 2009. The FWC may be considering similar changes during the second half of 2008. The following proposed federal regulation changes are being developed to reduce harvest in order to end overfishing (excessive fishing pressure):

- spawning season closure for all shallow-water groupers (commercial and recreational)
 - reduced recreational bag limit
 - some combination of red, gag, and black grouper within the 3 [shallow-water grouper](#) bag limit
 - zero bag limit for captain/crew on for-hire vessels
- reduced commercial quota

For further details on proposed changes, review the [April 2008 Background Report](#).

Red snapper is one of the most important recreational and commercial fisheries in Florida, and has been for over a century. In Florida, red snapper are primarily caught by recreational anglers fishing from charter boats. However, there is a substantial commercial fishery and fast-growing private vessel fishery as well.

Due to their popularity as table fare and as a sportfish, red snapper populations in the Gulf of Mexico have been overfished since the early 1980s. Efforts are in place to rebuild the populations throughout the Gulf of Mexico. To learn more about this effort, see the [red snapper management article](#) from the January 2008 Regulation Newsletter.



Photo by
www.gulfbreezeguideservice.com,
Capt. Baz Yelverton

New Red Snapper Regulations in the Gulf of Mexico

New federal regulations for red snapper in the Gulf of Mexico have been approved and will be implemented in advance of the opening recreational season. Regulations for state and federal waters will be similar except for the length of the open fishing season. Regulations for the new red snapper regulations took effect February 28, 2008 in federal waters and April 1, 2008 in state waters. Also, new reef fish gear rules will take effect June 1, 2008 for state and federal waters.

Recreational Bag Limits for Federal and State waters

- The recreational bag and possession limit reduced from four (4) red snapper per person per day to two (2) red snapper per person per day
- Prohibit the possession of the recreational bag limit by captain and crew of for-hire vessels

Recreational Season

- State Waters (out to 9 nautical miles): April 15 - October 31
- Federal Waters (beyond 9 nautical miles): June 1 - August 4 (see [NOAA Fisheries Service Bulletin](#))

Commercial

- The commercial minimum length limit of harvested and imported fish reduced from 15 inches to 13 inches
- The commercial daily bag and trip limit reduced from 4 fish to 2 fish per person in state waters.
- The commercial quota reduced from 4.65 million pounds to 2.55 million pounds
- Seasonal and area closures for the commercial shrimping industry to reduce effort in order to minimize juvenile red snapper by catch.

Reef Fish Gear Regulations (Effective June 1, 2008)

Commercial and Recreational

- Require the use of non-stainless steel circle hooks when using natural bait (live or dead) when fishing for any of the reef fish species
- Require venting tools and dehooking devices to be onboard and used on all vessels harvesting any of the reef fish species

Billy Buzzett, Summer Camp Discussion (9:30 AM)

Mr. Buzzett discussed the revoking of the building permits for the modular houses at Summer Camp and stated that the houses now meet the County's minimum requirement of 1000 square feet.

Commissioner Putnal stated that the proposed modular houses were not approved as part of the PUD.

Mr. Buzzett stated that the modular houses are certified by the state as single family homes, certified for 140 mph winds, and one of these houses won a prize in Walton County as best home.

Commissioner Sanders stated that the use of modular homes was not the intent of the PUD, which also stated that Summer Camp would provide jobs for the local workforce, which is needed, and would help with the economy in Franklin County.

Mr. Buzzett stated that local labor will be used to install the modular homes at Summer Camp, and discussed the advantage of using these modular homes, especially during these hard economic times. Mr. Buzzett also stated that even though St. Joe Company is only a land company, anyone that buys at Summer Camp is held to their restrictions, which is above the restrictions of the County approved PUD.

Commissioner Crofton stated that he only had concerns with the 1000 square foot requirement, not with the use of modular homes.

Commissioner Putnal suggested that since Green Steele Homes builds modular homes and employs the local workforce, St. Joe Company should consider using this company for future modular homes.

Mr. Buzzett reviewed some of the efforts the St. Joe Company has done over the years to help and be a part of the Franklin County community.

Commissioner Sanders asked if the St. Joe Company is only selling the lots, what control it has with how the houses are built with Summer Camp. Mr. Buzzett stated that St. Joe Company owns Summer Camp, and anyone that buys property in Summer Camp is held to the PUD restrictions that was approved by the County but can select their own contractors to build their homes.

Commissioner Crofton asked if the modular homes are being used as "show homes" and once purchased would be replaced and used for other property owners. Mr. Buzzett stated that it was not the intention of St. Joe Company to replace these homes as "show homes" once they are purchased, but St. Joe Company was already intending to talk to Green Steele Homes about building modular homes if requested by future property owners.

Commissioner Sanders asked if these modular homes would be used as the main house on the property or as a temporary home until the main house is constructed. Mr. Buzzett stated that the St. Joe Company was considering requesting an amendment to the PUD to allow these modular homes to be used as "garage houses" which would be built first, next to the main house.

Commissioner Sanders stated a rule in the PUD that applied to single family dwellings. Mr. Buzzett responded to this rule and how it applied to the modular homes.

Mr. Buzzett stated that St. Joe Company has a policy that requires each property owner to build a house within 5 years of purchasing the property and discussed the fines and penalties associated with this requirement.

Commissioner Sanders stated that the modular homes are not the quality and style homes that were agreed to when the PUD was approved in 2003 by the Board. Mr. Buzzett responded to Commissioner Sander's statement.

Mr. Buzzett stated that these are not "show houses" in the manner that if the current modular homes are purchased, more will not be ordered for "show" purposes and understands that the Board wants the local labor force to be used with the building and installation of the modular houses.

Commissioner Sanders stated that before the Board moves forward, she wanted some assurances that St. Joe Company will attempt to work with Green Steele Homes with building and installing the modular homes, which would help the local economy.

Commissioner Parrish and Mr. Buzzett discussed property owners in Summer Camp using these modular homes on their property.

Commissioner Putnal suggested allowing these two modular houses to be built and afterwards the Commission look at them and decide at that time if they are compatible with Summer Camp project.

Dan Tonsmeire, of Apalachicola Bay and River Keepers, thought the discussion was good, appreciated what Mr. Buzzett said, but didn't think that St. Joe Company corporate office would follow through with the agreements that Mr. Buzzett made, and stated that it is better to have requirements in place before the projects starts, not during the project.

Motion by Sanders, seconded by Putnal, to keep the current status of the building permits for the modular homes, which is revoked, until the Building Department has had a chance to review the amended house plans for the modular homes; Motion carried 5-0.

Hospital Board Update, Mr. Colvert, Weems CEO (10:23 AM)

Mr. Colvert stated that there will be a new ambulance in the County at the end of the week, and that runs have increased to 145 which up from the 90 runs a year ago. The runs are evenly distributed throughout the County, with 35 runs from the Eastpoint and St. George Island area, 43 runs from the Carrabelle, Lanark Village, and Alligator Point area, and remainder of the runs from the Apalachicola area. Mr. Colvert also stated that a new location is being sought in the Eastpoint area, and a third unit will be used on St. George Island during the summer season and stated the different type of units that will be used at what time. Mr. Colvert informed the Board that new defibrillator units have been distributed to the first responder units throughout the County and the County may receive a new ambulance grant later in the month. Mr. Colvert continued his update and informed the Board that ACHA did a review of the Hospital and found 2 minor issues, and that the Hospital will receive a new X-ray unit and CT scanner in May. Mr. Colvert stated that the Hospital board has received a \$70,000 check and an \$80,000 check from the sales tax and would like to advertise for RFQs for architectural services for the new health care facility in Carrabelle.

Motion by Crofton, seconded by Sanders, to authorize the Hospital Board to advertize for RFQs for architectural services for a new health care facility in Carrabelle; Motion carried 5-0.

Attorney Shuler stated that because the proceeds of the sales tax had to be 50/50 split between operations and infrastructure, the Board needed to clarify where the architectural services will be paid from.

Motion by Sanders, seconded by Crofton, to have the payment for the architectural services paid from the infrastructure funds from the one cent sales tax proceeds; Motion carried 5-0.

Board and Mr. Colvert discussed a meeting that was held in Carrabelle with the City Commission that discussed health care.

Mr. Colvert stated that rural hospitals will be exempt from a 10% Medicaid cut which will apply to Franklin County and currently the hospital has about \$800,000 in funds which includes restricted grant funds.

Commissioner Parrish thanked Mr. Colvert for his efforts with raising the level of health care in Franklin County.

Mr. Colvert stated that there is a possibility that the County might receive grant funds that will assist with the repayment of ACHA debt.

Board and Mr. Colvert discussed the need of having a dialysis unit in Franklin County.

John Richards, FCSWA, Discussion of Lombardi Property (10:43 AM)

Mr. Richards stated that the seafood workers are very excited about using Lombardi property to unload their products and are glad that they have somewhere to call "home".

Commissioner Putnal stated that more input is needed from the seafood workers on the future use of the Lombardi property.

Mr. Pierce gave a status update on the maintenance of the property and getting it ready for use.

Mr. Richards stated that the repair of the dock should be the number one priority, which would allow the seafood workers to get to work.

Alan Pierce – Director of Administrative Services – Report (10:47 AM)

Mr. Pierce presented the following item from his report as it related to this matter.

Item 2 - Inform Board that while the Board directed a public meeting be set up at the Lombardi property to review the site, upon further review it appears that the best thing to do is to set up a time for everyone to look at the site and then meet back in the county commission room to discuss it. The reason for this is that there is no power at the site, so the Clerk would have no way to record the meeting, nor is there any easy way to set up chairs and tables. So the proposal is that on May 20, after the county commission meeting that morning, the Lombardi site will be open for inspection by the commissioners and the public, from 1-3 PM, and then meet back at the Annex at 3:30 PM to discuss any issues related to the site.

Linda Raffield, of the Franklin County Seafood Workers Association, stated that the seafood workers have been forced, in the past, to go through the Seafood Taskforce whenever they need to talk to the Board about their concerns and needs of the seafood workers. Ms. Raffield also stated that the seafood workers of the County need to be respected and recognized for their efforts with the Lombardi property and other issues relating to the seafood industry.

Commissioner Sanders stated that whenever they ask, the Seafood Workers Association should be placed on the agenda without having to coordinate with the Seafood Task Force.

Dan Tonsmeire, of the Apalachicola Bay and River Keepers, stated that better representation for the seafood workers was needed on the Seafood Task Force and suggested having a chair and a co chair as a dealer and a seafood worker on the Task Force.

Chairman Lockley discussed the need for the Seafood Workers Association and the Seafood Task Force to have a better working relationship.

Marcia M. Johnson – Clerk of Courts – Report (10:58 AM)

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

Item 1-I need board approval of a contract between the State Department of Revenue and the County which provides for State approved payments to the County for service of process in child support cases. To explain, when the State files proceedings in child support cases, our sheriff's department may be required to serve papers on individuals involved with the cases. The Sheriff's Department usually charges a fee of either \$20 or \$70 for that service which is set by law, but they don't collect the charge in these types of cases. The County can be reimbursed at a rate of 66% which would help offset his costs on the service. The contract was already in place and is being renewed for a period of 3 years from June 1, 2008 through May 31, 2011.

Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on the contract between the Department of Revenue and the County; Motion carried 5-0.

Item 2-I have been working with Attorney Shuler to establish a procedure for the processing and burial of deceased, unclaimed indigent bodies and to establish rates of payment for such burials which appear to be the responsibility of the County. At present, we have no funds budgeted for this purpose, but we've had to pay for several, and it appears

to be the county's responsibility, so we will have to budget for this in the new fiscal year. Under the proposed policy, if next of kin doesn't claim a body, the funeral home, after determining eligibility, will complete the necessary paperwork and be reimbursed \$825 for its burial services. The policy reflects that the burials are arranged by the funeral home, no services take place, visitation or a viewing is not available, and friends or relatives are not allowed to be present at the time of burial. This policy was developed after conversations with other counties and receipt of copies of their policies as well as meetings and discussions with Kelley's Funeral Home. The policy must be approved by the Board.

Motion by Putnal, seconded by Crofton, to approve the policy for the processing and burial of deceased, unclaimed indigent bodies; Motion carried 5-0.

Item 3-Under Florida Statutes 129.06(2)(a), the Board may establish procedures by which your designated budget officer may authorize certain inter-departmental budget amendments, provided that the total appropriation of the department may not be changed. I'd like board approval authorizing myself, as your budget officer, this authority. This would allow me to take care of minor budget amendments within your departments that would not affect any total budget amounts. This would not affect your Reserve for Contingency allocations and those would continue to require Board approval.

Motion by Putnal, seconded by Crofton, to authorize the Clerk to approve certain inter-departmental budget amendments at or below \$5000; Motion carried 5-0.

Alan Pierce – Director of Administrative Services – Report (11:07 AM)

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

Item 1 - The following items are unfinished items from the last report:

A). Mr. Ted Mosteller, Airport Advisory Chairman, reports the Airport Committee requests permission to advertise for Request for Qualifications for a 5 year term as Airport Consulting Engineer, as required by FAA. URS, the current Airport Consultant, is eligible to re-apply. URS was appointed in May, 2003, so their five year term is expiring.

Motion by Sanders, seconded by Crofton, authorizing the Airport Committee to advertise for a Request for Qualifications for a 5-year Airport Consulting Engineer; Motion carried 5-0.

B) Approval of the revised Franklin County Airport Lease Policy for the following: Reflect name change of Airport to Apalachicola Regional Airport as has been previously approved by the Board and reformat and correct numerous typos in original draft.

Motion by Crofton, seconded by Parrish, to authorize the name change of the Airport to Apalachicola Regional Airport and reformat and correct numerous typos in the original draft; Motion carried 5-0.

C) The Franklin County Community Development Land Trust has amended its by-laws to allow a county commissioner to sit on its Board, and the Trust would like the Board to appoint Commissioner Parrish to sit on the Land Trust. The Land Trust is not part of the county government and does not receive county funds. Board action.

Motion by Crofton, seconded by Sanders, to appoint Commissioner Parrish to sit on the Land Trust; Motion carried 5-0.

D) Inform Board that I have sent Couch Redi-Mix a letter requesting \$170,000 to rebuild Ave A, and parts of 4th and 6th Streets in Eastpoint because of the damage caused by the concrete trucks. Repair estimates were provided by Dan Rothwell, County Engineer.

Item 2 - Inform Board that while the Board directed a public meeting be set up at the Lombardi property to review the site, upon further review it appears that the best thing to do is to set up a time for everyone to look at the site and then meet back in the county commission room to discuss it. The reason for this is that there is no power at the site, so the Clerk would have no way to record the meeting, nor is there any easy way to set up chairs and tables. So the proposal is that on May 20, after the county commission meeting that morning, the Lombardi site will be open for inspection by the commissioners and the public, from 1-3 PM, and then meet back at the Annex at 3:30 PM to discuss any issues related to the site.

This item was addressed earlier in the meeting

Item 3 - Inform Board that DEP has issued its Notice of Intent to issue the Alligator Point Beach Renourishment and Debris Removal Permit to Franklin County. Mr. Bill Wargo, Alligator Point resident, has filed an objection to the Permit being issued. I believe the issue his objection is to the establishment of the new Environmental Control Line (ECL) that is a required component of receiving the permit. The ECL is essentially the mean high water line, and so anything seaward of the new ECL line becomes property of the state. Mr. Wargo, in the past, has claimed that he stills owns land that has washed away.

The Board, Mr. Pierce, and Attorney Shuler, discussed the objection, court hearings, and the length of time that the funds that were set aside by the Legislature for this project will be available.

Ken Osborne, of Alligator Point, discussed how the removal of the debris will open Alligator Point road to the possibility of a storm wash out.

Item 4 - Provide Board with Revised Resolution by the School Board related to the request for the special election. There is no action by the Board. The revised Resolution corrects a typo.

Item 5 - Provide Board with copies of MOU that I signed creating the primary partnership between the county and Enterprise Florida. Previously the Apalachicola Bay Chamber of Commerce had been the primary partner with Enterprise Florida but now it is the county. The Chamber of Commerce did not want to continue to be the primary partner.

Item 6 - Provide Board with copy of proposed ordinance which changes the procedure for getting a contractor or a specialty contractor's license in the county. Currently, the county will sponsor any individual who desires to take a contractor's exam. The proposed ordinance requires that any individual who desires to take the contractor's exam go before the Contractor Licensing Board and present evidence of competency before the county sponsors the individual. The evidence is proof of two years work experience in the appropriate area, or proof of completion of technical training may substituted for the two years experience. The proposed ordinance is recommended by the Franklin County Construction Industry Licensing Industry Board. Board direction.

Motion by Sanders, seconded by Crofton, to table this item until someone from the Contractor Licensing Board appears before the Board to discuss this proposed ordinance; Motion carried 5-0.

Item 7 - The Franklin County Construction Industry Licensing Board has an opening for the architect's seat on the Board. Mr. Lee Benoit, an architect living on St. George Island, has volunteered to fill the position. Board action.

Motion by Crofton, seconded by Sanders, to appoint Mr. Lee Benoit to the Construction Industry Licensing Board; Motion carried 5-0.

Item 8 - The Franklin County Board of Adjustment has a vacancy with the death of Mr. Bryant Hand, Sr, who had been appointed by Chairman Lockley. There is also an alternate position on the BOA that needs to be filled. Board direction.

Chairman Lockley stated that he would submit a candidate for the Advisory Board of Adjustment at a future meeting.

Item 9 - Mr. Ray Miller, property owner on Bluff Road, would like permission to add on to a camper to make it at least 450 square feet. Mr. Miller does not plan to use this structure as a full-time residence as he lives in Georgia. Mr. Miller had asked the Building Dept. to turn power on to a power pole, but when the inspectors realized campers where planned to be hooked up to the power pole, power was denied. I explained to Mr. Miller that the county had passed an ordinance in 1978 prohibiting people from living in campers so he is trying to make the camper large enough to meet the mobile home requirements. Mr. Miller does not have any hardship the Planning Office could identify. Mr. Miller did find these campers in the county, as they had been used at Breakaway Marina when it was open.

Mr. Miller appeared in front of the Board to discuss this request.

Board discussed this matter further.

Mrs. Johnson suggested contacting all of the neighbors surrounding this property before acting on this request.

Motion by Putnal, seconded by Sanders, to send this request to Advisory Board of Adjustment for a public hearing and a recommendation; Motion carried 5-0.

Item 10 - Property owners on Alligator Point, between DEP monument R-220 and R-222, request the Board take action authorizing property owners to be able to take emergency protection action to protect their houses from erosion pursuant to the guidelines in Chapter 161.085(3), F.S. This is the provision for the Board to authorize homeowners to work seaward of the CCCL without a DEP permit to protect their houses, so long as the homeowner applies to DEP within 60 days of the installation of such structures. Certain homeowners in the area described are concerned that with the failure of the beach renourishment project their houses are in imminent danger from the slightest tropical storm. I have notified DEP of the request.

Motion by Sanders, seconded by Crofton, authorizing the specified property owners to take emergency action to protect their houses contingent on Department of Environmental Protection response; Motion carried 5-0.

Item 11 - Provide Board with brief Legislative overview of 2008 session. This was extracted from a document prepared by Mr. Chris Doolin, Small County Coalition.

- A. Legislature provided only 38% of the funding necessary to fiscally constrained counties to offset the impact of Amendment 1. The remaining 62% will be sought in the 2009 session. Franklin County was going to receive some \$215,000, so it will now receive on \$82,000.
- B. Legislature approved full funding for Solid Waste Grants.
- C. Legislature approved full funding for DOT matching programs- SCRAP and SCOP, for which Franklin County has participated.
- D. Payment in lieu of taxes was kept in place.
- E. Library funding for small libraries was cut because the distribution formula was changed. It appears that many small county librarians supported the formula change without realizing it was going to cut their own funding.
- F. Courthouse renovations were not funded. Franklin County had asked for \$350,000.

Item 12 - Board action to award bid to C.W. Roberts to resurface Alligator Point Road subject to negotiations with County Engineer and Preble-Rish and C.W. Roberts over the repairs to the section of road between US 98 and the Bald Point Junction.

Motion by Sanders, seconded by Crofton, to award the bid to C. W. Roberts to resurface Alligator Point Road; Motion carried 5-0.

Item 13 - Board action to direct Preble-Rish to prepare bid documents and advertisements for handicap ramp and boardwalks on the St. George Island Boat Ramp. There are grant funds available to make these improvements. They were not part of the original bid package because it was completely different type of construction than the ramp, and the specifications for the handicap ramps could not be completed until the final grade was determined for the boat ramp itself.

Motion by Crofton, seconded by Sanders, to direct Preble-Rish to prepare bid documents and advertisements for handicap ramp and boardwalks on the St. George Island Boat Ramp; Motion carried 5-0.

T. Michael Shuler- County Attorney- Report (12:01 PM)

Attorney Shuler submitted the following report for the Boards review.

Item 1 - Carrabelle Urgent Care Facility

I continue to assist the hospital board in its effort to find a location in the City of Carrabelle for the Urgent Care Facility.

They need about 10 acres of upland. This will provide the 4 to 5 acres needed initially for the planned urgent care facility and room for future expansion.

BOARD ACTION NEEDED: None.

Commissioner Parish asked Mr. Shuler to discuss this item with Mr. Billy Buzzett of the St. Joe Land Company.

Item 2 - Alligator Drive

The county engineer is completing the survey work on the footprint of the roadway property to be condemned connecting Tom Roberts Road and Harbor Circle.

Preliminary investigation of the information received 4/21/08 from the Alligator Point Tax Payers Association indicates that a public road may have been dedicated in 1946 which connects Tom Roberts Road and Harbor Circle. I am continuing to review the facts. As it makes no sense to pay for a right of way we may already own, if my investigation warrants, I will elect on your behalf to file a suit seeking a court order opening the right of way instead of filing a condemnation suit. Unlike condemnation, you would not have to pay for the pre-existing right of way. A lot of facts have occurred since 1946, but as of this initial report (5/6/08) I know of no facts indicating that the board abandoned the right of way.

BOARD ACTION: No need to make a decision now, but this if for your consideration

Attorney Shuler, based on an inquiry from Commissioner Sanders, stated that the engineer will have field work and drawings at the end of the week for alligator point road.

Item 3 - Fred May and Carolyn May

On April 28, 2008, I sent a demand letter to the May's instructing them to cease commercial parking on their residentially zoned lot on St. George Island. It appears that a nearby business has been using their lot for parking.

Item 4 - Relevant Litigation Status

a - Wargo vs. DEP and the Board of Trustee of the Internal Improvement Trust Fund:

Mr. Wargo, through counsel, filed suit challenging the issuance of the permit for beach renourishment. This means a delay in issuing the permit. This is only important because the permit was going to be used for the purpose of cleaning up debris on the beach.

b - Business Regulation vs. Robin Brinkley:

In addition to their civil suit against Mr. Brinkley (07-296) alleging negligent building inspections in 2005, the Bifanos also filed a complaint against his license to perform inspections. That license is issued by the Florida Department of Business and Professional Regulation. Neither suit is against Franklin County. Both cases are against Mr. Brinkley as a result of his employment with the County.

Attached is a letter from the Florida Association of Counties Trust (F.A.C.T.) stating that it is providing a defense to Mr. Brinkley in this matter. The letter speaks for itself.

F.A.C.T. initially declined coverage, but I managed to negotiate coverage

BOARD ACTION NEEDED: None

c - Ashley vs. Administration Commission:

I have previously informed you that the First District Court has approved all aspects of the Comprehensive Plan, except for two of the FLUM amendments on St. James Island (Rural Village and Conservation Residential). The Court found these to be mixed use developments for which each use must have a percentage cap.

We have sent a proposed order to the Ashleys' attorney Ross Burnaman. If acceptable, the Administration Commission would execute the order and direct the County to hold a public hearing for the purpose of establishing cap on each type of use within Rural village and Conservation Residential.

Commissioners' & Public Comments (12:03 PM)

Commissioner Parrish discussed a meeting that was held on Saturday regarding seafood regulations and also stated that there was another meeting this evening also regarding the seafood industry this evening.

Commissioners Crofton and Parrish also commented on these meetings.

Sister Jeanne Drea, of the Franklin's Promise Food Pantry, distributed a handout that explained the income and expenditures of the food pantry in Franklin County and discussed the current status of the Food Pantry and the increase in clients.

Clarice Powell, of Franklin's Promise, discussed options they are considering to reduce some of their overhead costs.

Bruce Hall, STAR, distributed a Dune Restoration project grant report and discussed this report. Ms Hall also stated that there will be a St. George Island clean-up project on May 17, 2008.

Adjourn (12:19 PM)

Chairman Lockley adjourned the meeting.

Noah A Lockley Jr., Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Court