

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MAY 20, 2008
9:00 AM**

MINUTES

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

Others Present: Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Officer, Michael Morón – Board Secretary

Call to Order (9:00 AM)

Chairman Lockley called the meeting to order.

Prayer and Pledge (9:00 AM)

There was a Prayer followed by the Pledge of Allegiance.

Approval of Minutes – Regular Meeting May 6, 2008 (9:01 AM)

Motion by Sanders, seconded by Crofton, to approve the minutes of the May 6, 2008 regular meeting; Motion carried 5-0.

Payment of County Bills (9:01 AM)

Motion by Putnal, seconded by Sanders, to approve payment of the County Bills as presented; Motion carried 5-0.

Department Supervisors – Report

Hubert Chipman – Superintendent of Public Works (9:02 AM)

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

Work Performed Summary

- ❖ Hauled 4 loads of lime rock approximately 72 cubic yards and 1 load of mill asphalt approximately 18 cubic yards to the Franklin County Health Department in Apalachicola.
- ❖ Hauled 9 loads of lime rock approximately 162 cubic yards and 13 loads approximately 247 cubic yards of black dirt to the Monument site in Apalachicola.
- ❖ Stock piled 17 loads of lime rock 315 tons and 40 loads of screened fill dirt 905 tons.
- ❖ Hauled 11 loads of black dirt approximately 209 cubic yards to the air port in Apalachicola.
- ❖ Hauled 16 loads of lime rock to county road 67 in Carrabelle 364 tons.
- ❖ Hauled 1 load of #57 rock to Apalachicola
- ❖ Hauled 2 loads of 5000 a piece of water to Carrabelle and 2 to Eastpoint
- ❖ Hauled 2 loads of black dirt approximately 18 cubic yards to Eastpoint
- ❖ Hauled 4 loads of cold mix asphalt to Eastpoint approximately 36 cubic yards
- ❖ Hauled 47 loads of shoulder dirt approximately 846 cubic yards of shoulder dirt to the landfill
- ❖ Hauled 6 loads of mill asphalt approximately 108 cubic yards to St. George Island
- ❖ Picked up piling off of 9th street and brought to the Air Port in Apalachicola
- ❖ Cleaned bike paths on St. George Island
- ❖ Cut and cleaned cemeteries in Eastpoint
- ❖ Shoulder work on county road 67 in Carrabelle
- ❖ Ground maintenance at Emergency Management, Apalachicola High School, Health Department, Weems Memorial Hospital the Courthouse and courthouse annex in Apalachicola also the Courthouse Annex in Carrabelle and the Learning Center in Eastpoint
- ❖ Dug ditches around the Jail in Eastpoint
- ❖ Picked up commodities from 2nd Harvest in Tallahassee and brought to community action in Apalachicola
- ❖ Watered roads in Carrabelle & Eastpoint
- ❖ Fixed pot holes in the parking lot at Weems Memorial Hospital in Apalachicola
- ❖ Graded roads in Apalachicola, Carrabelle and St. George Island
- ❖ Cut bushes and limbs in Eastpoint and St. George Island
- ❖ Graded mill asphalt down on St. George Island and parking lot at Weems Memorial Hospital
- ❖ Packed roads in Carrabelle and St. George Island
- ❖ Patched pot holes in Apalachicola, Eastpoint & St. George Island
- ❖ Repaired driveways in Eastpoint

- ❖ Swept roads in Eastpoint
- ❖ Tiller roads in Carrabelle, Eastpoint and St. George Island
- ❖ Shoulder work in Apalachicola, Carrabelle and Eastpoint
- ❖ Litter pick up in Apalachicola, Eastpoint & St. George Island
- ❖ Cut grass in Alligator Point, Apalachicola, Carrabelle, Eastpoint and St. George Island
- ❖ Cut ditches in Apalachicola, Eastpoint and St. George Island
- ❖ Pulled ditches in Carrabelle
- ❖ Put up 2 signs, moved and pulled up signs in Eastpoint
- ❖ Cut grass around signs, Put up 2 signs, Replaced signs, Sign Inspection and washed signs in Carrabelle

Commissioner Putnal asked Mr. Chipman to do some maintenance and repairs to Pogy Road. The Board and Mr. Shuler discussed if the County owned Pogy Road and was authorized to do the necessary maintenance.

Alan Pierce – Director of Administrative Services

Mr. Pierce presented the following item from his report as it related to the road department.

Item 6 - The Board directed at the last meeting that staff review the impacts of providing transportation for workers to and from work site. I have consulted with Mr. Shuler, and before a cost estimate was obtained, there are a number of legal issues which make it an unwise move, including the fact that all county employees would have to be offered this service, and the county then becomes responsible and liable for anything that happens to the employees on their way to work. Staff recommendation is not to pursue the issue.

Motion by Putnal, seconded by Parrish, to agree with the staff recommendation and not pursue the transportation for workers matter; Motion carried 5-0.

Marcia Johnson – Clerk of Court

Mrs. Johnson presented the following item from her report as it related to the transportation discussion.

Item 4-Regarding #6 of Alan Pierce's report on county worker transportation, I have attached a list of vehicles insured by the county as well as a list of equipment and trailers insured by the county. Each list is separated by department. Once you've had an opportunity to look at it, I would suggest you take some action to require the department heads to make some decisions to determine which vehicles and equipment could be removed because of age or non-use. I would also suggest you ask for justification from your department heads on the use of county vehicles so it can be decided who should be driving county vehicles and how they will be used. The County pays a considerable sum of money each year to insure all the vehicles and equipment. It's about \$90,000 on the vehicles and trailers, and about \$30,000 on equipment.

Board reviewed and discussed this item and decided to continue the discussion at a future meeting.

Chairman Lockley asked Mr. Pierce to bring a copy of the policy that determines who is authorized to drive County vehicles 24 hours a day.

Mrs. Johnson suggested reviewing and updating this policy.

Alan Pierce – Director of Administrative Services

Mr. Pierce presented the following item from his report as it related to the Road Department.

Item 2 - Provide Board with copy of letter sent to FEMA requesting permission to develop an alternate project for some unused FEMA funds and buy two dump trucks for Public Works. This letter was written following a phone call from FEMA urging the county spend the funds. Tentative approval has been given by FEMA. Upon receipt of it in writing the Board can proceed with vehicle purchase and then seek reimbursement from FEMA.

Motion by Putnal, seconded by Crofton, to authorize Mr. Pierce to proceed with his recommendation; Motion carried 5-0.

Commissioner Parrish thanked Road Department for the work they did at the Lombardi Property.

Van Johnson – Solid Waste Director (9:13 AM)

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

RECOVERED MATERIALS ANNUAL CERTIFICATION:

FOR BOARD ACTION: I have for the Boards approval and the Chairman's signature, the annual Application for Recovered Materials Certification and Reporting Form. We are required by Florida Statutes to report our recycling activities to the Florida Department of Environmental Protection annually. During the year 2007, the recycling program, recycled 733.27, tons of solid waste. The annual cost for this certification is \$50.00. ACTION REQUESTED: Motion authorizing the Chairman's signature on the FDEP Application for Recovered Materials Certification and Reporting Form" and authorizing the payment of \$50.00 for the annual fee.

Motion by Putnal, seconded by Sanders, to authorize the Chairman's signature on the FDEP Application for Recovered Materials Certification and Reporting Form and authorize the \$50.00 annual fee; Motion carried 5-0.

LINE ITEM BUDGET TRANSFER REQUEST:

FOR BOARD ACTION: There was \$23,099.41 in additional work and materials needed at the Carrabelle Recreation Park that were not allowable under the Phase III Legislative Appropriation Grant. Because of this, I'm requesting a line item budget transfer to move the necessary funds from the Parks and Recreation Operating Budget into the expenditure line item for the Carrabelle Recreation Park.

INCREASE 001.20.572.6301 Infrastructure – Carrabelle Recreation Park \$23,099.41
DECREASE 001.70.572.5200 Parks & Recreation – Operating Supplies \$23,099.41

ACTION REQUESTED: Motion to approve the budget transfer.

Motion by Putnal, seconded by Sanders, to approve the budget transfer; Motion carried 5-0.

LANDFILL SCALES:

FOR BOARD INFORMATION: Since January the contractor that's doing the work along Highway 98, has been using the scales at the landfill to weigh the trucks hauling the large rocks. The landfill does not normally charge for this service; however, the frequency of the trucks and the weight of the loads may hasten the need for repairs on the scales. All attempts to communicate my concerns to the contractor have been unsuccessful. To date they have not return any of my telephone calls nor responded to my recent letter. ACTION REQUESTED: Board's Direction.

Motion by Parrish, seconded by Crofton, directing Attorney Shuler, after conferring with Mr. Johnson, to send a letter to the contractor and the Florida Department of Transportation informing them of the cost for the use of the scales at the Landfill; Motion carried 5-0.

CONSOLIDATED SOLID WASTE GRANT APPLICATION

FOR BOARD ACTION: I also have for the Board's approval and the Chairman's signature the completed Consolidated Solid Waste Management Grant application for Fiscal Year 08/09. Franklin County's portion will roughly be the same as last year's \$277,316.00. The application is due back to the State by July 1st. ACTION REQUESTED: Board Approval and the Chairman's Signature on the Consolidated Solid Waste Management Grant Program Application for Fiscal Year 2008-2009.

Motion by Putnal, seconded by Sanders, to authorize the Chairman's Signature on the 2008-2009 Consolidated Solid Waste Management Grant Program Application; Motion by 5-0.

Representative Kendrick addressed the Board about available grants funds for County Parks, but suggested that the County create a more detailed plan for the spending of grant funds. Representative Kendrick also discussed the Working Waterfronts program, the Legislature allocation of funds for this program, the possibility of the Governor vetoing some of the grants but the likeliness of NOAA grants not being vetoed. Representative Kendrick encouraged the

Board to apply for grants for every working waterfront location in the County and for FWC grants and boat ramp grants and also discussed FRDAP grants that was funded for the County. Commissioner Parrish discussed funding for the Working Waterfronts Program in the County. Representative Kendrick explained that there are two different Working Waterfront programs but only one is funded by the Florida Legislature.

Commissioner Sanders and Representative Kendrick discussed the benefits of Florida Forever Program.

Commissioner Sanders stated that funding from some of these grants will probably have to come through a County Office such as Parks and Recreation. Representative Kendrick stated that it is very important for the County to have a plan in place before receiving grant funding. Representative Kendrick also discussed a new work camp that will be located in Franklin County that will create job opportunities in the County.

Chairman Lockley and Representative Kendrick discussed the grants further.

Kevin Begos, of the Seafood Task Force, stated that the Dept of Agriculture will contact the County shortly about a \$200,000 grant for improvements to the Lombardi property.

Commissioner Putnal asked Mr. Johnson if some bleachers were moved from the Eastpoint baseball field to the Apalachicola baseball field. Mr. Johnson explained that the move was temporary and the bleachers have already been returned.

Commissioner Sanders asked Mr. Johnson if he was able to get additional work crews to help with the maintenance of the County's parks. Mr. Johnson stated that he will be meeting later today with the Warden to discuss this matter.

Commissioner Crofton stated that he needed clarification as to what department was in charge of the management of Indian Creek Park. Mr. Kevin Begos, of the Seafood Task Force, stated that he wrote the management plan for Indian Creek Park, but the County's Parks and Recreation Department is responsible for the management of the park and Florida Community Trust will be contacting the Parks and Recreation Department to discuss the maintenance and grant requirements of the Park.

Commissioner Crofton stated that it was important that someone was specifically responsible for the management and making sure that all of the grant requirements were met.

Commissioner Putnal said it was stated at the last Seafood Task Force meeting that the County's Park and Recreation Department would be responsible for the management of the park.

Mr. Begos stated that he was under the impression that the Seafood Task Force's role was to act as an advisory board for the management of the park.

Commissioner Sanders stated that the Board was ultimately responsible for the park and any grant it may receive so all recommendations, including those from the Seafood Task Force, must come before the Board where the final decision would be made.

Commissioner Parrish stated that he was satisfied with the efforts of the Seafood Task Force with the Indian Creek Park and think that they should continue on their path.

Commissioner Putnal stated that having the park available by September for the seafood workers to use was the top priority and will need the cooperation of all agencies to accomplish this goal. Commissioner Crofton agreed.

Commissioner Lockley stated that the Seafood Task Force should continue to make recommendations regarding the park, but make sure that these recommendations are presented to the Board for discussion and approval.

Mr. Begos suggested that a representative from Parks and Recreation Department attend the Seafood Task Force meetings. Mr. Johnson stated that he will have a staff member attend.

Mr. Begos presented a letter in draft form, as suggested by Commissioner Putnal, asking Department of Agriculture to start a market campaign for all of the seafood from Franklin County. The Board discussed this letter.

Motion by Putnal, seconded by Crofton, to authorize the Chairman's signature on the final draft of the letter to the Department of Agriculture; Motion carried 5-0.

Commissioner Crofton asked for an update on the property next to the Eastpoint Boat ramp. Mr. Pierce stated that the property has title problems. Attorney Shuler explained the title problems in more detail. Commissioner Crofton stated how beneficial it would be for the County to own that property.

Dan Rothwell – County Engineer (9:57 AM)

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

1. **BOARD ACTION – Final Payment CR30A:**

Staff requests permission to make final payment to Jason White Construction for \$39,582.92 once the FDOT TRIP refund has been received.

Motion by Sanders, seconded by Crofton, to authorize the final payment of \$39,582.92 to Jason White Construction; Motion carried 5-0.

2. **BOARD ACTION – Franklin Blvd @ E. & W. Gulf Beach Dr. Crosswalks :**

Charley Locke of FDOT emailed staff to ask that Franklin County write June Coates of FDOT to ask for permission to decrease the south bound Franklin Blvd. from 45 mpg to 35 mph and to allow Franklin County to place crosswalks and crosswalk signage on Franklin Blvd. at County expense. Does the Board desire to pursue the placement of crosswalks and signage?

The Board discussed this matter at length.

Motion by Crofton, seconded by Sanders, to direct Mr. Rothwell to contact someone at FDOT with more authority than Mr. Charley Locke to request a speed limit decrease from 45 mph to

35 mph on the south bound lane of Franklin Boulevard and to pursue the placement of crosswalks and signage; Motion carried 5-0.

3. Eastpoint County Landing Park Project:

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

4. Ochlockonee Bay Boat Ramp Project:

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

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

C.W. Roberts surveying and staking are complete but, has not yet started work.

6. Squire Road, Peachtree Road Survey and Long Road:

Work on the plans and field marking are still pending prior to Public Works projects on these roads.

7. South Shoal Village Survey and Plat Plots:

Staff has completed field survey work and prepared plat plots for the County Attorney. The estimated savings for in house work is \$2,500.00 for survey and plat drawings.

Mr. Rothwell gave an update on the St. George Island boat ramp project, and stated that he is working with Mr. Begos of the Seafood Task Force on staking out parking spaces at Indian Creek Park.

Commissioner Putnal discussed problems with a small boat ramp located up the river from Indian Creek.

Commissioner Sanders asked Mr. Rothwell to have the contractor start paving, for the Alligator Point Road paving project, from the reserve outward towards Highway 98 rather than starting at Highway 98 inwards. Board discussed this project.

Ken Osborne, of Alligator Point Taxing Association, asked if it will be necessary for the Board to change the engineer design specifications for this project, expressed concerns of the funds for this project being transferred to another project, asked if the funds were matching funds how could the funds be transferred, and stated that the residents of Alligator Point would be watching the progression of this project.

Mr. Rothwell stated that the specifications will not be changed, but there will be negotiations with the contractor so that more work can be done where it is needed on this road, but none of the funds set aside for this project would be transferred elsewhere.

Bill Mahan – Extension Director (10:16 AM)

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

Gulf of Mexico Fishery Management Council (GMFMC) Updates:

Commercial Tilefish Fishery Closed: The commercial tilefish fishery closed in the Gulf of Mexico on May 10th. The fishery will remain closed until January 1, 2009.

Commercial Deep Water Grouper Fishery Closed: The commercial deep water grouper fishery closed in the Gulf of Mexico on May 10th. The fishery will remain closed until January 1, 2009.

Aquaculture Amendment Public Hearing: The GMFMC will hold a joint public hearing with the South Atlantic Fishery Management Council May 28, 2008 in Key West, FL to receive public comment on a draft Aquaculture Amendment for the Gulf of Mexico. The Amendment will require persons to obtain a permit from the National Marine Fisheries Service to construct and operate an aquaculture facility in the Exclusive Economic Zone of the Gulf of Mexico.

Florida Fish & Wildlife Commission (FWC) Updates:

Alligator Harvest Permits Go On Sale June 3rd: The FWC will begin selling approximately 4,500 alligator harvest permits on a first-come, first-served basis at 10 a.m. (EDT) June 3 and will continue through 11:59 p.m. (EDT) June 9.

Panacea free Kid's Fishing Clinic: The FWC, the St. Marks National Wildlife Refuge, Wakulla County, St. Marks Refuge Association and the Sport Fish Restoration Program present a FREE Kids' Fishing Clinic for children between the ages of 4 and 16 on Saturday, May 31. Registration will begin at 11 a.m. and end at 2 p.m. The clinic will be held at Wooley Park in Panacea.

FWC asks boaters to wear their life jackets and pay attention: The FWC reported 77 boating fatalities for 2007. Though this number may be disconcerting, following a few simple rules and paying attention while boating can make the difference between a safe and enjoyable day on the water and one that ends tragically.

Gov. Charlie Crist and Florida's cabinet members passed a resolution today proclaiming May 17-23 as National Safe Boating Week in Florida. The FWC is using this event to announce the kickoff of the "Wear it Florida" campaign, which is aimed at encouraging boaters of all ages to wear a life jacket while boating.

"Drowning is the leading cause of death in boating accidents, and there's an easy fix – wear a life jacket," said Lt. Ed Cates of the FWC's Division of Law Enforcement. "There are several styles of life jackets available that won't interfere with your boating experience and may save your life."

UF – IFAS Extension Updates:

BRD Outreach Program: The By-catch Reduction Device (BRD) Outreach Program went very well. Gary Graham (Texas Sea Grant), Lindsey Parker (Georgia Sea Grant) taught the program. There was an excellent exchange of information between the shrimpers, Extension staff and representatives from FWC. Approximately 10-sets of BRDs (30-BRDs) were given to shrimpers to use and report back on how they liked them. The funding for the program is being provided by the Gulf & South Atlantic Fisheries Foundation.

4-H Tropicana Public Speaking Program: The schools – ABC, West, Central, & East Franklin County School campuses are wrapping up their school 4-H Tropicana Public Speaking contests. Our annual 4-H Tropicana Public Speaking Program is underway in county schools. The Countywide 4-H Tropicana Public Speaking Finals for the 4th/5th Grade Division and the 6th Grade Division will be on May 22nd at 9:00 a.m. in the West Campus Auditorium.

4-H Butterfly Development Program: The 4-H Butterfly Development Program continues in all of the County's public schools. The painted lady caterpillars have grown, made their chrysalises, and will be hatching very soon. 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. Franklin County has been a featured seminar site for the program since it began in 1991. The enjoy meeting with our 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: Planning for our annual 4-H County Summer Camp continues. This year's camp will be the week of July 14th – 18th at 4-H Camp Timpooshee. 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.

Mr. Mahan stated that Mr. David Hinton has asked the County to send a letter to DOT which would allow them to spray a chemical to kill the cogon grass that is growing in front of his property but on the right-of-way.

The Board expressed concerns regarding the chemicals that will be used.

Motion by Sanders, seconded by Putnal, to direct Attorney Shuler to confer with Mr. Mahan and Mr. Hinton and then use his discretion on authorizing this request; Motion carried 5-0.

Open Bids – Aircraft Maintenance Hanger Construction Project (10:22 AM)

Mr. Pierce opened the bids and stated the amounts.

Poloronis – \$466,375.00

RJ Peterson – Option 1 – \$132,596.00 Option 2 – \$397,678.00

Global Jet – \$750,000 – \$800,000

None of the bids contained bonds.

Motion by Sanders, seconded by Crofton, to forward the bids to the airport committee for a recommendation; Motion carried 5-0.

Billy Buzzett – St. Joe Company – Summer Camp Modular Home Issue (Tabled from May 6 BCC meeting) (10:27 AM)

Mr. Buzzett stated that St. Joe Company did meet with Mr. Bud Childs, but even though his factory is not yet opened, St. Joe Company has submitted housing plans for him to bid on. Mr. Buzzett stated that he has submitted housing plans for the modular homes to the County staff that meets the County building codes.

Mr. Pierce verified that the housing plans for the houses do meet the single family home requirements and has been reviewed by the County's building inspector.

Commissioner Sanders read from a letter where SummerCamp requested an extension for a pump out wastewater agreement that referred to the houses in SummerCamp as rentals and seasonal, and expressed her concerns with the rental and seasonal reference and the fact that St. Joe is using a licensed vendor out of Wakulla County instead of Franklin County which is opposite from the agreement that was made during the PUD hearings to use local labor. Buzzett stated that St. Joe is in favor of using local wastewater solutions and is open to any solutions that County can offer.

Commissioner Sanders stated that the houses that were shown during the PUD hearings are not what are currently being used at the SummerCamp development and suggested asking Planning and Zoning to review the PUD and the current actions of the St. Joe Company regarding the SummerCamp development.

Dan Tonsmeire, ABARK, thanked the Board for its actions on this matter, but suggested that during any future development or PUD hearings, plans and requirements are specifically laid out so there is no question later on. Mr. Tonsmeire also stated that there is the possibility that other developers will buy some of these lots and want different PUDs, and now is the time to send St. Joe Company a message by being more specific with the PUD rules and regulations. Mr. Tonsmeire suggested that the County works towards getting the necessary assessments in place that is required for the Comp Plan.

Commission Parrish asked if there is a prohibition in the County building codes or the PUD restricting the use of the modular homes, rentals in an R-1 District, and if not, what are we asking Planning and Zoning to recommend to the Board regarding SummerCamp. Attorney Shuler stated that there is no County restriction on modular homes or rentals that would affect SummerCamp development.

Commissioner Sanders stated that even though there are no specific restrictions on the use of the modular home or rentals, the St. Joe Company is not keeping with the spirit of the PUD and what they agreed to during the PUD hearings, like the specific type of houses that would be used, which was not modular homes, and the use of the homes as rentals, and the use of a outside wastewater contractor.

Commissioner Parrish and Mr. Pierce discussed the wastewater issues at Summer Camp.

Mr. Buzzett stated that if it is wish of the County to send the issues discussed to the Planning and Zoning Commission, then he was in agreement and would ask the Apalachicola Bay and River Keepers to work with him with the Summer Camp project in a positive light.

Commissioner Sanders explained that the Summer Camp project should be held to the highest standard since it was the first big project for the St. Joe Company in this county; Mr. Buzzett agreed.

Larry Fletcher, manager of Summer Camp, explained why the term rental was used in the letter, which actually was a sales pitch to encourage the sales of houses in Summer Camp, and the modular homes will be used to house the prospective buyers.

Board members stated that this information was in contradiction to what was said at the last meeting regarding the use of the modular houses.

Mr. Buzzett tried to clarify the information that was presented to them today versus what was said at the last meeting.

Motion by Sanders, seconded by Putnal, to send the current SummerCamp modular home and PUD issues, to Planning and Zoning for their review and a recommendation; Motion carried 5-0.

Chairman Lockley left the meeting at 11:00 AM and Vice Chair Parrish assumed the duties of chairing the meeting.

P & Z Report (11:00 AM)

Mr. Pierce presented the following request to the Board.

1. Approved by Planning and Zoning - A 10 lots sketch plat on an 11.49 acre parcel to be known as Kelley's Plat, Phase II, property located on the New River northeast of Carrabelle. Motion approved by all but Member Murphy.

Dan Garlick discussed this request with the Board.

Motion by Putnal, seconded by Crofton, to approve Item 1 from the Planning and Zoning Report; Motion carried 4-0.

Advisory BOA Report (11:07 AM)

1. Denied by the Advisory Board of Adjustment - a request for an after-the-fact variance to construct a storage building over an existing concrete slab 8.5 feet into the rear setback off of an alley and replace a 12 ft. high fence (8ft maximum allowed height per code) on property described as Lots 7-9, Block 1 West, Unit 1, St. George Island, Florida. Request submitted by James P. Kourkoulis, Harry A's, owner.

Commissioner Crofton provided some information on this request and stated why he supported this request.

Terry Brewer, of Harry A's, admitted that the storage building was built without a permit, but has paid the fine and is currently working with a contractor to bring the storage building into code, but needed approval of this variance request. Mr. Brewer stated that he is aware that there is a sewer problem at Harry A's and is also working to resolve that problem.

Billy Blackburn, of BJ Pizza, stated that if Harry A's is granted this variance, he will also be requesting the same type of variance to expand his building square footage over the area that is currently used for parking.

Commissioner Parrish, who previously served on the Planning and Zoning Commission, stated that the Harry A's building was built before the County code was in effect, but stated that all businesses should be treated the same.

Motion by Crofton, seconded by Putnal, to approve the variance request for storage only as no other use of this building will be allowed, and authorized the applicant to replace the 12ft high fence; Motion carried 3-1, Parrish opposed.

Marcia M. Johnson – Clerk of Court – Report (11:24 AM)

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

1-I received the financial report from Weems Memorial Hospital for the month ending April 2008 and it indicated a balance in the account of \$546,236.63.

2-During the process of renovating the courtroom in the main courthouse, the Office of the Court Administrator determined that a new sound system would have to be installed and they presented a quote in the amount of \$24,276.79 from MusicMasters, a company located in Tallahassee, Fl. I was advised by the court administrator that this company is the only one they've utilized for sound systems in courtrooms in our circuit. Court is scheduled to convene in the new courtroom in June. I am requesting you declare this an emergency situation with a sole source provider to allow us to proceed outside your bid policy with MusicMasters to ensure the courtroom will be ready and available for court sessions in June. There are funds available in your budget to take care of this expenditure.

Motion by Putnal, seconded by Sanders, to declare this request an emergency situation, request the services of MusicMasters as a sole source provider, and proceed outside the County's bid policy; Motion carried 4-0.

3- I'd like the Board to consider amending your current bid policy. Currently, if an item is valued at \$5,000 or more, the bid process must be followed. I'd like you to raise that figure to \$10,000. The reason for a bid policy is to help monitor purchases to ensure proper expenditures, but realistically, the current figure of \$5,000 is no longer in line with current pricing.

Motion by Sanders, seconded by Putnal, to raise the bid process limit from \$5000 to \$10,000;

Motion carried 4-0.

4-Regarding #6 of Alan Pierce's report on county worker transportation, I have attached a list of vehicles insured by the county as well as a list of equipment and trailers insured by the county. Each list is separated by department. Once you've had an opportunity to look at it, I would suggest you take some action to require the department heads to make some decisions to determine which vehicles and equipment could be removed because of age or non-use. I would also suggest you ask for justification from your department heads on the use of county vehicles so it can be decided who should be driving county vehicles and how they will be used. The County pays a considerable sum of money each year to insure all the vehicles and equipment. It's about \$90,000 on the vehicles and trailers, and about \$30,000 on equipment.

This item was addressed earlier in the meeting.

5-I need approval of a resolution on unanticipated revenues. It deals with \$53,000 we received from Prebble Rish and CW Roberts for the Lake Morality Additional Paving Expenses and it will be put in the Local Option Gas Tax Fund. This was money not previously budgeted, but received during the budget year.

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

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

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

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$53,000 from PREBLE RISH, INC AND C.W. ROBERTS CONTRACTING, INC. for LAKE MORALITY ROAD ADDITIONAL PAVING EXPENSE, and

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

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

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

141.41.541.6301	Infrastructure – Lake Morality Road	\$53,000.00
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NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$53,000.00 in the LOCAL OPTION GAS TAX FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 20th day of MAY 2008.

Motion by Crofton, seconded by Sanders, to approve the resolution on unanticipated revenues; Motion carried 4-0.

6-I need approval of a line-item budget amendment to cover the county's share of the expense of the paving overlay on Lake Morality Road which amounted to \$27,000. We would need to increase 141.41.541.6301 Infrastructure - Lake Morality Road by \$27,000 and decrease 141.41.541.6300-Infrastructure by \$27,000.

INCREASE	141.41.541.6301	Infrastructure – Lake Morality Road \$27,000.00
DECREASE	141.41.541.6300	Infrastructure \$27,000.00

Motion by Sanders, seconded by Crofton, to approve the \$27,000 line item budget transfer; Motion carried 4-0.

Commissioner Sanders expressed her dissatisfaction with the new design of the 3rd floor courtroom. Mrs. Johnson explained that the Office of Court Administration and the Chief Judge decided on the design of the courtroom.

Alan Pierce – Director of Administrative Services – Report (11:30 AM)

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

1. Provide Board with copy of letter signed by the Chairman and sent to US Fish and Wildlife Service and the Corps of Engineers regarding the draft revisions to the Corps Interim Operations Plan for the ACF.

Dave McLain discussed the court's decision that denied the State of Georgia's request for a re-hearing for a restriction on the water flow regarding the ACF water wars and suggested that the County lobbies for as much federal support as possible for the County and the Bay.

2. Provide Board with copy of letter sent to FEMA requesting permission to develop an alternate project for some unused FEMA funds and buy two dump trucks for Public Works. This letter was written following a phone call from FEMA urging the county spend the funds.

Tentative approval has been given by FEMA. Upon receipt of it in writing the Board can proceed with vehicle purchase and then seek reimbursement from FEMA.

This item was addressed earlier in the meeting.

3. Provide Board with copy of letter written to Early Coalition of Florida stating the Board does not have funds to provide Early Coalition. With this denial the Early Coalition can then proceed to seek funds from other sources.

4. Provide Board with copy of Notice placed in paper for Architect to assist in designing Carrabelle Urgent Care Clinic. I provided 30 days response time so Request for Qualifications will not be opened until July 1 County Commission meeting.

Attorney Shuler stated that he is negotiating with the School Board for a site for the Carrabelle Urgent Care Clinic.

Commissioner Putnal warned that some of the property the County is interested in may be wetlands so extreme care should be used.

5. Mr. Ted Mosteller, Chairman Airport Advisory Committee, requests permission to advertise for a contractor to rehab runway 06/24. The JPA with DOT has been signed for this project, at 100% funding to a maximum of \$750,000.

Motion by Crofton, seconded by Sanders, to authorize Mr. Mosteller to advertise for a contractor to rehab runway 06/24; Motion carried 4-0.

6. The Board directed at the last meeting that staff review the impacts of providing transportation for workers to and from work site. I have consulted with Mr. Shuler, and before a cost estimate was obtained, there are a number of legal issues which make it an unwise move, including the fact that all county employees would have to be offered this service, and the county then becomes responsible and liable for anything that happens to the employees on their way to work. Staff recommendation is not to pursue the issue.

This item was addressed earlier in the meeting.

7. The DOT has a program called Community Traffic Safety Program that has some funds available to solve local traffic safety issues. Both the City of Apalachicola and Carrabelle have created Traffic Safety Committees, and both cities have received funds to complete projects. Carrabelle's main project was the sidewalk/bike path along Ryan Drive. Apalachicola also did a sidewalk project, and improved the intersection at the Prado and US 98. I have been contacted by the City of Apalachicola and I have in turn contacted the City of Carrabelle about the prospect of the cities working with the county in a joint cities-county traffic safety program. The reason is that there is some funding the county can get that the cities cannot get. Both

cities are willing to consider the idea. Board action to write two cities a letter requesting participation in a county-cities joint traffic safety program.

Commissioner Parrish stated that he would like the committee to extend the Bluff Road Bike path. Board discussed this item further.

Motion by Crofton, seconded by Sanders, to allow Mr. Pierce to contact the City of Apalachicola and the City of Carrabelle regarding a county-cities joint traffic safety program; Motion carried 4-0.

8. Board action to allow Building Department employee Melanie Hutchins to transfer to Courthouse Maintenance at entry level maintenance salary of \$26,500, effective June 15. This will allow the Building Department budget to be reduced by one position in next year's budget. There has been a request by the Circuit Judge for more janitorial services, and it was always uncertain whether one person could do provide all maintenance and janitorial services for courthouse. Ms. Hutchins assisted in provided janitorial services for almost two months while Mr. Frankie Crosby was recovering from surgery so she is experienced, and she is willing to move over. Board action.

Motion by Sanders, seconded by Crofton, to allow Mrs. Hutchins to transfer to Courthouse Maintenance; Motion carried 4-0.

9. Inform Board that I have asked Mr. Van Johnson, Director of Parks and Rec, to inform me when the next Inmate Supervisor training is going to be, as I have informed Mr. Chris Giametta, and Mr. Robin Brinkley, both in the Building Dept., that I would like them to take the training in the event that they might periodically be used by Parks and Rec for maintenance on various recreational facilities.

Motion by Sanders, seconded by Putnal, to allow Mr. Robin Brinkley and Mr. Chris Giametta to attend the next Inmate Supervisor training; Motion carried 4-0.

10. Mr. Kevin Begos, Seafood Task Executive Director, and Mr. Tommy Ward, Chairman of Task Force, to request letter to Commissioner Charles Bronson, Dept. of Agriculture and Consumer Services, to encourage state supported marketing plan for Apalachicola Bay seafood.

11. Board action to authorize an extension on the St. George Island Boat Ramp until Dec. 15th. We are seeking extension to provide adequate time for the handicap ramps to be built. The extension is not being sought because of construction delays or problems with the boat ramp itself.

Board asked Mr. Pierce to get a date certain that the boat ramp would be available for use. Michael Allen, WOYS, asked for a date that the fishing pier would be available. Board discussed this request, the construction of the handicap ramp, and asked Mr. Pierce to check on a date for the fishing pier.

Motion by Crofton, seconded by Putnal, to authorize an extension on the St. George Island Boat Ramp until December 15th; Motion carried 4-0.

12. Provide Board copy of memo I wrote to Baily, Bishop, and Lane regarding the Lombardi FWC grant application. I needed verify several points, including that I had asked Bailey Bishop to complete the Lombardi application that Mark Curenton had started. Mark and I thought it better if all the FWC grant applications were submitted together and since the Board did direct Bailey Bishop to do the Eastpoint and Ochlockonee, I made the request to Bailey Bishop to add Lombardi. I also informed Bailey, Bishop that while the Board did vote to submit an FWC application, there is potentially other funding available so that the Board might start on Lombardi before any FWC award is made. Finally, the Board has not determined whether they will use in-house engineering, or a consultant, on improvements at Lombardi.

Michael Shuler – County Attorney – Report (11:47 AM)

Attorney Shuler submitted the following report for the Board's review.

1. Carrabelle Urgent Care Facility

I have contact various private property interests in Carrabelle concerning a location for the Urgent Care Facility. Some of the private property owners have not responded to my request for price information and others have indicated they want over a million dollars and have no room for expansion as the parcels are less than 3 acres. To the extent the Hospital Tax is spent on the purchase of property, money is not available for construction.

I have also met with the Mr. Gander, the School Board Chairman concerning 4-5 acres near the existing health department building in Carrabelle. He brought the County request up at the school boards May 2008 meeting. The school board has expressed an interest in continued discussions and has asked for a written offer from the county.

I plan to send the school board a letter offering the nominal amount of \$25,000 for the 4-5 acres to begin the negotiations. I am also discussing future expansion needs with the school board.

BOARD ACTION NEEDED: None recommended.

2. Alligator Drive

Edwin Brown and Associates Surveying are presently doing field work to survey several public rights of way relative to Alligator Drive and Harbor Circle. I hope to have something from

his office this week and will be in a position to make a recommendation how to proceed in the litigation you have previously authorized.

BOARD ACTION: None recommended.

Attorney Shuler discussed this item further with the Board.

3. Sunset Isles Development

Dan Garlick and Associates (“DGA”) represents Sunset Isles, a development on Timber Island that is adjacent to and South of the public boat ramp. As part of a county application for a DEP permit to place three temporary pilings for use by the Dog Island Conservation District, Sun Set (the Developer) has asked the County to consent to a mutual waiver of the 25' setback line for riparian rights (meaning our temporary pilings could be within 25 feet of the boundary line and the developer could encroach within the 25 foot setback too). This could result in a permanent private dock with no set back right next to the public boat ramp.

I informed DGA that the County had not authorized any waiver of the setback, but I would bring it up at the 5/20/08 meeting.

After I met with DGA, DEP told the County that it did not need a permit for the temporary pilings. Thus, we do not need the waiver.

I have told DGA that there is no need for the mutual waiver, either permanently or temporarily, since the County does not need a permit

BOARD ACTION: None Recommended.

4. Relevant Litigation Status

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

I have communicated the Board’s request that Mr. Wargo consent to issuing the beach renourishment permit provided it does not allow anything other than debris clean up and that his rights to challenge any beach cleanup and the erosion control line are preserved.

Mr. Wargo’s has not said yes or no to issuing the permit subject to the above restrictions.

Mr. Wargo believes the county can clean up the debris with a different permit and that due to trust issues believes that the county is using this an a way of

establishing an erosion control line on his property. County staff will reply to his request for answers.

BOARD ACTION: None Recommended.

Attorney Shuler discussed the permitting issue in more detail.

b. Business Regulation vs. Robin Brinkley:

The Florida Association of Counties has hired a second attorney to represent Mr. Brinkley in the Business and Professional Regulation complaint as the first attorney had a conflict of interest with the state agency.

It will not cost the County additional fees. F.A.C.T. will pay.

BOARD ACTION NEEDED: None

c. Elizabeth Clifford Claim

Last week, the County was notified by the attorney for Elizabeth Clifford that on or about April 20, 2008, she stepped into the embers of a fire on the public beach at St. George Island, Florida. Although we have no medical reports, we are told that she has had skin grafts at Shands Hospital in Gainesville, Florida, her hometown.

The claim has been forwarded to F.A.C.T. for their coverage determination.

BOARD ACTION: None

d. Mike Wesley v. Sheriff

On May 1, 2008, F.A.C.T. denied coverage for a claim made by Mike Wesley alleging that the Sheriff damaged his 1984 El Camino during a search. There is no coverage because the claim arises out of the operation of the Sheriff's Department.

Commissioners' and Public Comment (11:50 AM)

Commissioner Putnal discussed an invitation the Board received to the new Seaside Housing Development.

Bruce Hall, Sea Turtles At Risk, distributed and read from a handout that addressed the management of lighting and it's affect on turtle nesting in Franklin County and invited the Board to a lighting workshop on June 10.

Dan Tonsmire, of the Apalachicola Bay And River Keepers, discussed meetings that were held with Senator Nelson and others officials regarding the ACF water wars.

Alan Pierce discussed results from a tennis tournament where he won in his division.

Adjourn (12:01 PM)

There being no further business Vice Chairman Parrish adjourned the meeting.

Noah Lockley Jr., Chairman FCBCC

Attest

Marcia M. Johnson, Clerk of Court