

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
JULY 1, 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.

**Payment of County Bills (9:01 AM)**

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

**Approval of Minutes (9:01 AM)**

**Motion by Putnal, seconded by Sanders, to approve the minutes of the June 17, 2008 regular meeting; Motion carried 5-0.**

**Doris Pendleton – Presentation of 2008 Tax Roll (9:02 AM)**

Mrs. Pendleton distributed a handout that included the current taxable value, \$3,547,085,670, the value lost due to Amendment One, \$85,181,383, the value lost due to Senior Exemption, \$1,794,286, last year's final taxable value, \$3,997,705,662, and the decline in taxable value

which is 10%. This handout also stated that of the \$928,207 due to portability, only \$212,000 actually came off the rolls. Mrs. Pendleton then discussed these figures in more detail. Mr. Pierce and Mrs. Pendleton discussed the fact that there has not been a decline in the County's Taxable value in the last 20 years. Mrs. Pendleton discussed the reductions that the two Cities and the special districts were facing. Commissioner Sanders stated that this decrease in the taxable value will drastically affect the County budget.

Ms Pendleton updated the Board on pending litigations, which included St. James Bay, a dual homestead case filed by Mrs. Hernandez, and the latest case filed by the St. Joe Company regarding their development, Summer Camp.

The Board discussed instituting a \$5000 cap for each of the pending cases filed against the Property Appraiser's office, after which Board action would be necessary for any payment over the cap.

**Motion by Sanders, second by Parrish, to set a \$5000 attorney fee cap on the St. Joe Company project Summer Camp case, and if the attorney fees exceed \$5000 for any of the pending litigations, Mrs. Pendleton must seek board approval for payment; Motion carried 5-0.**

Ms Pendleton updated the Board on the new rules that apply to the Value Adjustment Board, which includes appointing a property owner and a business owner to the Value Adjustment Board.

Attorney Shuler discussed another new rule, which is appointment of an attorney for the Value Adjustment Board.

Attorney Shuler suggested that the Board appoint its members, which would be two commissioners and a property owner, to the Value Adjustment Board at the next regular meeting.

**Mr. James A. Harris – Tax Collector – Tax Recapitulation Discussion (9:21 AM)**

Mr. Harris requested Board authorization to pay for attorney fees for the same litigation that involved the Property Appraiser, as the Tax Collector and the Department of Revenue is often sued along with the Property Appraiser in these types of matters, and the attorney representing the Property Appraiser also represents the Tax Collector.

**Motion by Sanders, seconded by Crofton, to authorize payment of \$507.12 for attorney fees, for the Dual Homestead case involving Mrs. Hernandez and the litigation involving St. Joe Company; Motion carried 5-0.**

Mr. Harris asked for Board action to authorize the Property Appraiser to file for dual certification, which would allow the County to start collecting taxes on November 1, 2008 even

if there is a problem with the preliminary tax roll once submitted to the Department of Revenue.

**Motion by Sanders, seconded by Crofton, to allow the Property Appraiser to file for dual certification; Motion carried 5-0.**

Mr. Harris explained the Recapitulation report and the figures included on the report to the Board.

**Motion by Crofton, seconded by Sanders, to authorize the signatures of the Chairman and the Board members on the Recapitulation report as presented; Motion carried 5-0.**

Mr. Harris stated that Mr. Curt Blair of the Tourist Development Council (TDC) has asked him to consider collecting the TDC taxes. Mr. Harris stated that he is in the process of researching this request to see what the cost to the County would be, which could include new programming and software, and what the process would have to be in place to collect this tax.

### **Department Supervisor Reports**

#### **Hubert Chipman – Superintendent of Public Works (9:30 AM)**

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

- ❖ As requested by the Board at the June 17, 2008 meeting I met up with John McInnis on which roads need to be cleared on the right of way.
- ❖ DOC certification class was completed for this current year

#### **Work Performed Summary**

- ***Lime Rock Hauled***
  - 10 loads approximately 190 tons throughout Alligator Point
  - Stock piled 1 load at the Carrabelle Pit, 19.42 tons
  - 2 loads approximately 37 tons throughout Carrabelle
  - 3 loads approximately 14.5 cubic yards throughout
  - 3 loads approximately 49 tons throughout Lanark
  - Stock piled 5 loads at the shop in Eastpoint, 99.12 tons
  - 5 loads approximately 92 cubic yards throughout St. George Island
  - 1 loads approximately 18.64 tons throughout St. Teresa
- ***Debris Hauled***
  - 2 loads approximately 18 cubic yards from Apalachicola
  - 1 loads approximately 9 cubic yards from Carrabelle
  - 16 loads approximately 256.5 cubic yards from Eastpoint
  - 7 loads approximately 64 cubic yards from Apalachicola
- ***Cold Mix Hauled***

- 1 load from Peavey and Sons 21.5 tons stock piled at the shop, Eastpoint
- **Dirt Hauled**
  - 2 loads from Alligator Point approximately 36 cubic yards
- **Milled Asphalt Hauled**
  - 1 load to Alligator Point approximately 9.5 cubic yards
  - 1 load to Apalachicola approximately 9 cubic yards
  - 1 load to Carrabelle approximately 18 cubic yards
  - 3 loads to Eastpoint approximately 45 cubic yards
- **Mixed Overburden and Lime rock Hauled**
  - 84 loads hauled to Alligator Point approximately 1343 cubic yards
- **Screened Filled Dirt Hauled**
  - 56 loads to Alligator Point 1162.87 tons
  - 3 loads to Carrabelle Senior Citizens Center 54.79 tons
- Cut grass at Apalachicola Air Port
- Moved pilings for Emergency Management
- Ground Maintenance at public bathrooms on St. George Island
- Ground Maintenance at the ABC school, Weems Memorial Hospital, Courthouse and Emergency Management in Apalachicola
- Ground Maintenance at Carrabelle Courthouse Annex
- Ground Maintenance at The Learning Center in Eastpoint
- Laid sod at the Veterans Park around new Statue in Apalachicola
- Graded roads in Apalachicola, Carrabelle, Eastpoint, Lanark and St. George Island
- Box dragged roads in Carrabelle and Eastpoint
- Cut bushes from the shoulder of the road in Apalachicola, Carrabelle, Eastpoint and Lanark
- Cut trees down in Lanark
- Filled in potholes in Alligator Point, Apalachicola and Carrabelle
- Repaired driveways in Eastpoint
- Fixed washout in Lanark
- Spread grass seed on Alligator Point, Bald Point
- Shoulder work on Alligator Point, Bald Point and Lanark
- Litter Control in Apalachicola, Carrabelle, Eastpoint and Lanark
- Cut grass in Apalachicola, Carrabelle, Eastpoint and Lanark
- Cut and cleaned ditches in Apalachicola, Eastpoint and Lanark
- Raked ditches out in Eastpoint
- Cleaned/cut/dig out culverts in Apalachicola and Eastpoint
- **Sign Maintenance**
  - Built 6 street name signs
  - Cleaned signs in Eastpoint

- Cut bushes and weeds from around signs in Carrabelle, Eastpoint and Lanark
- Moved signs off the county right of way on St. George Island
- Put up signs in Apalachicola, Carrabelle, Eastpoint and Lanark
- Put 35 barricades around rock pit on St. George Island
- Replaced signs in Carrabelle, Eastpoint and Lanark
- Sign Inspection in Carrabelle, Eastpoint , Lanark and St. George Island
- Straightened signs in Eastpoint and Lanark

Commissioner Crofton asked Mr. Chipman to block off the entrance to the St. George Island Boat Ramp until after the official opening on Thursday.

**Alan Pierce – Director of Administrative Services**

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

6- Alligator Point Road Update. The County Engineer and I inspected Tom Roberts Road. These are the following steps that need to be taken to make the connection between Tom Roberts and Harbor Circle. Remove the berm, fence and vegetation, relocate telephone pedestal, relocate guy wires stabilizing Progress Energy pole, lower PVC cap on water valve. The County Engineer met Progress Energy on site yesterday to evaluate the power pole. I have been in contact with Fairpoint Communications on the telephone service. As soon as we have the utilities out of the way, and have direction from Mr. Shuler, we will open the road.

Commissioner Sanders asked Mr. Pierce to keep all department supervisors updated on this project.

**Van Johnson – Solid Waste Director (9:37 AM)**

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

**FRANKLIN COUNTY PET EVACUATION PLAN:**

FOR BOARD ACTION: Franklin County Animal Control and Emergency Management have been working on updating the County's Pet Evacuation Plan. One of the conditions of the Plan is to have enough cages to transport pets to a safe location in the event of an emergency. Currently we do not have enough cages to accomplish this task and we need to purchase and set aside for emergencies at least 75 cages at the cost of \$4,920.45. The dilemma is that I did not allocate for this expense in my budget. **ACTION REQUESTED: Motion authorizing the purchase of 75 cages to transport animals to a safe location in the event of an emergency out of the Boards Reserve Fund.**

Mr. Butch Baker, Director of Emergency Management, explained this request further. Board discussed funding this request.

Mrs. Johnson reminded the Board that she has asked all department supervisors to discuss any funding request that is outside of their budgets with the Finance Office before presenting to the Board.

Mr. Pierce stated that this type of funding was paid through Emergency Management grants in the past and this request should be investigated further for other funding sources besides the Board's Reserve for Contingency.

Ms Harriet Beach stated that there is a possibility that some of these cages can be donated by the public if the Board does some public advertisement.

**Motion by Parrish, seconded by Crofton, for the necessary staff to get with the Clerk and seek funding source for this project and to ask the public for donations of animal cages; Motion carried 5-0.**

**ITEMS NEEDED BY PUBLIC WORKS & EMERGENCY MANAGEMENT**

FOR BOARD ACTION: In support of shared items needed by the Road Department, Emergency Management, and the Solid Waste Operations, I am also requesting the Board purchase 5 pallets or 250 bags of oil dry and 5,000 bags of sand bags. The cost of the oil dry is \$1,150 or \$4.60 per bag and the price of the sand bags are \$1,250 or \$0.25 per bag. Again, these items were not allocated with our perspective budgets. **ACTION REQUESTED: Motion authorizing the purchase of Oil Dry and Sand Bags for Public Works and Emergency Management out of the Boards Reserve Fund.**

Mr. Baker, Director of Emergency Management, provided some additional information on this request.

Mr. Pierce stated that this or any request that will be funded from the Board's reserve funds should be presented to the Finance Office before seeking Board approval and Mr. Pierce also stated that these type of purchases were made from the Emergency Management budget in the past, so the Board should review Emergency Management's budget, especially with the cutbacks in the County budget.

Board discussed the apparent cost shift for the purchase of these items.

Attorney Shuler suggested that the Board delay any action on this request until Mr. Baker or Mr. Johnson seeks funding through the Finance Office.

The Board and Mrs. Johnson discussed the need for any request that is outside of a department budget be brought to the Finance Office for funding identification before seeking Board approval.

**Motion by Sanders, seconded by Crofton, to table this item until this request is discussed with the Finance Office for a funding source; Motion carried 5-0.**

**MANDATORY GARBAGE SERVICE:**

FOR BOARD ACTION: I am recommending this morning that the Board consider implementing uniform mandatory garbage pickup throughout the unincorporated areas of the County. The current system is proving problematic for your Solid Waste Management operations. Over the

past six-months, staff has observed a significant increase in household waste being placed at the right-of-way and at the recycling sites for pickup by the County. **ACTION REQUESTED: Motion to direct County Attorney adopt an ordinance addressing mandatory garbage pickup throughout the unincorporated areas of the county.**

Board discussed the fairness of punishing residents that do not throw household waste in recycle bins or on the right-of-way. Commissioner Crofton suggested only punishing the violators. Board discussed possible methods of determining violators versus non-violators.

Michael Allen, of WOYS, stated that the abuse of recycling bins is really bad, and supported the mandatory garbage pickup throughout the unincorporated area.

Commissioner Sanders stated that she is in favor of the mandatory garbage pickup. Judi Rundel spoke in favor of the mandatory garbage pickup, and stated that the abuse of the recycle bins causes bear problems, and unsightly garbage piles throughout the County.

**Motion by Crofton, seconded by Parrish, directing the County Attorney and Mr. Johnson to research this matter further, and present a recommendation to the Board at the next meeting; Motion carried 5-0.**

**FRANKLIN COUNTY HEALTH DEPARTMENT CHRONIC DISEASE PROGRAM:**

FOR BOARD INFORMATION: Over the past two weeks, I have been working with Mr. Wesley Tice, Director of the Franklin County Health Department.

With the assistance of Mr. Tice, and through the Health Department's Chronic Disease Program, they have purchased \$8,561.00, worth of outdoor fitness equipment for donation to the County. Parks & Recreation Staff will receive and install the equipment around the walking tracks at Kendrick Park in Carrabelle, Vrooman Park in Eastpoint and at D.W. Wilson Park in Apalachicola.

User of the tracks will have five different exercise stations to work out on while walking or jogging the track. The total pieces of equipment purchased were fifteen and we are now waiting for the shipment to arrive. For your review, I have a copy of the paid invoice. **ACTION REQUESTED: None.**

**INDIAN CREEK PARK DEDICATION:**

FOR BOARD INFORMATION: Parks and Recreation Department staff will be working with the Franklin County Seafood Workers Association to host a dedication of the new Indian Creek Park in Eastpoint; we have scheduled the ceremony for 2:30 PM on July 12. The public is welcome to attend. **ACTION REQUESTED: None**

Commissioner Putnal stated that the kids that are traveling to the baseball tournaments representing Franklin County still need financial assistance and are still accepting donations.

The Board and Mr. Johnson discussed changing the Landfill to a four day work week. The Board asked Mr. Johnson to review this option further and make a recommendation at another meeting.

**Dan Rothwell – County Engineer (10:22 AM)**

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

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

C. W. Roberts has started work and 60% of the rough grading is complete.

**2. SGI Boat Ramp:**

The project is on schedule grading, paving, and grassing should be done. The Handicapped access stairs has been completed. The Handicapped access ramp is to bid and let yet.

**3. Tom Roberts Road Extension:**

Staff has prepared a drawing for the proposed alignment for the road extension at an estimated consultant value of \$500.00

**4. Franklin Blvd at West Gulf Beach Dr Drainage:**

Staff had completed a field survey in August 2007 and this week started drawings, hydrologic and hydraulic calculations to size the infrastructure to carry stormwater to the retention pond between north and south Franklin Blvd. Estimated survey value is \$1,500.00 and design - drawings value of \$3,000.00.

**5. Eastpoint County Landing Park Project:**

Bailey, Bishop & Lane final construction plans and specifications completed and joint permit submitted to Florida Department of Environmental Protection & Army Corps of Engineers. The dredge site permission agreement has been sent to the County Attorney for review and revisions.

**6. Ochlockonee Bay Boat Ramp Project:**

Bailey, Bishop & Lane final construction plans and specifications completed and joint permit submitted to Florida Department of Environmental Protection & Army Corps of Engineers.

**7. Squire Road, Peachtree Road Survey and Long Road:**

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

Commissioner Sanders gave Mr. Rothwell a letter she received from a resident in Lanark Village for his review and a recommendation.



**Butch Baker – Emergency Management Director (10:23 AM)**

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

**ACTION ITEMS:**

**1. Repair of the air-handling system in the EOC.**

The air-handling system in the EOC has a bad blower unit. The blower unit is out of balance and needs repair or replacement. We have a contractor looking into it, and he will give us an estimate of the cost to repair the blower.

Also, we have no heat in the EOC. The estimates I've received to correct the situation ranged from \$4,600.00, for an in-duct unit, to \$19,681.00 for a complete new system. Both of those figures are outside of my budget.

Mr. Baker stated that he will discuss this matter with the Clerk.

**2. Accept and sign Emergency Management Grant for \$22,423.00**

Mr. Baker stated that this grant is used for communication and other expenses at the Emergency Operation Center

**Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on the Emergency Management Grant as presented by Mr. Baker; Motion carried 5-0.**

**INFORMATION ITEMS:**

1. July 1: We are hosting an ESF-17, animal concerns, planning session, at the EOC at 10:30 am.
2. July 3: We will conduct an exercise planning meeting to incorporate the exercise and training request of the various offices and disciplines within the county.
3. July 16: We will be conducting evaluator and monitor training, at the EOC, to prepare for the next evacuation and return exercise.
4. July 21: The Local Mitigation Strategy (LMS) Committee will meet at the EOC at 2:00 pm.
5. July 22 – 25: ICS 300 & 400 will be taught at the EOC. All department directors, senior law enforcement officers (Sheriff and police chiefs) and their primary deputy/assistant need to take this training.

6. July 29: Damage Assessment training will be conducted, at the EOC, at 9:00 am, by the Florida Division of Emergency Management Regional Coordinator.

Commissioner Sanders asked Mr. Baker if all of the communication issues were resolved and if each of the county agencies could contact each other. Mr. Baker stated that two different frequencies were being used between all of the agencies within the County. Commissioner Sanders asked Mr. Baker to resolve any communication problems that still exist before the County experiences some sort of disaster.

**Bill Mahan – Extension Office Director (10:29 AM)**

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

**Florida Fish & Wildlife Commission (FWC) Updates:**

*Scallop Season Opens:* The recreational harvest season for bay scallops begins July 1 and continues through Sept. 10. Open scalloping areas on Florida's Gulf Coast extend from the west bank of the Mexico Beach Canal in Bay County to the Pasco-Hernando county line near Aripeka. Bay scallops may be taken only within the allowable harvest areas. It is illegal to possess bay scallops while you're in or on state waters outside the open harvest areas, or to land bay scallops outside the open areas.

There is a daily limit of 2 gallons of whole bay scallops in the shell or 1 pint of bay scallop meat per person during the open season. In addition, no more than 10 gallons of whole bay scallops in the shell or one-half gallon of bay scallop meat may be possessed aboard any vessel at any time.

You're allowed to harvest bay scallops only by hand or with a landing or dip net, and bay scallops may not be harvested for commercial purposes.

*Dove Club Permits Go On Sale July 1<sup>st</sup>:* Seven special-opportunity dove fields will be open to the public this season through the Florida Fish and Wildlife Conservation Commission's special-opportunity Dove Club Program.

Beginning 10 a.m. (EDT) July 1, sportsmen can purchase Dove Club permits by submitting a completed Special-Opportunity Dove Club Permit Worksheet to any county tax collector's office or authorized license agent. Permits also can be bought online at [www.wildlifelicense.com](http://www.wildlifelicense.com) or by calling toll-free 1-888-HUNT-FLORIDA (486-8356). Worksheets are available on the Web at [MyFWC.com/hunting](http://MyFWC.com/hunting) under "Special-Opportunity."

Dove Club permits will be available on a first-come, first-served basis, and as long as they remain, the deadline to purchase them is 11:59 p.m. (EDT) Sept. 9.

The permit allows one adult and one youth (under age 16) to participate in all scheduled hunts (up to eight days) for a designated dove field. These Saturday half-day hunts cost \$150 and enable both the permit holder and youth to each take a daily bag limit of birds.

The seven special-opportunity dove fields are: Brown Farm Public Small-game Hunting Area (PSGHA) in Holmes County, Caravelle Ranch (Putnam County), Combs Farm PSGHA (Baker County), North Newberry PSGHA (Alachua County), Allapattah Flats (Martin County), Fussell Farm PSGHA (Polk County) and Frog Pond (Miami-Dade County).

Dove hunting opportunities are in high demand, and these special hunts provide the perfect social setting for friends and family to hunt together. Interested hunters are encouraged to purchase permits early because the most popular fields sell out fast. And hunters who purchase these season-long permits save more than half the cost of buying individual daily dove permits for the season.

Daily dove permits cost \$35 and enable one adult and one youth (under age 16) to hunt together on one half-day hunt but allows only one bag limit of birds between the two hunters. Daily dove permits do not go on sale until Sept. 18. For more information on these great public land dove hunting opportunities, click on [MyFWC.com/dove](http://MyFWC.com/dove).

*New Passive Fishing Gear Regulations For Freshwater Fishing:* Passive fishing gear – things like trotlines, crab traps, bush hooks and other devices that catch fish in fresh water while the fisherman isn't present – have to be tagged with the owner's name and address under a new rule.

The Florida Fish and Wildlife Conservation Commission (FWC) adopted new rules in response to public requests for tighter management of passive gear to reduce the loss of fish and wildlife caught by lost or abandoned gear and to reduce navigation hazards for vessels. It will enable FWC officers to identify and remove lost and abandoned gear and illegally used gear.

The new tagging requirement applies to commercial and recreational trotlines, bush hooks, set lines, wire traps, slat baskets, hoop nets, minnow lift nets, eel traps/pots, blue crab pots, Carolina-pots and shotgun pots. It does not apply to hand-held gear, such as a rod and reel. Also, the new rule does not include specifications for tagging passive gear, except to say the owner's name and address must be legible. The new rule applies only in fresh water. Saltwater fishing is subject to other rules.

#### **UF – IFAS Extension Updates:**

*UF IFAS Professional Development Mini-Grant:* As a result of receiving a professional development grant from UF IFAS I spent 13-days in Ireland visiting with researchers at Marine Research Centers, Ireland Ag Advisory Service faculty, private aquaculture operations, commercial & recreational fishermen and with the members of the County Donegal Community Development Group who toured Franklin County 2.5-years ago. County Donegal is the most rural county in Ireland (population 160,000) and they are attempting to deal with many of the same issues we face here in Franklin County i.e. declining commercial fisheries due to inexpensive imports, regulations/EU quotas, skyrocketing fuel costs, increasing tourism and land costs. They hope to make a return visit to Franklin in the next year or two.

*4-H County Camp:* Registration for our annual 4-H County Summer Camp continues. The camp is the week of July 14<sup>th</sup> – 18<sup>th</sup> 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. If you would like additional information about summer camp, please give me a call at 653-9337.

**Brian McGraw – Update on Services provided by Natural Resources Conservation Services (10:34 AM)**

Mr. McGraw introduced himself and discussed the services and programs his agency provides for Franklin County.

**Open RFQ's – Architectural Services for Health Care Facilities (10:42 AM)**

Mr. Pierce opened and stated all of the RFQs received.

TRO Jung/Brannen  
Hammond Design Group  
Donofro and Walker Architects  
Barnett/Fronczak/Barkowe  
Clemons, Rutherford & Associates, Inc.

**Motion by Putnal, seconded by Sanders, to send the responses to the Hospital Board for a recommendation; Motion carried 5-0.**

**Warren Jones & Freda Lyon – Update on TMH Trauma Center (10:46 AM)**

Mr. Jones & Mr. Lyon were not in attendance.

**Bridget Merrill & Rick Marcum – Opportunity Florida – Discuss Second Memorandum (10:46 AM)**

Ms. Merrill, of Enterprise Florida discussed the Rural Catalyst Project and the Second Memorandum of Agreement with the Board, and distributed a handout with information on the project.

Ms. Merrill explained the different ways Enterprise Florida and Opportunity Florida have served the County and helped with the local economy and job opportunities.

Commissioner Lockley stated that he has not seen any jobs or economic assistant for Franklin County from either of these agencies.

Anita Grove, Executive Director of the Chamber of Commerce, stated that recently she had a discussion with OTTED and Commissioner Crofton, where it was stated that there are opportunities that are not being taken advantage of by the Board, so there seems to be a communication disconnect. Mrs. Grove also stated that the Board needs to appoint a committee to follow through with some of the opportunities that are available through Enterprise Florida and Opportunity Florida, and based on an OTTED recommendation, the minimum that is needed to stay included in these grant opportunities is to stay part of Opportunity Florida and sign the second Memorandum of Agreement.

Rick Marcum, of Opportunity Florida, discussed some of the grants and opportunities that his agency has provided, but stated that Franklin County has not been represented well at the meetings where these opportunities are discussed.

Ms. Merrill stated that she will forward a lot of economic information for the area to Mr. Pierce, but because of the nature of these opportunities, some of the information will have to be kept confidential.

Ms. Grove stated that more involvement from the Board is needed in order to provide more economic opportunities for the County.

Mr. Pierce stated that a lot of the economic opportunities that have been sent to him do not apply to our rural area.

The Board and Mr. Pierce discussed the limited economic opportunities for the area.

Commissioner Crofton stated that the County should further pursue the industrial park at the Apalachicola airport. Mr. Marcum stated what his agency has done to contribute to the industrial park project.

Ted Mosteller, Apalachicola Airport Manager, discussed some of the grant funds he has received for the airport and the restrictions that go along with those funds, but stated that not everything in the industrial park has to be aviation related.

Mr. Marcum stated that a project has to be identified first before he can start searching for grants.

Commissioner Putnal asked about possible grants for the Literacy program. Mr. Marcum stated that his agency only provides grants for specific jobs.

Commissioner Sanders asked if all other 7 Counties, including Holmes County, have agreed to this second Memorandum of Agreement (MOA); Mr. Marcum stated that they did.

Ms. Merrill explained how the revenue sharing process worked for this program, which guarantees all Counties that sign the MOA some funds from the program, then, explained the MOA in more detail, and stated that there is a formula that explains how each county will be included in the revenue distribution.

Commissioner Crofton expressed his apprehension on signing this MOA before reading it.

**Motion by Crofton, seconded by Sanders, to table the vote on Second Memorandum of Understanding with Opportunity Florida and Enterprise Florida until the Board and Attorney Shuler has an opportunity to review it; Motion carried 5-0.**

**Marcia M. Johnson – Clerk of Courts – Report (11:33 AM)**

Mrs. Johnson did not have any items to report.

**Alan Pierce – Director of Administrative Services – Report (11:33 AM)**

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

1- Inform Board that DEP Secretary Mike Sole has distributed a letter informing the Corps and the Fish and Wildlife Service of the State of Florida's intent to sue over the latest Corp's River plan, and allowing a 60-day window of response before the suit is filed. Present Board with copy of letter from entire Florida congressional delegation also opposing Corp's plan.

Commissioner Sanders stated that at the Florida Association of Counties (FAC) meeting in Miami, the Small County Coalition did support a Resolution on this matter, will send a

representative to the upcoming Army Corps of Engineers meeting in Chattahoochee, and she will speak to the president of FAC about this matter to get additional support for Franklin County in the matter.

Mr. Pierce suggested that the County continue to stay aware of the Water Control Plan as that is one of the items that affect us the most.

Commissioner Putnal suggested that Franklin County support the State in their efforts to sue the Army Corps of Engineers regarding the water wars.

2- Inform Board that the St. George Island Boat Ramp will be open for business at 3:00 PM, Thursday, July 3<sup>rd</sup>. The fishing pier will also be open if fishing parties can walk up steps, as the handicap ramp is not yet in place. The Board will be opening bids for the wooden handicap ramp and rub rail along part of the outside jetty near the Boat Ramp at its August 5<sup>th</sup> meeting. Board action to set a ribbon cutting at the Boat Ramp at 1:30 PM, Thursday, July 3.

**Motion by Crofton, seconded by Parrish, to set the ribbon cutting for the St. George Island boat ramp for Thursday, July 3<sup>rd</sup> at 1:30 pm; Motion carried 4-0, Sanders was absent.**

3- Inform the Board that the April sales tax revenue for health care has been received, and it is \$118,000. March revenue was \$119,000. It was expected that there would be a larger decrease in April, so April revenue was good.

4- Inform Board that the Hospital Board has sent out a bulletin and a survey to every resident in the county asking for input on health care services residents would like to see in the county. It is important that residents fill out the survey and send it back.

5- Update on Lombardi boat ramp. The county is moving forward with getting a 29 foot wide boat ramp permitted and installed by Sept. 1. The County Engineer, with assistance from other county personnel, has done the survey of the area where the ramp is going. Preble-Rish is assisting in applying for the permits from the DEP and the Corps to install the ramp.

The Board has discussed, but not yet taken action, to declare Randall Tedder Construction as a sole source provider of the type of boat ramp to be placed at Lombardi. I have spoken with Mr. Tedder and he is intending to be available in the second half of August to install the ramp. Mr. Tedder's ramps meet the standards required by DEP and Fish and Wildlife Commission boat ramps. The county has installed Tedder ramps at Bluff Road and St. George Island. Tedder boat ramps appear to be have been declared a sole source in Brevard and Indian River counties.

Board action to declare Tedder Construction as a sole source provider of the Lombardi boat ramp.

**Motion by Parrish, seconded by Putnal, to declare Tedder Construction as a sole source provider for the construction of the Lombardi Boat Ramp; Motion carried 4-0, Sanders was absent.**

7- Mr. Ted Mosteller, Airport Advisory Chairman, following a review of the bids by URS, recommends the Board award the bid and issue the Notice to Proceed to Polaronis Construction for the resurfacing of runway 6-24. Polaronis was the low bidder. Board action.

**Motion by Crofton, seconded by Putnal, to award the Bid and issue the Notice to Proceed for the resurfacing of runway 6-24 to Polaronis Construction, based on a recommendation from URS; Motion carried 5-0.**

6- Alligator Point Road Update. The County Engineer and I inspected Tom Roberts Road. These are the following steps that need to be taken to make the connection between Tom Roberts and Harbor Circle. Remove the berm, fence and vegetation, relocate telephone pedestal, relocate guy wires stabilizing Progress Energy pole, lower PVC cap on water valve. The County Engineer met Progress Energy on site yesterday to evaluate the power pole. I have been in contact with Fairpoint Communications on the telephone service. As soon as we have the utilities out of the way, and have direction from Mr. Shuler, we will open the road.

Attorney Mowrey, representing Alligator Point Water District (APWD), stated that South Shoal has refused to assist APWD with relocating the water lines, and gave some history on APWD efforts to relocate the water lines and the lack of cooperation from South Shoal with right of way and financial assistance. Attorney Mowrey stated that APWD supports the County efforts with obtaining the right of way that will connect Tom Roberts Road and Harbor Circle, so that the water lines could be relocated.

Attorney Shuler discussed his recent actions and correspondence with South Shoal on this right of way matter and requested Board authorization to proceed with litigation, if necessary, on this matter.

**Motion by Sanders, seconded by Crofton, to authorize Attorney Shuler to proceed with litigation, preferably a declaratory judgment if possible, which would allow the County to use its right of way to connect Tom Roberts Road and Harbor Circle; Motion carried 5-0.**

The Board, Attorney Shuler, and Attorney Mowrey, discussed the possibility for an emergency meeting to help with the low water levels on Alligator Point if there is not an expedited court hearing.

Attorney Shuler stated that he has been contacted by the South Shoal attorney to start discussing a possible settlement.

#### **Attorney Shuler – County Attorney**

Attorney Shuler presented the following item from his report as it related to the Alligator Point discussion.

Item 2a - Alligator Point – Attached is an email from the DEP counsel stating that they will not fund debris clean up, unless it is associated with beach re-nourishment.

The Board, Attorney Shuler, and Mr. Pierce discussed possible alternative options for debris removal on Alligator Point, and discussed possibility of DEP's opinion not being correct on this matter.

**Motion by Sanders, seconded by Crofton, to contact State Representative Kendrick for a clarification on purpose of his funding appropriation for the beach re-nourishment and debris removal project on Alligator Point; Motion carried 5-0.**

8- Inform Board that at the last Board meeting I was directed to contact Mr. Mark Berrigan regarding additional funding that Mr. Sherman Wilhelm may be holding that could be used at Lombardi. There does not appear to be any other funds being held by the Dept of Agriculture other than the funds Mr. Berrigan is preparing to provide the county for the Lombardi site. Mr. Berrigan plans to visit the site shortly, and meet with county representatives to finalize what the contract between the county and the Dept. needs to include.

9- Invitation to visit Turkey Point Marine Lab. Dr. Felicia Coleman has invited the County Commissioners to tour the Turkey Point facility at their convenience and to learn about the research being done at the lab. If any commissioners are interested, please let me know, or call Dr. Coleman directly at the lab.

10- Budget Update. The Board will receive its budget packets at the July 15<sup>th</sup> Board meeting. The Finance Office will present a schedule for the budget workshops then but the tentative plan is to have at least two budget workshops the week of July 21-25, and then evaluate if there is a need for a third.

In a broad overview, all state estimates on revenue sharing are down for next year, so combining that with a reduced tax base, the Board needs to plan on \$2 Million dollars in expenditure reductions if the millage remains the same. The proposed budgets, as submitted, do not yield \$2 Million dollars in reductions.

The Board, Mr. Pierce, and Mrs. Johnson discussed this matter and agreed to schedule the Budget workshops on July 23 and July 24, 2008.

11 – Board action to approve the Edward Byrne Memorial Justice Assistance Grant

**Motion by Putnal, seconded by Crofton, to authorize the Chairman's signature on the Edward Byrne Memorial Justice Assistance Grant; Motion carried 5-0.**

12 – Pat and Kathleen Kinser – Variance extension

Mr. Kinser asked the Board to extend the variance that was granted to them over a year ago. Mr. Kinser stated that he knew that because it was over a year his variance has expired but explained that due to health and other personal reasons, why he was unable to start the project, or at least get the hold harmless agreement signed within the year.

Attorney Shuler gave some history on this variance, and stated that besides being over one year with no action, there were other conditions of the variance, such as obtaining an opinion from



FEMA that granting this variance would not affect the entire insurance rating for the County and executing the hold harmless agreement.

The Board, Mr. Kinser, and Mr. Pierce discussed the affect of this variance on the County's overall flood insurance discounts and other possible options to this request.

The Kinser's request failed due to a lack of Board action.

### **Michael Shuler – County Attorney – Report (12:26 PM)**

#### **1. Carrabelle Urgent Care Facility**

The County has directed me to locate a site in Carrabelle for the new Weems Hospital Urgent Care Facility. After examining various sites, a location next to the current health department seems the most feasible in terms of price, size and location.

The property is owned by the School Board.

It is about 5 acres in size and is located at the corner of 5<sup>th</sup> Street and Meridian and surrounds the health department.

The Weems Hospital Board has approved this site.

On June 5, 2008, the School Board adopted a resolution offering to sell the land for fair market value, with a minimum price of \$25,000.00 and a maximum price of \$100,000.00 Dollars. The School and County agreed on an appraiser.

While the five acres will allow the County to fulfill its obligations under the ordinance, it will not allow for any future expansion of services. Expansion will require more land in the future.

The Hospital Board has recommended that the County proceed with the purchase of the five acres at the appraised value, but no more than \$100,000.00.

**BOARD ACTION NEEDED:** I need direction whether to purchase the five acres.

Attorney Shuler drew, on the white board, the configuration of the property and discussed the project.

**Motion by Sanders, seconded by Crofton, to authorize Attorney Shuler to purchase the 5 acres that surround the Health Department located at the corner of 5<sup>th</sup> Street and Meridian in the City of Carrabelle for no more than \$100,000.00, for the Carrabelle Urgent Care Facility; Motion carried 5-0.**

#### **2. Alligator Point**

- A. Attached is an email from the DEP counsel stating that they will not fund debris clean up, unless it is associated with beach renourishment.
- B. South Shoals attorney approached me last week indicating a desire to negotiate a settlement. I am waiting on them to make an offer.
- C. I request that the Board authorize me to file a lawsuit against South Shoals concerning the Tom Roberts Road extension.

**BOARD ACTION NEEDED:** Board direction relative to beach cleanup and the lawsuit

**These items were addressed earlier in the meeting.**

**3. Garbage Contract**

Waste Management has requested that the County approve their request to transfer their franchise agreement and the lease of the Transfer Station. The Board asked me to look into this matter.

I have met with representatives of Waste Management and Emerald Waste Management, the company who wants to take over the garbage contract. Emerald Waste has been in business since 2004.

Many issues were discussed such as:

- a. Emerald Waste (the new company) must provide the county with a written commitment that they can still take the County's garbage to the Spring Hill Facility owned and currently used by Waste Management.
- b. Emerald Waste must provide the county with a written commitment that they will maintain prices, not only to the County, but to the residents and businesses.
- c. I asked for and received a list of references from the new company at the end of last week.

The County's options on the request to approve assignment of the lease to Emerald Waste are:

- a. Assign without condition
- b. Assign with conditions, such as pricing and Waste Management remains obligated under the contract.
- c. Refuse to Assign.

BOARD ACTION: None Recommended.

4. Airport Engineer

I am arranging a meeting of the committee this week to discuss how to proceed with selecting an engineering firm for the airport.

BOARD ACTION: None Recommended.

5. Board of Adjustment - Harry A's

I have sent the property owner a letter informing him that he has until July 18, 2008 to submit his application for a building permit. A copy is attached

BOARD ACTION: None Recommended.

6. Progress Energy

- A. Last meeting you directed me to investigate the new power transmission line Progress Energy proposes to run from Port St. Joe along the old Apalachicola Northern Railroad right of way to Bluff Road about three mile North of Apalachicola.

I recommend that you schedule a public hearing for August 5, 2008.

BOARD ACTION: When do you want to schedule a public hearing? Will it be during the morning meeting or in the evening?

**Motion by Parrish, seconded by Sanders, to schedule a Public Hearing on the Progress Energy matter on August 5 @ 5pm; Motion carried 5-0.**

7. St. Theresa Avenue

I am still working on the access issues on St. Theresa Avenue.

The issue revolves around a private land owner wanting to close off a road that others are using to access St. Theresa Avenue.

BOARD ACTION: None

8. Seaside Village Community Development District Budget

I am still working on this issue.

The District submitted a budget to the County, which did not require any action by the County and which did not obligate any public funds.

**BOARD ACTION:** None

**9. Eastpoint**

Attached is a letter to Ms. Sandra Field thanking her for the cleanup of her property in Eastpoint.

**BOARD ACTION:** None

**10. Florida Association of Counties**

Attached is a letter from FACT informing the County that they will continue to defend the Third Amended Complaint filed by Carl Bifano against the Building Official.

**BOARD ACTION:** None

**Commissioners' & Public Comments (12:38 PM)**

Commissioner Putnal asked for clarification on why the County cannot institute county wide voting. Attorney Shuler stated that the Judge's order, which is a Federal injunction, restricting the County to single member districts was still in effect and would remain that way until the Judge's ruling was changed.

Commissioner Lockley asked if there was a possibility of lighting the Bluff Road boat ramp. Mr. Pierce stated that because the County cannot get an easement to and is forced to follow the road to run the necessary power lines, the project was very expensive, but recently solar lights has been considered as an inexpensive option.

Commissioner Crofton suggested that the Board start discussing alternate energy plans throughout the County. Commissioner Sanders suggested using Grants.com to seek "going green" grants.

**Adjourn (12:49)**

There being no further business Chairman Lockley adjourned the meeting.

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Noah Lockley Jr., Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Court