

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
APRIL 22, 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 Courts, Linda Phillips – Finance Officer, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Morón – Board Secretary

Call to Order (9:00 AM)

Chairman Lockley called the meeting to order.

Prayer and Pledge (9:00 AM)

There was a Prayer followed by the Pledge of Allegiance.

Approval of Minutes- Regular Meeting- April 1, 2008 (9:04 AM)

Motion by Sanders, seconded by Crofton, to approve the Minutes for the April 1, 2008 regular meeting; Motion carried 5-0.

Payment of County Bills (9:04 AM)

Motion by Sanders, seconded by Putnal, to approve the payment of the County bills, except for the payment to G&N Painters; Motion carried 5-0.

Motion by Sanders, seconded by Crofton, to approve payment for G&N Painters; Motion carried 4-0, Lockley abstained.

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works (9:05 AM)

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

Would like to inform the board of the following:

- Grass was cut and area was cleaned at the Eastpoint Cemetery
- 83 loads of Dirt was hauled to the veterans monument at the Botanical Garden in Apalachicola
- Called out on April 5 by the Sheriff's Office to Apalachicola where a tree fell in a road and on a power line.
- Clean up (grass cut and trash picked up) from Ochlocknee River Park
- VMS Work on 98 in Eastpoint and Lanark
- ❖ 9 Mile Project
 - 83 Loads of dirt approximately 1530 cubic yards was hauled to 9 Mile
 - 29 loads of Rip Rap (6" to 12" rock) was hauled from Gulf Coast Aggregates to 9 mile approximately 482.32 tons

Work Performed

- 6 loads of lime rock were hauled to Alligator Point to fix roads
- 6 loads of lime rock were hauled to Apalachicola to fix roads
- 19.5 loads of lime rock were hauled to Carrabelle to fix roads
- 5 loads of lime rock were hauled to Eastpoint to fix roads
- 9 loads of lime rock were hauled to St. George Island to fix roads
- Cleaned off bike path on St. George Island
- Cleaned and repaired man hole covers at the parking lot at Weems Memorial Hospital
- Cut grass at Apalachicola Court House
- Grass was cut at Brown Elementary School
- Repaired driveways in Eastpoint
- Grounds Maintenance at Weems Memorial Hospital
- Ground Maintenance at Emergency Operations Center
- Ground Maintenance at the ABC School
- Hauled commodities from 2nd Harvest in Tallahassee to Apalachicola
- Graded roads in Alligator Point, Apalachicola, Carrabelle, Eastpoint and St. George Island
- Driveway repair in Apalachicola
- Patched pot holes in Alligator Point, Apalachicola, Carrabelle, Eastpoint, Lanark and St. George Island
- Shoulder work in Alligator Point, Apalachicola, Carrabelle & St. George Island
- Swept roads in Apalachicola, Eastpoint and St. George Island
- Litter Control in Alligator Point and Carrabelle
- Grass Cut in Apalachicola and Carrabelle
- Ditch Maintenance in Apalachicola, Carrabelle, Eastpoint and St. George Island

- Culvert Maintenance in Apalachicola and Eastpoint
- Built and Replaced signs in Alligator Point and Carrabelle
- Cleaned signs in Carrabelle
- Cut bushes around signs in Alligator Point
- Replaced signs in Apalachicola, Carrabelle, Eastpoint and Lanark
- Sign Inspection and straightened signs in Alligator Point, Carrabelle and St. Teresa

Alan Pierce – Director of Administrative Services (9:06 AM)

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

Item 1 - After consultation with Mr. Shuler, and Ms. Lucy Turner, Labor Attorney, we recommend the Board consider the Public Works Compound on SR 65 as a work place that is not generally open to the public. We request that the Board authorize signs to be posted specifying entry require authorization of the Superintendent or the Board of County Commissioners.

Motion by Crofton, seconded by Parrish, authorizing the posting of signs that require authorization of the Superintendent of Roads or the Board of County Commissioners to enter the Public Works compound; Motion carried 5-0.

Van Johnson – Solid Waste Director (9:10 AM)

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

SUBJECT(S):

FULL COST OF SOLID WASTE MANAGEMENT ANNUAL REPORT:

FOR BOARD INFORMATION: I have attached for the Boards approval the advertisement of the Full Cost of Solid Waste Management Annual Report and Public Notice. The report was prepared by Governmental Consulting Services for Franklin County. The report is mandated by Florida Statutes, with the intent of determining and reporting the full cost incurred by Florida Counties, to provide solid waste management services.

The report identifies all costs, both direct and indirect, whether budgeted or not. The report does not take into account the offsetting factors of revenue, grants, amnesty days, equipment or labor used in the production of services.

During Fiscal Year 2006-2007, the full cost that Franklin County incurred to provide Solid Waste Management services to the public was \$1,702,516.00, which is a significant increase of \$273,188.00, over FY 05/06. The Public Notice must be published in a newspaper of general circulation and a copy of the report sent to the Florida Department of Environmental

Protection. ACTION REQUESTED: Motion Authorizing the advertisement of the Public Notice as required by Florida Statutes.

Motion by Putnal, seconded by Sanders, to authorize the advertisement of the Public Notice of the Full Cost of Solid Waste Management Annual Report as required by Florida Statutes; Motion carried 5-0.

SUMMER OPERATING HOURS:

FOR BOARD INFORMATION: To better serve the public during the peak tourist season the Landfill and the Parks & Recreation beach cleanup crew started their summer hours of operation on April 1. The Landfill is now open Monday through Friday from 7:00 a.m. – 4:30 p.m. and on Saturday from 9:00 a.m. – 12:30 p.m. The beach cleanup crew hours are Thursday through Monday from 8:00 a.m. – 4:00 p.m. The only department under my direction unchanged is Animal Control, which is open from Monday – Friday 7:00 a.m. – 5:00 p.m.
ACTION REQUESTED: None.

CONTROL FIRE ON THE LANDFILL

FOR BOARD INFORMATION: Late yesterday several Landfill employees were called back to work when a control burn on the westside of State Road 65 jumped the highway and started a brushfire to the south of the Landfill. The Division of Forestry and the Eastpoint Fire department responded quickly and brought the fire under control before it spread through the Landfill.

Commissioner Parrish stated that Indian Creek Park needs to be cleaned and start some start of landscape project. Mr. Johnson stated that his work crews are currently tied up with baseball season and the new consolidated school. Commissioner Sanders suggested that Mr. Johnson call Warden Spears and ask for additional inmate work crews.

Dan Rothwell – County Engineer (9:17 AM)

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

BOARD ACTION– Small County Outreach Program Grant (SCOP) Applications:

Staff wishes BOCC permission to prepare grant applications for FY10, FY11 and FY12. This cycle, FDOT is requesting five candidates from each eligible county by June 1, 2008. This will permit us to fund projects in the first and second and (possibly) third years of the new tentative work program for FY10, FY11 and FY12 budget years.

Lake Morality Road in Carrabelle from CR67 to US98 structural overlay and re-stripe a total 1.52 miles (FDOT \$441,408.00 + County \$147,136.00 = \$588,544.00).

Ave A in Eastpoint from Old Ferry Dock Road to 6th Street extend cross drains, widen 2', patch, asphalt rubber membrane interlayer, 0.75" leveling, 1.5" structural overlay, re-stripe total of 1.03 miles (FDOT \$299,112.00 County \$99,704.00 = \$398,816.00).

Bluff Rd Apalachicola from US98 4.65 miles to dead end at Big Oaks Road extend cross drains, widen 2', patch, 0.75" leveling, asphalt rubber membrane interlayer, 1.5" structural overlay, re-stripe total of 4.65 miles (FDOT \$1,350,360.00 County \$450,120.00 = \$1,800,480.00).

Oak Street Lanark Village from Alabama St to Doe Lane extend cross drains, widen 2', patch, 0.75" leveling, asphalt rubber membrane interlayer, 1.5" structural overlay, re-stripe total of 2.10 miles (FDOT \$609,840.00 County \$203,280.00 = \$813,120.00).

Old Ferry Dock Road in Eastpoint from boat ramp US98 0.75" leveling, asphalt rubber membrane interlayer, 1.5" structural overlay, re-stripe a total of 1.55 miles (FDOT \$450,120.00 County \$150,040.00 = \$600,160.00).

County funding for three years is approximately \$1,050,280.00 and FDOT \$3,150,840.00 totaling approximately \$4,201,120.00.

Motion by Sanders, seconded by Crofton, to authorize staff to prepare FDOT grant applications for the preceding five candidates; Motion carried 5-0.

BOARD ACTION– SCOP Grant Awards:

Staff desires BOCC permission to authorize the Chairman to sign the grants for:

6.25 miles Gulf Beach Drive from West 12th Street to State Park patch, 0.75" leveling, asphalt rubber membrane interlayer, 2.0" structural overlay, re-stripe (FDOT \$1,843,459.00 County \$614,486.00 = \$2,457,945.00)

1.0 mile Carrabelle Airport Road US98 to Airport 0.75" leveling, asphalt rubber membrane interlayer, 1.5" structural overlay, re-stripe (FDOT \$308,980.00 County \$102,994.00 = \$411,974.00)

County funds required are \$717,480.00 and FDOT \$ 957,000.00 totaling \$2,152,439.00. Board and Mr. Pierce discussed available funds for this project.

Motion by Crofton, seconded by Sanders, to authorize the Chairman's signature on the preceding grants; Motion carried 5-0.

Commissioner Putnal stated that he has received complaints of flooding because of the culvert at the end of Ridge Road and asked Mr. Rothwell to get with Mr. Chipman to investigate this and some of the other culvert problems before any damage is done to the homes in those areas.

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

The road bed Renourishment is completed and revetment and shoulder work continues. The weekend of 4-12-2008 caused some damage to silt fence and turbidity barrier which will be repaired prior to work continuance.

Eastpoint County Landing Park Project:

Bailey, Bishop & Lane have prepared and submitted preliminary plans have been reviewed and comments sent to the firm for modifications. The preparation for the construction Grant has been started by the firm which assures us that they will meet the May 2008 application deadline.

Ochlockonee Bay Boat Ramp Project:

Bailey, Bishop & Lane have prepared and submitted preliminary plans have been reviewed and comments sent to the firm for modifications. The preparation for the construction Grant has been started by the firm which assures us that they will meet the May 2008 application deadline.

Lake Morality Road:

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

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

C. W. Roberts has staked the project prior to start of work.

Squire Road:

Work on the plans and field marking is still pending.

Linden Road Survey:

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

Peachtree Road Survey:

Work on the plans and field marking is still pending.

Long Road Survey:

Work on the plans and field marking is still pending.

Butch Baker- Emergency Management Director (9:31 AM)

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

Action item for the BOCC meeting on April 22, 2008:

Recommendation:

Approve and sign a pre-event contract for disaster related debris management services with:

- AshBritt, Inc

There is no cost to the county to have this contract in place. It will be used on an "as needed" basis.

We currently have three pre-event contracts in place.

The “cradle to grave” cubic yard cost of each contractor is:

- Jimmy Crowder Excavating & Land Clearing, Inc.....\$14.50/cy
- CrowderGulf Joint Venture, Inc.....\$17.25/cy
- BAMACO, Inc.....\$17.80/cy
- AshBritt, Inc.....\$19.00/cy

Attorney Shuler verified that this contract was in the same format as the previous ones.

Motion by Sanders, seconded by Crofton, to authorize the Chairman’s signature on the contract for disaster related debris removal with AshBritt Inc.; Motion carried 5-0.

Information:

- 04/05/08: The EOC was activated to a level 2 condition due to severe storms across the county.
- 04/16/08: DEM met with FCTV and St. George Cable, Inc. to coordinate emergency messaging on channel 9, during a time of actual or potential disaster. We are also working with Mediacom to provide the same service on channel 3.
- 04/22/08: The quarterly Local Mitigation Strategy (LMS) meeting will be held at the EOC at 2:00 p.m.
- 04/26/08: DEM is hosting an animal decontamination training session, which is being put on by the Big Bend Disaster Animal Response Team, out of Tallahassee. The Animal Control offices and Humane Societies from seven local counties, including Franklin, have been invited to attend.
- 05/05/08: DEM is hosting a training and exercise planning workshop. The intent of the workshop is to gather desired training and exercise input from all individuals and organizations that have a role in a disaster. City and county leaders are especially encouraged to attend.

Commissioner Crofton commented on the “hurricane hunter” plane that was on display at the Apalachicola Airport.

Commissioner Sanders and Mr. Baker discussed the availability of sand bags at the Airport as Mr. Ken Reynolds was in need of some. Commissioner Sanders asked Mr. Baker to have sand bags available for the public year round.

Motion by Sanders, seconded by Crofton, to direct Mr. Baker to contact Mr. Reynolds and assist him with his request for sandbags; Motion carried 5-0.

Bill Mahan- Extension Agent (9:38 AM)

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

Gulf of Mexico Fisheries Management Council Update:

Circle hooks, de-hooking devices and venting tool frequently asked questions: The GMFMC has published a four-page “frequently asked questions” answer sheet for anglers. The publication helps anglers understand the new federal reef fish fishing gear regulations that go into effect on June 1st, 2008 in federal waters. The publication is attached for your information.

Florida Fish & Wildlife Commission Updates:

Tarpon Genetic Information Needed: Biologists at the FWC’s Fish and Wildlife Research Institute (FWRI) and Mote Marine Laboratory need help from Florida anglers to collect tarpon genetic information.

The tarpon genetic recapture study gives anglers throughout Florida the opportunity to make a direct contribution to advancing scientific research for one of the state’s most popular sport fish. FWRI provides a free and easy-to-use sampling kit to anglers who are interested in collecting DNA samples. The kit contains an abrasive pad that anglers can use to remove skin cells from the outer jaw of the tarpon. Anglers should leave the fish in the water unless they have a harvest or possession tag to attach to the fish.

Biologists welcome samples from any tarpon regardless of size or capture location. Each DNA sample identifies a tarpon’s unique genetic “fingerprint.” Scientists compare new tarpon DNA samples with cataloged samples to determine if the tarpon has been caught and sampled previously. Scientists also use this information to determine movement of tarpon in waters off the coast of Florida.

Participants can obtain a tarpon DNA sampling kit by e-mailing TarponGenetics@MyFWC.com, calling 1-800-367-4461 or visiting <http://research.MyFWC.com> and searching for “tarpon.”

Anglers who collect and return a DNA sample directly to FWRI or to one of the statewide collection centers will be entered in a random drawing for various prizes.

FWC proposes allowing commercial mullet harvest on weekends: FWC proposed a draft rule last week that would allow commercial fishers to harvest striped or black mullet on weekends. A final public hearing on this rule proposal will take place at the June 11-12 FWC meeting in Dania Beach.

The commercial harvest of mullet has been prohibited on weekends during certain months of the year since 1989 to help protect mullet when they spawn. A recent FWC stock assessment indicates that mullet populations are now healthy enough statewide to safely sustain commercial mullet harvesting on weekends.

Georgia and Florida ending reciprocal license exemption for seniors: An agreement between Florida and Georgia that allows senior citizens from either state to hunt and fish in fresh water without licenses in both states is about to end. The agreement, which dates back to 1981, will end on June 30.

Georgia officials announced in May 2007 that economic realities have rendered the reciprocal agreement no longer feasible for hunting, and it will come off the books. The nature of the agreement requires that Florida follow suit. The FWC voted last week to end the

reciprocal agreement concerning freshwater fishing, as well. The agreement never has exempted nonresident seniors from either state from saltwater fishing license requirements. Senior citizens who are Florida residents may continue to hunt and fish in Florida without purchasing a Florida license, although the FWC encourages seniors to purchase licenses to support conservation.

New Bald Eagle Management Plan Approved: Last week the FWC approved a final bald eagle management plan removing the bald eagle from the imperiled species list. The FWC had classified the bald eagle as a threatened species on the state list, but the change is consistent with the U.S. Fish and Wildlife Service's decision to remove the species from the federal list last August.

Robin Boughton, FWC bald eagle management plan leader said; "Surveys found only 88 active nests in Florida when monitoring began in 1973. In 2007, more than 1,100 active nests were counted. That's a tremendous increase."

The bald eagle management plan will serve as a conservation blueprint to ensure the eagle continues to thrive in Florida. The Commission also approved a bald eagle rule and a permitting framework that will continue to protect the bald eagle in Florida.

"The goal of the plan is to maintain a stable or increasing bald eagle population throughout the state in perpetuity," Boughton said. "To achieve this goal, the plan calls for conservation actions, such as land management, habitat acquisition, private land incentives, public outreach and the continued monitoring of eagle nests and territories."

In addition, the bald eagle will remain protected by the federal Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act and the state bald eagle rule proposed in the plan.

ISSC Updates:

Committee Appointments: Last week I received notification from Ken Moore, Executive Director of the Interstate Shellfish Sanitation Conference that I had been reappointed to the Foreign Relations Committee and Education Committee for 2008-2009 and appointed to the Post Harvest Processing Review Committee. The Foreign Relations Committee is charged with reviewing information concerning foreign developments that may impact shellfish sanitation in the United States. This information may be presented through the proposal process or to the Executive Board for consideration and dissemination to Conference members. The Education Committee is charged with providing oversight and review for the Executive Office on the development of ISSC educational materials. The PHP Review Committee has been assigned the following tasks for 2008 – 2009: Issue 03-204 – Shellstock Tagging of Wet Stored Shellstock; and Issue 05-200 – Review Chapter VII, Wet Storage in Approved and Conditionally Approved Growing Areas, Chapter XV, Depuration and Chapter XVI Post Harvest Processing to determine if requirements are consistent for the risks involved with each process. As a result of these appointments, I am now serving as a voting member on five ISSC committees – *Vibrio* Education, Biotoxins, Foreign Relations, Education and Post Harvest Processing Review.

UF – IFAS Extension Updates:

Red & Gag Grouper/Magnuson-Stevens Fishery Management Letter Response: Congressman Allen Boyd's Washington, D.C. Office responded to the Board's April 1st letter requesting his assistance in solving some of the fishery management issues that have occurred since the Magnuson-Stevens Fishery Conservation and Management Act was reauthorized last year. Megan said that Congressman Boyd will write a letter to both the Gulf of Mexico Fishery Management Council and NOAA Fisheries requesting information from them on how the changes in the reauthorization of the M-S Fishery Conservation and Management Act is limiting what the Council can do to work cooperatively with the commercial and recreational fishing industries to manage our federal fisheries.

UF IFAS/DACS Oyster Forum Reminder: The UF IFAS Extension Program and the Florida Department of Agriculture will be hosting the Franklin County Board of Commissioners and their staff, Franklin County Oyster & Seafood Task Force members and representatives of the Franklin County Seafood Worker's Association at the "Oyster Forum," from 3:00 – 5:00 pm April 24th at the Apalachicola Community Center. The goal of the forum is to discuss pending Vibrio issues and possible research projects with the Commissioners and oyster industry representatives.

BRD Outreach Program: I am working with Gary Graham (Texas Sea Grant), Lindsey Parker (Georgia Sea Grant) Lindsey to hold a Bycatch Reduction Device (BRD) program in Franklin County on May 6th. The goal of the program is to update the members of the shrimp industry on the new BRD regulations that have either come out or are in the making. In addition, representatives from NOAA Fisheries will be here to talk about their BRD handout program and will be distributing some of the newly approved BRDs. I also hope to have a representative from FWC present to talk about any state issues with the new federally approved BRDs.

UF's Wedgworth Leadership Institute for Agriculture and Natural Resources: The 30-members of the Wedgworth Leadership Institute's Class VII will be coming to Franklin County May 20 -21 as part of their two-year training program. The program is designed to develop leadership capabilities of people in the agriculture/natural resource industry who will become increasingly involved in policy formation at the local, state, national and international levels. Since the beginning of this program in 1993, Franklin County has been a featured seminar site to meet with local community, natural resource & business leaders to learn about the challenges our county faces and to spend some time in a very unique place. Historically the class participants are from the urban areas of Central & South Florida and they have never visited or area. When they visit Franklin County many of them report being "blown-away" by how open and friendly people are around here.

UF Impact Magazine: For your information I have handed out the Spring 2008 issue of Impact Magazine published by UF IFAS to highlight Extension and Research projects being conducted around the state. Featured story topics include: Biofuels, Citrus Canker and Sustainable Agriculture. Other topics included Caviar production, Saving Water, and German cockroach research.

New Regulations Requiring Circle Hooks, Dehooking Devices, and Venting Tools for Gulf of Mexico Reef Fish
Effective June 1, 2008 Frequently Asked Questions

March 2008

New Regulatory Requirements

What are the new reef fish gear regulations?

- The regulations will require the use of venting tools and dehooking devices when fishing for reef fish in the Gulf of Mexico. The rule will also require all persons aboard a vessel harvesting reef fish to possess and use non-stainless steel circle hooks when using natural baits.

Why are these new regulations needed?

- The intent of these new regulations is to reduce bycatch and discard mortality of reef fish that are caught and not kept. If the gear associated with these new regulations is used properly, it will help more reef fish survive when they are released.

When do these new regulations take effect?

- The regulations take effect June 1, 2008; however, many commercial fishers and recreational anglers are already using the gear associated with these new regulations in the Gulf of Mexico.

Who must comply with these regulations?

- These regulations apply to all commercial and recreational fishermen fishing for reef fish in federal waters of the Gulf of Mexico.
- However, often states implement compatible regulations. Check with the state fishery management agency whose waters you are fishing in to determine if similar measures apply.

What do bycatch and discard mean?

- Bycatch is defined in the Magnuson-Stevens Fishery Conservation and Management Act as “fish which are harvested in a fishery, but which are not sold or kept for personal use, and includes economic discards and regulatory discards. The term does not include fish released alive under a recreational catch and release fishery management program.”
- Economic discards are “fish which are the target of a fishery, but which are not retained because of an undesirable size, sex, or quality, or other economic reason.”
- Regulatory discards are “fish harvested in a fishery which fishermen are required by regulation to discard whenever caught, or are required by regulation to retain but not sell.”

Circle Hooks

What is a circle hook?

- A circle hook is defined as a fishing hook designed and manufactured so that the point is turned perpendicularly back to the shank to form a generally circular, or oval, shape.
- The image to the right shows typical circle hooks.

Do circle hooks reduce discard mortality of reef fish?

- Yes, research has found that circle hooks are more likely to hook fish in the mouth, instead of in the esophagus or stomach. This reduces damage to the fish.
- For more information on circle hooks, see Florida Sea Grant's Web page at <http://nsgl.gso.uri.edu/flsgp/flsgpg02001.pdf>.

Are offset circle hooks allowed?

Gulf of Mexico federal waters

- Yes, offset circle hooks are allowed in Gulf of Mexico federal waters. The definition of a circle hook indicates the point is turned perpendicularly back to the shank of the hook, but does not preclude an offset angle.
- The offset hook indicates the angle of sideways bending of the end of the hook in relation to the hook shank.
- While offset hooks are allowed in federal waters, some research has indicated the greater the degree of offset, the greater the likelihood of injuring a hooked fish. Therefore, their use is discouraged.

State waters

- Offset circle hooks are allowed in federal waters when fishing for reef fish. On June 1, 2008, [Florida](#) will not allow offset circle hooks to be used when fishing for reef fish in state waters.
- For other states, check with the state fishery management agency whose waters you are fishing in to determine if similar measures apply.

Why are non-stainless steel hooks preferable?

- Non-stainless steel hooks will deteriorate over time, thus reducing the probability of damage to the fish.
- Stainless steel hooks will not deteriorate over time and so have a greater chance of injury or killing fish if they are left in the fish or discarded in the water.

What are considered natural baits?

- Natural baits include any bait derived from a living organism, either dead or alive.
- Artificial baits which include a small amount of embedded fish or shrimp are not considered natural baits.
- Examples of live bait include herring, shrimp, and pinfish.
- Examples of dead bait include cut and frozen fish, shrimp, and squid.

Is it legal to have j-hooks in my tackle box on board a vessel in the Gulf of Mexico when I'm fishing for reef fish?

- Yes, as long as you are not using them with natural bait to harvest Gulf of Mexico reef fish.

Dehooking devices

What is a dehooking device?

- A dehooking device is a tool intended to remove a hook embedded in a fish. It allows a fish to be released with minimum damage.

- The hook removal device must be constructed to allow the hook to be secured and the barb shielded without re-engaging during the removal process.
- The dehooking end must be blunt, and all edges rounded.
- The device must be of a size appropriate to secure the range of hook sizes and styles used in the reef fish fishery.
- At least one dehooking device is required when fishing for reef fish in Gulf of Mexico federal waters and must be used to remove hooks embedded in reef fish with minimum damage.
- However, it may be safer for the fish and the angler to cut the line rather than trying to remove a deeply imbedded hook, which will occur less often with a circle hook.

What are appropriate dehooking devices to comply with the new Gulf of Mexico reef fish regulations?

- Examples of allowable dehooking devices include tools with a long shaft with an inverted-V or other hook capturing device, blunt-nosed pliers, alligator pliers, or dehooking forceps.
- Examples of what not to use include knives, screwdrivers, or sharp-nosed wire cutters or pliers.
- Note: While pliers and forceps can be used as a dehooking device, the use of dehooking tools that can grab the fishing line, slide down the line, and remove the hook quickly are encouraged because these tools require minimal handling of the fish and are better able to secure the hook during removal.
- See the adjacent photo of some examples of dehooking devices.

If a fish has swallowed a hook and removing it with a dehooker would do more than minimal damage to the fish, can I just cut the line?

- Yes, it may be safer for the fish to simply cut the line as close to the hook as possible on deeply embedded hooks rather than use the dehooking device.
- A good rule of thumb is to use a dehooker if you can see the hook. If you cannot see the hook, cut the leader as close to the hook as possible without removing the fish from the water.
- Note: Some dehookers are designed to remove swallowed hooks (e.g., ARC and Safe Dehooker), so you may want to consider carrying this type of device in addition to other dehooking devices.

Where can I find a dehooking device for sale?

- Dehooking devices can be found in many stores that sell fishing gear and on the Worldwide Web.

Venting tools

What is a venting tool?

- A venting tool is a device to deflate the expanded air from the swimbladder of a fish with minimum damage.
- A venting tool must be a sharpened, hollow instrument, such as a hypodermic syringe with the plunger removed, or a 16-gauge needle fixed to a hollow wooden dowel. Larger needles or other penetrating devices are strongly discouraged.

- At least one venting tool is required and must be used when needed to deflate the swimbladders of Gulf of Mexico reef fish that will be released.
- A tool such as a knife or an ice-pick cannot be used.

Why do some Gulf of Mexico reef fish need to be vented?

- Many marine reef fish have a gas-filled swimbladder that controls buoyancy to allow the fish to maintain a certain depth in the water column.
- When a fish is retrieved from deeper waters, the gas in the swimbladder can over-expand and fill the body cavity with trapped gases when the fish is brought quickly to the surface.
- As a result, the fish can sustain serious injury, and if released in this buoyant condition, float away and die from exposure to the elements or become an easy target for predators.

When should I use a venting tool and how should I use it?

- Venting tools are used to deflate the swimbladder of fish retrieved from depth.
- In general, fish retrieved from depths of greater than 50 feet need to be vented, but some species are more susceptible to swimbladder overexpansion.
- When retrieving a reef fish, carefully assess its condition. If the fish is bloated and floats (is unable to control its buoyancy) or if the fish's stomach is distended from the mouth, the fish requires venting.
- If the fish appears normal, not bloated, and appears like it would be able to swim down to the depth where it lives, venting is not necessary.
- To properly vent a fish, the tool is inserted into the fish at a 45-degree angle approximately 1 to 2 inches (2.54 to 5.08 cm) behind the base of the pectoral fin. The tool should be inserted just deep enough to release the gases to avoid damage to internal organs.
- More information on venting can be found on the Florida Sea Grant Web site at http://www.flseagrant.org/program_areas/fisheries/venting/.
- To view a video on how to vent fish with minimum damage, go to: <http://isurus.mote.org/research/cfe/fish-bio/how-to-vent-a-fish.htm>.

Commissioner Parrish suggested that if possible the Commissioners attend the Oyster Forum and stated some of the topics that will be discussed at the forum.

Dewitt Polous - Mosquito Control Director - Seeking permission for part-time help to fill a vacant position (9:49 AM)

Mr. Polous distributed and read the following statement to the Board.

Mr. Chairman and Board of County Commissioners:

I come here today to ask for 2 part-time employees. I fully understand that we are under a hiring freeze however this is a much needed position especially considering there are only 3 employees for the Franklin County Mosquito Control. At this time we have not been able to use any of the Altosid xr Larvicide or Agnique mmf which is both used to kill mosquito larvae to reduce new mosquito infestations both of which needs to be disbursed in a timely manner to reduce mosquitos. We have only been able to complete 2% of the required inspections that the

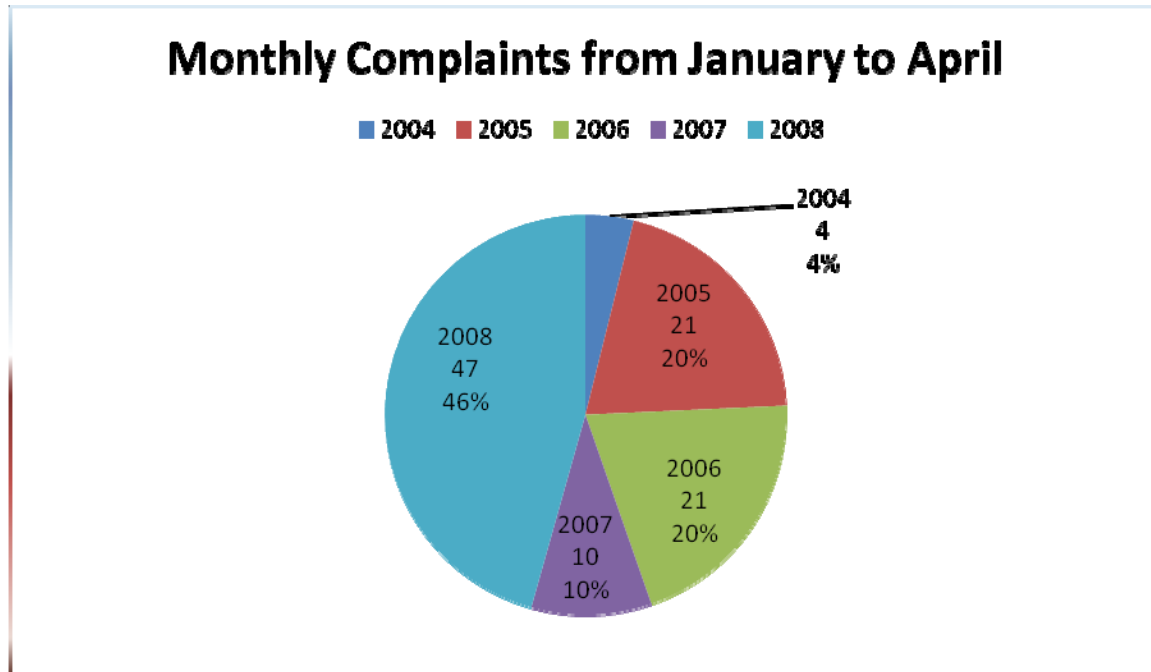
state requires us to do. We have already received 47 complaints complaining how the mosquitos are so terrible this year in all locations. I personally have already accrued 30 hours in the last 3 weeks of comp time even with the 2 full time employees. Here is a list of just a few items that we do that benefit the county and that is required by the state to receive the grant of fiscal years funds.

- Download monitors from spray trips and record them into VCMS (State Requirement)
- Run Light Traps
- Count and Record Mosquito's by setting out traps throughout the county the purpose of this is to determine how often and how much spray to spread out in a selected area. (State Requirement)
- Daily maintenance on the ULV units and Calibration (Only State Certified technician allowed)
- Receive and Return complaint calls
- Go to individual homes/areas with back pack sprayer to spray for mosquito's in thick areas where trucks cannot go
- Larviciding (Find ditches/areas with standing water and put larvicide briquettes in them to kill the mosquito larvae before they become adult mosquito's)
- Inmate squad of 5 men for ditch maintenance/mosquito controlling

Currently I have Virginia Messer the Road Departments secretary doing my monthly state financials taking over from John Layne who is resigning. If the Board will grant me 2 part time people to do the routinely nightly mosquito spraying (Adulticide) this would greatly benefit the Citizens of Franklin County. This would allow Randy Bell (my full time employee) and me to do the above mentioned job duties. By hiring 2 part-time employees instead of replacing my full time employee this will save on ad valorem taxes by not having all the benefits that a full time employee receives and being a temporary position for only 6 months of the year.

Approximately \$11, 892 will be saved by hiring 2 part-time employees instead of replacing with a full time employee.

Just to show you a brief comparison for the past 5 years I have included a chart showing complaints received.



The two part time employees would be paid \$9 an hour they would work for 26 weeks of the year at 30 hours a week total budgeted amount would be \$14,040. Currently John Layne's position's salary is \$24, 852 including the fringe benefits it is \$30,477. By hiring 2 temporary part time positions which does not include the fringe benefits this would save the county \$16,437 in ad valorem taxes in future fiscal year budgets.

However for this current fiscal year 07-08 already budgeted we would only need to transfer \$550 from operating expenses to cover the two part time employees for the remainder of this season.

If not allowed the two part time employees this will cut back tremendously the work and services offered that is needed to be done to keep control over the mosquitos in Franklin County. This would result in one time a week nightly spraying of each township and cut out most things that are beneficial to the citizens of Franklin County which could result into a massive amount of mosquitoes.

Action Requested: Board approval of hiring 2 part time employees at \$9 an hour for 22 weeks, 30 hours each per week.

Action Requested: Board approval to transfer \$550 of operating expenses into personal services for temporary drivers.

Commissioner Parrish discussed the County's hiring freeze, the need for mosquito control for the public safety and welfare, and the benefit of hiring part time temporary employees versus full time employees.

Mr. Polous discussed citizens, especially those in Alligator Point, that help with monitoring the mosquito traps.

Commissioner Sanders asked Mr. Polous to have the trucks slow down when spraying. Mr. Polous discussed why the trucks traveled at the speed that they do.

Commissioner Sanders suggested that Mr. Polous start spraying during the day.

Commissioner Crofton suggested that Mr. Polous start manning a spray truck himself and they discussed replacing one full time employee with two part-time employees.

Motion by Putnal, seconded by Parrish, to declare this matter an emergency and authorize Mr. Polous to advertise for and fill the vacant full-time position with two part-time positions until the end of this budget year, at which time this issue will be discussed during the budget hearings; Motion carried 5-0.

Matthew Johnson - Operations Manager Tate's Hell State Forest - Update on Forest Activities
(10:07 AM)

Mr. Johnson introduced himself along with the fire fighting staff to the Board and gave an update on the recent actions of Tate's Hell staff.

Commissioner Sanders thanked Mr. Johnson for the efforts of his staff, especially the control burns.

Bruce Hall and Bruce Drye - Turtle Lighting Ordinance Revisions (10:11 AM)

Bruce Hall read a statement to the Board that said that Sea Turtles At Risk (STAR) would pull their suggested revisions to the turtle lighting ordinance. Ms. Hall also stated that at sometime in the future, STAR will work closer with the community, especially the business community, when suggesting revisions to the ordinance.

Bruce Drye, the St. George Island turtle nest permit holder, submitted information on sea turtle nest disorientations and also read a statement regarding his experiences with sea turtles in the County.

Commissioner Lockley stated that Franklin County is currently doing its part in protecting the sea turtle nests especially based on the information presented by the State at the last meeting. Mr. Drye stated that the information presented by the State was not complete, because turtle nests are declining in Franklin County.

The Board, Mr. Pierce, and Ms. Hall, discussed an upcoming public hearing on this matter and the process that will be used which will include more public input.

Commissioner Parrish asked Ms. Hall to address the enforcement section of the current ordinance and asked if enforcement would increase nesting.

Mr. Drye and Ms. Hall stated that there has not been any citations written for violations of the ordinance and enforcement would reduce disorientation, not increase nesting. Commissioner Parrish and Mr. Drye discussed resolving other issues, besides corrective lighting, to try and solve the nest disorientation problems.

Commissioner Putnal suggested capping or caging the turtle nest until the hatchlings are born and then releasing them. Mr. Drye explained why caging the nests was not a good idea.

Bid Opening - Alligator Point Road Resurfacing (10:44 AM)

Mr. Pierce opened the bid and stated that amount.

C. W. Roberts – \$2,491,057.95

Motion by Sanders, seconded by Crofton, to forward the bid to the engineers for a recommendation; Motion carried 5-0.

Mr. Pierce discussed the project and stated that a portion of the road was outside of the FEMA (DOT) area.

Attorney Shuler updated the Board on the condemnation proceedings, related to the relocation of Alligator Drive, and stated that presently, negotiations were not going very well.

The Board, Attorney Shuler, and Mr. Pierce discussed the area of the road that would still be exposed, even after the DOT project is completed, and the options the County has with moving that section of the road.

There was further discussion regarding the problems with the South Shoal project including possibly negotiating a MSBU with the property owners whose property front the portion of Alligator Drive that will be abandoned.

Ken Osborne, of APTA, submitted copies of legal opinions that stated the County actually owned certain lots that were needed for the relocation of Alligator Drive. Mr. Osborne also discussed the areas of Alligator Drive that flood and other matters that will have to be addressed when relocating Alligator Drive. Mr. Osborne stated some of the promises that were made by South Shoal, regarding relocating Alligator Drive, and the frustrations the residents of Alligator Point feel with paying taxes but not receiving services from the County like having a paved road for many years.

Commissioner Sanders stated the County needs to move forward with the DOT grant that will resurface Alligator Drive.

Billy Buzzett – St. Joe Company – Present Access Easement for Affordable Housing (11:11 AM)

Mr. Buzzett presented the easement to the Board for the DSW Affordable Housing project.

Mr. Buzzett and Commissioner Putnal discussed affordable housing, water access on the eastern end of the County, and assistance with cost of expanding the infrastructure the County will experience.

Motion by Crofton, seconded by Parrish, to authorize the Chairman's signature on the easement agreement; Motion carried 5-0.

Motion by Putnal, seconded by Crofton, to authorize payment of the recording fees for this document; Motion carried 5-0.

Sheriff Mock - Discussion of DOC Contract Renewal and Security (11:15 AM)

Sheriff Mock discussed the possibility of State removing their inmates in the future since the contract was reduced from 3 years to 1 year and requested the Chairman's signature on the contract renewal.

Commissioner Parrish and Sheriff Mock discussed recent reduction in overcrowding at the jail due to the efforts of the new circuit judge.

Commissioner Parrish and Sheriff Mock discussed reductions or increases of funding from the State to house their inmates and what benefits the County receives for housing State inmates. Commissioner Sanders discussed the possibility of shifting the fine and forfeiture fees back to the Board. Sheriff Mock discussed under what circumstances he would be able to return fine and forfeitures to the County.

Motion by Putnal, seconded by Crofton, to authorize the Chairman's signature on the DOC Contract renewal; Motion carried 5-0.

Commissioner Crofton asked Sheriff Mock for his assistance with enforcing the new golf cart ordinance on St. George Island.

Sheriff Mock stated that the County might receive a \$30,000 grant to install new security cameras in the Courthouse.

Alan Pierce- Director of Administrative Services – Report

Mr. Pierce presented this item from his report as it related to Courthouse security.

Item 5 - Board action to sign the Grant-in-Aid Agreement between the county and the Office of Court Administrators for \$100,000 for security improvements that was awarded at last year's legislative session. We have been notified that the grant award will be reduced by 4% by order of the Governor in keeping with his budget reduction plans.

Motion by Sanders, seconded by Parrish, to authorize the Chairman's signature on the Grant-in-Aid Agreement; Motion carried 5-0.

Rick Marcum - Discussion - Opportunity Florida (11:29 AM)

Mr. Marcum discussed and distributed a handout that listed some of the grants and funding the County has received from Office of Tourism Trade and Economic Development (OTTED), discussed the benefits of being a Rural Area of Critical Economic Concern (RACEC) County, stated that all of the Counties in the northwest area has been reinstated in the RACEC and Florida Opportunity program and discussed the need for counties like Franklin to stay in this program and will bring the MOA for approval at a later date. Mr. Marcum informed the Board of some of the meetings he will be attending and representing Franklin and other counties in the area.

Mr. Marcum also discussed the MyFloridaMilitary.com program and how it benefits the County, and requested Board approval for a resolution that recognizes the men and women serving in the military.

Motion by Sanders, seconded by Crofton, to pass the resolution that recognizes the men and women of the military, contingent on Attorney Shuler’s approval; 5-0.

Commissioner Putnal asked Mr. Marcum to research some federally funded programs that assist shrimpers with fuel cost.

Commissioner Lockley asked Mr. Marcum to market the Apalachicola Airport as much as possible.

Mr. Marcum asked the Board to participate in as many OTTED, RACEC, and Opportunity Florida functions as possible, because all of the Northwest area counties united present a loud voice.

Curt Blair - TDC infrastructure grant and other budget amendments (11:42 AM)

Paul Parker addressed the Board and asked for Board action on the following items.

Item 1 – Approval of Local Government Infrastructure Request

Apalachicola:	\$30,000	
	Welcome signs for Entrance to City	5,500
	Marks Memorial Monument – Landscaping	1,000
	Lafayette Park Repairs	12,000
	Veteran’s Riverfront Park – Lighting	7,000
	Benches for Downtown	3,000
	Sign for Museum of Art	1,500
Carrabelle:	\$30,000	
	Crooked River Lighthouse	5,000
	Light Keeper’s House	25,000
Franklin County:	\$40,000	
	Eastpoint Ball Park	30,000
	Lombardi Property Improvements	10,000

Motion by Putnal, seconded by Crofton, to approve the Local Government Infrastructure Requests; Motion carried 5-0.

Item 2 – Approval of \$59,494.05 in interest transfer

These funds were determined to have been accumulated by the County Clerk's office from interest collected on deposited resort tax collections. At the County's request, the TDC authorized expenditure of these funds in the following manner:

Scoreboards for three ball parks:	\$10,000
Improvements to Indian Creek Park: (Approximately)	\$49,494

Motion by Sanders, seconded by Crofton, to approve the interest transfer; Motion carried 5-0.

Motion by Putnal, seconded by Sanders, to officially name the newly purchased park Indian Creek Park; Motion carried 5-0.

Item 3 – Proposed Budget Amendment for FY 2007 – 2008

In a review of collected and expended funds conducted by the TDC administrative office and the County Clerk's office, it was determined that some \$300,000 plus was available for distribution within the present fiscal year. These funds were derived from a combination of sources including the fact that no expenditure was made during the first year of collection and amounts received from the tax in excess funds projected. Finally, some funds budgeted in the last fiscal year but not spent and needs to be re-allocated to this fiscal year to be available for their budgeted purpose.

Transfer To:

St. George Lighthouse and Visitor Center	43,000
Donnie Wilson Park Improvements	50,000
Land Acquisition – Lombardi's	100,000
Additional Infrastructure Grants	60,000
Apalachicola	20,000
Carrabelle	20,000
County	20,000
Three Serviceman Statue South	50,000
Website Construction and Maintenance	8,000
Other Promotional Activities	<u>26,500</u>
Total Budget Amendment Request	337,500

Mr. Pierce suggested that the County transfer the \$20,000 of Infrastructure Grant toward the Lombardi purchase or use it to purchase some property that has water and is located next to the Millender boat ramp in Eastpoint that is in foreclosure. Attorney Shuler commented on the property that was in foreclosure. The Board agreed.

Commissioner Sanders asked Mr. Parker to get the signs erected that were approved so that anyone visiting the County would know that there is a working TDC in the County.

Motion by Crofton, seconded by Parrish, to approve the proposed budget amendments for FY 2007 - 2008; Motion carried 5-0.

Kevin Begos – Update on Lombardi Management Plan (11:54 AM)

Mr. Begos distributed a draft management plan for the Board's review and asked if it would be possible to schedule an informal meeting at the Lombardi property with all interested parties. Mr. Begos stated that safety issues at the property needs to be addressed as soon as possible, such as boarding up the building and repairing the dock and other safety and security issues. Attorney Shuler agreed with this suggestion.

Commissioner Putnal asked that the necessary work is done as soon as possible so that the dock is available for the seafood workers by the upcoming winter season.

Mr. Begos also discussed a committee he was forming regarding Lombardi, that would include Mr. Curt Blair of the TDC and Mrs. Anita Grove of the Chamber of Commerce.

Motion by Putnal, seconded by Sanders, to lock and secure Lombardi property until the safety issues are addressed; Motion carried 5-0.

Motion by Parrish, seconded by Sanders, to submit grant applications to DEP and FWC, as stated in Priority #2 of the Management Plan, as soon as possible; Motion carried 5-0.

Mr. Begos updated the Board on the FCT grant application for the Lombardi property. Commissioner Parrish and Attorney Shuler also commented on the FCT grant.

Marcia Johnson- Clerk of Court – Report (12:11 AM)

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

Item 3-The financing was completed last week on the Lombardi property purchase, and the deed was recorded on April 18th. We were able to get financing from Ameris Bank with a fixed rate of interest of 3.89% for 20 years. The monthly payment is set at \$6,333.35 beginning in May for a yearly total of \$76,000.20 which will be paid from Tourist Development funds.

Item 1-During the last week, we experienced problems with the air conditioning unit housed on the second floor of the main courthouse. This unit also provides air to the telephone equipment room. I was told by the telephone maintenance department that, without proper air conditioning, the equipment would be in jeopardy. We've been without air conditioning now for several days, and I'd like Board approval of emergency repairs and replacement of the unit.

Motion by Sanders, seconded by Crofton, to declare an emergency and authorize the immediate repair and replacement of the air conditioning unit housed on the second floor of the main courthouse; Motion carried 5-0.

Item 2-I received a financial report from Weems Hospital which indicated a balance in their account for the month ending March in the amount of \$357,995.97. Also, for your information, a new account has been opened for the health care sales tax, and the amount of \$70,486.56 was deposited for collections during the month of January, 2008, which is the only amount we've received at this point.

Commissioner Putnal raised concerns of the funds from the health care sales tax not being used as stated on the ballot referendum. Mr. Pierce discussed this matter and stated that an issue with the health department has nothing to do with the health care sales tax. Attorney Shuler stated that staff and the hospital board are moving forward with the plans for an urgent health care center in Carrabelle as stated on the referendum. Commissioner Parrish also commented on this matter discussing his visit to the health department in Carrabelle and stated that there isn't any intention of the County Commission to move the Health Department out of the building in Carrabelle. The Board discussed this matter further.

Alan Pierce- Director of Administrative Services – Report

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

Item 10- Provide Board with copy of memo I wrote to Weems Hospital Board regarding the meeting Weems CEO Mr. Colvert, Weems Hospital Chairman Dodds, and I had with Mr. Wesley Tice, and his staff, at the Franklin County Health Department about cooperative efforts between the two health care providers. The issues discussed were allowing Weems to be a draw center for blood work instead of the Health Department, and possible collaboration for adult primary care in Carrabelle.

Commissioners' & Public Comments (12:25 AM)

Maxine Creamer of the Literacy Program, stated that the program will be closed if the County reduces the funding it provides by 50%. Mrs. Creamer stated some of the assistance this program provides to the County.

Board stated that they were aware of the importance of the Literacy Program and stated that the correct procedure would be to submit their budget with the 50% cut and discuss during the budget workshops.

Parrish stated that because of the passing of Amendment 1, the County will be forced to reduce its budget and funding of the County services and programs, and hopefully some of the more wealthy residents of the County will contribute to programs like this.

Crofton asked if the collection at the Dollar Store goes to the Franklin County Literacy program. Mrs. Creamer stated that the local Literacy Program doesn't get those funds.

Tom Adams distributed a statement to the Board and stated that the closing of the Literacy program will cause other jobs to be lost in Franklin County.

Adjourn for Lunch (12:37 PM)

Reconvened (1:41 PM)

Alan Pierce- Director of Administrative Services – Report (1:41 PM)

1- After consultation with Mr. Shuler, and Ms. Lucy Turner, Labor Attorney, we recommend the Board consider the Public Works Compound on SR 65 as a work place that is not generally open to the public. We request that the Board authorize signs to be posted specifying entry require authorization of the Superintendent or the Board of County Commissioners.

This item addressed earlier in the meeting.

2- Inform the Board that DCA has found the comp plan amendment that allows density bonuses for affordable housing to be in compliance. Notice was published on April 10.

This item was not addressed at this meeting.

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

This item was not addressed at this meeting.

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

This item was not addressed at this meeting.

5- Board action to sign the Grant-in-Aid Agreement between the county and the Office of Court Administrators for \$100,000 for security improvements that was awarded at last year's legislative session. We have been notified that the grant award will be reduced by 4% by order of the Governor in keeping with his budget reduction plans.

This item was addressed earlier in the meeting.

6- Inform the Board that the Planning Office worked with Solid Waste to submit a small grant to the Coca Cola Company National Recycling Coalition to buy recycling containers for the county park on St. George Island. We will know by the end of April if we were selected.

This item was not addressed at this meeting.

7-Sheriff Mock to discuss renewing DOC inmate housing for one more year. I have the DOC form that the Chairman needs to sign if authorized by the Board.

This item was addressed earlier in the meeting.

8- Board action to pay membership dues for FAC of \$1,904, and membership dues in Opportunity Florida of \$1,084.50.

Motion by Sanders, seconded by Crofton, to authorize the payment of membership dues for FAC of \$1904; Motion carried 5-0.

9-Board consideration of scheduling a public hearing for May 20 to consider a proposed amendment to the Summer Camp PUD to allow accessory uses to be built before the principal use. The accessory use will be a "carriage house" intended to serve as interim living space while the property owner is given time to build the primary residence. Board discussed the use of modular homes as these "carriage houses" in the Summer Camp development and it was stated that the Summer Camp PUD did not allow this style of home.

Motion by Sanders, seconded by Crofton, to revoke the building permits that were issued for the two "carriage houses" at the Summer Camp development and not issue any other building permits for that style of house for the Summer Camp development until some resolution is reached by the Board; Motion carried 5-0.

10- Provide Board with copy of memo I wrote to Weems Hospital Board regarding the meeting Weems CEO Mr. Colvert, Weems Hospital Chairman Dodds, and I had with Mr. Wesley Tice, and his staff, at the Franklin County Health Department about cooperative efforts between the two health care providers. The issues discussed were allowing Weems to be a draw center for blood work instead of the Health Department, and possible collaboration for adult primary care in Carrabelle.

This item was addressed earlier in the meeting.

11- Mr. Ronnie Rey, resident of Apalachicola, requests permission to add living space on to an existing camper trailer so that the total living space is at least 450 square feet, which is the minimum required.

Motion by Putnal, seconded by Parrish, to temporarily grant this request until Dec 31, 2008; Motion carried 5-0.

12- Mr. Ted Mosteller, Airport Advisory Chairman, requests the following action by the Board.

A) Approval of the revised Franklin County Airport Lease Policy for the following: Reflect name change of Airport To Apalachicola Regional Airport from Apalachicola Municipal Airport; the revision rescinds control of the apron areas in front of the County Hanger, Garlick Corporate

Hanger, and the Caaz Hanger from the current FBO so the current FBO can not charge tie-down fees in these areas; reformat and correct numerous typos in original draft.

This item was not addressed at this meeting.

B) Request permission to advertise again for tenant/user of the \$350K Maintenance Hanger. There was only one submission timely submitted but it contained no evidence of fiscal responsibility or a business plan, so the Committee recommends re-advertise. The advertisement will be placed in a wider aviation market rather than just the local paper.

Motion by Sanders, seconded by Crofton, to authorize advertizing for a tenant/user of the \$350K Maintenance Hanger; Motion carried 5-0.

C) Request permission to advertise for Request for Qualifications for a 5 year term as Airport Consulting Engineering Firm, as required by FAA. URS, the current firm is eligible to re-apply but they were appointed in May, 2008 so their five years is expiring.

This item was not addressed at this meeting.

Commissioners' & Public Comment – Continued (1:51 PM)

Commissioner Parrish discussed a pending bill in the Senate that will transfer the payment for the inmate supervisors from the State to the County.

Motion by Parrish, seconded by Putnal, to send letters to our legislative delegation stating how important the inmate work crews are to the County, but due to the budget cutbacks the County is unable to pay the salaries of the inmate Supervisors; Motion carried 5-0.

Commissioner Parrish discussed a bill that reduced reimbursements to health agencies like AHCA and Hospice.

Michael Shuler – County Attorney (1:55 PM)

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

1. PROPERTY APPRAISER LAWSUIT v. ST. JAMES BAY

On April 1, 2008, the County asked me to contact the Property Appraiser's attorney, Larry Levy, concerning whether he plans to seek an award of attorney fees in favor of the Property Appraiser. Mr. Levy informs me that there is no basis to claim attorney fees.

BOARD ACTION NEEDED: None

2. URS CONTRACT FOR INSPECTION SERVICES AT THE AIRPORT:

URS is your consulting engineer at the airport. You approved a contract and instructed me to review their \$29,000 contract for inspecting runway improvements. My changes require them not to exceed the available grant funds and for them to perform inspections according to accepted industry standards.

BOARD ACTION NEEDED: None.

3. Road Department

I have reviewed the Road Department matter involving Matthew Roberts and Darren Polous. I find nothing inappropriate in how Mr. Chipman resolved this matter.

BOARD ACTION: None

4. Alligator Drive

On April 1, 2008, I informed you that Mr. Fling and his partners were considering whether to grant access though both South Shoals and Se Con Cove, which is the entire length needed for relocating the road inland from Tom Roberts to Harry Morrison's Island Drive. I have been informed that they will not dedicate the full length of land needed to move the road inland.

Since no agreement could be reached moving the entire length of the road inland, I sent a letter requesting that they at least dedicate the 300 feet needed to connect Tom Roberts Road and Harbor Circle. This would connect the two public roads, but would not accomplish the complete inland route desired by the County. My letter is attached.

They have declined to do this, unless the County approves their requested PUD amendment and the County agrees to maintain Alligator Drive in front of their two properties, South Shoals and Se Con Cove. Their letter, and my reply, are attached.

Even if you did as they have asked, it would only move part of the road inland. It would:

- a. Leave unresolved that part of Alligator Drive from Harbor Circle to Harry Morrison's Island Drive,
- b. Remove all negotiating room to obtain a right of way from the developer through Se Con Cove, as the PUD amendment would obtained all the changes the developer desires.

I have sent your county engineer to the site to survey the footprint of the roadway property to be condemned between Tom Roberts Road and Harbor Circle.

BOARD ACTION: No need to make a decision now, but you should consider

- a. Regardless whether the road is moved partially or fully inland, what does the Board want to do with Alligator Drive once the road is moved inland?
 - i) One option is a MSBU to specially assess the lots fronting that part of Alligator Drive so that ad valorem taxes are not used to maintain or repair the revetment or road.
- b. Does the Board want to shorten the inland route such that it just connects Tom Roberts and Harbor Circle?

6. Relevant Litigation Status

- a. Superior Bank vs. Paula Webb et al. Case 08-187-CA

Another foreclosure has been filed against a resident.

Franklin County is named as a party because we recorded four fire tax bill on the property due to non-payment.

BOARD ACTION NEEDED: Motion not to defend as the County's liens are inferior to the bank lien.

Adoption Hearing for Large Scale Land Use Changes (1:56 PM)

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

LAND USE MAP CHANGES

While four large scale map changes were transmitted to DCA for review on April 17 2007 (one year ago), two have dropped out, and two remain for the Board to consider adopting.

1. Proposed change of Land Use on 86 acres from Public Facilities to Mixed Use Residential for property north of the St. James Golf Course on Crooked River Road. If the Board chooses to adopt this land use change, the acreage associated with the Nursing Home will remain Public Facilities. Board action would be to change land use. The property is still going through a PUD review so the zoning would remain Public Facilities, and no development would be allowed until the PUD is approved and a PUD ordinance adopted for the parcel.

The Chairman opened the floor for public comment.

Commissioner Crofton asked for and received verification that the owners of this property were not the same owners of the St. James Bay golf course.

Mike Scibelli, the agent for Pepperbrush, discussed the type of housing that will be built on this property, stating that it would be workforce "attainable" housing.

Attorney Shuler stated that the Nursing Home project is 5.9 acres on the northside of Crooked River Road.

Joyce Estes suggested that the Board seek some guarantee and guidelines in writing that the houses will actually be “attainable” as other developers have made the same promises but never followed through.

Clifford Brody, of Carrabelle who owns property adjacent to this project, asked what guarantee is there that the developer will submit a PUD before starting the project.

Mr. Pierce stated that the developer is actually taking a risk because this is only a land use change; the developer will not be able to build anything until he comes before the Board with a PUD or some other plan for development.

Attorney Ross Burnaman, representing Don and Pamela Ashley, asked the Board not to make the same mistakes with this Land Use Map Changes as had happened with Summer Camp project. Attorney Burnaman also stated that based on the litigation with the Ashley’s, which required an area wide assessment for St. James Island, the Board was not in a legal position to even consider any Land Use Map changes, and stated other reasons why the Board should not proceed with this project.

Mr. Scibelli responded to some of Attorney Burnaman’s statements.

Attorney Shuler responded to and disputed Attorney Burnaman’s claims.

**Motion by Putnal, seconded by Crofton, to approve Item 1 of the Land Use Map changes;
Motion carried 5-0.**

Attorney Shuler stated that the less and accepted land area for Item 1 is 6.0 acres as marked.

2. Proposed change of Land Use on seven (7) acres of land along the Crooked River Road north of Carrabelle to Residential from Agriculture, and change of zoning from A-2 to R-1. This was originally submitted as a large scale land use change but working through the objections of DCA, and county staff the project has been reduced to 7 acres, which will contain 7 one acre residential sites. Board action would be to change the land use and the zoning as there is an existing zoning category which is appropriate for this site.

Chairman opened the floor for public comment.

Commissioner Sanders asked if all of the adjacent neighbors were notified of the proposed changes by certified mail. Mr. Pierce stated that as far as he knows, they were. Board discussed the Meeks property project that neighbors this property, and discussed the wetlands on this property.

Elva Peppers, representing the Owner, stated that the new owner of the property is Mr. John Johnston and discussed the wetlands and other issues regarding this request.

Mr. Pierce discussed this request and addressed issues like city water and sewer.

Attorney Ross Burnaman restated his objection to the Board considering any Land Use Changes and read the rule that he said supported his objection.

Mr. Pierce and Attorney Shuler addressed Attorney Burnaman’s objections.

Ms Peppers discussed some her recent experiences with DCA regarding similar projects in other Counties which also addressed some of Attorney Burnaman’s objections.

Dave McLain read a policy which stated the need for the area-wide assessments before approving any Land Use changes.

Attorney Shuler addressed Mr. McLain's issue and some of the matters raised by Attorney Burnaman.

Commissioner Parrish stated that because of the ongoing negotiations on some of these items, it is unreasonable to think that DCA would object to any decision the Board would make on these matters.

Hank Garrett stated that there are other places in the County that have one acre lots with septic tanks so it will be unfair to deny this request.

Ms. Peppers clarified the boundaries that were used on the map for this Land Use Change, and asked that the map that was initially submitted not be used but that an accurate map be used to reflect the area.

This item was tabled until a later time in the meeting.

COMP PLAN POLICY CHANGES

The transmittal hearing of May 15, 2007 also reviewed several policy changes which the Board must now decide whether they want to adopt.

Policy 2.2(d) Residential Land Use Category. The Board is reducing the maximum allowed residential density in Franklin County to 10 units an acre from a previous maximum of 15 units per acre. (There are three parcels of land currently zoned 15 units per acre for which the legal standing will be determined later).

The Chairman opened the floor for public comments; there were no comments from the floor.

Policy 2.2(g) Commercial Land Use: The Board is proposing to increase the proposed Floor Area Ratio (F.A.R) on St. George Island in the commercial area to 2.0 from 1.0 in Block 6 East, so long as the following conditions were met: 33% of the floor area will be strictly commercial space, the 2.0 FAR will not apply to waterfront property, advanced wastewater treatment will serve the development and be constructed above the Category 4 storm surge elevation, and all stormwater must be contained on site.

The Chairman opened the floor for public comment.

A representative for the owner discussed the request.

Policy 8.7 Land Use Element: This policy applies to the PortHaven project in Eastpoint. It provides a better definition of open space, and it proposes to maintain the 33% open space requirement, except that there is provided an incentive for the developer to provide open space between US 98 and the water. As an example, the new definition does not let private yards count as open space, as it can be counted now, so the new open space is considerably more open to the public than the current definition of open space. The incentive is that open space between US 98 and waterfront will count four times as much as open space elsewhere, but at a minimum 10% of the site still must be open space. (The ratio for the incentive came

from evaluating the assessed value of property in Eastpoint, comparing the value of land south of US 98 versus the value of land north of US 98).

The Chairman opened the floor for public comment.

Dirk Van Veen, representing Port Haven, supported the Policy change and thought it was especially good for Franklin County.

Andy Smith, of Apalachicola Bay and River Keepers, stated that if the south side property available is 3 acres, then the developer will get a 4 to 1 credit for 12 acres of open space for his development, which is a good change for the developer, but wasn't sure if this policy change was a good idea for the County, and asked if the public access would be recorded in the official records.

Commissioner Sanders stated that she is in favor of public access and open space on the water side of Highway 98.

Mr. Van Veen stated that the public access will be perpetual, open for all of the residents of Franklin County, and will be specifically addressed at the PUD public hearings.

Commissioner Putnal asked Mr. Van Veen to provide in writing that his development will help with the cost of the additional infrastructure, water and sewer, in the Eastpoint Water and Sewer (EPWS) district.

Joyce Estes discussed some of her efforts with keeping EPWS district ready for additional development.

Attorney Shuler asked Mr. Van Veen for clarification on the scope of the public access, and suggested that it include riparian rights.

The Board discussed who, and for what purpose, such as oystermen unloading their product, will be able to use the proposed water access that will be offered by the Port Haven project.

Mr. Van Veen stated that there will be at least 10 slips and water access, did not consider a boat ramp, but would discuss in the future, more likely during the PUD Public Hearings, what use would be best for the public.

Attorney Shuler repeated his suggestion of agreeing to riparian rights to this proposed water access at this time.

Some of the Commissioners stated that they were under the assumption that Port Haven had already agreed to provide water access that would allow unloading of the seafood workers products.

David Butler, representing Working Waterfronts of Florida, stated that he liked the idea of the developer giving up the water side of 98 for public use and a working waterfront.

Joyce Estes asked the Board to consider developing Millender Park as a boat ramp and loading and unloading for the seafood workers.

Mr. Pierce clarified, for the public and Ms. Estes, that Millender Park is owned by the State, not by the County.

Tom Adams, of St. George Island, suggested that the County get an easement in writing based on the proposed changes to policy 8.8.

Art Ricard, a neighboring property owner to Port Haven project, stated that the County should not continue to expect that the public is allowed to trespass on private property for water

access and should seek property for public access and discussed some of the problems he has had with trespassers.

Commissioner Crofton responded to some of Mr. Ricards concerns and stated that the Board does not, in any way, condone trespassing on public property.

Mr. Pierce stated that he did not state exactly what type of public access the County will have in the policy changes.

Attorney Shuler restated the need for the Board to nail down the language for the perpetual open space and water access that will be granted, including riparian rights, to the County by the Port Haven project at some later date, but it is important to agree to the scope of the public access today, which based on what has been stated by Mr. Van Veen, is to provide the public with water access. The Board agreed and discussed this matter further.

Mr. Van Veen restated that there will be open space and public water access on Highway 98 and he will discuss the best public use during the PUD Public Hearings.

The Board discussed the amount of public access property that will be available, especially if the project takes advantage of the ratio.

Mr. Andy Smith commented on the stormwater section of this policy.

Policy 8.8 Land Use Element: This policy applies to the PortHaven project in Eastpoint. It confirms that the density will be reduced to a maximum of 10 units per acre, and describes how the non-residential (commercial) space will be developed. This policy does not deal with several other issues that have been of public concern: the amount and location of waterfront access that will be allowed in PortHaven, and the amount of sewage capacity that is currently available to PortHaven to determine whether the project needs to be approved in phases.

The Chairman opened the floor for public comment; there were no comments from the floor.

Policy 8.10 Land Use Element: The policy reduces the amount of land designated High Density in Eastpoint from 10% to 3%.

The Chairman opened the floor for public comment; there were no comments from the floor.

Various Policies Associated with Affordable Housing: The Housing Element has been amended in various places to deal specifically with policies which are intended to encourage affordable housing. These policies were proposed by citizens concerned with affordable housing, reviewed by county staff, and have been reviewed by DCA staff.

Recess (3:57 PM)

Chairman Lockley called for a 15 minute recess.

Reconvene (4:11 PM)

Chairman Lockley reconvened the meeting.

Policy 8.7

Mr. Pierce suggested adding “or policy 4.2 whichever is more stringent” to Policy 8.7 which would address Mr. Andy Smith’s, of the River Keepers, concerns.

Motion by Crofton, seconded by Putnal, to approve all policy changes including the additional language, which includes policy 4.2, on Policy 8.7 to the County’s Comprehensive Plan; Motion carried 5-0.

Land Use Map Changes – Item 2 – Continued

Mr. Pierce stated that there was a slight scrivener’s error on the map that was submitted with the request.

Attorney Shuler explained the difference between the map that was originally submitted versus the corrected map for Item 2 of the Land Use Map changes.

Motion by Putnal, seconded by Crofton to approve Item 2 of the Land Use Map changes with the new map inserted as described by Attorney Shuler; Motion carried 5-0.

Adjourned (4:19 PM)

There being no further business Chairman Lockley adjourned the meeting.

Noah Lockley Jr., Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts