

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
JULY 15, 2008
9:00 AM**

MINUTES

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

Commissioner Absent: Joseph Parrish – Vice Chairman

Others Present: Marcia Johnson – Clerk of Court, Mark Curenton – County Planner, Michael Shuler – County Attorney, Erin Griffith – Finance Clerk, Michael Morón – Board Secretary

Call to Order (9:00 AM)

Chairman Lockley called the meeting to order.

Prayer and Pledge (9:01 AM)

There was Prayer followed by the Pledge of Allegiance

Approval of Minutes (9:03 AM)

Motion by Sanders, seconded by Crofton, to approve the minutes for the July 1, 2008, April 22, 2008, July 5, 2005, and June 21, 2008 regular meetings; Motion carried 4-0.

Payment of County Bills (9:04 AM)

Motion by Crofton, seconded by Sanders, to authorize payment of the County bills as presented with the exception of G&N Painters; Motion carried 4-0.

Motion by Putnal, seconded by Sanders, to authorize payment for G&N Painters; Motion carried 3-0, Lockley abstained.

Department Supervisors Report

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

Mr. Chipman stated that someone dropped off some real estate and political signs that may have been on the County or State right of way at the Road Department.

Commissioner Sanders stated that there are right-of-way and encroachment issues that the Board will have to address at a future meeting.

Board discussed creating more public and water access locations after some of the right-of-way and encroachment issues are addressed.

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

Work Performed Summary

- **Lime Rock Hauled**
 - 18 loads (355.92 tons) stock piled at the Carrabelle Pit
 - 6 loads (108 CY) to roads in Carrabelle
 - 9 loads (153.5 CY) to roads in Eastpoint
 - 23 loads (203.04 tons + 198 CY) to roads in Lanark
 - 12 loads (241.23 tons) stock piled at the shop in Eastpoint
 - 3 loads (57 CY) to roads on St. George Island
- **Debris Hauled**
 - 48 loads (864 CY) from NE 1st in Carrabelle
 - 1 loads (9 CY) from roads in Eastpoint
 - 1 loads (9 CY) from roads on St. George Island
- **Black Dirt Hauled**
 - 2 loads (27 CY) to roads in Carrabelle
- **Cold Mix Hauled**
 - 1 load (9 CY) to driveways in Apalachicola
 - 3 loads (27.5 CY) to roads/driveways in Eastpoint
 - 1 load (90 CY) to roads/driveways on St. George Island
- **Dirt Hauled**
 - 2 loads (36 CY) from roads in Carrabelle
 - 1 loads (18 CY) to roads in Lanark
- **Ditch Dirt Hauled**
 - 24 loads (432 CY) from roads in Eastpoint
- **Milled Asphalt Hauled**
 - 2 loads (18.5 CY) to roads in Carrabelle
 - 2 loads (36 CY) to Leonard's Landing
- **Screened Filled Dirt Hauled**
 - 5 loads (54.21 tons + 36 CY) to roads in Lanark
- Picked up trash from the Carrabelle Beach
- Cut, Rake and picked up litter from Bloody Bluff Cemetery, Sumatra Cemetery and Browns Cemetery in Eastpoint
- Picked up commodities from 2nd Harvest in Tallahassee, FL

- Picked up paper goods/school supplies in Tallahassee Florida for Franklin County SeaHawks
- Ground Maintenance at the ABC School, Chapman School, Weems Memorial Hospital, Courthouse in Apalachicola, The Learning Center in Eastpoint and Courthouse Annex in Carrabelle
- Leveled dirt and root raked for the county jail in Eastpoint
- VMS work in Eastpoint on HWY 98, cleaned/ cut ditches, edged sidewalks, swept sidewalks and picked up litter
- Graded roads in Carrabelle, Eastpoint and Lanark
- Box dragged roads on St. George Island
- Cut bushes back in Eastpoint
- Upgraded, cleared NE 1st Street in Carrabelle
- Filled in repaired potholes in Apalachicola, Carrabelle, Eastpoint and Lanark
- Fixed driveways in Carrabelle and Eastpoint
- Root Raked roads in Carrabelle
- Swept roads on St. George Island
- Tilled roads in Eastpoint
- Upgraded roads in Eastpoint
- Shoulder work in Alligator Point and Carrabelle
- Litter pick up in Apalachicola, Carrabelle, Eastpoint and St. George Island
- Cut grass in Alligator Point, Carrabelle, Eastpoint and St. George Island
- Cut/Dug/Pulled ditches in Eastpoint and Carrabelle
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- **Sign Maintenance**
 - Cleaned/ Washed signs in Carrabelle and St. George Island
 - Cut and Weed eat around signs in Carrabelle and St. George Island
 - Put up signs in Eastpoint
 - Redone crosswalks on St. George Island
 - Replaced signs/culvert markers on Alligator Point and Carrabelle
 - Sign Inspections in Alligator Point, Carrabelle and St. George Island
 - Straightened signs in Alligator Point, Carrabelle, Lanark and St. George Island

16 Call In Requests

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

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

CARRABELLE BEACH PARK RESTROOMS ARE OPENED RESOLUTION:

FOR BOARD INFORMATION: The renovations of the Carrabelle Beach Park Restrooms are now completed and the facility was back online in time for the Fourth of July weekend.

The restrooms are now ADA compliant with new fixtures, tile floors, and walls. If you have not had the chance to stop by the park, you need to do so. ACTION REQUESTED: None.

RESOLUTION OF APPRECIATION FOR PAUL OSTERBYE :

FOR BOARD ACTION: I am also requesting the passage of a Resolution of Appreciation for the efforts and role Paul Osterbye played in the renovation of the restrooms. If it were not for Paul, volunteering his owned labor and coordinating labor, donations and materials from others, this project would not have been possible at this time. ACTION REQUESTED: Motion approving a Resolution of Appreciation to be presented to Paul Osterbye at the August 5, 2008, Board meeting.

Motion by Sanders, seconded by Putnal, to authorize the Chairman's signature on the Resolution of Appreciation for Mr. Paul Osterbye and to officially present this Resolution at the next regular meeting; Motion carried 4-0.

WASTE MANAGEMENT ASSIGNMENT OF CONTRACT

Mr. Rory Cassidy, of Waste Management, and Patrick O'Neal, of Emerald Waste System (EWS), stated that they were available for any questions that the Board had about the assignment of the County's waste management contract from Waste Management to Emerald Waste System and asked the Board to approve the assignment of contract.

Attorney Shuler stated that there are two items that are needed, such as a statement from EWS that rates will not increase after the assignment is executed and that there is adequate space at the landfill for EWS.

Attorney Shuler asked Mr. Cassidy if Waste Management is willing to act as a backup to EWS in case EWS is unable to fulfill the County's waste management contract. Mr. Cassidy stated that he would have to verify this with his company's management.

The Board asked what would happen to the current employees of Waste Management.

Mr. O'Neal stated that his company will retain the employees currently employed by Waste Management along with the equipment. The Board and Mr. O'Neal discussed his company creating a discount for Senior Citizens.

The Board asked Mr. Johnson to replace the sign at the boat ramp at Old Ferry Dock Road restricting boats from docking in the launch area which interferes with the proper use of the boat ramp.

Mike Rundel, of the St. James/Lanark Village Volunteer Fire Department, asked the Board to waive the tipping fee at the landfill for the construction debris from the Fire Department.

Motion by Sanders, seconded by Crofton, to waive the tipping fee for construction debris, a mobile home that was used for training, from the St. James/Lanark Village Volunteer Fire Department ; Motion carried 4-0.

Dan Rothwell – County Engineer (9:19 AM)

1. BOARD ACTION: SGI Boat Ramp:

Staff wishes permission to make the next to final payment for \$181,029.72 to BCL Contractors for the boat ramp with balance to finish for \$69,984.09.

Board stated that BCL Contractors was a very good company to work with, as they completed the job ahead of time and under budget.

Board discussed options to use the balance of the available funds.

Motion by Crofton, seconded by Putnal, to authorize payment to BCL Contractors for the St. George Island Boat Ramp; Motion carried 4-0.

2. BOARD ACTION: Summer Camp Letters of credit:

Staff proposes that the Board approve the Chairman signing to release the letters of credit for Summer Camp Phase 1A & 1B for the following infrastructure. The design/inspection firm Hatch Mott MacDonald has stated the construction to be in substantial conformance to permitted plans and specifications. The County Engineer has made post construction observations on 12-12-2007 of the areas listed below and it appears that all items are substantially constructed to permitted plans and specifications:

SM 211927W	\$426,910.00	Bridge Improvements east Ph 1A & 1B
SM211919W	\$749,947.00	Water Dist. & Sewer Collection west Ph 1A & 1B
SM211929W	\$1,966,857.00	Offsite sewer facility east Ph 1A & 1B, west Ph 1A & 1B
SM211930W	\$458,222.00	Offsite turn lanes US98 & SR319 east & west Ph 1A & 1B
SM213175W	\$1,201,507.00	Offsite water plant east & west Ph 1A & 1B
SM213177W	\$149,111.00	Offsite water wells east & west Ph 1A & 1B
SM213179W	\$43,890.00	Offsite water lines & sanitary sewer lines east Ph 1A & 1B

Also staff proposes that the Board approve the Chairman signing to release the letters of credit for Summer Camp Phase 1A & 1B for the following infrastructure. The design/inspection firm Land Cor Consultants, Inc has stated them to be in substantial conformance to permitted plans and specifications. The County Engineer has made post construction observations on 12-12-2007 of the areas listed below and it appears that all items are substantially constructed to permitted plans and specifications:

SM211920W	\$3,414,543.00	Roadway/Ponds (1, 2, 3, & 4) west Ph 1A & 1B
SM211921W	\$283,946.00	Landscape & Irrigation west Ph 1A & 1B
SM211924W	\$4,955,644.00	Roadway/Stormwater ponds east Ph 1A & 1B
SM211925W	\$984,438.00	Landscape & irrigation (roadways/ponds) east Ph 1A & 1B

Only one letter of credit is not to be released, which is:

SM211922W

\$1,295,243.00

Sanitary Sewer collection improvements East Ph 1A & 1B

Motion by Sanders, seconded by Putnal, to authorize the Chairman's signature to release the letters of credit as requested by the Engineers and recommended by Attorney Shuler; Motion carried 4-0.

Attorney Shuler explained the process for letters of credit, stated that the lawsuit with the St. Joe Land Company was still active, and the Board would discuss the type of houses that will be built at Summer Camp at a future meeting.

3. Survey for the Kendrick Sports Complex Football Field Power Easement:

Staff has completed the survey, drawing and legal description for the County Attorney for the football field power easement, for an estimated value of \$2,500.00.

4. Vrooman Park Ball Field Measurements:

Staff has completed the survey, drawing and material volume calculations for the Parks and Recreation Department, for an estimated value of \$1,500.00.

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

C. W. Roberts has started work and 75% of the rough grading is completed and 40% of the limerock base has been placed.

6. Franklin Blvd at West Gulf Beach Dr Drainage:

Staff has met with FDOT and is preparing information for drainage permit from FDOT.

7. Eastpoint County Landing Park Project:

Bailey, Bishop & Lane will email final construction plans to Fish and Wildlife Conservation Commission for review and comment.

8. Ochlockonee Bay Boat Ramp Project:

Bailey, Bishop & Lane will email final construction plans to Fish and Wildlife Conservation Commission for review and comment.

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

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

Commissioner Putnal and Mr. Rothwell discussed the status of the Vrooman Park project.

Chairman Lockley and Mr. Rothwell discussed the location of where the newly built bike path ended which is causing a dangerous traffic situation, especially for children.

Bill Mahan- Extension Agent

Mr. Mahan was not in attendance but submitted the following report for the Boards review.

Florida Fish & Wildlife Commission (FWC) Updates: There is a lot going on dealing with new and pending marine fisheries regulations this month. The following is from the July 2008 FWC Marine Fisheries Hotsheet that covers both state and federal fishing regulations impacting Florida fishermen.

Issue: BAY SCALLOP

Action: Recreational Harvest Season Opens July 1 with Same Regulations Information: As of July 1, the recreational harvest of scallops is allowed along Florida's gulf coast from the Pasco-Hernando County line (near Aripeka) to the west bank of the Mexico Beach Canal in Bay County. Recreational harvesters are limited to:

- Two gallons of whole bay scallops in the shell, or one pint of bay scallop meat, per day
- Ten gallons of whole bay scallops in the shell, or ½ gallon of bay scallop meat, aboard any vessel at any time
- Bay scallops may be harvested only by hand or with a landing or dip net
- Bay scallops may not be harvested for commercial purposes

The season will close on September 11.

Issue: SPINY LOBSTER

Action: Recreational Two-Day Sport Season – July 30 & 31

Information: The recreational two-day sport season for spiny lobster occurs this year on July 30 and 31 (the last consecutive Wednesday and Thursday of July) with no changes:

- Bag limits - 6 per person per day for Monroe County and Biscayne National Park, and 12 per person per day for the rest of Florida
- Possession limit - on the water is equal to the daily bag limit, and off the water is equal to the daily bag limit on the first day, and double the daily bag limit on the second day
- Minimum size limit - 3" carapace length, measured in the water
- Night diving is prohibited in Monroe County during the two-day sport season
- Harvest is prohibited in John Pennekamp Coral Reef State Park during the sport season
- Harvest is also prohibited all the time in Everglades National Park, Dry Tortugas National Park, and no take areas in the Florida Keys National Marine Sanctuary
- A recreational saltwater license and a spiny lobster permit are required

The regular spiny lobster season is August 6 through March 31.

Issue: GROUPEL and SNAPPER

Action: Pending and Proposed Federal Regulations

Information: Gulf of Mexico

Grouper regulations for state and federal waters of the Gulf of Mexico remain presently unchanged. However, the Gulf of Mexico Fishery Management Council is scheduled to address and take final action on proposed regulation changes for gag, black, and red grouper at their August 2008 meeting in Key Largo.

The following are possible changes to the Gulf grouper regulations but are subject to change:
Recreational (would reduce gag harvest by 25%; increase red grouper harvest by 4%)

- Reduction in bag limit to 4 grouper aggregate per person
- Two-fish gag grouper bag limit within the aggregate
- Two-fish red grouper bag limit within the aggregate
- Season closure during February 1 – March 31

Commercial

- 200-lb trip limit for gag or red grouper when 80% of gag, black or red grouper quota reached
- Prohibit all grouper harvest during March and April
- Remove current 15 February – 15 March closure if other closure approved
- Season closure during January through April at 'Edges 40' (see * below)

Interim Rule

Additionally, the Gulf Council requested that NOAA Fisheries Service prepare an interim rule for gag grouper. This interim rule is intended to reduce the recreational and commercial harvest of gag grouper while the Gulf Council implements permanent management measures. The proposed interim rule is scheduled to be reviewed at Council's August meeting and would take effect in January 2009 if approved.

Other Council Action

The Gulf Council is also initiating action on establishing an Individual Fishing Quota (IFQ) for the commercial grouper and tilefish fisheries. The Council has requested approval from the Secretary of the Department of Commerce for a referendum of qualifying grouper and tilefish fishermen. Public hearings on the Grouper IFQ proposal will occur throughout the state in various locations July 21 through July 31, 2008.

Proposed Area Closure

*The Gulf Council is considering a new area closure to protect gag spawning aggregations along the 40-fathom contour. The preferred location of this proposed protected area, called the "Edges 40 fathom contour reserve", is adjacent to the northern portion of the Steamboat Lumps protected area and is approximately 390 square miles in size. This closed area would affect recreational and commercial fishers but may or may not cover all types of fishing.

The FWC will be discussing federal issues and the draft interim rules at their September meeting in Jacksonville.

Timeline: Public hearings on gulf Grouper IFQ (Key West on July 21, Marathon on July 22, Miami on July 23, Fort Myers on July 24, Tampa on July 30, Panama City on July 31); Gulf Council meeting August 11-15 in Key Largo; South Atlantic Council meeting September 15-19 in Charleston, SC. Interim rules to take effect January 1, 2009 for federal waters on both coasts. FWC meeting September 17-19 in Jacksonville.

Issue: NATIONAL SALTWATER ANGLER REGISTRY

Action: Proposed Rules Establishing National Saltwater Angler Registry Published; Seeking Public Comments

Information: Proposed rules were published on June 11 that would establish requirements for anglers fishing in federal waters or for anadromous fish anywhere, such as striped bass and shad, to register with the NOAA Fisheries Service beginning in January 2009.

The purpose of this national saltwater angler registry is to contribute to improving the efficiency and accuracy of recreational fishing surveys. This program was established in the Magnuson-Stevens Fishery Management and Conservation Act of 2006.

Anglers fishing in Florida may not be required to register with NOAA if Florida qualifies as an exempted state under this program. States could qualify for this exemption status if they already license the vast majority of their anglers and make their license database available to NOAA with the necessary contact information. Florida's exemption for resident shore-based anglers currently would not allow Florida to qualify as an exempted state under this program. Additionally, to qualify as an exempted state, Florida will also be required to provide contact information for senior anglers and combination or multiyear license holders by 2011. The national saltwater angler registry program is scheduled to take effect January 2009. There will be no fees for the first two years of the program, but fees ranging \$15 to \$25 are likely beginning in 2011.

A public comment period on this registry program is open through August 11. Review the links below for more information.

Timeline: Magnuson-Stevens Act of 2006 signed into law in January 2007; proposed rules published on June 11; comment period ends August 11; federal registration from anglers in non-exempted states begins January 1, 2009; fees for registration required in 2011.

Issue: REEF FISH

Action: New Gear Requirements for Reef Fish in the Gulf of Mexico

Information: The new rules listed below require certain gear and devices to be used when fishing for any reef fish (including snappers, groupers, amberjacks, sea bass, gray triggerfish, hogfish, golden tilefish and red porgy) from a vessel in the Gulf of Mexico in federal and state waters. These rules became effective June 1, 2008:

Commercial and Recreational

- Requires the use of non-stainless steel circle hooks when using natural bait (live or dead) to harvest any of the reef fish species from a vessel
 - o Circle hooks used in state waters (out to 9 nautical miles) of the Gulf of Mexico are required to be non-offset
- Requires venting tools and dehooking devices to be onboard all vessels and to be used appropriately while releasing any of the reef fish species

Timeline: New reef fish requirements for federal and state waters took effect June 1, 2008.

Issue: SHARKS

Action: New Federal Regulations Effective July 24

Information: New regulations affecting all fishers harvesting shark in the Atlantic Ocean and Gulf of Mexico take effect July 24. Several important species of shark, including sandbar and porbeagle sharks, are at low population levels (*i.e.*, overfished) warranting significant regulatory action. Among other action, the new regulations prohibit the recreational harvest of sandbar and silky sharks from federal waters of the Gulf and Atlantic.

Other Issues of General Interest:

UF – IFAS Extension Updates:

4-H County Camp: I am at 4-H County Camp this week with 17 youth from Franklin County. We are camping with 4-Hers from Walton County, FL and Covington County.

Shellfish School Dates Set: Last year's highly successful "Oyster School" has a new name this year "Shellfish School – Oysters and Clams." The state's calm industry asked us to add clams to our programs menu this year, thus the name change to Shellfish School. This year's program focus is "What buyers need to know to be successful." The dates for the program are October 7th – 9th.

Appointment of Members to Value Adjustment Board (9:32 AM)

Ms Johnson discussed this matter which is Item 2 on her report.

Item 2 – At your last meeting, there was discussion about the make-up of the Value Adjustment Board. I've looked over the new legislation that takes effect September 1st, and I've discussed it with your attorney, Mr. Shuler. This year's value adjustment board must consist of two county commissioners, one school board member, and two citizen members, one who shall be appointed by the school board and own a business occupying commercial space within the school district and one who shall be appointed by you and must own homestead property within the county. You must appoint two commissioners, and Mr. Parrish and Mrs. Sanders earlier stated they would serve. I'd also request you appoint one alternate commissioner. For your citizen member, I recommend you appoint Mr. Walter Armistead as the member and Mr. Donnie Gay as an alternate, and both have expressed their willingness to serve. Also, under the new legislation, the Value Adjustment Board must appoint private counsel, and that lawyer cannot represent you or the tax collector. I am looking at local lawyers who may be interested. Franklin County has appointed a special magistrate, Mr. Paul Curenton, in past years to hear the petitions, and for your information, I will recommend the Value Adjustment Board appoint him again as well as appointing an alternate special magistrate to hear those petitions Mr. Curenton may not be qualified to hear. In reviewing the list of special magistrates available, it appears that none in our area are qualified to hear all the types of petitions filed which is the reason for the alternate appointment.

Motion by Putnal, seconded by Crofton, to appoint Commissioners Sanders and Parrish, with Commissioner Lockley as the alternate, to the Value Adjustment Board; Motion carried 4-0.

Motion by Sanders, seconded by Crofton, to appoint Mr. Walter Armistead, with Mr. Donnie Gay as alternate, as the property owner member to the Value Adjustment Board; Motion carried 4-0.

P & Z Consent Agenda (9:36 AM)

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

Item 1 – Approved by Planning and Zoning (unanimous) Consideration of a request to construct three (3) Commercial Docks and dredging at 592 Highway 98 West, Apalachicola, Franklin County, Florida. Dock one will be 174' x 4'; Dock 2 will be 145' x 4' and Dock 3 will be 137' x 4'. This application meets all local, state and federal requirements. Request submitted by GEA, Inc, agent for Steve Rash, applicant.

Motion by Sanders, seconded by Putnal, to approve Item 1 of the Planning and Zoning report; Motion carried 4-0.

Item 2 – Approved by Planning and Zoning (5 to 2 Vote) Consideration of a request to construct a Single Family Private Dock on the East half of 38, Block C, Unit 2, St. James Island Park, 2962 US Highway 98 East, St. James, Franklin County, Florida. This dock will be 167' x 4' long. This application meets all local, state and federal requirements. Request submitted by Reed Hicks, Better Built Docks, agent for Joel Clark, applicant.

Motion by Putnal, seconded by Sanders, to approve Item 2 of the Planning and Zoning report; Motion carried 4-0.

Item 3 – Approved by Planning and Zoning (unanimous) Consideration of a request to construct a Single Family Private Dock located off of Camp Road, North of Eastpoint, Franklin County, Florida. This Dock will have a 252' x 4' boardwalk, 225' x 4' access walkway, 20' x 8' terminal platform and (2) 20' x 12' boat lifts. This application meets all local, state and federal requirements. Request submitted by GEA, Inc, agent for Barrs Floyd, applicant.

Motion by Sanders, seconded by Putnal, to approve Item 3 of the Planning and Zoning report; Motion carried 4-0.

Item 4 – Approved by Planning and Zoning (unanimous) Re-consideration of a request to construct a Multi-Family/Residential Dock located in Section 35 & 2, Township 8 and 9 South, Range 8 West, located off of Bluff Road (12th Street) in Apalachicola, Franklin County, Florida. This Dock will have a 1,920' x 9' primary access boardwalk, and will have a second boardwalk that will be 10' x 3'; with a 30' x 3' wide ramp and have a 16' x 4' platform, a 180' x 8' terminus, and have 9 boat slips. This application meets all local, state and federal requirements. Request submitted by GEA, Inc., agent for George Mahr (Turtle Harbor), applicant. (Previously approved by the Board of County Commissioners on March 21, 2006 and has expired).

Motion by Putnal, seconded by Crofton, to approve Item 4 of the Planning and Zoning report; Motion carried 4-0.

Item 5 – Approved by Planning and Zoning (5 to 2 Vote) Consideration of a request to construct a Single Family Private Dock at 2508 Highway 98 East, Lot 7, Block a, Unit 1, Gulf Wynn

Subdivision, Lanark Beach, Franklin County, Florida. The Dock will be 210' x 4' access dock with a 20' x 8' terminal platform. This application meets all local, state and federal requirements. Request submitted by Reid Hicks (Better Built Docks) and Griffith Custom Homes, LLC, agents for Alice Fox, applicant.

Dan Tonsmeire, of Apalachicola Bay and River Keepers, stated the reasons why he though the County allowed docks to be permitted on lots that do not have a house as a primary use.

Board discussed the current county, state, and federal rules regarding docks.

Motion by Sanders, seconded by Putnal, to approve Item 5 of the Planning and Zoning report; Motion carried 4-0.

Item 6 – Approved by Planning and Zoning (5 to 2 Vote) Consideration of a request to re-zone a 4.01 acre parcel located in Section 28, Township 9 South, Range 6 West, Eastpoint, Franklin County, Florida from R-1 Single Family Residential to R-1a Single Family Residential Subdivision, also known as “Red Fish Run”. Request submitted by GEA, Inc., agent for Coastal Community Bank, applicant.

Motion by Putnal, seconded by Sanders, to schedule a public hearing to consider a rezoning request for Item 6 of the Planning and Zoning report; Motion carried 4-0.

Item 7 – Approved by Planning and Zoning (unanimous) Consideration of a request for Site Plan approval of a Club House to be located on Lot 48, Turtle Beach Village, 1712 Magnolia Road, St. George Island, Franklin County, Florida. Request submitted by Barkley Consulting Engineers, Newt Babcock, agent for the St. George Island Plantation Owners Association, applicant.

Motion by Crofton, seconded by Putnal, to approve Item 7 of the Planning and Zoning report; Motion carried 4-0.

Item 8 – Approved by Planning and Zoning (unanimous) Consideration of a request for Site Plan approval of a new Entrance and Parking to be located on Lot 24, Block A, Sea Dune Village, 1200 Sea Pines Place, St. George Island, Franklin County, Florida. Request submitted by Barkley Consulting Engineers, Newt Babcock, agent for the St. George Island Plantation Owners Association, applicant.

Motion by Crofton, seconded by Putnal, to approve Item 8 of the Planning and Zoning report; Motion carried 4-0.

Item 9 – Approved by Planning and Zoning (5 to 2 Vote) Consideration of a request for Sketch Plat approval of an 8 lot subdivision named “Red Fish Run” located in Section 28, Township 8 South, Range 6 West, Eastpoint, Franklin County, Florida. Request submitted by GEA, Inc, agent for Coastal Community Bank, applicant.

Dan Garlick, of Garlick Environmental Associates, provided some additional information on this request.

Motion by Sanders, seconded by Crofton, to table Item 9 until after the public hearing for the rezoning request is completed on this property (Item 6); Motion carried 4-0.

Item 10 – Approved by Planning and Zoning (unanimous) Consideration of a request for Sketch Plat approval of a 12 lot subdivision named “Sweet Bay Estates Phase 1” located West of Apalachicola in Section 33, Township 8 South, Range 8 West. Request submitted by Walter M. Ward, agent for DSW Holdings, LLC, applicant.

Commissioner Sanders discussed the current condition of Hathcock Road, which will provide access to this subdivision, and the need for expansion and maintenance on this road. Rachel Ward, representing DSW, stated that the developer’s intention is to maintain and someday pave this road and provided additional information on this project.

Motion by Putnal, seconded by Sanders, to approve Item 10 of the Planning and Zoning report; Motion carried 4-0.

Item 11 – Approved by Planning and Zoning (unanimous) Consideration of a request for Sketch Plat approval of an 7 lot subdivision named “Sweet Bay Estates Phase 2” located West of Apalachicola in Section 33, Township 8 South, Range 8 West. Request submitted by Jack and Gayle Dodds, applicant.

Motion by Crofton, seconded by Putnal, to approve Item 11 of the Planning and Zoning report; Motion carried 4-0.

Item 12 – Approved by Planning and Zoning (6 to 1 Vote) Consideration of a request to re-plat Hidden Cove to include the fourth lot that was abandoned on March 16, 2004 and re-configure the lot lines to meet all setbacks. Request submitted by GEA, Inc, agent for Richard and Linda Plessinger, applicant.

Board discussed the reason for the abandonment of the fourth lot in 2004. Attorney Shuler offered some information on this request, stating that the applicant wanted to go back to the original plat that was there before 2004.

Dan Garlick, Garlick Environmental Associates, presented a map that showed both the original plat and the re-plat that was done after 2004, and explained the reason for the re-plat request.

Motion by Sanders, seconded by Crofton, to approve Item 12 of the Planning and Zoning report; Motion carried 4-0.

Mr. Plessinger and Commissioner Crofton discussed a sailboat that is on the County's right-of-way in that area.

Commissioner Crofton said that he will try and contact the owner about moving the sailboat and will report back to the Board.

Marcia M. Johnson – Clerk of Courts – Report (10:11 AM)

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

1-The financial report provided from Weems Memorial Hospital indicated a balance in the account for the month ending June of \$341,426.24.

2-At your last meeting, there was discussion about the make-up of the Value Adjustment Board. I've looked over the new legislation that takes effect September 1st, and I've discussed it with your attorney, Mr. Shuler. This year's value adjustment board must consist of two county commissioners, one school board member, and two citizen members, one who shall be appointed by the school board and own a business occupying commercial space within the school district and one who shall be appointed by you and must own homestead property within the county. You must appoint two commissioners, and Mr. Parrish and Mrs. Sanders earlier stated they would serve. I'd also request you appoint one alternate commissioner. For your citizen member, I recommend you appoint Mr. Walter Armistead as the member and Mr. Donnie Gay as an alternate, and both have expressed their willingness to serve. Also, under the new legislation, the Value Adjustment Board must appoint private counsel, and that lawyer cannot represent you or the tax collector. I am looking at local lawyers who may be interested. Franklin County has appointed a special magistrate, Mr. Paul Curenton, in past years to hear the petitions, and for your information, I will recommend the Value Adjustment Board appoint him again as well as appointing an alternate special magistrate to hear those petitions Mr. Curenton may not be qualified to hear. In reviewing the list of special magistrates available, it appears that none in our area are qualified to hear all the types of petitions filed which is the reason for the alternate appointment.

3- Commissioners, your budget notebooks are being handed out today. The proposed budget has been developed in accordance with the guidelines you have generated over the past few months, and has been generated using the best available data provided by the state on its revenue sharing estimates.

The Board had indicated it did not want to raise taxes, and this year's budget does not raise taxes. This year's budget has a lower tax base, and a lower millage rate as submitted. The proposed budget by the county commission is fiscally responsible, but the public needs to be aware that while the county is providing a lower millage rate, it has no power over what other taxing authorities do.

This year's budget has been developed as a total package. The proposed budget reflects what was turned in by the various departments and constitutional offices keeping your directives in mind.

This year's budget represents a concerted effort by the Finance Office to present to the Board, and the public, all of the funds the Board is responsible for. Some of these funds have received various amounts of revenue through the years, and the Board needs to provide direction on the utilization of the funds. As an example, the Board has been accumulating money in Capital Outlay to build a facility for county offices. The Capital Outlay fund now has approximately \$880,000. The Board needs to decide relatively shortly at a county commission meeting how those funds will be spent.

The Board had been accumulating funds received from state pari-mutual wagering to pay off the jail bonds. The funds received were greater than the remaining debt, so the bonds were paid off and over \$500,000 will be transferred into the county paving program for the New Year. The Board budgeted more money in road paving for the Alligator Point Grant match requirement relying on documents submitted. The county paving fund now has approximately \$4 Million dollars. The Board needs to develop a road paving program to utilize those funds.

I'd like to remind you of the scheduled budget workshops on Wednesday, July 23 and Thursday, July 24 beginning at 9:00 A.M.

Commissioner Sanders and the other Board members commended Mrs. Johnson and her finance office on the work that they have done on the Budget.

Alan Pierce – Director of Administrative Services – Report (10:14 AM)

Mr. Curenton presented the following items for discussion and or approval.

1- Provide Board with copy of response to Senator Nelson regarding Mr. Bob Allen and the Eastpoint Water and Sewer District. The Senator's office had informed Mr. Allen that the Senator was deferring any complaints to the local government, being the county commission. After consulting with Mr. Shuler, County Attorney, I have written a response and sent Mr. Allen a copy. The County's position is that it is a state matter as the Governor appoints the Sewer and Water Board, not the county commission.

Read county letter and turn into Board files complete package sent by Senator Nelson's office.

2- Board action to approve the FRDAP grant for \$135,611 for Carrabelle Recreation Park (Kendrick Park) Phase IV.

Motion by Crofton, seconded by Sanders, to authorize the Chairman's signature on the FRDAP grant; Motion carried 4-0.

3- Inform Board that Mr. Mark Berrigan, Division of Aquaculture, is preparing a contract between Franklin County and DACS for \$150,000 to pay for the Lombardi boat ramp and the terminal unloading platform. This contract will be Phase I. A Phase II may come along after DACS has a better handle on its own construction project at Scipio Creek.

The Board needs to sign the DACS contract before signing any contract for construction of the Lombardi boat ramp so that the county has a signed contract before it begins to expend money. Generally, any expenditure done before a contract is signed is not reimbursable.

While Mr. Shuler may not have reviewed the DACS contract yet, the Board should approve it contingent upon Mr. Shuler's review so that it can be signed before awarding any contract for the construction of the boat ramp. Mr. Berrigan has advised that DACS can sign the contract within two weeks. Board action subject to direction by Mr. Shuler.

Attorney Shuler discussed some of the recommended changes that he noted on the contract, and informed the Board that Mr. Berrigan has stated that the County will be refunded for the purchase and installation of the Lombardi boat ramp even if it is done before the start of the grant term. Attorney Shuler stated that he was also informed by Mr. Berrigan that mixed purpose use of the dock, which includes loading and unloading of seafood, would not be a problem.

Motion by Putnal, seconded by Sanders, to authorize the Chairman's signature on the DACS contract after it has been approved by Attorney Shuler; Motion carried 4-0.

4- Board action to approve a contract with Tedder Construction for the construction of the Lombardi boat ramp for \$135,000. Mr. Tedder will be able to install a ramp between August 15 and August 25 so long as he is notified by August 1 of his contract being approved. Again, the signing of this contract needs to be done after the Board has a signed contract with DACS for the funds.

Motion by Putnal, seconded by Sanders, to authorize the Chairman's signature on the contract with Tedder Construction for the construction of the Lombardi boat ramp; Motion carried 4-0.

5- Inform Board that DEP has notified the county that it is eligible to submit a project for funding for beach erosion control, but that staff is not preparing to submit any project. This decision was reached based upon the direction the Board gave after the Alligator Point referendum failed to approve the MSBU.

6- Board action to approve the submission of a DOT Transportation Enhancement Project for approximately \$200,000 to build a sidewalk along US 98 from the Carrabelle Wayside Park to the Crooked River Lighthouse. The sidewalk will be on the north side of the road and there will be a crosswalk from the Wayside Park across US 98.

Motion by Sanders, seconded by Crofton, to authorize the submission of a DOT Transportation Enhancement Project for a sidewalk along US98 from the Carrabelle Wayside Park to the Crooked River Lighthouse; Motion carried 4-0.

7- Inform Board that DEP FRDAP application period is open until Sept. 30, and the Board can apply for one more FRDAP. The county currently has 3 active Carrabelle Park grants, 2 FRDAPS and 1 Legislative appropriation. Currently open is Phase II which needs to finish the bathroom at the football field. Phase III is the Legislative appropriation which includes the Buck O'Neil statue, a lighted parking lot, and other features. Phase IV, which the Board just signed, is for tennis courts, shuffleboard, and tot lot. Phase IV had to be reduced in scope because the Legislature funded all FRDAPs at reduced levels.

Board discussion about possible FRDAP grants.

Commissioner Sanders stated that the tot lot should be for physically challenged children. Board discussed funding for bathrooms.

Commissioner Crofton discussed the need for grants for sidewalks, on St. George Island, because of the traffic safety issues.

Commissioner Sanders stated that she will discuss some of the traffic safety issues that were mentioned during the meeting today at the DOT meeting she will be attending on Thursday.

8- Remind Board of Congressman Boyd's River forum in Chattahoochee is Monday, July 21, at 2 PM, Eastern.

9- Inform the Board that a picture of the St. George Island Boat Ramp ribbon cutting has been framed and will put in the case in the Annex foyer. Board members received copies in their packets.

10- Board action to direct Mr. Shuler to prepare the necessary documents for Ms. Lorelei Clapper to donate to the county Lot 6, Block, A, Unit 1 Pen Point, which is a lot in the highly eroded area just east of South Shoal. The lot is completely eroded. The county already owns several other lots in Block A. Ms. Clapper hopes that someday the lot will reappear and that she and her family will be able to enjoy the lot as public property along with everyone else.

Mr. Curenton stated that the lot is completely eroded.

Motion by Sanders, seconded by Crofton, to direct Attorney Shuler to prepare the necessary documents for Ms. Lorelei Clapper to donate to the County Lot 6, Block A, Unit 1 Pen Point; Motion carried 4-0.

11- Provide Board with copy of letter requesting land behind the new consolidated school be reserved for archery hunting only. This was discussed by the Board in 2007, and Alan thought Mr. Bill Mahan was writing the letter but the letter has now been written and sent to the appropriate agencies at the direction of Commissioner Putnal.

12- The County has received the application from DEP to utilize the \$150,000 legislative appropriation for the Seafood Landing Park at the Lombardi property. This application needs to be returned to DEP by July 24 so they can prepare the contract. The Board needs to approve a resolution authorizing the contract and naming a project manager. Read resolution.

Motion by Sanders, seconded by Crofton, authorize the Chairman's signature on the resolution approving the contract and appoint Mr. Van Johnson, Director of Park and Recreation, as the project manager; Motion carried 4-0.

Michael Shuler – County Attorney – Report (10:36 AM)

1. Carrabelle Urgent Care Facility

The appraisal for the five acres in Carrabelle arrived July 2, 2008. The value of the five acre site is \$325,000.00.

On July 10, 2008, I delivered a copy of the appraisal to the School Board. They confirmed the sale that day for no more than \$100,000.00 and approved the Chairman's signature on the deed. We are waiting on a survey of the property.

BOARD ACTION NEEDED: None needed.

2. Alligator Point

The lawsuit against South Shoals seeking to establish the public right of way and the water line is prepared for filing.

The Water District signed the complaint this morning.

BOARD ACTION NEEDED: Board action authorizing the Chairman to sign the lawsuit so I can file it.

Motion by Sanders, seconded by Crofton, authorizing the Chairman to sign complaint regarding the public right of way at South Shoals; Motion carried 4-0.

3. Apalachicola River Litigation

On July 21, 2008, the Federal Court is having a status conference in Jacksonville.

BOARD ACTION: I request the Board authorize me to attend the hearing in Jacksonville.

Motion by Putnal, seconded by Sanders, to authorize the payment of travel expenses for Attorney Shuler to attend the status conference on the Apalachicola River Litigation in Jacksonville; Motion carried 4-0.

4. Garbage Contract

I am waiting on Waste Management to confirm in writing that they have set aside landfill space for the new company.

I am also waiting on written confirmation that customer's rates will remain stable during the remaining term of the contract

BOARD ACTION: None Recommended.

This item was addressed earlier in the meeting.

Commissioners and Public Comments (10:40 AM)

Commissioner Sanders stated how well she was treated at Weems Hospital during her recent bout with kidney stones, and encouraged the local residents to continue to use the hospital. Commissioner Crofton stated that he has also received calls commending Weems and the service that they provide.

Commissioner Crofton discussed the tax information given by the Property Appraisers at the last meeting and stated that he ask Ms Pendleton to appear at the next meeting and explain why St. George Island was not mentioned and to clarify how the districts are divided and affected.

Elaine Kozlowsky, of Franklin Needs a non-profit organization, explained that they are having a few fund raisers for breast cancer awareness which includes a calendar and an event at the armory which they are asking the Board to waive the rental fees.

Motion by Putnal, seconded by Sanders, to waive fees for use of armory for the Franklin Need's fundraiser on July 25, 2008; Motion carried 4-0.

Allan Fiefer, CCFC, asked that the Board consider an alternative site in case the amount of attendees is more than the Commission meeting room can handle for the upcoming Budget Workshops. The Board stated that if there is a need, they would move the location.

Kevin Begos, of the Seafood Task Force, gave an update on the FDA's new rules and regulation regarding the distribution of oysters, but will gather additional info and report back to the Board. Mr. Begos also stated that the Florida Department of Agriculture was not aware of the new rules and regulations. The Board discussed this matter further.

Pinky Jackel praised the unveiling of the three servicemen statue event held on Saturday July 12, 2008.

Board discussed the event and also commended ex-commissioner Jimmy Mosconis on all of his efforts on this event.

Adjourn (11:02 AM)

There being no further business Chairman Lockley adjourned the meeting.

Noah Lockley Jr., Chairman FCBCC

Attest:

Marcia M Johnson, Clerk of Court