

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
AUGUST 19, 2008  
9:00 AM**

**MINUTES**

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

**Others Present:** Marcia Johnson – Clerk of Courts, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Clerk, 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 August 5, 2008 (9:05 AM)**

**Motion by Sanders, seconded by Crofton, to approve the minutes for the August 5, 2008 regular meeting; Motion carried 5-0.**

**Payment of County Bills**

**Motion by Sanders, seconded by Crofton, to approve payment of the County's bills as presented with the exception of G&N contractors; Motion carried 5-0.**

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

**Department Supervisors Report**

**Van Johnson – Solid Waste Director (9:06 AM)**

**FRANKLIN COUNTY GIRLS SOFTBALL TEAMS:**

FOR BOARD RECOGNITION: Here this morning for recognition by the Board are two Franklin County Youth League Girls Softball teams and their coaches. One of the teams is from the Angels Division and was runner-up in the 2008 District II Dixie Girls All-star Tournament, the other team is from the Belles Division, and they are your 2008 District II Dixie Girls All-star Champions. **ACTION REQUESTED: None.**

Coach Jimmy Elliot congratulated the teams and apologized for the team from the Angels Division not being able to attend, due to their young ages, but will present their awards at a later date with the assistance of Mayor Van Johnson and Chairman Lockley.

Commissioner Sanders presented the awards to the team from the Belles Division that were the 2008 All Star Champions.

Commissioner Sanders thanked Mr. Johnson's staff for all of the efforts and congratulated the members of the All Star Teams.

Commissioner Parrish and Crofton thanked all of the coaches that sacrificed their time for these teams.

Commissioner Putnal congratulated the teams and stated that he wished there was more activity for the youth of the County, especially the older ones.

Chairman Lockley also congratulated the winning teams

Coach Shiver thanked the Board for their recognition of the teams and coaches.

**Hubert Chipman – Superintendent of Public Works- No Written Report (9:18 AM)**

Mr. Larry Brown did not have any items for discussion and/or approval.

**Alan Pierce – Director of Administrative Services – Report**

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

Item 5 - Update on Board's request to bid fuel. The Board can bid out fuel purchase but because the Board can only store a limited supply of fuel any bid needs to be structured based upon the terminal price on the date the fuel is delivered. Any bid for more fuel than is being delivered puts the Board at risk of paying more than the current fuel price really is because bidders are going to protect themselves from losing money on a long term bid.

Terminal prices are very competitive, and can be checked using a national pricing service called OPIS- Oil Price Information Service. Since there are only two terminals within driving distance of Franklin County, being Bainbridge Georgia, and Panama City, the real difference in fuel price is what a distributor is going to charge to truck the fuel from the terminal. Public Works might not have realized it, but by calling a distributor in Bainbridge, being Mansfield Petroleum, and JV Gander, being a distributor getting fuel from Panama City, Public Works is in effect using OPIS to obtain terminal prices from the only two terminals in the area. JV Gander traditionally has a lower delivery charge because their delivery charge is only

from Apalachicola to Eastpoint, whereby Mansfield Petroleum has a deliver charge from Bainbridge Georgia.

It appears the Board should direct Public Works to continue to call the two distributors it has been dealing with and then compare delivery charges before making a purchase. If the total difference, when delivery charges are included is one cent a gallon or less, the Board has traditionally chosen to do business with the local vendor, JV Gander. Board direction.

Mr. Brown stated that the lower octane gas is negatively affecting the County's equipment, so the Board suggested that Mr. Brown use the higher octane.

The Board agreed to continue using the process, presently in place, for competitive purchase of fuel for the County equipment, which is to purchase from the cheapest vendor at the time gas is needed.

Mr. Brown, Mr. Pierce, and the Board discussed using alternate trucking services to get fuel especially during emergencies, even if the cost is slightly higher.

#### **Van Johnson – Solid Waste Director (9:33 AM)**

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

#### FRANKLIN COUNTY GIRLS SOFTBALL TEAMS:

FOR BOARD RECOGNITION: Here this morning for recognition by the Board are two Franklin County Youth League Girls Softball teams and their coaches. One of the teams is from the Angels Division and was runner up in the 2008 District II Dixie Girls All-star Tournament, the other team is from the Belles Division, and they are your 2008 District II Dixie Girls All-star Champions. **ACTION REQUESTED: None.**

**This item was addressed earlier in the meeting.**

#### CARRABELLE BEACH WAYSIDE PARK:

FOR BOARD INFORMATION: As a follow up to the August 5 meeting staff have ordered Pooper Scooper Stations for placement at the Carrabelle Beach Wayside Park, the units are in and are waiting to be installed by staff.

Staff has also received quotes on the installation of a security camera system throughout the park. I believe these measures will assist in eliminating some of the problems identified at the park. **ACTION REQUESTED: None.**

#### ST GEORGE ISLAND COUNTY PARK:

FOR BOARD CONSIDERATION: I have for Board consideration a price quote to repair the playground equipment located at the County Park on St. George Island. The equipment is in desperate need of repair or replacement, and for safety reasons, staff has closed the equipment for use by the public. The quote is from the manufacture of the equipment.

**ACTION REQUESTED: Board Directions.**

Mr. Johnson stated that, based on the quote, it will cost about \$15,000 to repair the equipment.

Commissioner Crofton stated that the Lighthouse Association was willing to donate funds for this project, and discussed repairing the equipment at this time, then replacing the equipment at a later date when more funds are available.

Mr. Pierce stated that he will attempt to get the Lighthouse Association to fund the entire repair project.

Attorney Shuler discussed declaring the vendor a sole source provider.

Mrs. Johnson stated that it might be more prudent to replace the equipment at this time so suggested going out for bids for new equipment and then compare it to repairing the current equipment.

Board asked Mr. Pierce to get an exact amount from the Lighthouse Association and asked Mr. Johnson to get a quote for replacing the playground equipment.

**Motion by Parrish, seconded by Crofton, to table this item until more information is received, such as funding from the lighthouse organization and cost of replacing rather than repairing the equipment; Motion carried 5-0.**

FY 2009-10 INNOVATIVE RECYCLING & WASTE REDUCTION GRANT:

FOR BOARD ACTION: I am requesting Board approval to utilize the services of the Southern Waste Information Exchange (SWIX) to apply for and administer an Innovative Recycling & Waste Reduction Grant. The Innovative Grant is a competitive grant program provided by the Florida Department of Environmental Protection.

If awarded, the Grant will be used to develop an education packet of information on recycling for K-12 students at the new Franklin County Consolidated High School and for the K-7 students at the ABC Charter School. Funds will also be used to purchase new recycling containers for paper, cardboard, glass, plastic, and aluminum containers for placement at the schools and the purchase of a mobile (truck and trailer) unit for collecting recyclables from various locations and events around the County.

Mr. Ray Moreau with the Southern Waste Information Exchange is here this morning to explain the program in detail and to tell you more about SWIX. **ACTION REQUESTED: Motion authorizing the services of the Southern Waste Information Exchange, Inc. (SWIX) to apply for and administer the Innovative Recycling Grant Program through the Solid Waste Department.**

Mr. Moreau provided additional information about his company and discussed the grant further. Mr. Moreau stated that this action would not cost the county and any match would be in-kind.

**Motion by Parrish, seconded by Crofton, to authorize Southern Waste Information Exchange to apply for and administer the Innovative Recycling Grant Program through the Solid Waste Department; Motion carried 5-0.**

**Attorney Shuler – County Attorney**

Attorney Shuler presented the following item for discussion and/or approval as it related to Mr. Johnson.

**Item 3 - Garbage Contract**

**(I) Transfer Station Contract**

Waste Management has elected not to assign the transfer station contract to Emerald Waste Services. Waste Management informs me that they intend to continue to operate the transfer station. They were possibly motivated by the fact that they could not assign the transfer station without the approval of Franklin County.

I recommend that Mr. Johnson report to the Board in the event Waste Management allows anyone else to operate the transfer station. Operation of the transfer station by anyone else would violate the contract and allow the County to terminate the contract.

No lease to the transfer station was renewed. I recommend that Waste Management and the County enter into a lease consistent with the transfer station contract.

**(II) Non-exclusive Franchise Agreement**

Waste Management still intends to transfer its non-exclusive franchise to Emerald Waste Services (EWS).

EWS was asked to give a letter stating a rate commitment for the County's commercial and residential customers. They have given a rate commitment for residential customers of \$18.97 per month for once a week pick up and \$36.94 for twice a week pick up.

EWS says that they are not required by contract to provide a commercial rate commitment.

Franklin County is not required to approve the Waste Management transfer of the Non-exclusive Franchise.

**BOARD ACTION:**

A. Motion requiring renewal of the transfer station lease to coincide with the Transfer Station Contract, through March 2013.

B. Motion requiring the solid waste department to report to the Board if Waste Management fails to operate the transfer station as required by the contract.

C. Motion denying Waste Management's request for approval to transfer the non-exclusive franchise to EWS.

**Motion by Sanders, seconded by Parrish, based on the recommendation of Attorney Shuler, to authorize Attorney Shuler and Mr. Johnson to negotiate with Waste Management for a transfer station lease which will coincide with the Transfer Station Contract; Motion carried 5-0.**

**Motion by Sanders, seconded by Crofton, to direct Mr. Johnson to monitor Waste Management's operation of the transfer station and report any problems or discrepancies to the Board; Motion carried 5-0.**

**Dewitt Polous - Mosquito Control (Employee Transfer) (10:07 AM)**

**Motion by Putnal, seconded by Sanders, to authorize Mr. Polous to advertise to fill a vacant position in his department as a result of an employee transferring to the Road Department at his current rate of pay; Motion carried 5-0.**

**Dan Rothwell – County Engineer (10:14 AM)**

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

**1. BOARD ACTION: Gulf Beach Drive Small County Outreach Program (SCOP) Contracts:**

Staff wishes Board to authorize the Chairman to sign the \$1,843,459.00 SCOP project #42406015801 contracts for resurfacing and improvements to Gulf Beach Drive CR 376.

Commissioner Sanders asked Mr. Rothwell to try and secure a similar type of program to help with repairing C 30 in Carrabelle.

**Motion by Crofton, seconded by Parrish, to authorize the Chairman's signature on the SCOP Contract for improvements to Gulf Beach Drive CR376; Motion carried 5-0.**

**2. BOARD ACTION: Northwest Florida Water Management District (NFWFMD) Stormwater Plaques:**

Staff wishes permission for the NFWFMD to place 30 to 50 stormwater information plaques (10" x 8") throughout Franklin County at places such as the stormwater baffle box structure and other stormwater structures to help inform the public about river, creek and bay water protection. (see attached graphic)

**Motion by Crofton, seconded by Putnal, to allowing the placing of information plaques throughout the County; Motion carried 5-0.**

**3. Lombardi Boat Ramp:**

The boat ramp has been installed by Randall Tedder Construction.

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

Bailey, Bishop & Lane has submitted permit to Florida Department of Environmental Protection and is responding to the Request for Additional Information and revising contract drawings accordingly.

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

Bailey, Bishop & Lane is acquiring the property deed and/or easement information for the permits to Florida Department of Environmental Protection and in response to the Request for Additional Information.

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

C. W. Roberts is working and 100% of the rough grading is completed and 40% of the limerock base has been placed.

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

Staff continuing work has been scheduled.

Commissioner Crofton commented on this project.

**8. 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 Sanders asked Mr. Rothwell to move forward with the paving project.

Commissioner Putnal and Mr. Rothwell discussed the boat ramp projects that are in process.

**Bill Mahan- Extension Office (10:28 AM)**

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

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

***Hot Sheet – August 2008***

**Greater Amberjack and Gray Triggerfish** - Action: New regulations in federal waters of the Gulf of Mexico took effect August 4<sup>th</sup>. Information: The most recent stock assessments for these species indicate that there is excessive fishing pressure and that reductions in harvest are

needed. The Gulf of Mexico Fishery Management Council adopted these regulation changes in early 2008. The Florida Fish and Wildlife Conservation Commission will discuss consistency rules for state waters of the Gulf at their September 2008 meeting.

### **Greater Amberjack**

Increase the recreational minimum size limit to 30 inches fork length (was 28")  
Zero bag limit for captain/crew of for-hire vessels  
Sets annual catch limits – allows for in-season adjustments if the limits are exceeded or possible seasonal closure if ACL is exceeded  
Quotas set: 0.503 mp for commercial, 1.386 mp for recreational

### **Gray Triggerfish**

Increase recreational and commercial minimum size to 14 inches fork length (was 12")  
Sets annual catch limits – allows for in-season adjustments if the limits are exceeded or possible seasonal closure if ACL is exceeded  
Commercial quota set at 80,000 pounds in 2008, increasing in 2009 and 2010

**Red Snapper** - Action: Recreational season closed in federal waters of the Gulf of Mexico on August 5<sup>th</sup>. Information: Recreational harvest of red snapper in federal waters (beyond 9 nautical miles) of the Gulf of Mexico is prohibited beginning August 5 and will re-open June 1. The harvest of Red Snapper in state waters (out to 9 nautical miles) of the Gulf of Mexico is allowed through October 31.

**Spiny Lobster** - Action: Recreational Regular Season opened August 6<sup>th</sup>. Information: The recreational season for Spiny Lobster opened on August 6 with no changes. The season ends on March 31:

Bag limits - 6 per person per day statewide.  
Minimum size limit - 3" carapace length, measured in the water.  
Harvest is prohibited in Everglades National Park, Dry Tortugas National Park, and Biscayne Bay/Card  
Sound Spiny Lobster Sanctuary, certain areas in Pennekamp Park, and no take areas in the Florida  
Keys National Marine Sanctuary during the season.  
A recreational saltwater license and a Spiny Lobster permit are required (unless a license exemption applies).

**Grouper and Snapper** - Action: Pending and proposed Federal Regulations. Information: Regulation changes are pending or being proposed for the grouper fisheries in the Gulf of Mexico. The proposed regulation changes would reduce harvest of Gag Grouper but could slightly increase harvest of Red Grouper. The Gulf of Mexico Marine Fisheries Management Council will be addressing and could take final action on the proposed regulations at their upcoming meetings. The FWC will be discussing federal issues and the draft interim rules at their September 18<sup>th</sup> meeting in Jacksonville.



**National Saltwater Angler Registry** - Action: Proposed rules establishing a national saltwater angler registry were published; seeking public comment. Information: Proposed rules were published on June 11<sup>th</sup>, which 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 multi-year 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 was open through August 11<sup>th</sup>.

**Sharks** - Action: New federal regulations effective July 24<sup>th</sup>. Information: New regulations affecting all fishers harvesting shark federal waters in the Gulf of Mexico took 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.

*Blue Crab Workshops Scheduled:* The Florida Fish and Wildlife Conservation Commission has scheduled a series of public workshops to receive comments regarding a possible closed harvest season for blue crabs. The FWC is looking at ways to create a closed blue crab harvest season so lost and abandoned traps can be collected and removed from Florida's coastal waters. The primary option under consideration would establish three regional blue crab harvest closures across the state for a period of up to 10 days.

The FWC encourages interested persons to participate in the workshops, which will take place from 6-8 p.m.: The only workshop in our area is scheduled for Wednesday, August 27 at the Apalachicola National Research Reserve office in Apalachicola.

*Report on the future of Florida's wildlife:* On August 14<sup>th</sup> the FWC released a report on the impacts to wildlife from of projected population/development growth in the state over the next 50-years. When people compare a map of Florida as it is currently; to a map reflecting predicted development by the year 2060, there is usually a gasp.

The amount of anticipated development is stunning, and the byproduct is the loss of wildlife as the lands they inhabit become urbanized. The FWC tackled the challenge of predicting what may be in store for wildlife 50 years from now if growth trends continue. The results are available in the FWC publication "Wildlife 2060: What's at stake for Florida?" This document looks at the future of Florida's fish and wildlife resources in a practical and objective way. The report provides specific examples of how Florida's species could be impacted by growth. Predictions indicate the state's human population may double to 36 million in the next 50 years. The amount of urbanized land in Florida also is expected to double. As a result, the report projects that by 2060, roughly 7 million additional acres of Florida land will be developed.

#### **UF – IFAS Extension Updates:**

*Franklin County School Career Day:* The Franklin UF IFAS Extension Program participated in the Career Day Event at the new Franklin County School Complex on August 14<sup>th</sup>. The program was for 8<sup>th</sup> – 12<sup>th</sup> grade students. We provided the students with information on marine & natural resource careers as well as information on majoring in science/engineering fields in college.

*Bioenergy Workshop:* The UF IFAS North Florida Research & Education Center in Quincy is hosting a free (includes lunch) Bioenergy Workshop from 10:00 am – 2:00 pm on August 28<sup>th</sup>. Topics/activities include: Introduction to Biodiesel Production, Converting Plant Matter and Restaurant Waste into High Quality Fuel, Proper Safety Precautions and a hands-on opportunity to make biodiesel. For additional information please contact Charles Conerly at 850-482-5888.

*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 clam 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 7<sup>th</sup> – 9<sup>th</sup>.

*Forgotten Coast Bear Festival Planned:* At the last meeting I reported that the FL Fish & Wildlife Commission as the lead agency in organizing a multi-agency/government/citizen action group planning committee to organize the "Forgotten Coast Bear Festival," had postponed the event for October 18, 2008 to the Spring of 2009. However, I have been told that Carrabelle CARES has taken the lead for organizing the Festival and is moving forward with holding it on its originally scheduled date of October 18, 2008.

*UF IFAS North Florida Research & Education Center's Fall Field Day:* The UF IFAS North Florida Research and Education Center will host its 2008 Fall Field Day on Thursday September 25<sup>th</sup> with registration beginning at 8:00 am eastern daylight time. Featured tours target the wildlife enthusiast; the tomato grower; fruit tree and berry crop devotees; and bio-fuel aficionados. For the wildlife admirer, the NFREC will highlight Bat Houses, Butterfly Gardening, and Deer feeding on Wildflowers. Tomato growers will see the latest in managing bacterial spot, worms, and

bacterial wilt; along with a look at variety effects on yellow leaf curl. This tour has the added bonus of viewing pumpkin and winter squash varieties. For those interested in fruit trees and berry crops, a tour will show a range of crops suitable for the area. In this age of increasing energy costs, don't miss the tour on how to make your own fuel; as well as learn about new technologies and fuel stocks for bio-energy. Lunch follows the tours, where you will have the chance to visit the different booths and displays. Or maybe you will find interest in one of the break-out sessions that will be held indoors at the NFREC. The breakout sessions will show you how to identify and extract nematodes, reduce fuel costs using perennial peanut, learn about your health, or learn about the value of ecosystem services. This year we also welcome the Southeastern Community Blood Center who will have the blood mobile ready for employees and participants who wish to give blood.

The Field Day is for professionals and non-professionals alike, who are interested in gardening, landscape, farming, family health and the quality of life in north Florida. The NFREC field days provide the most current research information on agricultural practices and highlight the importance of agriculture and health science to North Floridians and their friends.

Pre-registration costs \$10.00 and will increase to \$15 after September 19<sup>th</sup>; so register early. The registration fee covers tours, breakout sessions, and lunch.

To register, please call 850-875-7100 ext 0. Payment in cash or personal/agency check should be made payable to University of Florida and sent to NFREC Quincy, 155 Research Road, Quincy Florida 32351, ATTN: Event Coordinator. No credit cards can be accepted for this event.

For more information on the North Florida Research and Education Center or on the UF/IFAS NFREC Fall Field Day, please visit <http://nfrec.ifas.ufl.edu> or call (850) 875-7100 ext. 0.

**Butch Baker- Emergency Management Director (Applications for EOC Director) (10:27 AM)**

Submitted applications for the Emergency Management Director position and gave a quick update on the tropical storm.

**Jason Flowers, Update on St. George Island Sewage Issues (10:28 AM)**

Mr. Pierce explained that the County has received many complaints about the water quality on St. George Island and Mr. Flowers of the Health Department is here to discuss this problem.

Mr. Flowers stated that after testing many of the commercial restaurants on St. George Island, it was discovered that almost all of them were over their allowed capacity and the affluent discharge was over the limit as all of the testing samples failed, but were in the process of bringing all of the businesses into compliance which could take a year in some cases.

The Board and Mr. Flowers discussed enforcement issues, such as the seating capacity which had to be done immediately, weekly pumping of their sewer to try and bring the discharge into compliance.

Commissioner Crofton explained to Mr. Flowers that the County is relying on the Health Department to enforce these actions.

Mr. Flowers suggested that the County use occupational licenses to help with enforcement of seating capacity and sewage issues.

Mr. Pierce explained the County's role in this process.

Commissioner Parrish suggested sending letters to both the Health Department and the Department of Business & Professional Regulation, asking them to work closer together to help with enforcement of affluent and seating capacity of the commercial businesses in the County. Commissioner Crofton stated that there are other commercial businesses besides restaurants that are also affected.

Mr. Steve Rash, owner of the Blue Parrot restaurant on St. George Island, stated that he has complied with all rules and regulations as best as possible, including reducing his seating capacity without any further notification. Mr. Rash expressed his concern with other restaurants not complying with the same rule and regulations as he is and these businesses adding to the contamination problems of the Bay, which causes swim notices. Mr. Rash stated some of the specific non compliance incidents by other commercial businesses.

Commissioner Sanders and Mr. Pierce discussed the benefits of the County starting to issue occupational licenses.

Mr. Flowers asked the Board to be careful not to blame the problems of the Bay strictly on the non compliant restaurants, and stated that his agency will not allow sanitary problems to continue indefinitely.

Mr. Rash stated that something has to be done or the sewage problems will only get worst and suggested asking the State to help the County establish a central treatment plant on St. George Island.

Commissioner Crofton discussed some options the County has looked into for solving the sewage problems on St. George Island.

Kevin Begos, of the Seafood Task Force, suggested starting some type of program that will require 5 yr inspections on some of the septic and aerobic systems. Mr. Pierce responded to this suggestion.

Billy Blackburn, of BJ's Pizza, stated that there was a business that operated illegally on St. George Island and it wasn't until the business closed that it was discovered that it was operating illegally and was in favor of the County using occupational licenses to help with inspections and control of businesses in the County.

Bobby Kirvin, longtime resident of Apalachicola, stated that something has to be done soon or in about three years the Bay will be closed for the seafood industry and workers.

Dan Tonsmeire, of Apalachicola Bay and River Keepers, suggested a feasibility study for the Bay and stated that the County should look toward professionals for suggestions for treating sewage on St. George Island. Mr. Pierce provided some additional comments.

Mr. Flowers discussed the differences between advance wastewater treatment and other systems used throughout the County, and was in favor of a central wastewater system.

Commissioner Parrish and Mr. Flowers discussed the sampling areas and testing process throughout the County, especially the ones on St. George Island, which are on the gulf side only.

**Motion by Parrish, seconded by Sanders, authorizing Mr. Flowers, of the County's Health Department, based on the approval of Mr. Pierce, Mrs. Johnson, and Attorney Shuler, to send the next failed samples, from each site, for testing and bring the results to the Board, and**

**direct Pierce to send a letter to the State Health Department for future funding for these tests; Motion carried 5-0.**

Commissioner Crofton and Mr. Flowers discussed the process of issuing swimming advisories.

**Motion by Parrish, seconded by Sanders, to direct Attorney Shuler to get with the Health Department and discuss the concerns that were raised today and what enforcement is available to correct these issues; Motion carried 5-0.**

**Motion by Putnal, seconded by Sanders, to schedule a workshop once adequate information is known on the items discussed today; Motion carried 5-0.**

**Public Hearing- Plat Abandonment for Plessinger (11:42 AM)**

Consideration of a request to re-plot 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.

Mr. Pierce discussed the re-plot request.

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

**Motion by Crofton, seconded by Sanders, to approve the plat abandonment request, contingent on Attorney Shuler's recommendation; Motion carried 5-0.**

**Public Hearing- Request to Re-Zone 4.01 Acres to R-1A from R-1 (11:45 AM)**

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.

Mr. Pierce discussed this request with the Board.

Commissioners Sanders and Putnal expressed some concerns of the proposed increased density.

Chairman Lockley opened the floor for public comment.

Don Tonsmeire, of the Apalachicola Bay and River Keepers, asked the Board to consider placing some sort of restriction so that the developer cannot put 3 units on an acre, which is allowed on R-1A and also asked about other requirements that should be imposed on the developer.

Mr. Pierce and Attorney Shuler discussed this matter and made some suggestions.

Attorney Shuler disclosed that his brother sits on the Board of the applicant, Coastal Community Bank.

Attorney Shuler stated that this request, if approved, will be restricted to 2 units per acre, as submitted by the developer.

The Board discussed this item further and decided not to act until more definite information is provided.

**Alan Pierce – Director of Administrative Services (12:02 PM)**

Item 11 - Provide Board with copy of FEMA letter regarding the flood elevation variance for Kinser's that was discussed some time ago. FEMA has written a letter that says in the first paragraph, "the variance would not remove the 10 percent flood insurance premium discount." Later in the letter, FEMA is less bold in its assertion of the affect of one variance on the county's participation in the Community Rating System but overall the letter lends credence to the position that one variance is not going to undermine the county's flood insurance program. Since it was the county commission who required additional information from FEMA, staff would prefer the county commission determine the fate of the variance request, and not send it back to the Board of Adjustment. Board direction.

**Motion by Sanders, seconded by Putnal, to approve the variance request; Motion carried 3-2 Crofton and Parrish opposed.**

**Recess (12:03 PM)**

Chairman Lockley recessed for lunch.

**Reconvened (1:19 PM)**

Chairman Lockley reconvened the meeting.

**P & Z Report (1:19 PM)**

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

**CRITICAL SHORELINE APPLICATIONS:**

1 - Approved by Planning and Zoning (unanimous) Consideration of a request to construct a Single Family Private Dock on Lot 5, Block 65, Unit 5, 723 Randolph Street, St. George Island, Franklin County, Florida. The dock will have a 10' x 4' walkway and a 25' x 4' terminal platform. This dock meets all state, federal and local requirements. Request submitted by GEA, Inc, agent for Stephen Dambach, applicant.

Dan Garlick provided some additional information on this item including the size of the canal.

2 - Approved By Planning and Zoning (unanimous) Consideration of a request to construct a Single Family Private Dock on Lots 12 & ½ of Lot 13, Lanark Beach, 2158 Highway 98 West, Lanark Beach, Franklin County, Florida. This dock will be 199' x 4' and have a 10' x 16' platform and (2) boat lifts. This dock meets all state, federal and local requirements. Request submitting by Alan Rogers, applicant.

Commissioner Parrish asked if an applicant could request a separate dock for a ½ lot. Alan Rogers, the applicant, stated that the State doesn't allow docks on ½ lots, and besides, his lot and a half is considered one property with one parcel ID number.

**Motion by Sanders, seconded by Putnal, to approve Items 1 & 2 of the Planning and Zoning Report; Motion carried 5-0.**

**RE-PLAT:**

3 - Approved by Planning and Zoning (unanimous) Consideration of a request to re-plat lots 16 & 17 Windjammer Village, St. George Island, Franklin County, Florida. The proposed re-plat will allow for the improved lot 17 to have a secondary advance waste water treatment system drip line outside of the wetlands setbacks. Request submitted by Nick Yonclas, agent for Randy and Lee Sewell, applicant.

Nick Yonclas, representing the applicant, explained this request.

**Motion by Crofton, seconded by Parrish, to approve Item 3 of the Planning and Zoning Report; Motion carried 5-0.**

**FRDAP GRANT:**

4 - Approved by Planning and Zoning (unanimous) FRDAP Grant for Indian Creek Park.

**Advisory BOA Report (1:37 PM)**

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

1 - Approved by the Advisory Board of Adjustment a request for a variance to a vacuum station five feet into the south side setback line and 20 feet into the front setback line off of property described as 10 David Street, Eastpoint, Florida. Request submitted by Eastpoint Water & Sewer.

**Motion by Crofton, seconded by Putnal, to approve Item 1 of the Advisory Board of Adjustment Report; Motion carried 5-0.**

**Motion by Putnal, seconded by Sanders, directing Attorney Shuler to start the process of amending the dock ordinance to include language making it the owners responsibility to remove or repair any damaged docks that are creating a hazard; Motion carried 5-0.**

**Marcia M. Johnson - Clerk of Courts – Report (1:41 PM)**

Mrs. Johnson didn't have any items for discussion or approval but stated the current cash balance of Weems Hospital.

**Alan Pierce - Director of Administrative Services – Report (1:42 PM)**

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

1- Inform Board that Mr. Brett Cyphrs from the Governor's Office called to thank the Board for the letters to the Governor regarding the ACF water wars. Commissioner Parrish has an update on the federal Judge's comments regarding reversing the order of the cases, which appears to be in Florida's favor.

Commissioner Parrish and Attorney Shuler commented on the actions of the Federal Judge regarding the ACF water wars and how it positively affects Florida and Franklin County.

**Motion by Putnal, seconded by Parrish, to send a letter of thanks and appreciation to DEP and the Governor's office, and the State of Alabama for all of their efforts on ACF water wars issue; Motion carried 5-0.**

2- Provide Board with copy of DEP permit for Lombardi boat ramp. Franklin County Public Works has been working at the site improving the parking, preparing the access road to the boat ramp. And, Mr. Tedder has been paid his \$135,000 for installing the boat ramp.

As soon as the access road is stabilized we will get a contractor to build the unloading platform. This will not be a bid job because it will be less than \$5000. The larger dock/observation platform on Two Mile Channel will be bid out in the near future.

Mr. Kevin Begos would like to provide an update on a related item.

Mr. Begos, of the Seafood Task Force, gave an update on the recent Seafood Task Force meeting where shutting down summer harvesting and other seafood related issues were discussed.

John Richards, of the Franklin County Seafood Workers Association, stated that unlike before when there was other parts of the seafood industry to turn to, the oysterman will suffer if the Bay is closed for anytime.

Mr. Begos distributed data that showed the actual numbers that represented the *Vibrio parahaemolyticus* (Vp) illnesses.

Commissioner Parrish stated the importance of Florida participating in the four state project to reduce the (Vp) illnesses. Board discussed this matter further.



**Motion by Putnal, seconded by Crofton, to appoint Commissioner Parrish as an alternate on the seafood task force; Motion carried 5-0.**

3- Provide Board with copy of Request for Proposals regarding the leftover rock on St. George Island. Upon consultation with Mr. Shuler, the proposal states, "The Board is interested in relocating granite rocks from St. George Island, Florida to a designated location on Alligator Point, Florida....The Board is interested in receiving proposals for the quantity of rock the contractor would like to retain as their fee for moving the granite rock to the designated site on Alligator Point. The successful applicant must be willing to remove all of the rock and debris from St. George Island...." The proposals will be opened Sept. 2 at the Board meeting.

4- Board action to transfer approximately \$60,000 of DaSee payments to the Hospital. This money was paid in the early years of DaSee when they were paying rent. The funds were intended for use at the Hospital, and the County Auditors, the Clerk, and I recommend the Board transfer these remaining funds to the Hospital for their use.

**Motion by Parrish, seconded by Putnal, to authorize the transfer of the approximately \$60,000 to the Hospital providing these funds are spent on capital improvements and maintenance to the building only; Motion carried 5-0.**

5- Update on Board's request to bid fuel. The Board can bid out fuel purchase but because the Board can only store a limited supply of fuel any bid needs to be structured based upon the terminal price on the date the fuel is delivered. Any bid for more fuel than is being delivered puts the Board at risk of paying more than the current fuel price really is because bidders are going to protect themselves from losing money on a long term bid.

Terminal prices are very competitive, and can be checked using a national pricing service called OPIS- Oil Price Information Service. Since there are only two terminals within driving distance of Franklin County, being Bainbridge Georgia, and Panama City, the real difference in fuel price is what a distributor is going to charge to truck the fuel from the terminal. Public Works might not have realized it, but by calling a distributor in Bainbridge, being Mansfield Petroleum, and JV Gander, being a distributor getting fuel from Panama City, Public Works is in effect using OPIS to obtain terminal prices from the only two terminals in the area. JV Gander traditionally has a lower delivery charge because their delivery charge is only from Apalachicola to Eastpoint, whereby Mansfield Petroleum has a deliver charge from Bainbridge Georgia.

It appears the Board should direct Public Works to continue to call the two distributors it has been dealing with and then compare delivery charges before making a purchase. If the total difference, when delivery charges are included is one cent a gallon or less, the Board has traditionally chosen to do business with the local vendor, JV Gander. Board direction.

**This item was addressed earlier in the meeting**

6- Chairman Lockley and I met with Jimmy Gander, Chairman of the School Board, regarding the acquisition of the land in Carrabelle for the Urgent Care Clinic. Mr. Gander reiterated that the School Board would really prefer to have the county help with building an emergency access road to the school instead of taking cash for the land. Mr. Gander believes he has another route worked out although he did not provide the Chairman or me with a description of the route.

At this time the Board has directed Mr. Shuler to close on the property as soon as possible. Mr. Gander does not expect the county to spend any more building a road than the \$100,000 it would utilize in buying the land. Does the Board want to move forward with a cash deal on the land or have the attorneys look into putting the county funds in escrow so that we can close on the land, and then either has a road built in a designated time frame or the school board gets the money? Board direction.

Mrs. Johnson recommended that the Board purchase the land outright rather than building a road in exchange.

Attorney Shuler discussed the contract for closing on the property, which included paying the attorney fees for the school board. Mrs. Johnson objected to paying the school board's attorney fees.

Commissioner Putnal stated that there is an immediate need for health care on the eastern end of the County so he didn't want anything delaying the process of closing on the property.

**Motion by Sanders, seconded by Parrish, that based on Shuler recommendation, authorize the Chairman's signature on the contract and pay all fees except for the school board's attorney fees; Motion carried 5-0.**

7- Board action to award the low bid on the St. George Island Handicap ramp to Larry Joe Colson, Inc. with a bid of \$49,183.00. There was a wide range of bids on the handicap ramp, but Preble-Rish has gone over the specs with Larry Joe and believes he understands what needs to be built. Board action.

**Motion by Crofton, seconded by Parrish, to award the low bid on the St. George Island Handicap ramp to the low bidder Larry Joe Colson, Inc.; Motion carried 4-0, Putnal was absent for the vote.**

8- Board action to sign Notice to Proceed for Poloronis Construction to rehabilitate Runway 6-24 at the Airport. Board has already awarded the contract to Poloronis and this is the next step.

**Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on the Notice to Proceed for Poloronis Construction; Motion carried 4-0, Putnal was absent for the vote.**

9- Provide Board with letter from School Board listing the band equipment in School Board possession. The Board had taken action on June 17, 2008, to have the band equipment kept at

the Armory unless the School Board wants it. Following the Board's action to collect the equipment, Mr. Carl Lester, Band Director, came and looked at the equipment and decided the School could use the equipment. With the equipment in the School's possession the Clerk would like the Board to remove the band equipment from county inventory and make it the school responsibility. Board action.

**Motion by Sanders, seconded by Parrish, to give the band equipment to the school board as a gift, send the school board a letter informing them of the cost of the band equipment, and remove the equipment from the County's inventory; Motion carried 4-1, Lockley opposed.**

10- Board action to award construction of Eastpoint Boat Ramp and Ochlockonee Boat Ramp to Bailey, Bishop Engineers, subject to them submitting a contract with grant administration fees in keeping with what FWC allows, and subject to review by Mr. Shuler. They are the engineers who designed the ramp so they should be the ones to supervise construction.

**Motion by Sanders, seconded by Crofton, to award the construction of the Eastpoint Boat Ramp and Ochlockonee Boat Ramp to Bailey and Bishop, subject to the requirements specified and contingent on the Attorney Shuler's approval; Motion carried 4-1, Lockley opposed.**

11- Provide Board with copy of FEMA letter regarding the flood elevation variance for Kinser's that was discussed some time ago. FEMA has written a letter that says in the first paragraph, "the variance would not remove the 10 percent flood insurance premium discount." Later in the letter, FEMA is less bold in its assertion of the affect of one variance on the county's participation in the Community Rating System but overall the letter lends credence to the position that one variance is not going to undermine the county's flood insurance program. Since it was the county commission who required additional information from FEMA, staff would prefer the county commission determine the fate of the variance request, and not send it back to the Board of Adjustment. Board direction.

**This item was addressed earlier in the meeting.**

Mr. Pierce stated that he was able to contact a representative of the Lighthouse Association and they are willing to pay for the entire cost, approximately \$15,000, to repair the playground equipment at the St. George Island playground.

**Motion by Crofton, seconded by Sanders, to authorize payment of the repair to the St. George Island playground equipment by the Lighthouse Association; Motion carried 5-0.**

**Motion by Crofton, seconded by Putnal, to send the Lighthouse Association a letter of thanks for paying for the repairs to playground equipment at the St. George Island Park; Motion carried 5-0.**

**Michael Shuler - County Attorney – Report (2:42 PM)**

Attorney Shuler presented the following items for discussion and/or approval.

Attorney Shuler stated that he received a deed for a transmission line at Kendrick Park from Progress Energy after his report was finalized and submitted, and asked for Board action authorizing the Chairman signature on this deed contingent on the County's Engineer verifying the location.

**Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on the deed subject to the Engineer's verification of the location; Motion carried 5-0.**

Attorney Shuler stated that the meeting with Progress Energy, scheduled for tomorrow, has been postponed until a later date, due to the storm.

**1. Carrabelle Urgent Care Facility**

Attached is the contract for purchase of the Carrabelle Property from the School Board for \$100,000.00.

The contract calls for the county to pay all the costs of closing, including the attorney fee for the School Board attorney. The closing costs add about \$2,100.00 to the purchase price.

***BOARD ACTION NEEDED:*** Motion Authorizing the Chairman to sign this contract.

**This item was addressed earlier in the meeting.**

**2. Alligator Point**

One issue in the litigation over the disputed road connecting Tom Roberts Road and Harbor Circle is paving. To avoid additional paving expense, the disputed road needs to be paved while the contractor is there re-paving Alligator Drive.

South Shoals claims that they have already paved the disputed part of the road into Harbor Circle.

I have asked Edwin Brown and Associates, our surveyor in this matter, to verify the extent of the paving.

***BOARD ACTION NEEDED:*** None.

**3. Garbage Contract**

(I) Transfer Station Contract

Waste Management has elected not to assign the transfer station contract to Emerald Waste Services. Waste Management informs me that they intend to continue to operate the transfer station. They were possibly motivated by the fact that they could not assign the transfer station without the approval of Franklin County.

I recommend that Mr. Johnson report to the Board in the event Waste Management allows anyone else to operate the transfer station. Operation of the transfer station by anyone else would violate the contract and allow the County to terminate the contract.

No lease to the transfer station was renewed. I recommend that Waste Management and the County enter into a lease consistent with the transfer station contract.

(II) Non-exclusive Franchise Agreement

Waste Management still intends to transfer its non-exclusive franchise to Emerald Waste Services (EWS).

EWS was asked to give a letter stating a rate commitment for the County's commercial and residential customers. They have given a rate commitment for residential customers of \$18.97 per month for once a week pick up and \$36.94 for twice a week pick up.

EWS says that they are not required by contract to provide a commercial rate commitment.

Franklin County is not required to approve the Waste Management transfer of the Non-exclusive Franchise.

**BOARD ACTION:**

A. Motion requiring renewal of the transfer station lease to coincide with the Transfer Station Contract, through March 2013.

B. Motion requiring the solid waste department to report to the Board if Waste Management fails to operate the transfer station as required by the contract.

C. Motion denying Waste Management's request for approval to transfer the non-exclusive franchise to EWS.

**This item was addressed earlier in the meeting.**

**4. EASTPOINT BOAT RAMP ON PATTON DRIVE**

The County is interested in obtaining the land next to the boat ramp, but it is the subject of litigation between a local bank and the current owner. The bank alleges the current owner holds title based on a fraudulent transfer calculated to avoid a bank judgment. The current owner has contested the allegations. Thus, a final hearing will be necessary.

**BOARD ACTION:** None Recommended

**Commissioners and Public Comments (2:44 PM)**

There were no comments from the Commissioners or the public.

**Recess (2:44 PM)**

Chairman Lockley called for a recess.

**Reconvene (3:00 PM)**

Chairman Lockley reconvened the meeting.

**Interview with Emergency Management Director Applicants (3:00 PM)**

Mr. Pierce and Attorney Shuler reviewed the process that would be used to interview the applicants.

Butch Baker, the current Emergency Management Director, discussed the qualifications of both applicants, who currently work in the emergency management office.

The Board decided to take the applicants in an alphabetical order, which meant that Mrs. Pamela Register would be interviewed first and asked Mr. Rundel to leave the meeting room.

Mrs. Register discussed the training she has received in Emergency Management.

Commissioner Putnal complimented Mrs. Register on her ability to deal with the public which includes many different personalities.

Commissioner Lockley and Mrs. Register discussed the evacuation of Franklin County and her comfort factor during a possible evacuation.

Commissioner Crofton and Mrs. Register discussed her length of time at the Emergency Management Center.

Commissioners Crofton and Sanders asked Mrs. Register what quality she had over the other applicant Mr. Rundel; Mrs. Register stated that her strength would be her ability to deal with the public and the fact that her daughter is leaving for college so she had no problems during an emergency.

Commissioner Parrish and Mrs. Register discussed her and Mr. Rundel's continuing to work as a team after the decision is made.

Mrs. Register stated that she is requesting a salary of \$40,000 for the job.

Mrs. Register left the meeting room.

The Board discussed a starting salary for the job.

Mr. Rundel entered the meeting room.

Mr. Rundel read from a prepared statement which thanked the Commissioners for the training he received through Emergency Management and thanked other agencies and departments that have been supportive of Emergency Management.

Mr. Rundel stated that he has been involved with safety all of his life and that is why he thinks he is qualified for this job, that he enjoys dealing with people, has no problem with staying during a storm, up until a Category 2, and has no problem being separated from his family.

Mr. Rundel requested a \$40,000 starting salary and that that he would not have any problem working with Mrs. Register no matter what decision the Board makes as he is loyal to this County and plans to remain here.

Mr. Rundel left the meeting room.

Chairman Lockley recalled Mrs. Register for additional questions.

Mrs. Register stated that she has a house and additional property in this County and is very committed to serving Franklin County through the Emergency Management Office.

Mrs. Register left the meeting room.

Commissioner Parrish stated that based on his experience Mr. Rundel is more qualified for the director's position and thinks that Mrs. Register is very committed to Franklin County and is ready to fill the assistant director position.

Commissioner Crofton agreed with Commissioner Parrish.

Commissioner Putnal stated because of her ability to deal with people he favors Mrs. Register for the director's position.

Commissioner Sanders also favored Mrs. Register for the position because of her communication skills especially during a disaster and liked the way she presented herself during the interview.

Chairman Lockley stated that he favored Mrs. Register for the job.

Chairman Lockley opened the floor for public comments.

Ronnie Page, a citizen who works with Emergency Management, stated that he thinks that Mr. Rundel would be the best candidate for the director's position.

Board discussed this matter further.

**Motion by Crofton, seconded by Putnal, to hire Mrs. Register as the new Emergency Management Director at a salary of \$38,000 and increase the salary of Mr. Rundel to \$33,500 as the assistant director; Motion carried 4-1, Parrish opposed.**

**Recess (4:01 PM)**

Chairman Lockley called for a recess.

**Reconvene (4:12 PM)**

Chairman Lockley reconvened the meeting.

Mrs. Register and Mr. Rundel accepted the Board's offer.

### **Airport Engineering Firm Presentation and Interviews (4:14 PM)**

Chairman Lockley stated that the Board would interview the firms in alphabetical order.

#### **AVCON**

AVCON presentation was done by Mr. Lee Lewis. Mr. Ralph Rish, of Preble-Rish, also spoke on behalf of AVCON.

Commissioner Putnal and Mr. Lewis discussed economic opportunities for Franklin County. Commissioner Crofton and Mr. Lewis discussed response time, building structures without commitments from renters, and working with the FAA and Progress Energy regarding the airport.

Commissioner Parrish stated that the community, especially those living around the airport, is very sensitive about the airport dictating how the surrounding property owners are able to use the land.

#### **LPA Group**

LPA Group presentation was done by Mr. Mohsen Mohammadi and Mr. Doug Hambrecht.

Commissioner Putnal and Mr. Mohammadi discussed developing the industrial property at the Airport.

Commissioner Lockley and Mr. Mohammadi discussed developing economic opportunities at the Airport.

#### **URS**

URS presentation was done by Steve Henriquez, Ed Figueroa, and Joe Smith.

Commissioner Crofton, Mr. Henriquez, and Mr. Figueroa discussed the grants that the Airport has received recently, future grant funding, and how contractors are selected to complete the projects after receiving grants.

Commissioner Lockley, Mr. Henriquez, and Mr. Figueroa discussed economic opportunities for the County.

Commissioner Sanders asked if URS created any economic opportunities in the County and Mr. Henriquez stated that they had not.

Attorney Shuler read the RFQ that was published and these firms responded to and reviewed the process of ranking the firms

The Commissioners each ranked and listed the firms.

Commissioner Sanders



Avcon  
LPA  
URS

Commissioner Putnal

Avcon  
URS  
LPA

Chairman Lockley

Avcon  
LPA  
URS

Commissioner Crofton

URS  
Avcon  
LPA

Commissioner Parrish

Avcon  
LPA  
URS

Chairman Lockley announced the ranking of the firms as tallied.

AVCON  
LPA  
URS

**Motion by Sanders, seconded by Parrish, to negotiate with the highest selected firm which was Avcon, and if unable to negotiate move on to the next highest selected firm which is LPA;  
Motion carried 5-0.**

**Adjourn 6:10**

Chairman Lockley adjourned the meeting.

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Noah Lockley Jr., Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Court