

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
OCTOBER 7, 2008
9:00 AM**

MINUTES

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

Others Present: Marcia M. Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Director, 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 the Minutes (9:01 AM)

Regular Meeting: September 16, 2008; Budget Hearings: September 4, 2008 and September 23, 2008

Motion by Sanders, seconded by Crofton, to approve the minutes for the September 16, 2008 regular meeting, the September 4, 2008 and September 23, 2008 Budget Public Hearings; Motion carried 5-0.

Payment of County Bills

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

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

Department Supervisor Reports

Hubert Chipman – Superintendent of Public Works (9:03 AM)

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

Summary of Material Hauled and Work Performed by District

Material Hauled for District 1

Material	Loads	Tons	Cubic Yards	Size	Quantity
Lime Rock	9		161		

Work Performed for District 1

Cleaned baffle boxes on HWY 98, Box Dragged county roads, cut bushes back off of county right of ways, picked up litter, VMS maintenance, Graded roads and Repaired Washouts.

Material Hauled for District 2

Material	Loads	Tons	Cubic Yards	Size	Quantity
Lime Rock	8	78.72	76		
Black Plastic Culvert Pipe	1			18" X 40'	3
Sand	11		209		

Work Performed for District 2

Box dragged roads, Cut and Cleaned Isaac Cemetery, Installed culvert, Cut grass, Cut Ditches, Cleaned out culverts, Cut and Trimmed Trees, graded roads, repaired washouts, tillered roads and cut and weed eat around signs.

Material Hauled for District 3

Material	Loads	Tons	Cubic Yards	Size	Quantity
Debris	8		49.50		
Sand	2		18		

Work Performed for District 3

Cut grass, picked up litter, cleaned out culverts, cut/trimmed trees, cut ditches

Material Hauled for District 4

Material	Loads	Tons	Cubic Yards	Size	Quantity
Lime Rock	4	76.54			
Sand	2		18		
#57 Shell	1		9.5		
Black Dirt	3		57		

Work Performed for District 4

Box dragged roads, cleaned out culverts, cut bushes back, installed culvert, cut grass, cut ditches, picked up litter, graded roads and repaired washouts.

Material Hauled for District 5

Material	Loads	Tons	Cubic Yards	Size	Quantity
Black Plastic Culvert Pipe	1			18" x 16'	1
Debris	18		92.50		
Ditch Dirt	5		95		
Fill Dirt	2	36.37			
Screened Fill Dirt	11	206.59			
Lime Rock	5	82.04	19		

Work Performed for District 5

Cleaned out baffle boxes on 98, VMS Maintenance, cleared out beaver dam, box dragged roads, cleaned Eastpoint Cemetery, Browns Cemetery, Sumatra Cemetery, cleaned out culverts, cut/dig out ditches, litter pickup, cut bushes back, trim trees, cut /trimmed trees, cut grass, driveway repair, graded roads and tillered roads.

The Board, Mr. Chipman, and Mr. Pierce discussed the amount of milled asphalt the County has received from C W Roberts. The Board asked Mr. Pierce to verify that the County will receive the 10,000 cubic yards it was promised.

The Board asked Mr. Chipman to check on the condition of some of the County roads covered with limerock, as they might need maintenance.

Commissioner Putnal stated that there is a problem with drainage at 2412 West Highway 98 and maintaining the outfall ditch should greatly alleviate this problem. Commissioner Putnal then asked Mr. Pierce, Mr. Rothwell, Mr. Chipman, and Attorney Shuler, in case there are any easements or authorizations needed for access to private property, to assist with resolving this problem.

Commissioner Putnal asked Mr. Chipman to add some crushed shells at the north side of the boat ramp at Lombardi boat ramp, which would assist the seafood workers with unloading their product.

Alan Pierce – Director of Administrative Services – Report

Mr. Pierce presented the following item for discussion and/or approval as it pertained to the road department.

Item 17 – Inform Board that Larry Joe Colson will be building the handicap ramp to the St. George Island Fishing Pier starting Tuesday, Oct. 14. The St. George Island Boat Ramp will be closed from Tuesday, Oct. 14-Friday, Oct. 17, while Larry Joe moves the rocks around to get the foundation for the handicap ramp set.

Commissioner Crofton asked Mr. Chipman to post a “Boat Ramp closed sign” to inform the public when the St. George Island boat ramp will be closed.

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

EMPLOYEE DISCIPLINARY ACTION:

FOR BOARD INFORMATION: I have disciplined an employee within the solid waste department for the use of inappropriate language while on the job. This marks the employee’s second offense of this nature within a 12-month period. After consulting with both the County Attorney and the Labor Attorney, I have suspended the employee for one week without pay and I have placed him on probationary status for one year. The employee is aware that a third offense of this nature during his probationary period will result in his termination as a county employee. The Board’s personnel policy and procedures give me the authority to impose this disciplinary measure.

ALSO FOR BOARD ACTION: As a further prevention measure, I recommend that the Board authorize the County Labor Attorney to conduct an anti-harassment seminar for all employees under my supervision. ACTION REQUESTED: Motion authorizing the County Labor Attorney to conduct an anti-harassment seminar for all Solid Waste, Animal Control, and Parks & Recreation employees.

Commissioner Sanders suggested that all County employees take part in this seminar; the other Board members agreed.

Motion by Putnal, seconded by Crofton, authorizing the County Labor Attorney to conduct an anti-harassment seminar for all County employees; Motion carried 5-0.

PARKS & RECREATION ACTIVITIES:

FOR BOARD INFORMATION:

1. The outdoor exercise equipment donated through the Health Departments Chronic Disease program has been installed at Kendrick Sports Complex in Carrabelle.
2. The security camera system and poop-a-scooper stations are installed at the Carrabelle Beach Wayside Park.
3. The outdoor exercise equipment has been installed and the upgrades funded through the TDC and the special legislature appropriation has begun at Vrooman Park in Eastpoint.
4. The playground equipment at Indian Creek Park is currently being installed.
5. And the installation of playground equipment and the outdoor exercise equipment are both completed at D.W. Wilson Sports Complex in Apalachicola.

ACTION REQUESTED: None.

Commissioner Parrish complimented Mr. Johnson on the work his department has done at D. W. Wilson Park as he has seen an increased use of that park.

Andy Smith, of Apalachicola Bay and River Keepers, thanked Mr. Johnson for his support during "Coastal Clean Up Day".

Dan Rothwell – County Engineer (9:17 AM)

1. BOARD ACTION: TRIP Agreement Amendment:

Staff wishes Board approval to add Bluff Road to the Franklin and Liberty County Regional Transportation Partnership Network Map for the Transportation Regional Incentive Program (TRIP). This will allow an application for the 2009-2010 for TRIP funding to repair and resurface Bluff Road from US98 to Big Oaks Dr. (see attached drawing).

Motion by Parrish, seconded by Crofton, to authorize the TRIP agreement amendment; Motion carried 5-0.

2. BOARD ACTION: Ochlockonee Bay Boat Ramp Agreement Amendment:

Staff desires approval to the Ochlockonee Boat Ramp agreement to include a parcel survey and legal description to allow St. Joe Company and FDOT to evaluate long term lease or deed transfer property for the ramp. The parcel survey will cost \$2,790.00 which is available in the grant funds.

Motion by Sanders, seconded by Crofton, to authorize the Ochlockonee Bay Boat Ramp Agreement Amendment to include a parcel survey; Motion carried 5-0.

3. **BOARD ACTION:** Enabob St Observations:

Staff reports to the Board that the fence along 2332 Enabob Ave and Miller St has been removed. A chain link fence along the R/W of Miller at 2324 Enabob Ave (AKA 134 Miller St) lies approximately 1.65' -> 2.65' within the Miller St (east parcel line) and 1.2' along the Enabob Ave R/W (north parcel line). There is also a 4.2' portion of the carport slab and 2.12' of the metal carport on Miller St R/W (east side of parcel). Staff desires direction from the BOCC, on how to proceed. (See attached sketch).

Mr. Rothwell recommended that the County gets some type of release from each of the residents encroaching on the County right of way.

Commissioner Sanders stated that the County would create a problem if some residents are allowed to encroach but others are not.

Commissioners Parrish and Crofton agreed that this would create an unfair precedent.

Bill Snyder, one of the residents on Enabob Street, stated that he removed his fence off of the County's right of way, but he put it there originally because that is the only way to secure access to his property because some of his neighbors have placed a carport and construction trailers on the County right of way. Mr. Snyder asked that the County be fair with this issue and treat all the residents in this area fairly.

Don Lively, a resident on Enabob Street, stated that Mr. Snyder installed the chain link fence, that is on the County's right of way, for his wife, and Mr. Snyder should be responsible for removing that chain link fence even though it is on his property.

Attorney Shuler stated that whoever removes the fence is a private matter, but the fence needs to be removed from the County's right of way.

Commissioner Crofton wanted all of the permanent structures removed from the County's right of way.

Commissioner Sanders recommended that everyone needs to be restricted to build on their own property not the County's right of way.

Motion by Crofton, seconded by Parrish, to have Attorney Shuler contact the residents in the Enabob Street area and instruct them to remove all the permanent structures and encroachments from the County's right of way on Enabob Street and surrounding streets; Motion carried 5-0.

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

Bailey, Bishop, & Lane have been told verbally by FDEP that the permit has been granted, but it has been permitted without sheet pile walls. Does the Board desire to advertise and build this portion of the project without the sheet pile walls? Does the Board wish staff to get a contract time extension to attempting permitting the sheet pile walls or an FDEP acceptable alternative? (See attached sketch).

Motion by Sanders, seconded by Crofton, authorizing the advertisement for bids to build this portion of the project without sheet pile walls, then proceed with attempting to permit for sheet piles, and if not contact FDEP for an acceptable alternative; Motion carried 5-0.

5. Eastpoint Stormwater Program in Franklin County:

Staff reports that Northwest Florida Management District (NFWFMD) has placed many plaques on stormwater structures in Apalachicola and Eastpoint stating "DUMP NO WASTE, Drains to the Bay". A sample in the form of a magnet has been sent for the commission and posters have been placed in many business store fronts throughout both cities.

6. Ochlockonee Bay Boat Ramp Project:

Bailey, Bishop, & Lane have completed the survey work and are working on the plat. Information request has been prepared and sent to FDEP for further permit action.

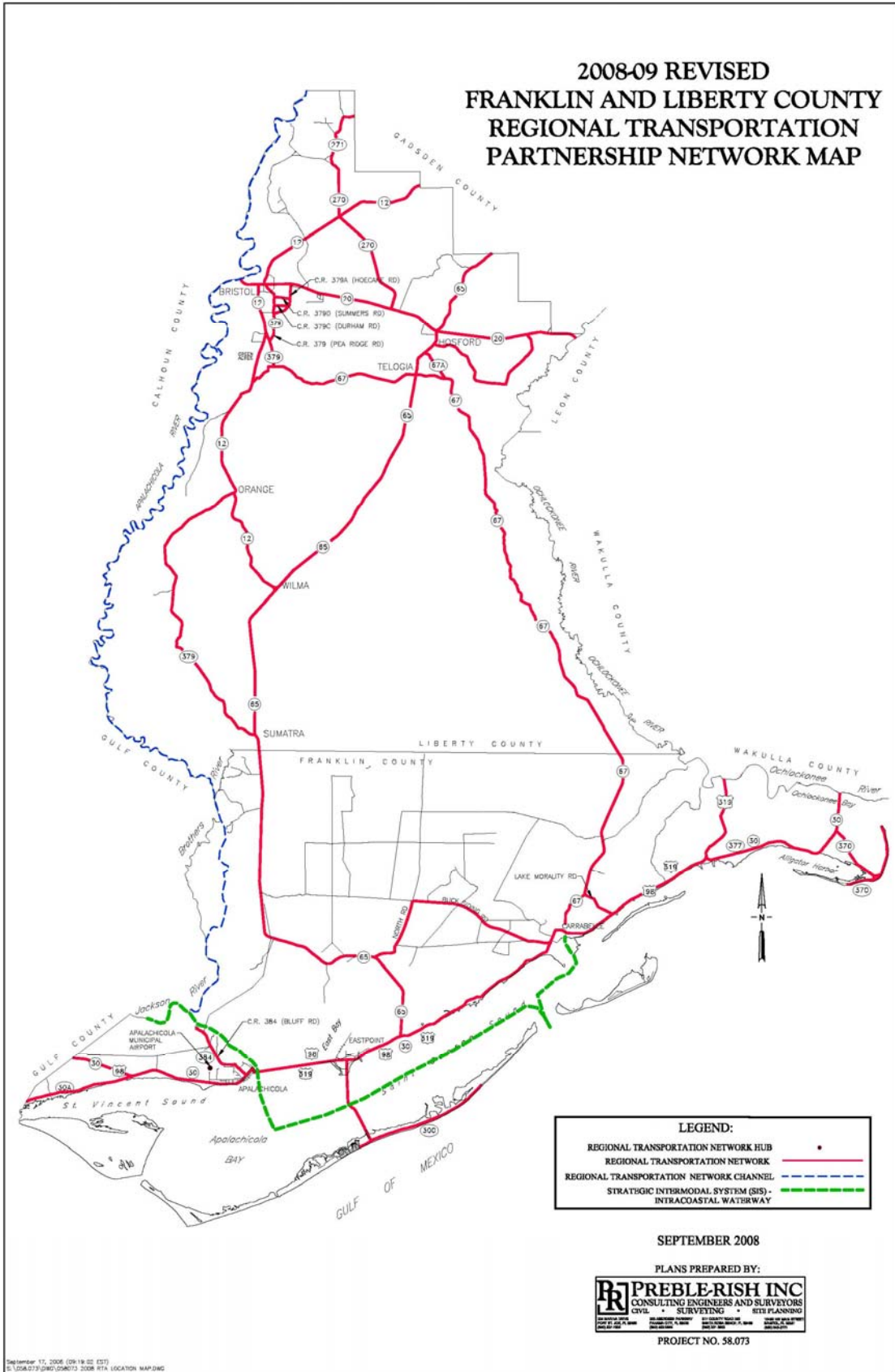
7. Franklin Blvd at West Gulf Beach Dr Drainage:

Staff has finished the hydrologic and hydraulic calculations and drawings and materials have been sent to FDOT and FDEP for approvals / permits, or exemptions from FDOT & FDEP.

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

The path appears complete except the possibility of some pavement marking and signs that may need to be installed.

2008-09 REVISED FRANKLIN AND LIBERTY COUNTY REGIONAL TRANSPORTATION PARTNERSHIP NETWORK MAP



LEGEND:	
REGIONAL TRANSPORTATION NETWORK HUB	•
REGIONAL TRANSPORTATION NETWORK	—
REGIONAL TRANSPORTATION NETWORK CHANNEL	- - -
STRATEGIC INTERMODAL SYSTEM (SIS) - INTRACOASTAL WATERWAY	- - -

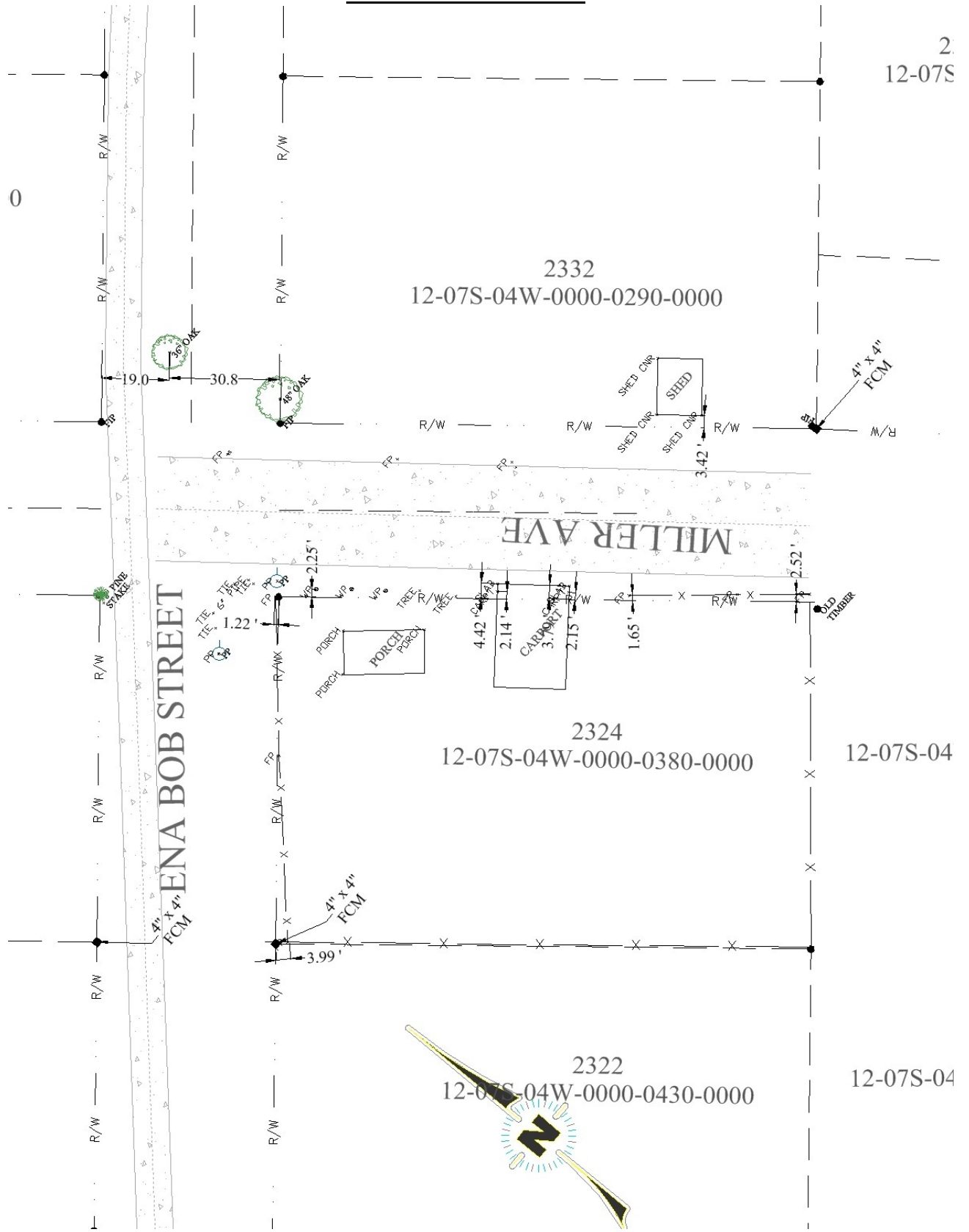
SEPTEMBER 2008

PLANS PREPARED BY:

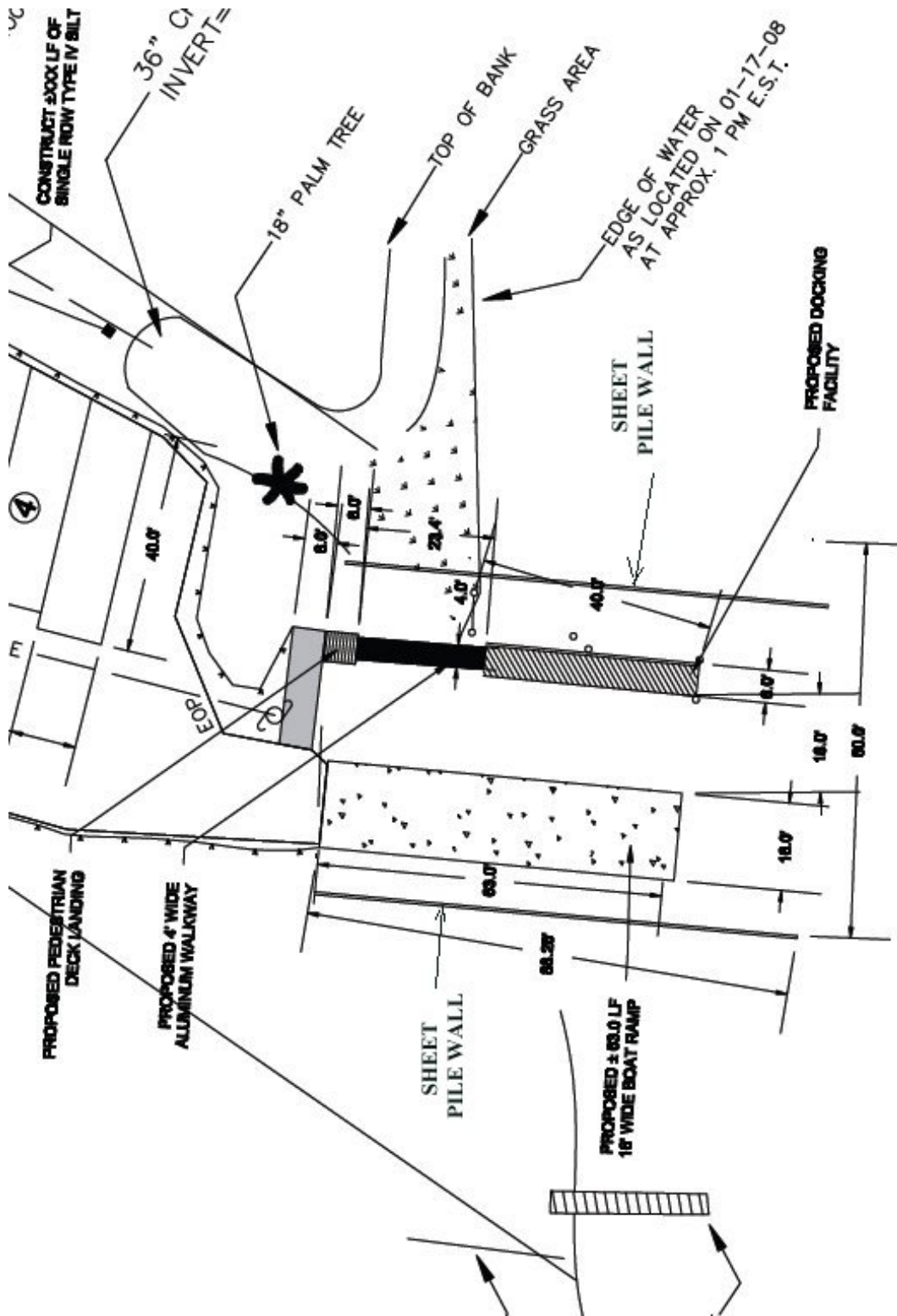
PREBLERISH INC.
 CONSULTING ENGINEERS AND SURVEYORS
 CIVIL • SURVEYING • SITE PLANNING

PROJECT NO. 58.073

ENABOB STREET SKETCH



EASTPOINT BOAT RAMP



Pam Register – Emergency Management Director (9:48 AM)

Action Items:

1. Approval of 08-09 EMPA award

This grant is the annual state grant that provides the bulk of our annual budget. In the past we have received a net of \$102,959. However this year the state has made a 4% cut in the gross amount which leaves us with a net of \$98,726.

Motion by Putnal, seconded by Crofton, to authorize the Chairman’s signature on the 08-09 EMPA award; Motion carried 5-0.

2. Request permission to advertise for bids to replace the heating and air system, because we don’t have a heating system in place at the EOC.

Board asked Pierce to investigate this matter. Pierce stated that the system is old but replacing it might deplete the funds set-aside for the vacant position at Emergency Management.

Motion by Sanders, seconded by Putnal, to advertise for bids to replace the air and heating system at the EOC; Motion carried 5-0.

Information Items:

1. We assisted with the judging of the annual Hurricane Construction Contest, at the new school, on September 26th.
2. We attended the regional evacuation study workshop, on Oct 1st at the Wakulla County EOC.
3. We will be attending the 2008 State Current Issues in Emergency Management Session (CIEM) from Oct14th through Oct 16th at the State EOC in Tallahassee. The purpose and goal of the CIEM is to give an overview of State Emergency Response Team operations, the Division’s programs.

Bill Mahan – County Extension Director (9:54 AM)

Items requiring Board action:

1. Eighth Annual Put the Brakes on Fatalities Day Proclamation: (get a copy)

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

2. Letter to the FWC Blue Crab Advisory Board in support of the local crab fishermen's recommendations to the FWC on the proposed annual blue crab season closure.

Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on the letter to the FWC Blue Crab Advisory Board; Motion carried 5-0.

Florida Fish & Wildlife Commission (FWC) Updates:

Florida dove hunters get unexpected bonus with higher bag limit: When Florida's first phase of the mourning dove season opened Saturday, Oct. 4, hunters found an unexpected bonus -- an increase in the bag limit from 12 to 15 birds. The daily bag limit is a combined bag limit and applies to both mourning doves and white-winged doves.

Prior to the 2008 hunting season, states had the option of going with a higher bag limit but fewer days of hunting. This year the U.S. Fish and Wildlife Service said states could increase bag limits without giving up hunting days.

Florida's three-phase dove season runs 72 days. This year it's Oct. 4-27; Nov. 15-30; and Dec. 13 – Jan. 11, 2009. Hunting during the first phase is legal from noon to sunset. Hunting is allowed during the latter two phases from 30 minutes before sunrise to sunset.

The 2008-2009 migratory bird regulations for dove, snipe, woodcock, rail, moorhen, crow and early waterfowl seasons may be obtained by contacting the FWC's regional offices, or may be viewed online at MyFWC.com/hunting/pdf/2008-2009MigratoryBrochure.pdf.

FWC proposes Gulf gag and red grouper rule changes: On September 18th the FWC proposed rule amendments for gag grouper in Gulf of Mexico state waters to be consistent with anticipated regulations in Gulf federal waters. In addition, the FWC is proposing to allow Florida recreational anglers to harvest more red grouper in Gulf state waters.

A recent stock assessment indicated that Gulf gag grouper is undergoing overfishing (excessive harvesting pressure) and harvest levels must be reduced. Interim federal regulations to address this situation are expected to be implemented in January in Gulf waters beyond nine nautical miles offshore, and the FWC is proposing gag grouper rule amendments for state waters that are consistent with the federal regulations.

These rules would establish a two-fish per person recreational daily bag limit for gag grouper within the five-grouper aggregate limit in Gulf state waters, and prohibit the recreational harvest of gag grouper from Gulf state waters from Feb. 1 through March 31. Currently, recreational fishers in the Gulf are allowed to keep up to five gag grouper daily, and there is no recreational closed season.

The FWC is also proposing a rule amendment that would increase the recreational daily bag limit for red grouper in Gulf state waters from one fish per person to two beginning Jan. 1. A recent stock assessment concluded that the Gulf red grouper stock has recovered enough to

allow an increase in harvest levels, and it is expected that the recreational red grouper bag limit in Gulf federal waters will be increased to two fish sometime in 2009.

A final public hearing on these proposed rule amendments will be held in December in Key West.

Size-limit changes proposed for Gulf amberjack and triggerfish: On September 18th, the FWC proposed raising the minimum harvest size for greater amberjack and gray triggerfish in Gulf of Mexico state waters. The FWC is proposing these rule changes to be consistent with new regulations in Gulf federal waters, which extend beyond nine nautical miles offshore of Florida. Federal fisheries managers recently implemented a stock rebuilding plan for greater amberjack and gray triggerfish in Gulf federal waters. Greater amberjack in the Gulf are considered to be overfished (low stock abundance) and undergoing overfishing (excessive harvesting pressure), and gray triggerfish in the Gulf are considered to be undergoing overfishing.

The FWC is proposing rule amendments consistent with the Gulf federal regulations by increasing the recreational minimum harvest size for greater amberjack from 28 to 30 inches fork length and increasing the commercial and recreational minimum harvest size for gray triggerfish from 12 to 14 inches fork length in Gulf state waters.

A final public hearing on the proposed rule amendments will be held in December in Key West.

Gulf of Mexico Fisheries Management Council Updates:

Next Gulf of Mexico Fisheries Management Council Meeting: The next GMFMC Meeting is scheduled for October 27-30, in Mobile, AL.

UF – IFAS Extension Updates:

UF IFAS North Florida Research & Education Center's Fall Field Day: I traveled with Dr. /Reverend John Sink up to the UF IFAS North Florida Research and Education Center's Fall Field Day on September 25th. Also attending was three of our Franklin County UF Master Gardeners from Carrabelle, Katie & Tom Herzog and Kim Reijers. The tours and break-out sessions were very informative. Based on the tomato talk I went to, it will become increasingly difficult for home gardeners to grow tomatoes in North Florida, especially in the fall season because of bacterial spot, bacterial wilt and yellow leaf curl.

Shellfish School: The year's Shellfish School (oysters & clams) "What buyers need to know to be successful," is scheduled for October 7th – 9th. Each of the County Commissioners is invited to attend the program's reception on October 7th from 6:00 – 8:00 pm at the Owl Café and the afternoon (4:00 – 6:00 pm) Seafood Demonstration and Sensory Evaluation at Ward and Sons Seafood (13-Mile).

Forgotten Coast Bear Festival Planned: The "Forgotten Coast Bear Festival," is scheduled for October 18th, from 9:00 am – 4:00 pm at the Kendrick Sports Complex.

Matthew Johnson – Division of Forestry- Annual Report (10:02 AM)

Mr. Johnson introduced Bryce Thomas as one of the Division of Forestry's newest officers in Franklin County. Mr. Johnson distributed and reviewed the annual report.

Commissioner Crofton and Mr. Johnson discussed the fact that the agency is still using VHF radios for communication. Mr. Johnson stated that his agency still hasn't made a final decision about what frequency will be used in the future. Commissioner Crofton would like all agencies in the County to be on the same frequency but wanted to make sure that all agencies can communicate during emergencies.

Commissioner Putnal asked if there was a new law that restricted four wheelers on rural County roads. Mr. Johnson stated that only licensed vehicles can be on State and County roads and highways. Commissioner Putnal was concerned about disabled residents being able to hunt, if four wheelers was their only option. Attorney Shuler stated that four wheelers are not allowed on County and State roads. Mr. Johnson stated that there might be some special permits available for disabled hunters and would get some more information on it for the Board and public.

EAR Public Hearing – Continuation (10:12 AM)

Mr. Pierce reviewed the concerns that were raised during the EAR public hearing at the last meeting.

Attorney Shuler – County Attorney – Report

Attorney Shuler presented this item from his report as it related to this subject.

2. INDIAN CREEK

On September 16, 2008, you tabled the issue of amending the comprehensive plan changing Indian Creek's zoning classification from commercial to recreational use. The concern was that all commercial use of the land might be lost if it was changed to recreational use.

You asked me to review the County's agreement with FCT to determine whether the Board had any choice but to change the land use to recreational.

Your agreement with FCT requires that you change the zoning to recreational.

If you don't change the zoning as required by the contract, FCT could, but is unlikely, to retake the land. It is more likely that FCT would simply not provide future funding to the County. We cannot afford that.

The management plan for FCT preserves the existing commercial use by crabbers and allows limited commercial parking.

BOARD ACTION NEEDED: Approve the change in land use from commercial to recreation as required by your contract with FCT.

Mr. Pierce and Attorney Shuler stated that since the boat ramp and parking area is public, it is unlikely that the State will restrict any of the seafood workers from using the park.

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

Motion by Putnal, seconded by Sanders, to adopt the EAR transmittals; Motion carried 5-0.

Kevin Begos – Seafood Task Force Update (10:16 AM)

Mr. Begos discussed the Working Waterfront grant and the likelihood of the County getting that grant. Mr. Begos also raised concerns of getting a FCT grant for certain properties which may restrict the use of the property for seafood workers.

Commissioner Sanders stated that mullet fishermen want the County to look into areas for boat ramps in the Carrabelle area. Mr. Begos stated other areas throughout the County that are possible sites for boat ramps.

Commissioner Crofton and Mr. Begos discussed Eastpoint as the next location for purchase of waterfront property for a boat ramp, especially since property values are down, and since it was the next priority on the plan that was agreed to earlier.

Attorney Shuler updated the Board on the status of the property that the Board wants to purchase for parking next to the Boat ramp in Eastpoint.

Commissioner Parrish stated that an application, either jointly or separately, should be submitted both for Lombardi and Eastpoint. The Board discussed this matter further.

Mr. Pierce warned that if TDC funds are used to purchase Eastpoint property, there are requirements that have to be met.

Commissioner Putnal didn't want anyone, commercial or recreational fishermen, excluded from using waterfront property bought for boat ramps and/or working waterfronts and wanted the County to create language to describe the different classifications of seafood workers in the County.

Commissioner Parrish explained some of the requirements, such as the recreational use, that have to be met when using FWC funding to build boat ramps.

Motion by Putnal, seconded by Sanders, to apply for two separate Working Waterfront grants, one for Lombardi and the other for Eastpoint; Motion carried 5-0.

Paul Parker – TDC Update (10:38 AM)

Mr. Parker stated that collections are up, (3%) \$18,000, over last year even though the economy is bad. Mr. Parker gave an update on projects that have been funded in part by the TDC over the last year such as the Lombardi Property purchase, Three Serviceman Statue park, beach clean-up, non-profit events, promotions, and the visitor centers located throughout the County.

Commissioner Putnal asked if Vrooman Park cleanup project falls short in funding, can they re-apply for more funding next year; Mr. Parker said that they could.

Mr. Parker asked for Board action to approve the sustaining grants list, each for \$15,000, for a total of \$75,000.

Grant recipients

Camp Gordon Johnston
Raney House
Dixie Theater
SGI Lighthouse
Carrabelle Lighthouse

Commissioner Parrish stated that he has received complaints from the public regarding the TDC and asked that the TDC make sure that the promotional 40% and infrastructure 60% split is followed when awarding these grants.

Commissioner Parrish also stated that he would like to see new members on that Council on a regular basis, and if there are voting conflicts, members of the TDC Board need to abstain from voting.

Commissioner Parrish asked Mr. Pierce and Attorney Shuler to verify that the promotional/infrastructure split is followed.

Commissioner Shuler suggested that all of the County Boards attend the anti-harassment seminar and possibly include sunshine information during the seminar.

Motion by Sanders, seconded by Crofton, to approve funding for sustaining grant list submitted and recommended by the TDC, have Mr. Pierce and Attorney Shuler verify that the promotional/infrastructure split is being followed, there is a fair rotation of membership on the Council, members abstain from voting if there are conflicts, and have Florida open records law discussed at the seminar where all County Boards and Councils will be invited to attend along with County employees; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report

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

1-I have a resolution for adoption submitted by the Health Department to establish the fees they charge. Each commissioner was presented with a copy of the fee schedule during the budget hearings.

Motion by Crofton, seconded by Parrish, to authorize the Chairman's signature on the resolution to establish the Health Department fees; Motion carried 5-0.

Motion by Putnal, seconded by Sanders, requesting Mr. Pierce send a letter to Mr. Tice, of the Health Department, to open Health Department in Carrabelle 5 days instead of just 4 days a week; Motion carried 5-0.

2-I have an agreement for approval submitted by the Health Department whereby they offer office space one day a week to the Dept. Of Children and Families for a food stamp worker at no charge. Since the county owns the building, they have requested our approval.

Motion by Parrish, seconded by Crofton, to authorize the Chairman's signature on an agreement to allow office space to a food stamp worker at the Health Department Building; Motion carried 5-0.

3-I have received an invoice from the Levy Law Firm in the amount of \$18,160.04 for representation provided to the Property Appraiser in the Carrabelle Properties lawsuit. You asked that any invoice exceeding \$5000 be submitted to you, and since Mrs. Pendleton is attending a conference this week, I am asking for approval in her behalf.

Motion by Sanders, seconded by Putnal, to authorize payment to the Levy Law Firm for \$18,160.04 on behalf of the Property Appraiser in the Carrabelle Property lawsuit; Motion carried 5-0.

4-For information, the amount we received from the health care sales tax for July was \$169,382.85. The hospital operations account received ½ of the funds (\$84,691) and the other 1/2 goes to the capital fund (\$84,691).

Commissioner Lockley complimented the Hospital Board and staff for their services at Weems. Mr. Pierce stated that Weems Hospital will host an open house on Sunday November 16, 2008 from 3-5pm.

Attorney Shuler stated that the Florida Legislature paid Weems Memorial Hospital's entire debt to AHCA on behalf of the County, so he has requested that AHCA refund the County the \$60,000 it has already paid on this debt.

Commissioner Sanders asked Mrs. Johnson to provide the totals for the Hospital Operation account and the Capital Fund account at the next meeting.

Alan Pierce – Director of Administrative Services – Report (11:07 AM)

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

1. Inform Board the Planning Office is working with DEP to get the necessary submerged land lease for the large Lombardi dock transferred to the county. Upon transference the county will then begin the process of rebuilding the dock. After some discussion, DEP has agreed that the dock is "functional" so no permit is necessary to rebuild it. By the terms of the submerged land lease, and the site plan approved by the Board, the dock is an observation facility, not a mooring facility.

Board discussed the problems the County will have with people mooring there once the dock is repaired.

Commissioner Crofton stated that there is a boat that is affecting access to the boat ramp in Eastpoint. Attorney Shuler suggested contacting FWC on this matter.

Attorney Shuler warned that mooring at the observation dock could affect funding for this and future projects as recreational use at this dock must be protected.

2. Also at Lombardi, the county, through Preble-Rish, has made contact with Progress Energy to get a light pole installed between the boat ramp and the unloading platform.

3- Board action to sign FWC grant agreements for Ochlocknee Boat Ramp.

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

4- Board action to sign DEP permit application for dock at Bluff Road/Abercrombie Boat Ramp. The storm water permit has been issued, and now the dock permit.

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

5- Board action to approve the presentation of a commemorative plaque to Mr. Lee Edmiston for his many years of dedicated service in protecting the Apalachicola River and Bay. Mr. Edmiston, a long time employee of the Apalachicola National Estuarine Research Reserve, has been promoted to manager of all the Research Reserves and Coastal and Aquatic Management Areas (CAMA) lands in the state of Florida. Mr. Edmiston is not here today, but the plaque will be presented to him when he is able to make it back to Franklin County.

Mr. Edmiston wants the Board to know that he appreciates all the support the Board has given him and the Reserve over the years, and that he took this promotion on the one condition that he will still be able to provide input to the State on the ACF river wars.

Motion by Crofton, seconded by Parrish, to authorize the presentation of a commemorative plaque to Mr. Lee Edmiston; Motion carried 5-0.

6- Inform Board that on Oct. 20, from 5-8 PM, here in the Annex, there will be a USACOE public scoping meeting for the Update of the Water Control Plan for the ACF River Basin. There will be four other scoping meetings, but this is the only one being held in Florida. The others are being held in Alabama and Georgia. The next one will be held in Dothan, on Oct. 21, and then they move to Georgia.

7- Board action on Sawyer St Drainage Improvements funded through a NFWFMD grant. Staff Recommendation is to reject both bids for the grant project, to reject the grant, and to proceed with building the breakwater and removing the debris on the shoulder of the road only, using county funds.

Motion by Crofton, seconded by Parrish, to reject both bids and the grant, and to proceed with building the breakwater and removing the debris on Sawyer Street; Motion carried 5-0.

8- Provide Board with copy of NFWFMD budget. No action needed but the District is required to turn in a copy of their budget to the Board.

9- Inform Board that the City of Apalachicola has provided the Board with a list of roads it requests be paved. The list is not prioritized, and the City is not providing any funds to assist in the paving. The City of Carrabelle has not responded in writing, but in a phone call several weeks ago, Mr. McInnis informed me that the City of Carrabelle also did not have any paving funds to contribute to this paving project.

10- Inform Board that the Review Committee appointed by the Board to rank architectural firms has reviewed the seven proposals and provides the following ranking for the top three, starting with the first: Johnson/Peterson, CRA Architects, and EMO Architects. The Committee recommends the Board direct the County Attorney, with assistance from Mr. Curenton, negotiate with Johnson/Peterson first, and if negotiations fail go to the second. Board action.

Motion by Sanders, seconded by Putnal, to accept the recommendation of the Review Committee and start negotiations with Johnson/Peterson; Motion carried 5-0.

11- On the issue of the addition, the Chief Judge was unable to give complete assurance to the Clerk that any addition to the Courthouse would be beyond the reach of some future Chief Judge. Therefore, in order to protect the Board's investment in office space for constitutional offices, the new office space will not be connected to the Courthouse.

Commissioner Parrish asked for the possibility of some type of protection for the employees during bad weather as they move from one building to the next. Mr. Pierce stated that he would discuss this request with the architect.

Commissioner Crofton said that solar power should be considered for the new building. Mr. Pierce and Board discussed this recommendation and agreed. Mr. Pierce stated that he would discuss this idea with the architect.

12- Board action to amend the Meridian Planning Contract by \$15,000 for the additional work to be done regarding stormwater utilities and St. George Island sewage issues. The current Meridian contract is for \$185,000, and the county's OTTED grant was for \$200,000 so the proposed amendment will utilize the remaining OTTED funds.

Commissioner Putnal suggested pumping the wastewater, under the bridge, as an option for St. George Island.

Commissioner Crofton stated that DEP probably will not allow the County to pump the wastewater across the Bay and Eastpoint Water and Sewer might not be able to handle the capacity.

Motion by Sanders, seconded by Crofton, to amend the Meridian Planning Contract by \$15,000; Motion carried 5-0.

13- Provide Board with copies of two letters sent to FEMA regarding Alligator Point. FEMA has allocated a close-out specialist to assist the county in completing the relocation of the Alligator Point Road. These letters have been written following direction from the specialist. These letters request \$5Million to complete land acquisition and other associated costs. I am very hopeful that in a short time FEMA will approve the request which will then provide the Board with adequate funds to obtain the necessary right-of-way.

14- Inform Board DEP has authorized the county to proceed with re-paving the Alligator Point Road seaward of the CCCL, which is good because the re-paving is under way.

15- Board direction on clarification of Subdivision Ordinance. The county's subdivision ordinance allows a developer two years after the Board approves a final plat to build the infrastructure like roads, or to get a line of credit arranged. (Pg. 46, Sec. 5.3). Until recently, developers were recording plats within weeks of final plat approval, but now with the slowdown in the economy several final plats the Board had authorized have exceeded two years and they have not been recorded. The Ordinance is not clear on what happens to a plat that has been approved but not recorded. The Ordinance does not say that final plat approval expires after two years; it just gives the developers two years to get the plat recorded.

At this time, I am comfortable with a renewal of the final plat approval by going back to Planning and Zoning, and then a re-vote by the Board, but since the Ordinance does not specifically address this issue, the County Attorney and I are seeking Board direction. Shuler discussed this matter further and recommended that the Board consider the final plat approval expired if it hasn't been recorded within the two year period. The Board agreed that after two years the process should be re-started.

Motion by Putnal, seconded by Sanders, to consider any final plat not recorded within two years as expired, which would require the developer to start the process over, and direct Attorney Shuler to review the Subdivision Ordinance for any changes that will be needed in order to enforce the expiration of final plats not recorded; Motion carried 5-0.

16- Board action to request FDOT re-route traffic on US 98 for the Franklin County High School Homecoming Parade in Eastpoint, on Oct. 24, at 1:30 PM. The proposed route will be: line up on Jefferson St., turn onto US 98 and go east, until 2nd St where the parade will end.

Motion by Sanders, seconded by Crofton, to request FDOT to re-route traffic on US98 for the Franklin County High School on Oct. 24 at 1:30 PM; Motion carried 5-0.

17- Inform Board that Larry Joe Colson will be building the handicap ramp to the St. George Island Fishing Pier starting Tuesday, Oct. 14. The St. George Island Boat Ramp will be closed

from Tuesday, Oct. 14-Friday, Oct. 17, while Larry Joe moves the rocks around to get the foundation for the handicap ramp set.

This item was addressed earlier in the meeting.

18- Board action to sign JPA for \$850,000 for a 10,000 square foot maintenance hangar. These funds will be used with the previous JPAs to provide approximately \$1.3M for some sort of hangar.

Board discussed this matter and raised some concerns about what type of hanger could be built. Mr. Pierce provided some additional information on this matter.

Commissioner Parrish stated that he is not comfortable with the process airport matters are submitted to the Board for approval. Board discussed the continued problems at the airport. Commissioner Crofton discussed some of the recent problems at the airport and said the airport committee will address these matters.

Motion by Parrish, seconded by Sanders table items 18, 19, and 20 until more information is received on these items; Motion carried 5-0.

19- Board action to re-sign a pre-application for buying land for RW 13 approach safety zone. This pre-application is identical to one the Board submitted several years ago that was not funded.

20. Board action to advertise for contractor to finish off existing 60x60 county hanger. Initial construction only dried in building, this remaining \$16,000 will be used to finish interior. The Board signed a JPA for the \$16,000 several meetings ago.

21. Inform Board that FDOT has reduced the speed limit in the 2 mile area from west of Airport Road to Jackie Whitehurst from 55 mph to 45 mph.
Commissioner Parrish thanked Representative Kendrick for his assistance on this matter.

22. Inform Board that a DCA run program to make funds available to local governments to buy foreclosed property and abandoned property is being monitored by the Planning Office. The DCA funds are part of federal HUD funds that are part of a recent federal action to stabilize the real estate market. At this time DCA is still drafting rules so we are not sure what the eligibility requirements will be.

Board stated that, as proposed, this program probably won't help most of the Franklin County residents.

Mr. Pierce distributed information from the Franklin Promise Food Pantry and the Eastpoint Medical Center.

Jay Abbott, of the St. George Island Fire Department, commented on item 17 of Alan's report stating that fire and rescue has no access to the old bridge because of how the new boat ramp

has been constructed, and would like the fire and rescue department to be involved when projects like this are being considered. Mr. Abbott asked what can be done to help with this matter.

Attorney Shuler stated that he would contact other counties who have the same type of situation and present some type of recommendation at a future meeting.

T. Michael Shuler – County Attorney – Report (12:01)

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

1. Carrabelle Urgent Care Facility

A. Property Purchase

I am still working on the closing. I will ask the School to extend the closing until late November 2008.

BOARD ACTION NEEDED: None recommended.

2. INDIAN CREEK

On September 16, 2008, you tabled the issue of amending the comprehensive plan changing Indian Creek's zoning classification from commercial to recreational use. The concern was that all commercial use of the land might be lost if it was changed to recreational use.

You asked me to review the County's agreement with FCT to determine whether the Board had any choice but to change the land use to recreational.

Your agreement with FCT requires that you change the zoning to recreational.

If you don't change the zoning as required by the contract, FCT could, but is unlikely, to retake the land. It is more likely that FCT would simply not provide future funding to the County. We cannot afford that.

The management plan for FCT preserves the existing commercial use by crabbers and allows limited commercial parking.

BOARD ACTION NEEDED: Approve the change in land use from commercial to recreation as required by your contract with FCT.

This item was discussed during the Comp Plan Public Hearing.

3. PROGRESS ENERGY

Bobby Pickles contacted Commissioner Parrish after your last meeting and informed him that Progress Energy would place all its plans for routing a transmission line down Bluff Road on hold for three months while it actually engineered the feasibility of routing the new transmission line south of the airport. To date they have not contacted me.

Also, you should know that the property appraiser, Doris Pendleton, has been very helpful to the county in its effort to resist placement of a transmission line down Bluff Road. She reports to me that an active eagle's nest is within 2500 feet of the proposed transmission line route preferred by Progress Energy. This creates new problems for Progress Energy as they are supposed to stay away from eagles nests.

BOARD ACTION NEEDED: None. This is for your information.

4. WEEMS HOSPITAL

On September 23, 2008, the Agency for Health Care Administration (ACHA) confirmed its receipt of \$319,000.00 from the Legislature to pay off the state fines and penalties that DasSee caused at the hospital.

This means that Weems should be refunded the \$60,000.00 it paid toward those fines and penalties. I have sent a letter to AHCA nicely demanding a refund of the \$60,000.00.

NO BOARD ACTION RECOMMENDED.

5. COMPREHENSIVE PLAN

I am meeting with the DCA and the Governor's Aides tomorrow to discuss finalizing the comprehensive plan.

The Governor and Cabinet will hold a hearing on this matter October 14, 2008 at 9 a.m.

I suspect the Governor and Cabinet will either remand the comp plan to DOAH for further proceedings or send it back to you for action relative to whether Rural Village and Conservation Residential comply with the standards established for mixed use developments.

I think that we should follow the recommendation of the Governor and Cabinet in this matter.

THE BOARD COULD ATTEND THE MEETING, BUT IT ISNT NECESSARY

Commissioner Sanders asked if, when the Comp Plan is sent back for finalization, can the Board address or readdress other items in the plan. Attorney Shuler will research this matter and get back to the Board.

6. BANK FORECLOSURE (CASE NO. 08-460-CA, Bank of NY vs. Teresa Jones)

I have received another bank foreclosure. The County will lose a \$42.00 fire tax bill which is inferior to the lien of the bank mortgage.

I RECOMMEND THAT THE BOARD NOT EXPEND MONEY TO DEFEND THIS SUIT.

Motion by Parrish, seconded by Crofton, to authorize Attorney Shuler to accept service on this matter but not to proceed with any legal action on this matter; Motion carried 5-0.

8. LEGAL SERVICES OF NORTH FLORIDA

Legal Services of North Florida has sent me the signed agreement for them to provide legal services to indigents in Franklin County. This program is funded by court fees and not ad valorem taxes.

I RECOMMEND THAT THE BOARD AUTHORIZE THE CHAIRMAN TO SIGN THIS CONTRACT.

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

9. FCTV

On September 16, 2008, a citizen asked the Board if it would direct FCTV to broadcast a political forum in Lanark Village in mid-October 2008. The forum sponsor did not have the money to pay for the broadcast.

The Board asked me to review whether the County had the authority to direct FCTV to broadcast programming free of charge. A copy of your contract with FCTV is attached. Paragraph three requires FCTV to broadcast up to 96 hours annually free of charge as specified by the County.

I think the Board has the right to require FCTV to broadcast up to 96 hours annually free of charge. I do not agree with FCTV that its broadcast of County Commission meetings satisfies this requirement because you have not specified that they broadcast your meetings. However, since the last meeting, FCTV advises me that the citizen has withdrawn the request that the forum be broadcast. Therefore, there is no need for the Board to act on this citizen request.

BOARD ACTION NEEDED: None recommended.

Harriet Beach, forum coordinator, stated that one of the candidates offered to sponsor the televising of the forum, but many of the other candidates were uncomfortable with that, so without a means of paying for the broadcast, they have withdrawn their request to have the forum broadcast.

Commissioners' & Public Comments (12:14 PM)

Commissioner Putnal asked Mr. Pierce for more information on the funding that will be available from the Federal Government to assist Franklin County residents. Mr. Pierce discussed the programs further.

Commissioner Sanders stated that there are county streets that are in dire need of streetlights and recommended using solar power. Board discussed the importance of the streetlights, especially as a public and traffic safety matter. Mr. Pierce will research this matter and get back to the Board with more information.

Commissioner Crofton and Attorney Shuler discussed a letter to FDOT regarding golf carts in Eastpoint.

Commissioner Putnal recommended creating a golf cart ordinance that is county wide and has an age requirement rather than a driver license requirement, which would allow disabled residents to use golf carts.

Attorney Shuler stated that he would look into creating a handicap exception rather than changing the driver's license requirement.

Adjourn (12:21 PM)

There being no further business Chairman Lockley adjourned the meeting.

Noah Lockley Jr., Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Court