

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MARCH 18, 2008
9:00 AM**

MINUTES

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

Others Present: Alan Pierce – Director of Administrative, Marcia Johnson – Clerk of Courts, Michael Shuler – County Attorney, Michael Morón – Board Secretary

Call to Order (9:00 AM)

Chairman Lockley called the Regular Meeting to order.

Prayer and Pledge (9:00 AM)

There was a Prayer followed by the Pledge of Allegiance

Approval of Minutes (9:01 AM)

Motion by Crofton, seconded by Putnal, to approve the minutes for the March 4, 2008 Regular Meeting and the March 11, 2008 Special Meeting; Motion carried 5-0.

Payment of County Bills (9:02 AM)

Commissioner Sanders asked Mrs. Johnson, the Clerk of Courts, for more information on the payment to the Levy Law Firm. Mrs. Johnson stated that this is a payment, which was previously approved by the Board, for litigation involving the Property Appraisers office.

Motion by Crofton, seconded by Parrish, to approve payment of the County Bills except for the payment for G and N Painters; Motion carried 5-0.

Motion by Parrish, seconded by Putnal, to instruct Mrs. Doris Pendleton, the Property Appraiser, to use County Liability Insurance for any current or future lawsuits except for the current litigation with Carrabelle Properties; Motion carried 5-0.

The Board and Mr. Pierce, Director of Administrative Services, discussed cost and funding sources for dredging of the boat ramp at the end of Old Ferry Dock Road. Mr. Pierce stated that the lowest bid he received was \$4500 and it would be paid out of reserve for contingencies.

Motion by Putnal, seconded by Sanders, to approve the dredging project for the boat ramp at the end of Old Ferry Dock Road for \$4500, which was the lowest bid, which would be paid from Reserve for Contingencies; Motion carried 5-0.

The Board, Mr. Pierce, and Mr. Rothwell, the County Engineer, discussed funding for dock on Ochlockonee River, as the engineering for the dock is presently paid for by a grant.

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

Wesley Tice – Health Department Director (9:09 AM)

Mr. Tice informed the Board that Florida's Surgeon General will be in Franklin County on Friday, and distributed and discussed a handout that had additional information.

Mr. Tice stated that the Health Department in Carrabelle is open four days a week and is servicing many clients.

Mr. Tice discussed a meeting that will be held at the Health Department on Friday at 1 PM and invited the Commissioners and the General Public to attend.

Department Supervisor Report

Hubert Chipman – Superintendent of Roads (9:16 AM)

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

Would like to inform the board the following information:

- Ramp was built at 9 Mile to have beach access for the C-30 Re-nourishment Project
- 10 loads (200 tons) of lime rock was hauled to the 9 Mile Project in Apalachicola
- Lime rock was put on shoulder of road at 9 mile requested by the Engineer for shoulder protection
- 13 loads of dirt (230 cy) was hauled to the 9 Mile Project in Apalachicola
- 67 loads (1359.65 tons) of screened black dirt was hauled to Will S. Kendrick Ball Park in Carrabelle
- Spoil Site in Apalachicola is prepped and ready for hauling sand for the C-30 Re-nourishment Project
- Over Time work was requested by the Franklin County Sheriff's Office on Friday, March 7, 2008 due to strong storm winds
- Black dirt was hauled to and spread for landscaping at Weems Memorial Hospital
- Landscaping work was performed at Carrabelle City Hall

Work Performed

- ❖ Trees was cut down and removed from Bay City Road in Apalachicola, Alabama and Oak Street in Lanark
- ❖ Lawn Care at Weems Memorial Hospital
- ❖ Graded roads in Carrabelle and Eastpoint
- ❖ Filled in holes with asphalt on St. George Island
- ❖ Filled in washouts in Apalachicola
- ❖ Repaired driveways in Apalachicola
- ❖ Shoulder work in Apalachicola, Eastpoint and Lanark
- ❖ Litter Control in Apalachicola, Carrabelle, Eastpoint and St. George Island
- ❖ Cleaned/Cut/Raked/Pulled ditches in Apalachicola
- ❖ Sign Inspection and Replaced signs in Apalachicola, Lanark
- ❖ Paint cross walk signs on St. George Island
- ❖ Put up signs on St. George Island

Commissioner Putnal and Mr. Chipman discussed a water runoff problem at Ave A in Eastpoint. Commissioner Sanders asked Mr. Chipman that if he has any extra milled asphalt to use it to help complete Woodill Road.

Van Johnson – Solid Waste Director (9:17 AM)

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

CHANGE ORDER FOR D. W. WILSON COMPLEX BALL FIELD LIGHTING

FOR BOARD APPROVAL: I have for Board approval an invoice for additional work ordered at the D. W. Wilson Sports Complex for installing ball field lighting. The work was not included in the Request for Proposal sent out in late December, which included a total upgrade to the electrical to handle the additional lights and placing timer on the new installation and existing lights to solve the problems encountered when the lights are left on. Attached to the report is a copy of the invoice. ACTION REQUESTED: Board approval to pay the invoice.

Motion by Putnal, seconded by Crofton, to approve payment of the invoice and also approve processing of a manual check for this payment; Motion carried 5-0.

THREE SERVICEMEN STATUE GROUNDBREAKING CEREMONY:

FOR BOARD INFORMATION: The only item I have to report is that Mr. Al Mirabella is here this morning to speak to the Board concerning the upcoming groundbreaking ceremony for the Three Servicemen Statue. **ACTION REQUESTED: None.**

Mr. Mirabella invited the Commissioners to the groundbreaking ceremony on Saturday March 22, 2008.

Dan Rothwell – County Engineer (9:22 AM)

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

1 - BOARD ACTION - URS Design & Inspection Contract for Runway 06/24:

Staff requests that he board permit the Chairman to execute the design & inspection contract for this grant funded project. The portion of the grant for design and inspection is \$49,770.00 of the \$750,000.00 grant.

Motion by Crofton, seconded by Sanders, to authorize the Chairman's signature on the design and inspection contract; Motion carried 5-0.

2 - BOARD ACTION - Airport Access Road:

Staff requests permission to release the final retainage for the project, which is the final payment.

Motion by Crofton, seconded by Parrish, to authorize the release of the final retainage for the Airport access road project; Motion carried 5-0.

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

The ramp for project is installed and pavement edge protection has been completed by Franklin County Public Works. The contract with Jason White Construction has been amended and approved by the County Attorney and is ready for he Chairman Signature.

4 - Eastpoint County Landing Park Project:

Bailey, Bishop & Lane has signed the revised professional services contract and have continued work on the project.

5 - Ochlockonee Bay Boat Ramp Project:

Bailey, Bishop & Lane has signed the revised professional services contract and have continued work on the project.

6 - Lake Morality Road:

C. W. Roberts has been given approval to start repairs of the first 3000 feet of the road.

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

C.W. Roberts said they should start construction within three (3) weeks.

8 - Carrabelle Sports Complex Football Field:

Grading of the football field has been completed and top soil has been placed by Public Works. The survey work done by staff (\$1,500.00 value) and preparation of the legal description and drawing (\$500.00 value) for new entrance of Ken Cope Ave at US98 has been delivered to the County Attorney to be forwarded to the St. Joe Company for review.

9 - Squire Road and Peachtree Rd Survey:

Staff has completed survey of the ditch bottom at 25' intervals for the south road ditch which would have cost the County \$1,500.00. The drawings will be completed in the near future which would have cost the County \$3,000.00.

10 - Linden Road Survey:

Staff has completed survey of the ditch bottom at 25' intervals for the south road ditch which would have cost the County \$1,500.00. The drawings will be completed in the near future which would have cost the County \$3,000.00.

Butch Baker – Emergency Management Director (9:25 AM)

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

Action item for the BOCC meeting on March 18, 2008:

Recommendation:

Approve and sign two pre-event contracts for disaster related debris management services with:

- Jimmy Crowder Excavating & Land Clearing, Inc.
- BAMACO, Inc.

There is no cost to the county to have these contracts in place. They will be used on an "as needed" basis.

Having multiple pre-event contracts in place frees the county from the perils of having to rely on a sole-source contract, in times of disaster.

We currently have a pre-event contract with CrowderGulf Joint Venture, Inc.

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

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

Motion by Sanders, seconded by Putnal, to authorize the Chairman's signature on the two pre-event contracts for disaster related debris management services with Jimmy Crowder and BAMACO; Motion carried 5-0.

Commissioner Putnal and Mr. Baker discussed the amount of County officials that have completed the ICS reports. Mr. Baker stated that Apalachicola Police Department wants the courses taught to their officers.

Commissioner Sanders asked for an update on the communication problem. Mr. Pierce and Mr. Baker discussed the type of radios that are used by the different County departments. Commissioner Sanders asked that Mr. Pierce and Mr. Baker verify that all County departments will be able to communicate with each other during an emergency or disaster. Board discussed finding an option to incorporate all of the different radio systems that are currently being used throughout the County, even by the State agencies.

Mr. Baker informed the Board that the County, with the use of a grant, was able to purchase a satellite phone.

Bill Mahan – County Extension Director (9:38 AM)

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

* These two items do not require Board action, however do require special attention:

* Gulf of Mexico Fisheries Management Council Red & Gag Grouper Meeting: As requested by the members of the Board, I attended the GMFMC's Red & Gag Grouper Public Hearing at the Edgewater Beach Resort, Panama City Beach on March 13th.

* UF IFAS/DACS Oyster Forum: The UF IFAS Extension Program and the Florida Department of Agriculture would like to invite the Franklin County Board of Commissioners and the primary stakeholders, Franklin County Oyster & Seafood Task Force and the members of the Franklin County Seafood Worker's Association to an "Oyster Forum" To provide an update and predictions on harvest of oysters from Apalachicola Bay relative to pending, very restrictive, U.S. Food & Drug Administration regulations intended to control the level of *Vibrio* bacteria in oysters. Attached, please find a draft agenda for the forum.

ISSC Vibrio Education Subcommittee Update: As a member of the ISSC's Vibrio Education Subcommittee I received an email updating the committee members on the progress of meeting the FDA's/ISSC *Vibrio vulnificus* illness reduction goal of 60% by the end of 2008. Based on the current number of *Vv* cases reported in 2007 (19) and given no change in the 2007 cases and population estimates for 2007 & 2008 the number of cases that can be reported for 2008, must total 1 or less. Illness rate for current 2007 numbers is 0.228 illnesses/1,000,000 people.

Texas Red Tide Closure/Product Recall: On March 7th the Texas Department of State Health Services (DSHS) closed Aransas, Corpus Christi and Copano bays to shellfish harvesting and issued a recall of oysters, clams and mussels because of an algae bloom. DSHA officials say high

concentrations of the dinoflagellate *Dinophysis* were found in the bays. The toxin produced by this organism, okadaic acid, can accumulate in shellfish tissue and cause diarrhetic shellfish poisoning, of DSP, in people who consume oysters, clams or mussels. Cooking does not destroy the toxin. Shellfish harvested on March 1 or later are included in the recall. Although DSP is reported worldwide, the most highly affected areas appear to be Europe and Japan. (PR attached)

UF – IFAS Extension Updates:

National Oyster Tasting Contest: On Monday April 7th, the National Shellfisheries Association is kicking off its 100th Anniversary Annual Meeting at the Westin Hotel in Providence, RI. On the evening of the 7th there will be a formal oyster tasting event complete with celebrity chef tasters and full press coverage. Rowan Jacobson, author of *The Geography of Oysters*, will be one of the judges. In addition to the taste contest, the oysters will be analyzed chemically to look at salt and mineral content in order to gain a better understanding of the chemistry behind the various tastes of oysters from across the country. Tommy Ward (13-Mile – Buddy Ward & Sons Seafood and Trucking) as agreed to send some of Apalachicola's best up to the competition. In addition, the Apalachicola Bay Chamber of Commerce has graciously agreed to pay the \$200 entry fee for the contest; and Chef David Carrier, owner of the Gibson Inn's Avenue Sea Restaurant was selected to be one of the celebrity chef tasters for the event.

Bear –Crossing Sign Update: As requested by the Board, I have contacted Florida DOT and requested the installation of bear-crossing signs at strategic locations along US 98. I am working with staff members of the FWC Bear Program to determine the best sites to place the signs. The FWC recommends that the crossing signs be placed at the following points: 1) the road segment starting 0.6 miles east of the intersection of SR 59 and Hwy 98 on Hwy 98, continuing for 5.4 miles to the East; 2) the area surrounding the junction of SR 319 and US98 from .6 miles North, 4.1 miles West, to 2.5 miles East.

OYSTER FORUM

April 2 or 21-25, 2008 Apalachicola, FL

- Objective: To provide an update and predictions on harvest of oysters from the Apalachicola Bay relative to pending, very restrictive U.S. Food & Drug Administration regulations intended to control the level of *Vibrio* bacteria in oysters.
- Audience: Franklin County Board of Commissioners and the primary stakeholders, Franklin County Oyster & Seafood Task Force and Seafood Workers Association.
- Agenda: Moderator – Bill Mahan
Regulatory Overview – David Heil, FL DACS

Technical Overview – Victor Garrido, Univ. FL
Open discussion for Responses and Planning
Advisories: UF -Charlene Burke, Steve Otwell, Gary Rodrick, Anita Wright,

This now requires Board action on selecting a date.

* UF IFAS/DACS Oyster Forum: The UF IFAS Extension Program and the Florida Department of Agriculture would like to invite the Franklin County Board of Commissioners and the primary stakeholders, Franklin County Oyster & Seafood Task Force and the members of the Franklin County Seafood Worker's Association to an "Oyster Forum" To provide an update and predictions on harvest of oysters from Apalachicola Bay relative to pending, very restrictive, U.S. Food & Drug Administration regulations intended to control the level of *Vibrio* bacteria in oysters. Attached, please find a draft agenda for the forum. We would like to know what would be a good date and time for the Board members to attend the Forum. Possible dates are April 2, or April 21 – 25.

Board suggested April 24 as a date to set the meeting.

Commissioner Parrish commented on this matter and discussed deaths caused by oysters versus deaths caused by other types of foods and diseases.

Motion by Crofton, seconded by Sanders, to send a letter to the County's Legislative Delegation regarding the pending, very restrictive, USDA regulations intended to control the level of *Vibrio* bacteria in oysters and invite them to the Oyster Forum; Motion carried 5-0.

From: Palmer, Emily
Sent: Friday, March 07, 2008 4:30 PM
Subject: DSHS News Release: Algae Bloom Prompts DSHS to Close 3 Bays to Shellfish Harvesting, Issue Recall
Texas Department of State Health Services
NEWS RELEASE
March 7, 2008

Algae Bloom Prompts DSHS to Close 3 Bays to Shellfish Harvesting, Issue Recall

The Texas Department of State Health Services (DSHS) has closed Aransas, Corpus Christi and Copano bays to shellfish harvesting and has issued a recall of oysters, clams and mussels because of an algae bloom.

DSHS officials say high concentrations of the Dinophysis organism have been found in several locations in the area. The toxin produced by this algae bloom, okadaic acid, can accumulate in shellfish tissue and cause diarrhetic shellfish poisoning, or DSP, in people who consume oysters, clams or mussels. Cooking does not destroy the toxin.

Shellfish harvested from these bays on March 1 or later are included in the recall. Consumers who purchased shellfish March 1 or later are advised not to eat them. People should either call the store where the shellfish were purchased to determine the date and location of harvest or dispose of them. The toxin does not affect other seafood.

DSHS officials say that preliminary test results indicate that levels of okadaic acid in oyster samples taken from the bays exceed federal guidelines. Final test results will be available next week. DSHS will monitor and determine when it is safe to reopen the shellfish areas.

DSP symptoms include vomiting, diarrhea, nausea and cramping. Symptoms, which usually last two to three days, can begin from 30 minutes to 12 hours after eating shellfish containing the toxin. DSP usually is not life threatening and does not generally cause long-term effects. DSHS is not aware of any illnesses associated with this algae bloom.

Dinophysis occurs naturally in ocean waters and estuaries and is not related to pollution. Typically it is not found in high numbers along the Texas Gulf Coast. High concentrations can turn the water an orange or brown color. DSHS officials say they know of no health issues associated with people being in water containing the algae.

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(News Media: For more information contact Emily Palmer, DSHS Assistant Press Officer, 512-458-7400 or 512-844-1379.)

Report from Commissioner Parrish on Congressional Testimony (9:57 AM)

Commissioner Parrish stated that the Franklin County delegation was well received, but the subcommittee was disappointed that three States involved in the 'water wars' were not present; the subcommittee was disappointed that the three States were unable to reach an agreement on their own, but it would be hard because each of the Governors of the three States would want what is best for their State. Commissioner Parrish also stated that the Corp is still moving forward with water management plan but encouraged as much public testimony as possible when the Corp starts accepting testimony on this plan. Commissioner Parrish also stated that Congressman Boyd was very helpful and supportive and allowed the delegation to use the resources of his office while they were there; Senators Martinez and Nelson were also receptive and supported the Franklin County delegation.

Board thanked Commissioner Parrish for his efforts on this matter.

Mr. Pierce stated that Congressman Boyd also introduced the same information at another hearing with the same subcommittee.

Resolution on Purchase of Lombardi Property (10:04 AM)

Attorney Shuler stated that the County is moving forward with this project and is seeking

financing from local banks and lenders because there were some concerns with the FAC financing.

Commissioner Putnal expressed his concerns of someone else purchasing the property. Commissioner Parrish stated that he has talked to the seller and the seller is committed to selling the property to the County
Commissioner Shuler gave an update as to where the County is with the purchase.

Commissioner Putnal stated that Steamers restaurant has restricted the use of their property for unloading, and asked Attorney Shuler to discuss with the owner of the Lombardi property if it is possible to allow the seafood workers to use his property to unload before the deal is closed. Attorney Shuler stated that the liability factor probably would make that request difficult to allow.

John Richards, of the Seafood Workers Association, stated that the other property that was used to unload has locked their gates so the seafood workers are having a problem unloading.

Tommy Ward stated that he is the owner of the property that John Richards is referring to, and explained that he was forced to lock the gates because some of the tenants were not paying the fees, but the other users can go to the office and ask someone to unlock the gates.

Commissioner Lockley asked staff to make sure that the dock at the Lombardi Property is safe for unloading before the seafood workers start using it.

Bruce Roteller asked if the boat ramp at the end of Old Ferry Dock Road will be dredged in time for summer use; Mr. Pierce said it will be done within the next two weeks.

P & Z Report (10:15 AM)

Mr. Pierce submitted the following Planning and Zoning report for discussion and/or approval.

The Planning and Zoning Commission met on Tuesday, March 11, 2008 with the following recommendations:

CRITICAL SHORELINE APPLICATIONS:

1 - Approved by Planning and Zoning (unanimous) Consideration of a request to construct a Single Family Private Dock being 80' x 4' long and having a 16' x 8' terminus at Lot 16, Block 61, Unit 5, 625 West Bayshore Drive, St. George Island, Franklin County, Florida. This application meets all State, Federal and Local requirements. Request submitted by Larry Joe Colson, agent for Martin Newman and Sandra Mackler, applicant.

Motion by Crofton, seconded by Sanders, to approve Item 1; Motion carried 5-0.

SKETCH PLAT APPROVAL:

2 – Approved by Planning and Zoning (unanimous) Consideration of a request for Sketch Plat approval of a 6 lot subdivision named “Journey’s End” a 7.11 acre parcel described as Tract 52, East End Gulf Beaches, St. George Island, Franklin County, Florida. Request submitted by GEA, Inc, agent for Daniel Ponce, applicant.

**Motion by Crofton, seconded by Sanders, to table Item 2 as requested by the agent GEA;
Motion carried 5-0.**

COMMERCIAL SITE PLAN APPROVAL:

3 – Approved by Planning and Zoning (unanimous) Consideration of a request for Commercial Site Plan approval for a 2400 Square Foot General Store and a 1200 Square Foot office space on a 2.25 acre parcel lying in Section 6, Township 7 South, Range 1 West, 127 Harbor Circle, Alligator Point, Franklin County, Florida. Request submitted by Paul Parker, applicant.

Ann Maruszak, representing Harbor Circle Neighbors, read the following statement.

March 18, 2008

*Franklin County Board of County Commissioners
Alan Pierce, Director of Administrative Services
Apalachicola, Florida*

Paul Parker recently shared with us, the Harbor Circle Neighbors, a graphic showing the site plan for his commercial project called Harbor Market and we have since been in discussion with Paul regarding his project and have provided him with our comments and requests as it relates to its impact on our neighborhood.

Mr. Parker has stated to us that he “will work with the county and neighborhood to safely manage traffic”, a major concern for us. He has further stated “I can’t give up my existing entrance on Harbor Circle, but I will work with the county to realign the drive to work with the new intersection once the intersection is designed.”

The Harbor Circle Neighbors also hope to work with the County and with Mr. Parker to resolve our issues and at this time wish to make our concerns and requests known to the Commissioners.

1) The site plan currently shows two entrances to the planned general store and office building. Previously one entrance was approved for the former owner of the property who wanted to build a general store with gas pumps and a restaurant. Both the general store and the restaurant were to also have townhouses on top of those buildings. Yet one entrance was deemed satisfactory.

The Harbor Circle Neighbors oppose an egress/ingress from Harbor Circle. We site safety and traffic issues to our "residential" neighborhood. Instead, we support the egress/ingress from Tom Roberts Road and feel this one entrance is sufficient for the anticipated traffic flow.

2) The Harbor Circle Neighbors would like to see justification for 22 parking spaces. We would like to understand how this number was calculated.

3) We have not seen engineering plans to show a final design for the relocation of Alligator Drive. The Harbor Circle Neighbors need assurances from Franklin County regarding the alignment of the relocated portion of this road.

4) What is the status of South Shoal Village? If the project becomes defunct what will become of the property? What will become of the road that has been constructed through it? What project could replace South Shoal Village that we because our proximity to the property might be impacted by.

Sincerely,

*Ann Maruszak
On Behalf of the Harbor Circle Neighbors*

Ms. Maruszak stated that the neighbors were not against the project, but because of the small dirt road that is used by everyone, traffic control was a concern.

Mr. Pierce stated some options that County staff was implementing to help with traffic control and that there are not any engineering plans for the paving of the road as yet.

Paul Parker, the applicant, discussed his project and what he is doing to prevent traffic problems in Harbor Circle.

Attorney Shuler, County Attorney, discussed the South Shoal project affect on the traffic on this road, and addressed some of Ms. Maruszak's concerns, discussed upcoming meeting with the Alligator Point fire department, the Alligator Point water resource district, and other interested parties, regarding the relocation of the Alligator Point road and water lines currently below that road.

Commissioner Parrish stated that second driveway that was discussed would help with traffic control.

Ms. Maruszak stated that she wanted to be part of discussions with Mr. Parker and the County.

Motion by Sanders, seconded by Parrish, to approve Item 3 subject to Mr. Parker and County staff agreeing to the location of the store entrance and traffic control plans; Motion carried 5-0.

Advisory Board of Adjustment Report (10:39 AM)

Mr. Pierce submitted the following Advisory Board of Adjustment Report for discussion and/or approval.

The Advisory Board of Adjustment met on Wednesday, March 5, 2008, and made the following recommendations:

1 – Approved by the Advisory Board of Adjustment a request for a variance to construct a vacuum station 20 feet into the front setback line and 5 feet into the side setback line on property located in Section 30, Township 8 South, Range 6 West, Otterslide Road, Eastpoint. Request submitted by George Allen, agent for Eastpoint Water & Sewer District.

Motion by Putnal, seconded by Crofton, to approve Item 1 contingent on a written consent from the property owner; Motion carried 5-0.

2 – Approved by the Advisory Board of Adjustment a request for a Special Exception to locate a community house, the Franklin County Public Library in an R-1 Single Family Residential district. Request submitted by Friends of the Franklin County Public Library.

Motion by Crofton, seconded by Parrish, to approve Item 2; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (10:43 AM)

1-I received the financial report from the Hospital for the month ended February, and it indicated a balance in the account in the amount of \$275,215.16.

Commissioner Lockley asked Mrs. Johnson when the County would start receiving the proceeds from the one cent sales. Mrs. Johnson stated that the County should start receiving these funds sometime in April.

Mrs. Johnson stated that all of the non-governmental departments, department heads, and constitution officers were notified of the budget changes. Commissioner Putnal expressed his concerns about Camp Gordon Johnston being cut from the County budget. The Board, Mr. Pierce, Mrs. Johnson discussed this matter and explained that the Tourist Development Council would fund Camp Gordon Johnston and this matter could be reviewed again during the budget process.

Michael Shuler – County Attorney – Report (10:50 AM)

Attorney Shuler submitted and reviewed his report.

MARCH 18, 2008 ATTORNEY REPORT

1. Franklin County Affordable Housing Initiative

DCA advises that the memorandum approving of the density bonus transfer is being circulated for signature. Once that is done, they will publish the notice of intent approving the transfer. Following publication, any interested party will have 20 days to object. If there is no objection, then the approval will be final.

BOARD ACTION NEEDED: None

2. WEEMS HOSPITAL: The Hospital Board is still working to gather the documents needed to substantiate its claim against G.E. for reimbursement of DasSee Accounts Receivable recouped by Medicaid and Medicare.

BOARD ACTION NEEDED: None

3. Couch-USA Contract

There is no such contract requiring them to repair roads they have damaged. There is some reference to them agreeing to in the minutes from January 21, 2003; February 17, 2004 and February 15, 2005.

I will ask Alan to send them a letter to repair the roads.

4. Potential Franklin County Lawsuit Concerning Apalachicola River

I attended the March 14, 2008 hearing in Jacksonville, Florida. The hearing was merely a status report. No decisions were made. I need to consult with Parker Thompson, the lead counsel for the State of Florida, before making a final recommendation to you in this matter.

BOARD ACTION: None

5. Alligator Point

As you know the Board voted not to proceed with beach renourishment at Alligator Point. The Board has been requested to repeal the MSBU Ordinance and Resolution since the beach will not be renourished.

I recommend that you do not repeal the ordinance or the resolution. Those documents are flexible enough to use for any future MSBU funded project, even though they are not being used for beach renourishment at Alligator Point. You have expended public resources on the creation of the resolution and ordinance which will be wasted if you repeal them.

As things are, no MSBU funds can be collected at Alligator Point because the Board has acted not to proceed with beach renourishment.

BOARD ACTION: None. The ordinance and resolution will remain in place.

6. Eastpoint Water and Sewer

I continue to wait on information from them before preparing the lease of a portion of the 5th Street right-of-way in Eastpoint, Florida for a lift station.

BOARD ACTION: None needed.

Commissioner Sanders discussed some issues with Alligator Point and asked Attorney Shuler for a recommendation regarding the request at March 11 Special Meeting to rescind the ordinance and the resolution regarding the MSBU. Attorney Shuler stated that he was not in favor of rescinding the ordinance and the resolution.

Alan Pierce – Director of Administrative Services (10:51 AM)

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

1- Inform Board that the County has received the letter from DCA stating it is reviewing the affordable housing submission the county made. They intend to issue a Notice of Intent by April 10, but we hope it happens earlier.

2- Board action to approve change order for the St. George Island Boat Ramp for \$9562.50 to coat the sheet pile at the boat ramp with a coal tar epoxy which will extend the life of the sheet pile. The initial bids came in below the grant amount so there are grant funds available.

Motion by Putnal, seconded by Parrish, to approve the change order for the St. George Island boat ramp; Motion carried 5-0.

3- Inform the Board that the county has received information regarding grants for First Responders and Fire Departments for protective gear. We have relayed the grant program to the Fire Departments.

4- The School Board requests the Board authorize that the Supervisor of Elections hold a special election on June 10, 2008 to consider an increase in ad valorem millage of .50 mill per year for three years for operating expenses necessary to enhance the quality of Franklin County's public school system. The School Board will pay the Supervisor for the cost of holding the special election.

Motion by Putnal, seconded by Sanders, to authorize the Supervisor of Elections to hold a special election on June 10, 2008 to consider an increase in ad valorem millage of .50 mill as requested by the School Board; Motion carried 5-0.

5- Board action to write letter of support for St. George, Carrabelle, and St. Marks Lighthouses to apply for a VisitFlorida marketing grant.

Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on a letter of support for the St. George, Carrabelle, and St. Mark's Lighthouses for a VisitFlorida grant; Motion carried 5-0.

6- Board action for Chairman to sign contract with Jason White reducing bid amount to \$39,587.92 for the CR30A shoulder enhancement project. This is now within the grant amount.

Motion by Sanders, seconded by Crofton, to authorize the Chairman's signature on a contract with Jason White for \$39, 587.92 for the CR30A shoulder enhancement project; Motion carried 5-0.

7- Provide Board with copy of letter Mr. Bill Mahan provided the Gulf of Mexico Fisheries Council regarding opposing the change in grouper regulations.

8- Inform the Board that DEP is allowing the county to complete the Alligator Beach Renourishment Permit using the funds from the Legislative appropriation. The reason for obtaining the permit is that it will allow the county to do some debris removal on the Point utilizing the remaining Legislative appropriation. So the permit and whatever debris removal that can be accomplished will be done with state funds, and will not cost the county, or the residents of Alligator Point, any money.

Commissioners and Public Comments (10:58 AM)

Commissioner Sanders asked if there was an environmental survey done at Indian Creek Park before the purchase. Mr. Pierce stated that it was the owner's responsibility to clean the property and do a survey before Trust for Public Lands purchased the property.

Commissioner Crofton stated he was glad to see work started on the St. George Island boat ramp. Commissioner Sanders discussed other boat ramps in the County, and the benefits of State grants for the County.

Commissioner Parrish stated that there were a couple of State bills that were pending that the Apalachee Regional Council wanted the Board's support on, but would discuss at a later time when more information is available.

Mr. Pierce stated that there were 2 Boy Scouts in the audience, Terry Ramirez and Andrew Gurganus, that are working on their merit badge and needed to ask the Board some questions. The Boy Scouts asked what would happen if one of the Commissioners was unable to continue to serve on the Board, where the Board gets the funds to operate the County, and what process is used to determine what parts of the County receives money.

The Board and Attorney Shuler stated that the Governor would appoint a new Board member to finish out a vacant term, the budget is funded by taxes, and then explained the Budget process.

Adjourn for lunch (11:08 AM)

Chairman Lockley adjourned the meeting for lunch.

Reconvene (1:30 PM)

Chairman Lockley reconvened the meeting.

Public Hearings (1:30 PM)

Mr. Pierce explained the purpose of the public hearings.

PUBLIC HEARING – SINGLE FAMILY ESTATE RESIDENTIAL/MOBILE HOMES - R-3MH (1:30 PM)

Mr. Pierce discussed this proposed ordinance.

The Board, Mr. Pierce, and Attorney Shuler discussed changing the ordinance to be effective from this date forward for new development, which would avoid spot zoning.

Commissioner Parrish suggested some type of buffer, maybe a 50 ft vegetative style, to avoid conflicts with abutting properties. This matter was discussed further and it was stated that the buffer should be created if it is not already natural.

Chairman Lockley opened the floor for public comment.

Attorney Nick Yonclas suggested increasing all of the setbacks including the front and rear. Board stated that the 50 ft buffer would be for abutting property that is zoned differently and include all setbacks.

Travis Stanley asked if the 50 ft buffer will allow a mobile home on the property to be somewhat hidden from the main road; Attorney Shuler confirmed that this is the intention of the buffer.

Harriet Beach asked for specifics regarding the 50 ft buffer.

Attorney Shuler stated that the buffer would be natural, based on the vegetation that is already on the property.

Attorney Nick Yonclas, representing certain property owners in that area, stated that his clients are against an application for R-3MH that will come up later in the meeting.

Jim Waddell, using the whiteboard, explained his concerns with the 50 ft buffer and setback on interior lots not abutting to other type of zoned lots.

Attorney Shuler and Mr. Pierce stated that Mr. Waddell's concerns were already addressed in the proposed ordinance.

Mr. Pierce stated how the County deals with buffers under the public facilities zoning rules

Motion by Parrish, seconded by Putnal, to approve the ordinance as originally written, without the buffer; Motion carried 5-0.

PUBLIC HEARING – SMALL SCALE LAND USE & REZONING

Mr. Pierce presented the following requests for approval.

Parcel (1) A 4.93 acre parcel lying in Section 36, Township 8 South, Range 7 West, 198 US Highway 98, Eastpoint, Franklin County, Florida, as shown on the attached map, be changed from Public Facilities to Mixed Use Residential. Request submitted by C.S. Randolph, Jr.

Chairman Lockley opened the floor for public comment for the land use change and zoning change for Parcel 1, their where no comments from the floor.

Motion by Sanders, seconded by Crofton, to approve the land use change for Parcel 1; Motion carried 5-0.

A 4.93 acre parcel lying in Section 36, Township 8 South, Range 7 West, 198 US Highway 98, Eastpoint, Franklin County, Florida, as shown on the attached map, be changed from Z-1 Public Facilities to C-4 Mixed Use Residential. Request submitted by C.W. Randolph, Jr.

Motion by Sanders, seconded by Crofton, to approve the zoning change for Parcel 1; Motion carried 5-0.

Parcel (2) A 1.31 acre parcel in Section 25, Township 7 South, Range 5 West, 1881 US Highway 98 West, Carrabelle, Franklin County, Florida, as shown on the attached map, to be changed from Residential to Public Facilities. Request submitted by Camp Gordon Johnston Association, Inc.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 2.

Mel Kelly, of Carrabelle, stated that there was historical reason for choosing this site and is in favor of the project.

Billy Snyder, of Lanark Village, stated that he owns property close to this parcel and is in favor of this project.

Motion by Putnal, seconded by Crofton, to approve the land use change for Parcel 2; Motion carried 5-0.

A 1.31 acre parcel in Section 25, Township 7 South, Range 5 West, 1881 US Highway 98 West, Carrabelle, Franklin County, Florida, as shown on the attached map, to be changed from R-1 Single Family Residential to Z-1 Public Facilities. Request submitted by Camp Gordon Johnston Association, Inc.

Motion by Putnal, seconded by Crofton, to approve the zoning change for Parcel 2; Motion carried 5-0.

Parcel (3) A 6 acre parcel in Section 13, Township 7 South, Range 5 West, 423 Mill Road, Carrabelle, Franklin County, Florida, as shown on the attached map, to be changed from Agricultural to Residential. Request submitted by Coastline Properties of NW FL, LLC.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 3; there was no comment from the floor.

Motion by Putnal, seconded by Crofton, to approve the land use change for Parcel 3; Motion carried 5-0.

A 6 acre parcel in Section 13, Township 7 South, Range 5 West, 423 Mill Road, Carrabelle, Franklin County, Florida, as shown on the attached map, to be changed from A-2 Forestry Agricultural to R-1 Single Family Residential. Request submitted by Coastline Properties of NW FL, LLC.

Motion by Sanders, seconded by Crofton, to approve the zoning change for Parcel 3; Motion carried 5-0.

Parcel (4) A 10 acre parcel lying in Section 30, Township 5 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, to be changed from Rural Residential to Residential. Request submitted by Dale Anderson.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 4; there was no comment from the floor.

Motion by Parrish, seconded by Crofton, to approve the land use change for Parcel 4; Motion carried 5-0.

A 10 acre parcel lying in Section 30, Township 5 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, to be changed from R-6 Rural Residential to R-3 Single Family Estate Residential.. Request submitted by Dale Anderson.

Motion by Putnal, seconded by Crofton, to approve the zoning change for Parcel 4; Motion carried 5-0.

Parcel (5) A 10 acre parcel lying in Section 33, Township 8 South, Range 8 West, west of

Apalachicola, Franklin County, Florida, as shown on the attached map, to be changed from Agricultural to Residential. Request submitted by DSW Holdings, LLC.

Commissioner Sanders expressed her concerns about the traffic on the access road and recommended a secondary access road especially when the affordable housing project started in that area.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 5.

Mr. Ward, of DSW the applicant, stated that there is only one access road at this time but will try for an additional access road once the affordable housing project is started.

Commissioner Parrish stated that he would abstain from voting on the land use change and the zoning change for Parcel 5.

Motion by Crofton, seconded by Putnal, to approve the land use change for Parcel 5; Motion carried 4-0, Parrish abstained.

A 10 acre parcel lying in Section 33, Township 8 South, Range 8 West, west of Apalachicola, Franklin County, Florida, as shown on the attached map, to be changed from A-2 Forestry Agricultural to R-2 Single Family Residential/Mobile Home. Request submitted by DSW Holdings, LLC.

Motion by Crofton, seconded by Putnal, to approve the zoning change for Parcel 5; Motion carried 4-0, Parrish abstained.

Parcel (6) A 10 acre parcel lying in Section 33, Township 8 South, Range 8 West, west of Apalachicola, Franklin County, Florida, as shown on the attached map, to be changed from Agricultural to Residential. Request submitted by Travis Stanley.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 6; there was no comment from the floor.

Commissioner Parrish stated that he would abstain from voting on the land use change and the zoning change for Parcel 6.

Motion by Putnal, seconded by Crofton, to approve the land use change for Parcel 6; Motion carried 4-0, Parrish abstained.

A 10 acre parcel lying in Section 33, Township 8 South, Range 8 West, west of Apalachicola, Franklin County, Florida, as shown on the attached map, to be changed from A-2 Forestry Agricultural to R-2 Single Family Residential/Mobile Home. Request submitted by Travis Stanley.

Motion by Crofton, seconded by Putnal, to approve the zoning change for Parcel 6; Motion carried 4-0, Parrish abstained.

Parcel (7) A 10 acre parcel lying in Section 10, Township 8 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, to be changed from Agricultural to Residential. Request submitted by John Patrick Floyd.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 7; there was no comment from the floor.

Motion by Putnal, seconded by Sanders, to approve the land use change for Parcel 7; Motion carried 5-0.

A 10 acre parcel lying in Section 10, Township 8 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, to be changed from A-2 Forestry Agricultural to R-3 Single Family Estate Residential. Request submitted by John Patrick Floyd.

Motion by Sanders, seconded by Crofton, to approve the zoning change for Parcel 7; Motion carried 5-0.

Parcel (8) A 10 acre parcel lying in Section 10, Township 8 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, to be changed from Agricultural to Residential. Request submitted by James Barrs Floyd.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 8; there was no comment from the floor.

Motion by Sanders, seconded by Crofton, to approve the land use change for Parcel 8; Motion carried 5-0.

A 10 acre parcel lying in Section 10, Township 8 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, to be changed from A-2 Forestry Agricultural to R-3 Single Family Estate Residential. Request submitted by James Barrs Floyd.

Motion by Crofton, seconded by Putnal, to approve the zoning change for Parcel 8; Motion carried 5-0.

Parcel (9) A 10 acre parcel lying in Section 30, Township 5 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, be changed from Rural Residential to Residential. Request submitted by Goldie Harris.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 9.

Attorney Nick Yonclas, representing certain neighboring property owners, gave some history of the property and stated that the property owners that he represents are against this request because they didn't want mobile homes in this area, didn't think that proper procedure was followed in advertising the new R-3MH zoning, and thought that granting this request would be spot zoning.

Commissioner Crofton agreed that it was spot zoning.

Graham Armistead, one of the neighboring property owners, was against the project.

John Harris, the applicant, discussed his requests and stated that he did want the ability to divide his property into two parcels and put a mobile home on each parcel.

Attorney Shuler explained why this request was not spot zoning, but more of a density issue, and addressed the procedural concerns that Attorney Yonclas raised.

Commissioner Parrish didn't think that density was an issue in this request.

Board discussed this matter further.

Attorney Yonclas stated that the applicant admitted that he was considering selling the property and asked this Board to take that into consideration before making a decision.

Attorney Shuler discussed the option of a "farmhouse homestead" which would allow family members to move onto the property.

Blair Morgan, a property owner in the area, stated that the traffic will increase if the zoning changes and wanted to know who would maintain the road. Attorney Shuler and Mr. Pierce stated that the road is private and the property owners would be responsible for maintaining the road.

Mr. Harris stated that he did want the R3MH zoning to allow his son to use the property.

Motion by Putnal, seconded by Sanders, to approve the land use change for Parcel 9; Motion carried 4-1, Crofton opposed.

A 10 acre parcel lying in Section 30, Township 5 South, Range 7 West, north of Eastpoint, Franklin County, Florida, as shown on the attached map, be changed from R-6 Rural Residential to R-3MH Single Family Estate Residential/Mobile Home. Request submitted by Goldie Harris.

Motion by Sanders, seconded by Putnal, to approve the zoning change for Parcel 9; Motion carried 4-1, Crofton opposed.

Parcel (10) A 7.5 acre parcel lying in Section 30, Township 8 South, Range 6 West, Eastpoint, Franklin County, Florida, as shown on the attached map, be changed from Agricultural to Residential. Request submitted by James & Carol Vitek.

Chairman Lockley opened the floor for public comments for the land use change and zoning change for Parcel 10; there was no comment from the floor.

Motion by Crofton, seconded by Sanders, to approve the land use change for Parcel 10; Motion carried 5-0.

A 7.5 acre parcel lying in Section 30, Township 8 South, Range 6 West, Eastpoint, Franklin County, Florida, as shown on the attached map, be changed from A-2 Forestry Agricultural to R-2 Single Family Residential/Mobile Home. Request submitted by James and Carol Vitek.

Motion by Crofton, seconded by Sanders, to approve the zoning change for Parcel 10; Motion carried 5-0.

Adjourn (3:12 PM)

There being no further business, Chairman Lockley adjourned the meeting.

Noah Lockley Jr., Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts