

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
DECEMBER 2, 2008
9:00 AM**

MINUTES

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

Others Present: Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Director, Michael Morón – Clerk of Courts

Call to Order (9:00 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:00 AM)

There was a Prayer followed by the Pledge of Allegiance.

Payment of County Bills (9:04 AM)

Motion by Lockley, seconded by Putnal, to authorize the payment of the County's bills as presented; Motion carried 5-0.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:04 AM)

Commissioner Sanders asked Mr. Chipman to provide a holiday schedule for the Road Department to the Commissioners via the Clerk's office.

Commissioner Putnal and Mr. Chipman discussed the possibility of using "open grade mix" on small dirt roads that usually aren't travelled on frequently rather than trying to pave these roads. Mr. Pierce discussed some of the information he got while researching this matter. Commissioner Sanders stated that Florida Highway Product has information on the "open grade mix" and suggested that staff contact them.

Fonda Davis – Solid Waste (9:07 AM)

Commissioner Sanders asked for an update on the containers for deer carcasses. Mr. Davis stated that he didn't have any information at this time but would research this matter and contact Commissioner Sanders.

Commissioner Jackel stated that some of the recycle bins are full to the point of running over and asked Mr. Davis about the pickup schedule. Mr. Davis gave the pickup schedule that would also apply during the Christmas holidays.

Dan Rothwell – County Engineer (9:09 AM)

Commissioner Jackel asked for an update on the handicap access ramp for the St. George Island boat ramp and would like the Contractor to complete the project before the Christmas holidays as there will be a lot of use during that time. Mr. Rothwell stated that he would discuss this request with the contractor.

Commissioner Sanders asked if the right of way issues in Carrabelle have been resolved. Mr. Rothwell explained that there is still a trailer in the right of way on Enabob Street area. Commissioner Parrish explained that because of County liability, it is important to remove all equipment off of the County's right of way throughout the County.

Motion by Sanders, seconded by Lockley, to direct Attorney Shuler to contact the owner of property that is on the right of way on the Enabob Street area and have the property removed; Motion carried 5-0.

Bill Snyder, a property owner in the Enabob Street area, referring to the right of way discussion which was also Item #6 on Mr. Rothwell report, stated that he was disturbed after listening to the Commissioners discussion during the last regular meeting regarding a carport on his mother's property, and that a phone call would have solved the situation.

Chairman Parrish again explained why it is important to have all property and structures removed from the County's right of way but wanted to be clear that this applied to everyone and no one property owner is being singled out.

Motion by Lockley, seconded by Sanders, to direct Attorney Shuler to meet with Mr. Snyder to discuss his complaints; Motion carried 5-0.

Mr. Rothwell explained that some of these right of way issues are not as simple as a phone call and research is needed to determine where the right of way actually starts before further action is taken.

Mr. Pierce updated Commissioner Jackel on the status of the Eastpoint boat ramp project. The Board discussed this project further.

Mr. Rothwell updated Commissioner Sanders on the Ochlockonee Bay boat ramp project.

Commissioner Lockley stated that these and any other boat ramp projects in the future should include lighting to avoid any safety and security issues.

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

1. Eastpoint Boat Ramp Project:

Staff desires to postpone the bid opening until the signed phase 2 contract (construction) is received from Fish and Wildlife Conservation Commission.

2. Ochlockonee Bay Boat Ramp Project:

Bailey, Bishop and Lane and staff are working with St. Joe Company to resolve property request for the project. The permit applications are awaiting ownership and/or assigned easements grants by Florida Department of Transportation and St. Joe Company.

3. West Gulf Beach Dr @ Franklin Blvd Drainage:

Staff has received the permit from FDOT for the project. Staff is to work on construction plans and specifications to bid the project as soon as possible.

4. Indian Creek Park:

Staff has worked with the Apalachicola River Keeper organization to complete the seawall survey and prepare construction plans for the breakwaters. The in house survey saved the County \$800.00 and the in house plans will save \$6,000.00. The Road Department has committed to removal of the top half of a 300' section of existing seawall and removal of vertical piles over a 300' section of seawall.

5. Eastpoint Library Construction Site:

Staff has met with Florida Department of Environmental Protection on 11/19/2008 and FDEP did not observe any wetland violations and gave permission to continue construction as permitted.

6. Beacon and Cape Street Right of Way Obstructions:

Staff wishes to report that the carport located at 1950 Beacon Street has been removed from the right of way (R/W) and that the property owner has promised removal of the roped posts. The R/W in front of 1954 Beacon Street has posts in the R/W and will be requested to remove them. 136 Cape Street has 3 without untagged vehicles parked on the R/W and a swing set which will be requested to remove the obstructions from the R/W.

Pamela Register – Emergency Management Director (9:23 AM)

Ms. Register submitted the following items for the Board's review.

1. Our office attended at Pictomerty meeting on Nov 21, 2008 at Wakulla County EOC. We will be working with the Sheriff's office in organizing a county meeting to introduce this product.
2. Mike Rundel has sent letters out for the Dec meeting for Franklin County United Firefighters Association elections, so we start the scheduling of the Jan communications committee meeting.
3. Dec 01, 2008 we attended the Apalachee Regional Planning Council Meeting for our Regional Evacuation study update in Jackson County new EOC.
4. FEMA and the State will be at the EOC on Dec 5th for the kick-off meeting for the PDA on Gustav damage to Alligator point road and St George Island boat ramp.

Chairman Parrish asked Mr. Pierce to attend meeting mentioned on item #4 of Ms. Register's report which will be at 10am.

Ms. Register and Mr. Pierce updated Commissioner Lockley on the status of replacing the heater at the Emergency Operation Center (EOC). Ms. Register stated that they were still waiting for Progress Energy to visit the building for an analysis report.

Chairman Parrish stated that grants are available for building a new EOC and would like staff to research these grants.

Ms. Register stated that she is currently researching funding possibilities for mitigation, retrofitting, and renovation for the current EOC and will look into funding for a new EOC.

Motion by Putnal, seconded by Lockley, to direct staff to research the possibility of available grants to build a new EOC; Motion carried 5-0.

Bill Mahan – County Extension Director (9:30 AM)

Mr. Mahan presented the following item for discussion and/or approval.

ISSC 2009 Membership: The Interstate Shellfish Sanitation Conference has sent out its request for payment of the 2009 membership fee. The annual membership is \$60. Do the members of the Board wish to continue their ISSC membership?

Motion by Sanders, seconded by Jackel, to authorize the membership payment to continue their ISSC membership; Motion carried 5-0.

Chairman Parrish discussed call he received from the State regarding the letter the County sent on grouper bag limit.

Howard Kessler – Wakulla County Chairman: Update on the Wilderness Coast Public Libraries (9:32 AM)

Cheryl Turner, of WILD, along with John Sink and Cora Russ addressed Board. Mrs. Turner distributed some handouts that explained the current funding sources for the program but because funding will run out sometime in May 2009, the program needs the County to contribute some funds to the Bookmobile Program.

Commissioner Sanders stated that the County has always supported the WILD program, with at least contributions of up to \$25,000 per year, but at this time was not in a financial position to assist this program as it has done in the past.

John Sink stated that even if the County is not able to contribute this year it will still receive services from the program.

Commissioner Jackel asked for a copy of the current budget.

Chairman Parrish stated that since the program is in a financial position to last until May the County will look at its financial position at that time and consider this request again.

Marcia M. Johnson – Clerk of Courts – Report (9:39 AM)

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

Item 1- At your last meeting, the Property Appraiser, Doris Pendleton, reported to you on her amended Certification of Taxable Value which created a decrease of 3.97% or a difference of about \$473,000 in ad valorem taxes. My office has now received the results of the Value Adjustment Board's special magistrate, Mr. Paul Curenton. The end result is an additional loss of 6.5 million in valuations or \$21,000 in ad valorem taxes. It was estimated the total amount of revenue reduction in your budget would be around \$500,000 as a result of the amended certification and the value adjustment board's findings, and that figure is still holding true. My office will be monitoring your expenditures and revenues as this year progresses, and I'll report back to you as needed.

Item 2- The Sheriff's Department is requesting approval of the chairman's signature on their annual JAG (Justice Assistance Grant) application. The grant appears to be in the amount of \$1000 and will be used to purchase equipment for directing traffic during emergency situations.

Motion by Putnal, seconded by Sanders, to authorize the Chairman's signature on the JAG application; Motion carried 5-0.

3- Regarding the health care sales tax, we collected \$97,303.91 for the month of September 2008, and one-half of that amount, \$48,651.95, was deposited into the hospital's operating account. We now have a total of \$592,783.23 in the Capital Fund of the hospital.

Mr. Pierce gave Commissioner Lockley an update on the Carrabelle clinic. Commissioner Sanders stated that there is a difference in service that will be provided between the temporary clinic that is currently open in Carrabelle, versus the permanent urgent care center that will be opened in the near future.

Alan Pierce – Director of Administrative Services – Report 9:45 AM

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

1- Inform Board that all counties have been notified by their respective state legislators that there will be no Community Budget Issue Requests (CBIRs) this year. Read memo from Senate President Jeff Atwater. Last year Franklin County received CBIRs funding for improvements at Vrooman Park in Eastpoint, and Lombardi's in Apalachicola.

2- Board action to request DOT re-route traffic on US 98 in Eastpoint for the Eastpoint Christmas Parade on Saturday, Dec. 13, starting at 10 AM until the Parade ends. The Parade will start at Norvell St. and end at 2nd St. Request submitted by Ms. Pam Watson, Parade Coordinator.

Motion by Sanders, seconded by Jackel, to approve the request to re-route traffic on US98; Motion carried 5-0.

3- Clarification of action by the Board on Oct. 7 regarding Chairman's signature of FWC boat ramp grants. The action of the Board on Oct. 7 to direct the Chairman to sign the Ochlockonee Boat Ramp grant should also have included the Eastpoint Boat Ramp Grant. The FWC grant contract will be found in the Oct. 7 Board file, as well as separately in grant files.

4- Board action to send letter to Congressman Boyd requesting support for a grant for a "visual intelligence tool" for the 2nd Congressional District. Franklin County Emergency Management Director Pam Register recommends the Board support the grant. The grant will not come to Franklin County, but Franklin County, as well as all the other counties in the area, will benefit if the grant is awarded. The "visual intelligence tool" will be a videotape of the county shot at such an angle so it shows the sides of buildings, rather than just the top, and then using computer software the buildings can be rotated to provide first responders and other front line emergency responders a tool to assist in planning and response at field and mobile installations.

Motion by Putnal, seconded by Sanders, to authorize the Chairman's signature on the letter requesting support for a grant; Motion carried 5-0.

Commissioner Lockley asked Mr. Pierce to direct the Hospital Board to make a request from Congressman Allen Boyd for Health Care funding.

Motion by Sanders, seconded by Jackel, to re-appoint Commissioner Lockley to the Hospital Board as the County's representative; Motion carried 5-0.

5- Inform Board that I went personally and spoke to Mr. Ben Watkins regarding the road in Eastpoint known as Buck St. Mr. Watkins acknowledges the road is private, and he agreed to make improvements to it, so I did not write a letter as the Board had directed.

Commissioner Jackel stated that some of the residents are still complaining that no improvements or repairs have been made to the road.

Motion by Jackel, seconded by Sanders, directing Attorney Shuler to send Mr. Watkins a letter asking for an approximate date on when the repairs or improvements will be done to the road; Motion carried 5-0.

6- Board action to approve an amendment to the Gulf Coast Workforce Work Plan. Franklin County is in the service area of the Gulf Coast Workforce Board and therefore needs to agree to any amendments to the Work Plan. This amendment will allow the Workforce Board to contract directly with Franklin County instead of having to use a third party service provider. As an example, after a hurricane the Work Force Board has provided funds for the county to hire temporary workers, but the Workforce has had to use an intermediary to disburse the funds and this has slowed down the delivery of services. If the Board approves this amendment, which staff recommends, then when the need arises, the Gulf Coast Workforce Board will be able to contract services and funds directly to Franklin County.

Mr. Pierce explained to Chairman Parrish that the County will enter into a contract with the Workforce Board who will then administer the Work Plan.

Motion by Lockley, seconded by Jackel, to approve the amendment to the Gulf Coast Workforce Work Plan; Motion carried 5-0.

7- Board action on proposed Scope of Services with AVCON to research the type of corporate hanger/office building to build at the airport to maximize the benefit of the building, and to prepare project budget and schedule. The Board has three FAA/DOT grants totally \$1.4 Million dollars to build a 10-12,000 square foot hanger but there has been a great deal of uncertainty about what kind of building to build since there is not an immediate tenant willing to sign a lease. In order to protect the funding the construction contract must be awarded before August 30, 2009, or approximately 9 months from now. The AVCON Scope of Work provides 60 days, or the middle of February, to get building concept identification and design approval by the county commission. Then construction plans and bid documents need to be drawn which will take 90-120 days, with the advertising for bids no later than July 1, so that a bid can be awarded by August 30.

Mr. Pierce explained to Commissioner Jackel that AVCON, who was selected as the airport engineer by the Board, will charge \$19,800 which will be paid out of grant funds.

Chairman Parrish stated that AVCON was selected, above the other companies, because of willingness to provide economic development opportunities at the airport and he thinks that because of all of the Board's recent actions regarding the airport, the County is moving in a positive direction. Chairman Parrish stated some of his recent interactions with the airport and the airport committee.

Commissioner Putnal stated that the Airport needs to have a building in place to offer potential clients.

Commissioner Jackel wanted to make sure that AVCON has the ability to market airport along with their engineering responsibilities.

Commissioner Sanders stated that the previous engineering firms have done nothing to market airport.

Chairman Parrish stated that Preble-Rish, who works with AVCON, is also good with marketing and believes that AVCON can and will do a good job with marketing the airport.

Commissioner Lockley asked Mr. Pierce to look into the possibility of grants available for marketing and also asked if the Tourist Development Council could assist with marketing.

Mr. Pierce stated that it was a possibility that Enterprise Florida could assist with marketing and would research that matter.

Commissioner Jackel expressed the need for the County to actively pursue jobs at the airport during the next year.

Motion by Lockley, seconded by Sanders, to authorize the Chairman's signature on the proposed Scope of Services; Motion carried 5-0.

Recess (10:04 AM)

Chairman Parrish called for a recess.

Reconvene (10:13 AM)

Chairman Parrish reconvened the meeting.

Public Hearing – George Mahr – “Whiskey George Creek” 375 acre Land Use (10:13 AM)

George Mahr made some opening statements regarding this request and discussed some of his proposed plans that would help minimize the ecological impact on the property and address some of the concerns regarding this request.

Dan Garlick, of Garlick Environmental Associates, offered some additional information regarding wetlands delineation, setbacks, buffers, stormwater management, wastewater, wetland impact, and density.

Commissioner Putnal expressed his concerns on the effect the increased density would have on the creeks on that parcel. Mr. Garlick stated that there will be no more development in the

area of the creeks and there are natural buffers in place that would avoid any negative impact on the creeks.

Chairman Parrish opened the floor for public comment.

Paul Riegelmayr stated that the County does not need additional plotted residential lots, the area is very important ecologically to the County, and as Franklin County would like to remain as a rural county, asked the Board not to approve this request.

Dan Tonsmeire stated his appreciation to Mr. Mahr for his efforts in trying to keep the area as an environmentally sensitive area and help the County meet its affordable housing needs but feels that Eastbay is an important critical ecological area and is important to the Bay and any development in that area is will have negative impact on Bay and County. Mr. Tonsmeire also stated that Tate's Hell was purchased by the State to protect this area from development and to protect the Bay, and asked the Board not to approve the zoning change. Mr. Tonsmeire asked if the County's small scale land use amendment applies to this site.

Attorney Shuler stated that has not heard the applicant refer to 420.615 or a density bonus in their original presentation.

Linda Raffield, the Franklin County Seafood Workers Association secretary, expressed her and the seafood workers concerns of this development and others like it hurting the Bay and asked the Board not to grant the zoning change.

Leslie Cox did not support the request for a zoning change and asked if it was possible for the affordable housing portion of the project to move forward as a small scale land use request without the larger portion of the development.

Attorney Shuler stated the purpose of the State statute and informed the Commission of their options.

Gathana Parmenas, of Carrabelle, agreed with the previous speakers who didn't support the zoning change request, and didn't think that the location was appropriate location for affordable housing.

Tom Adams, of St. George Island, discussed his efforts to keep density down at Nick's Hole and compared it to this project. Mr. Adams also discussed some of the problems at the Summercamp project.

Don Grinenko, of St. George Island, was in opposition to the zoning change because he thought there would be long term damages to the County's seafood industry.

Mr. Pierce informed Commissioner Sanders that the State owns most of the property southeast of the Whiskey George property.

Commissioner Sanders inquired what if any wetlands on that property have been disturbed.

Mr. Mahr stated that when the property was first purchased, wetlands were disturbed because of conflicts between two different State agencies.

Commissioner Sanders asked if there were any protected species on the property and where was the soil tested.

Mr. Garlick provided this information for Commissioner Sanders to review.

Commissioner Sanders expressed her concerns of protecting Juniper Creek and thinks that there are too many environmental issues on this property to consider approving this request and would probably vote to deny this request.

Mr. Garlick stated that in the 1960's, Juniper Creek was in a bad condition and has gotten better since then due to restoration projects.

Mr. Garlick stated that Mr. Mahr decided to withdraw the project.

Chairman Parrish recognized Mr. Mahr's request to withdraw the project and ended the public hearing.

Commissioner Jackel asked Mr. Mahr if he planned to re-submit the project at a later date.

Mr. Mahr stated that he has no intention to resubmit this project at this time, but will do some research over the next few years to see if any development is possible.

Commissioner Jackel asked if the County could vote on this issue even though Mr. Mahr has withdrawn his request at this time.

Attorney Shuler stated that Mr. Mahr has the right to withdraw his request.

Commissioner Jackel stated that the increased density, even for affordable housing, is not what the County wants in this environmentally sensitive area.

Mr. Mahr stated that there are parcels in the same area that are already zoned residential but will present this info at a later date if necessary.

Commissioner Putnal stated that he was against increased density in this area and didn't want the same mistake made as on St. George Island, especially on waterfront property.

Public Hearing – Tami Wray – Utilities Feasibility Study (10:59 AM)

Mr. Pierce made some statements regarding the feasibility study, stating that the St. George Island portion was a very small portion of the overall study.

Tami Wray introduced the team that did the research on this project, Tom Bryant, Dr. Karen Rubin and also thanked Will Kendrick and Bill McCartney for the support with funding for this project.

Ms. Wray proceeded with a power point presentation.

During the presentation, recommendations were made regarding storm water and wastewater.

Commissioner Sanders expressed her disappointment with the presentation because the potable water issue was not discussed which is what most of the funding for the study was provided for.

Mr. Tom Bryant and Ms. Wray stated that these issues are in the written report but not part of the power point presentation and discussed the problems with the potable water supply in Franklin County and possible solutions to this problem, especially in Alligator Point.

Chairman Parrish opened the floor for public comment.

Ken Osborne, of Alligator Point, pointed out some information that was incorrectly stated in the presentation but recommended scheduling public hearings in the affected communities before any decisions are considered regarding potable water.

Gene Brown, of St. George Island, gave some history of the development of St. George Island (SGI) along with stormwater and wastewater issues. Mr. Brown also discussed some structures on SGI that were permitted for one use and has created more density than was allowed.

Mr. Pierce stated all of these structures were created before the County started enforcement.

Mr. Brown discussed the need for a central sewer system on SGI.

Chairman Parrish asked Mr. Brown to present any suggestions he may have after he has had an opportunity to review all of the research done by the consultants.

Allan Feifer, of Alligator Point, asked if it is possible to upload the report to the County's website for public review, and wanted more citizen input, not just the report, to be considered before a decision is made on any of these issues discussed.

Jim Waddell stated that, as an engineer and a native of Franklin County, the SGI sewer issue will require a long term solution, and the report is a good framework for SGI sewer issues and County water issues, but aerobic systems may not be a good long term solution. Mr. Waddell stated that the long term solution should be discussed more because it affects the seafood industry and the tourist industry.

Commissioner Jackel stated that she will discuss this matter further with Ms. Wray, and will meet with Mr. Waddell and Mr. Gene Brown at later dates.

Ms. Wray suggested scheduling a workshop after everyone has reviewed the document to discuss this matter further.

The Board discussed problems with SGI and the frequent closure of beaches in the County.

Motion by Lockley, seconded by Putnal, to schedule workshops on this matter at the start of the New Year; Motion carried 5-0.

Alan Pierce – Director of Administrative Services – Report – Continued (12:15 PM)

Mr. Pierce continued with his report.

8- Board action to award C.W. Roberts the low bid on the Bluff Road Boat Ramp project subject to negotiations handled by Preble-Rish to bring the low bid down to the amount funded by the FWC grant. The low bid is approximately \$50,000 above grant funds, but a lot of the cost is associated with moving dirt around that the county might be able to do. Before Preble-Rish agrees to any county effort, Road Superintendent Chipman will be brought into the negotiations to make sure he can do the work.

Commissioner Jackel expressed concerns of overloading Mr. Chipman and his department.

Motion by Lockley, seconded by Putnal, to award C. W. Roberts the Bluff Road Boat Ramp project; Motion carried 5-0.

9- Board action to accept a donation of Lot 3 and the east 20 feet of Lot 2, Block V, Penn Point Unit 6, Alligator Point by Mr. Bill Gladwin, and to direct Mr. Shuler to prepare a deed for Mr. Gladwin. The lot is on Chip Morrison Drive and is in an area that has suffered heavy erosion.

Houses on either side of this lot have had to move back because the erosion is continuing in this area. The lot is not large enough to support a house and on-site sewage system. I inspected the lot on Tuesday, Nov. 26. There used to be a house on the lot but the lot is clear of debris and could serve as a beach access point.

Motion by Sanders, seconded by Lockley, to accept the donation of Lot 3 and east 20 feet of Lot 2, Block V, Penn Point Unit 6, Alligator Point and approve payment of the recording fees: Motion carried 5-0.

10- Inform Board that I delivered the county's Stan Mayfield Working Waterfront Grant application to DCA on Tuesday, Nov. 26. We were the second applicant. Key West was the first, and their request is for the entire \$7.5Million dollars available in the grant. Our request was for approximately \$1.4Million. I spoke to the program director, Mr. Ken Reecy. He said they expected 12-15 applications. The applications will be reviewed, scored, and ranked, by the middle of February.

If we are not successful this time we will have two other funding opportunities to purchase waterfront land, assuming the state has funds to grant in 2009. The two other opportunities will be the normal FCT grant cycle which will open in February and close in August, and, then a second round of Stan Mayfield Working Waterfront Grants which will open probably in May, and close in September.

By January we will know our rank among applicants, and then the Board can decide whether to try to improve this grant if we are not successful, or seek another location that might generate more points.

11- Board action to direct Ms. Lucy Turner to make a recommendation regarding Mr. William Scott, Veterans Affairs officer, and his request for assistance. Ms. Turner has a handout for the Board which describes the process she will follow. I have already provided a copy of this to Mr. Scott.

Motion by Putnal, seconded by Sanders, to direct Ms. Lucy Turner to make a recommendation regarding Mr. William Scott; Motion carried 5-0.

12- Inform the Board that the Hospital Board would like an opportunity to comment on Commissioner Lockley's request to the School Board regarding the school property on the corner of 12th and US 98, so I have not yet written that letter to the School Board as directed at the last Board meeting.

T. Michael Shuler – County Attorney – Report (12:22 PM)

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

ITEMS REQUIRING BOARD ACTION

1. None

LITIGATION UPDATE - No Action Needed

(This is a partial list of relevant issues for your consideration)

2. Elizabeth Clifford: This is a \$100,000.00 claim based on Mrs. Clifford's allegation that she burned her feet after stepping into a bed of coals from a camp fire buried in the sand on the public beach on St. George Island, Florida on April 20, 2008.

She filed a settlement offer on October 10, 2008. That offer has been forwarded to your insurance company, F.A.C.T., for their action.

To date, F.A.C.T. has neither denied nor approved the claim as they are still investigating. No lawsuit has been filed to date. Her attorney's 11/18/08 letter is attached, it has been forward to F.A.C.T.

Board Action: None Recommended. This is for you information

3. Ricardo Jenkins: Mr. Jenkins filed a Notice of Intent to sue the County, alleging damages because Mr. Jenkins was arrested on a capias that he said was recalled.

Your insurance company, F.A.C.T., has received the claim and asserted the defenses of sovereign immunity and that the Sheriff, not the Clerk, had the responsibility to recall the capias. A copy of F.A.C.T.'s 11/21/08 letter is attached.

Board Action: None Recommended. This is for your information.

ITEMS NOT REQUIRING BOARD ACTION

(See item #6 concerning a change to the start date of Dan Garlick's lease)

4. Urgent Care Property in Carrabelle

I have notified the School Board of the complaints you have received from residents stating that Franklin County should not have to pay the School Board for five acres to be used as an Urgent Care Facility. I have communicated your request that the School Board consider this complaint. A copy of my letter is attached.

I also affirmed that the County would purchase the land if the School Board elected not to gift the land to Franklin County

The School Board is scheduled to make a decision at its December 11, 2008 meeting.

I do not believe we can lease land from the City of Carrabelle for the Urgent Care Facility, as Carrabelle's lease with the School Board does not allow the construction of improvements without first obtaining the permission of the School Board.

Board Action: None Recommended.

Commissioner Jackel asked if the School Board would consider a lease as an option and if the County was still in favor of purchasing the property.

The Board and Attorney Shuler discussed the need for this project to move forward and options for obtaining the property.

The Board discussed the possibility of scheduling a workshop with the School Board to discuss property for Urgent Care Center.

Motion by Jackel, seconded by Lockley, directing Attorney Shuler to pursue a long term lease if the School Board would not gift the land for the urgent care center in Carrabelle; Motion carried 5-0.

5. Paradise Lane

I have ordered the survey from Preble-Rish.

Board Action: None recommended. This is for your information.

6. Dan Garlick's Airplane Hanger Lease

At your last meeting you approved a 20 year airplane hangar lease with Dan Garlick. The hanger is located at the Apalachicola Airport.

I misunderstood that the lease began November 1, 2008. Mr. Garlick wanted the lease to begin December 1, 2008.

The Board did not specify any particular start date for the lease, but I did not want to change the start date on the lease without informing the Board first.

Unless the Board objects, I am going to change the lease start date to 12/1/08.

Commissioners' & Public Comments (12:30 PM)

Commissioner Putnal discussed the need for the County to assist with allowing the Brown's to place some type of temporary housing on their property as their trailer burnt down on the weekend.

Commissioner Jackel and Mr. Pierce stated that there is a temporary solution in place and reported on some of the permanent options that are being discussed.

Commissioner Sanders reminded the other Commissioners that they are all invited to take part in the Camp Gordon Johnson parade.

Commissioner Sanders stated that Commissioner Parrish did a very good job representing the County at the FAC conference in Daytona Beach. Commissioner Sanders stated that at the Conference she asked FAC to be more supportive of Franklin County and the neighboring counties with the ACF water wars especially when FAC meets with the Federal Government.

Motion by Sanders, seconded by Lockley, to authorize payment of travel expenses to allow Commissioner Jackel to attend new commissioner classes; Motion carried 5-0.

Attorney Shuler got clarification from the Board that purchasing the land from the School Board for the urgent care center in Carrabelle was the 3rd option if gifting the property or a lease was not agreed to.

Frank Gibson, of Alligator Point, stated that he would like some of the Commission meetings held in the evenings.

Harriet Beach, of Lanark Village, stated that there is still a problem with bears in the recycle bins in Lanark Village.

Board discussed this matter.

Motion by Sanders, seconded by Lockley, directing Mr. Pierce to send FWC a letter asking for some assistance with black bear problems and have a representative from FWC visit county to discuss problems the County is having with the black bears; Motion carried 5-0.

Allen Feifer, of Alligator Point, asked what is the Board's proposed solution to the \$500,000 reduction in the budget. Mrs. Johnson and the Board stated that the Finance Office will be very diligent with watching the revenues and the spending of all Board accounts as she reported this morning.

Mr. Feifer also favored evening meetings and asked if the Board will schedule any evening meetings next year.

Chairman Parrish gave some history on this matter and also stated that the Commission has already agreed to hold meetings in the evenings if there is a subject that requires a lot of public input.

Commissioner Jackel stated that more public input is needed before that decision is considered by the Board as she has not received many requests to change the meetings to the evening.

Commissioner Lockley stated that he agreed to change the meetings to the mornings to accommodate anyone living on the eastern end of the County so they wouldn't have to drive late at night.

Adjourn 12:43 PM

There being no further business Chairman Parrish adjourned the meeting.

Joseph Parrish, Chairman FCBCC

Attest:

Marcia M Johnson, Clerk of Court