

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
DECEMBER 16, 2008  
9:00 AM**

**MINUTES**

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

**Others Present:** Marcia Johnson – Clerk of Court, Allen Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Moron – Board Secretary

**Call to Order (9:00 AM)**

Chairman Parrish called the meeting to order.

**Prayer and Pledge (9:01 AM)**

There was a Prayer followed by the Pledge of Allegiance.

**Presentation- Doris Shiver Gibbs – Supervisor of Election (9:04 AM)**

Mrs. Johnson read a Resolution of Appreciation for Mrs. Doris Gibbs as she is retiring from her position as Supervisor of Election.

**Motion by Sanders, seconded by Jackel, to approve and authorize the Chairman's signature on the Resolution of Appreciation for Mrs. Doris Gibbs, the Supervisor of Election; Motion carried 5-0.**

Mrs. Johnson and Chairman Parrish thanked Mrs. Gibbs for all of her years of service to the County.

Mrs. Gibbs thanked everyone for their support throughout her years of service.

Commissioner Sanders and the other Board members also thanked Mrs. Gibbs for her years of service.

**Approval of Minutes – November 18, 2008 & December 2, 2008 (9:11 AM)**

**Motion by Lockley, seconded by Putnal, to approve the minutes for the November 18, 2008 and December 2, 2008 regular meetings; Motion carried 5-0.**

**Payment of County Bills 9:12 am**

**Motion by Sanders, seconded by Jackel, to approve payment of the County's Bills as presented; Motion carried 5-0.**

**Doris Pendleton – Presentation of VAB findings 9:12 am**

Mrs. Doris Pendleton did not attend the meeting as the Value Adjustment Board continued their hearings to a future date.

**Department Supervisors Report**

**Hubert Chipman – Superintendent of Public Works – No Written Report (9:12 AM)**

There was no representative from the Public Works Department or the Road Department.

Commissioner Putnal discussed a problem with flagmen on the Highway 98 project starting before daylight which is causing a potential traffic safety problem.

Commissioner Sanders discussed some problems she has had with the flagman on this project but will discuss this matter with representatives from FDOT who will be present at a meeting she is planning to attend.

The Board and Mr. Pierce discussed other problems with the flagmen on this project.

**Motion by Sanders, seconded by Putnal, to direct Mr. Pierce to contact FDOT about this problem; Motion carried 5-0.**

Mr. Pierce invited the Commissioners to the Road Department Christmas Party.

**Fonda Davis – Assistant Solid Waste Director – No Written Report (9:16 AM)**

Mr. Davis updated Commissioner Jackel on the status of repairs to the playground on St. George Island. Commissioner Jackel stated that use of the park would increase after the holidays and would like the repair project to be completed as soon as possible.

**Dan Rothwell – County Engineer (9:17 AM)**

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

**1. BOARD ACTION: St George Island Boat Ramp:**

Staff requests Board permission to make a partial payment on the \$13,868.08 final invoice to Larry Joe Colson, Inc, based on the 95% project completion for \$7,868.08, and make the remaining payment of \$6,000.00 once the project is complete.

Mr. Rothwell stated that this project was completed after he submitted this report, so he is asking for Board action to approve final payment on this project.

**Motion by Jackel, seconded by Sanders, to authorize the final payment to Larry Joe Colson, Inc. for the St. George Island Boat Ramp project; Motion carried 5-0.**

**2. BOARD ACTION: Eastpoint Boat Ramp Project:**

Bailey Bishop & Lane is to make a recommendation of the construction contract bid award. Staff requests that the Board award the contract as recommended.

Jack Husband, of Bailey Bishop and Lane recommends that the Board award the Bid to the second lowest bidder, Poloronis Construction; the low bidder did not return the appropriate documents to qualify for the bid.

**Motion by Putnal, seconded by Jackel, to award the Eastpoint Boat Ramp Project to Poloronis Construction, based on the recommendation of Bailey Bishop & Lane; Motion carried 5-0.**

Commissioner Jackel stated that she has been conferring with Mr. Husband and will present a plan to the Board at the second meeting in January that will recommend how to use the leftover grant monies from this project.

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

St. Joe Company is to review County's request on the December 10, 2008 investment committee meeting. Florida Department of Transportation is still considering the County's request.

Commissioner Sanders stated that because of State's plan to cut grant funding, the County needs to proceed with the project as soon as possible.

Mr. Rothwell updated the Board on this project stating, that FDOT wanted some modifications made to the plans, and after that is approved, the only other hold up is the St. Joe Company waiting for FDOT approval on the property, either as a grant or a long term lease.

The Board agreed that we need to move forward with this project as soon as possible.

Mr. Husband, of Bailey Bishop & Lane, stated that he has a sealed copy of the final engineered plans that was submitted to FDOT to present to Mr. Rothwell today.

**4. W 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.

**5. Apalachicola Airport Runway 06/24:**

Work on the FDOT grant project to replace some slabs, replace some joints and repaint areas to meet new FAA requirements is nearly complete and substantial completion inspection is scheduled for this week.

**6. Squire Road, Peachtree Road Survey and Long Road:**

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

Commissioner Jackel and Mr. Rothwell discussed changes regarding improving the turning radius at the St. George Island Boat ramp that FDOT was willing to help the County with. Commissioner Jackel asked Mr. Rothwell to move forward with these changes and include moving a stop sign that was located too far out from where the motorist should stop. Mr. Rothwell discussed some of these changes in more detail.

Commissioner Putnal stated that he didn't want any of those rocks located at the St. George Island boat ramp moved without Board notification.

Mr. Rothwell informed Commissioner Lockley that the paving project should be starting sometime during the first of the year. Clay Kennedy, of Preble-Rish, stated that Airport Road and Gulf Beach Drive will be bid in January and the other County roads will be bid sometime in February.

**Pam Register – Emergency Management (9:29 AM)**

Mrs. Register presented the following items for Board review.

Action Items: None

Information Items:

1. We submitted the County's Disaster Debris Management Plan to the state to be approved by FEMA.
2. Mike Rundel will be sending letters out for the Jan 14, 2009 at 7:00pm meeting for the 911 communications group meeting.
3. We attended the Region 2 Emergency Management meeting in Jefferson County EOC on Dec 12, 2008 this is part of our scope of work for our grants.

Mrs. Register informed Commissioner Putnal that even though there were flooding advisories and warnings there was no damage reported in the County. Commissioner Putnal discussed issues regarding flooding and the need for the water to circulate in Bay.

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

Mr. Pierce presented the following item from his report as it related to Emergency Management.

2- Inform Board that bids will be opened for a new energy efficient heating system at the EOC in January. The ad will run next week.

**William Scott – Veteran’s Affairs Director – No Written Report (9:33 AM)**

Mr. Scott updated the Board on his status with his sight impairment, thanked Mrs. Doris Pendleton for allowing one of her employees to assist him with his workload up until January 15, 2009. Mr. Scott stated that he is requesting a permanent employee, for at least 30 hours a week, to assist him.

Commissioner Putnal and Mr. Scott discussed hiring and training someone who would be in a position to take over his department when he retires.

Mr. Scott said that a candidate for the Veteran Service Officer position must possess a 2 yr degree, wartime service, and 4 years of experience, or a 4 year degree.

Mr. Pierce discussed some of the options and requirements for hiring someone for this position.

Commissioner Jackel suggested using the employee on loan from Mrs. Pendleton’s office beyond January 15, which would give the Board an opportunity to make a better decision. Attorney Shuler reminded the Board that the County’s Labor Attorney, Ms. Lucy Turner, was tasked with presenting a recommendation on this matter and has not done so as yet. Commissioner Sanders stated that she wanted Mrs. Turner’s recommendation at the next meeting.

**Motion by Lockley, seconded by Jackel, to establish a position to assist Mr. Scott the Veteran’s Affairs Director of no more than 29 hours per week, but the specifics will be determined after Mrs. Lucy Turner, the County’s Labor Attorney, makes her recommendation to the Board; Motion carried 5-0.**

**Bill Mahan – County Extension Office Director (9:55 AM)**

Mr. Mahan discussed the following item from his report with the Board.

Florida Fish and Wildlife Commission (FWC) Updates:

**Blue crab closed seasons proposed to aid cleanups** – The FWC proposed a draft rule Thursday, December 4<sup>th</sup>, that would establish six regional closed seasons to the harvest of blue crabs with traps. These closures would extend for a period of up to 10 days each to help efforts to identify and retrieve lost and abandoned blue crab traps from Florida waters.

Lost and abandoned blue crab traps have been cited as a problem in the blue crab fishery because they sometimes interfere with other fishing activities and can continue to trap crabs and fish when they are not maintained. They are also unsightly in the marine environment, can damage sensitive habitats and pose navigational hazards to boaters.

It is illegal to tamper with blue crab traps unless authorized by the FWC, and lost and abandoned traps cannot easily be distinguished from legal traps, so they often remain in the

water indefinitely. Regional closures of up to 10 days would allow authorized groups to collect lost and abandoned blue crab traps that remain in the water after fishermen remove their working traps during the closed periods.

After consulting with its Blue Crab Advisory Board and receiving input from the public, the FWC is proposing annual blue crab harvest closures as follows:

- in all waters of the St. Johns River system from Jan. 16-25,
- all other coastal waters from the Georgia/Florida state line south through Volusia County from Aug. 20-29,
- all waters of Brevard County through Palm Beach County from Aug. 10-19, all waters of Broward County through Pasco County from July 10-19,
- all waters of Hernando County through Wakulla County from July 20-29, and
- **all waters of Franklin County to the Florida/Alabama state line from Jan. 5-14.**

Except for the St. Johns River system closure, all of the proposed blue crab trap harvest closures would extend from the shoreline out to three nautical miles and include all inland waters in the regions. An existing Sept. 20 - Oct. 4 closed season in the Gulf of Mexico from three to nine miles offshore would be retained.

The proposed closures would apply only to standard blue crab traps. The harvest of blue crabs by other gear, such as dip nets and fold-up traps, would still be permitted during the closures. The closures would also apply to recreational harvesters who use standard blue crab traps unless the traps are attached to private property.

A final public hearing on these rule proposals will take place in February in Destin.

Commissioner Sanders stated that she has received complaints about the blue crab closed season.

#### **Open Bid Proposals for County Probation Services 9:56 AM**

Mr. Pierce read the names of the Company's that responded to the request for proposals.  
Salvation Army  
Judicial Correction Services

**Motion by Sanders, seconded by Lockley, to table this item until January 20, 2009 when the Board will interview both of the Companies; Motion carried 5-0.**

#### **Signing of Management Agreement with Tallahassee Memorial Hospital and Weems Hospital (9:59 am)**

Curt Blair, of the Weems Memorial Hospital Board, introduced Weems Board and Staff members and discussed the improvements that were made at Weems Hospital along with the new services that were being offered since the Board assumed responsibility of the Hospital 3 years ago. Mr. Blair presented and reviewed the finalized management agreement which is recommended for approval by the Hospital Board.

Mark O'Bryant, CEO of Tallahassee Memorial Hospital, thanked the Board for the opportunity for this partnership.

**Motion by Putnal, seconded by Lockley, to approve and authorize the Chairman's signature on the management agreement with Tallahassee Memorial Hospital; Motion carried 5-0.**

The Board thanked Tallahassee Memorial Hospital, members of the Hospital Board, Representative Will Kendrick, and others, for all of their efforts for all of the improvements that has been made to health care in Franklin County.

Commissioner Putnal stated that Mr. Dana Holton has equipment that the Hospital or clinic might be able to use and asked Hospital Board to contact him.

**Mark Knapke – New St. George Island State Park Manager (10:10 AM)**

Commissioner Jackel introduced Mr. Knapke, the new St. George Island State Park Manager. Mr. Knapke discussed some of the projects he will be working on as the Park Manager. Chairman Parrish welcomed Mr. Knapke to the community.

**Jay Abbott – United Firefighters Association (UFA) Update (10:14 AM)**

Chief Abbott discussed the recent action of the UFA, including the reorganization and the scheduled monthly meetings. Mr. Abbott encouraged the Commissioners to contact the fire departments in their districts so that they are aware of their needs. Mr. Abbott asked staff to check on the MSBU rules as it applies to city fire departments with a fire district that runs outside the city limits.

Jay Abbott invited the Commissioners to attend a 911 communication group meeting on January 14, 2009 at the Eastpoint firehouse.

**Motion by Sanders, seconded by Jackel, to direct staff to advertise possible attendance of Commissioners at a 911 communication group meeting on Jan 14, 2009 at the Eastpoint firehouse; Motion carried 5-0.**

**Jerry Alford – AFLAC (10:20 AM)**

Mr. Pierce stated that Mr. Alford was here to discuss payroll deduction for AFLAC.

Jerry Alford and Terry Faircloth discussed Section 125 cafeteria insurance plan and how it will benefit the County and county employees that have health deductions.

**Motion by Jackel, seconded by Sanders, to authorize the finance department to use Section 125 for health insurance deductions for County employees; Motion carried 5-0.**

**Craig McMillan – Pat Thomas Agency – Presentation of check (10:27 AM)**

Mr. McMillan discussed some of the actions his agency has done to help reduce the cost of insurance to the County and presented a check for \$73,892 which was the County's portion of a \$10 million dollar refund to counties who had property insurance in 2006.

Chairman Parrish thanked Mr. McMillan for the refund and their efforts in reducing cost of insurance to the County.

Mr. McMillan congratulated the Board on their actions on health care in this county as he serves as the Chairman of the Gadsen County hospital board and is envious of the positive actions of everyone who helped with bettering the health care in Franklin County.

Commissioner Sanders discussed this matter further and told Mr. McMillan that Franklin County will help Gadsen County when needed.

**Recess (10:36 AM)**

Chairman Parrish called for a recess.

**Reconvene (10:47 AM)**

Chairman Parrish reconvened the meeting.

**Lee Lewis – AVCON – Airport Update (10:47 AM)**

Mr. Lewis updated the Board on the actions of AVCON since being selected as the Airport Engineering firm. Mr. Lewis also gave some specific information on the current active grants and projects.

Board thanked Mr. Lewis for attending the meeting and updating the Board on the activities at the airport.

Commissioner Sanders expressed her pleasure to see AVCON promoting the airport.

Commissioner Putnal and Mr. Lewis discussed possible client interests in renting space at the airport.

**P&Z Consent Agenda (11:01 AM)**

Mr. Pierce presented the following items for Board discussion and approval.

**1 – Approved by the Planning and Zoning Board** (unanimous) Consideration of a request to construction a Single Family Private Dock at 2135 West End, Dog Island, Franklin County, Florida. This Dock will have a 210' x 4' walkway with an 8' x 20' platform. This application meets all state and local requirements. Request submitted by Docks 4 Less, agent for Arnulf Reichelt, applicant.

**Motion by Sanders, seconded by Putnal, to approve Item 1 of the Planning and Zoning report; Motion carried 5-0.**



**2 – Approved by the Planning and Zoning Board** (unanimous) Re-consideration of a request to construct a single family dock lying in Section 10, Township 8 South, Range 7 West, Blounts Bay, Apalachicola Bay, Eastpoint, Franklin County, Florida. Request submitted by Barrs Floyd, applicant. (Originally approved 10-9-07 PZ)

**Motion by Sanders, seconded by Lockley, to approve Item 2 of the Planning and Zoning Report; Motion carried 5-0.**

**Advisory BOA Report (11:02 AM)**

Mr. Pierce presented the following items for Board discussion and approval.

**1 – Approved by the Advisory Board of Adjustment** a request for a variance to construct a wooden retaining wall within the Critical Habitat Zone on property described as Lot 31, Peninsular Point, Unit 7, Alligator Point, Franklin County, Florida. Request submitted by DEC Engineering, agent for Barbara Graves, owner.

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

**2 – Approved by the Advisory Board of Adjustment** a request for a variance to construct a house 20 feet into the front setback line on property described as Lot 29, Peninsular Point, Unit 7, Alligator Point, Franklin County, Florida. Request submitted by Clayton Anderson, agent for Bert B. Boldt, II, owner.

**Motion by Sanders, seconded by Lockley, to approve Item 2 of the Advisory Board of Adjustment Report; Motion carried 5-0.**

**Marcia M. Johnson – Clerk of Courts – Report (11:04 AM)**

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

1- On Sept. 16, the Board opened up Requests for Proposals for Architectural Services for courthouse additions and at later meeting, your architectural review committee recommended the Board select Johnson Peterson Architects. Mr. Pierce and I met with representatives of Johnson Peterson to flesh out the scope of the services needed. In the meeting, the architects agreed to meet with the Supervisor of Elections, Tax Collector, and Property Appraiser to determine their current and future office needs.

After reviewing what those officers said they needed, the architects advised us that estimated construction costs would more likely be around \$1.5 Million, and the county's capital outlay fund only has \$900,000. If the county were to initiate a construction project now, we would be doing so knowing we would have to seek some \$600,000 in next year's county budget to finish paying for the project. As your Clerk and your Chief Financial Officer, I cannot stand

here today, knowing the state of the county's revenue stream, and recommend you move forward with this project.

While the Chief Judge could claim additional judicial space in the courthouse and force an issue with the Tax Collector and Property Appraiser, it is unlikely to happen soon as I feel there is adequate judicial space currently.

Mr. Pierce has notified Johnson Peterson that we would be recommending against moving into a contractual agreement with them. They understand and hope the Board keeps them in consideration whenever the project can be accomplished. Because we do not have a timeline, it is our recommendation that the Board reject all bids for architectural services for courthouse additions at this time, and the project will be rebid when funds are available. Board action.

**Motion by Lockley, seconded by Sanders, to reject all bids and delay project until funding is available; Motion carried 5-0.**

2- In a related note, the Board still needs to understand that the Supervisor of Elections is in a leased building that is up for sale. If the building is sold, the Board has an obligation to find a home for the Supervisor. The only building the county owns that the Supervisor could move into is the old County Health Dept. but currently Dr. Miniat is in most of the building, with the Community Action Program in a small part of it. When Dr. Miniat entered into an agreement with the county for that building, it was intended to be a temporary arrangement. While I appreciate all the services Dr. Miniat does for the county, the Board has a direct obligation to provide space for the Supervisor of Elections first. I've written a letter several months ago to Dr. Miniat informing him that I would be bringing up the issue of his lease agreement with the county in January so this is a matter we can discuss more at that time. I have asked Mr. Pierce to put Dr. Miniat on the Jan. 20<sup>th</sup> agenda.

3- Inform the Board that the Finance Office has received further bad news regarding revenue streams. We have received correspondence from the Florida Legislative Committee on Intergovernmental Relations and from the FAC, that there will most likely be declines in all revenue sharing we have relied upon during the budget process. These include our fuel tax, revenue sharing tax, local government half-cent sales tax, and tourist development tax. The only good news is that while the fuel tax revenues are forecast to be down by 6%, the price of fuel itself is currently down about 50% from where it was when we did the budget.

So when the Board was asked at the last meeting how it was going to come up with the \$500,000 shortfall created by the re-assessment of property by the Property Appraiser after the county completed its budget process, the answer I gave then I hold to now, and that is we will keep a close watch on our expenditures through the year. If fuel costs stay down, it is possible there will be adequate savings in fuel budgets in the various departments to make up part of the shortfall.

Board discussed current economic situation including Progress Energy's recent rate increase.

**Motion by Putnal, seconded by Sanders, to contact the Public Services Commission and ask them to reconsider the approval of Progress Energy's rate increase since it was based on the increased fuel price and now fuel prices are down; Motion carried 5-0.**

Mrs. Johnson stated how proud she was of the Hospital and stated that the Hospital's cash balance is currently over \$400,000.

**Alan Pierce – Director of Administrative Services – Report (11:15 AM)**

1- Ms. Mary Helen Blakeslee is retiring from her position with OTTED, Office of Tourism, Trade, and Economic Development. Some of her co-workers have asked counties that she has helped adopt a Resolution of Appreciation to thank her for her years of service. Board action to adopt a Resolution of Appreciation to Ms. Mary Helen Blakeslee.

**Motion by Sanders, seconded by Jackel, to adopt the Resolution of Appreciation to Ms. Mary Helen Blakeslee; Motion carried 5-0.**

2- Inform Board that bids will be opened for a new energy efficient heating system at the EOC in January. The ad will run next week.

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

3- Inform Board that Rep. Boyd's Health Care Council will meet in February, instead of January. Commissioner Lockley will be attending on behalf of the county, along with Mr. Colvert. On behalf of Commissioner Lockley I have asked Mr. Colvert to consider making a request to the Health Council for funding to build an FQHC- federally qualified health clinic that would be run by the Hospital.

**Motion by Putnal, seconded by Sanders, authorizing Chairman Parrish to attend this meeting along with Commissioner Lockley and to pay expenses for this trip; Motion carried 5-0.**

4- Inform Board that the City of Carrabelle has sent the Board a copy of a letter the City sent to DEP informing DEP that the Lanark Village sewer plant and spray fields are going to be abandoned so that the site will "be available for possible future use."

5- Board direction on future ownership of the Fort Combs Armory here in Apalachicola. At this time the Board is leasing the Armory from the Florida National Guard. The Guard is now interested in turning ownership of the Armory over to the county. To that end, the Guard has done an environmental assessment of the building and has provided it to the county. The building does have some lead paint on the walls, and does contain some asbestos-containing material. Both of these are to be expected in a building of this age. The Armory has been in public use since it was built in 1902 and at this time no public health issues have ever been traced back to these materials at the Armory. While a date has not been given for a transfer, does the Board want to take ownership of the building when it is offered?

**Motion by Lockley, seconded by Sanders, for the County to accept ownership of the Armory;  
Motion carried 5-0.**

6- Inform Board that the Board did receive a response to the letter regarding the services that Ms. Keli Brannan provided to county residents. While there was no change in the Department of Children and Families to re-instate the position, the Department did provide a list of "community partner locations within Franklin County" where residents can go to apply for services.

7- Inform Board that the Governor did respond to the Board's letter regarding fiscally constrained budgets. The Governor said he "appreciated your kind words about my budget proposals in this area." I don't recall kind words being in the letter, but in any event his point was, "My position has not changed, and I remain confident that even in this difficult budget year we will be able to provide funding to the 29 fiscally constrained counties."

8- Inform the Board that a long reply has come back from the Department of Environmental Protection regarding the Board's Nov. 25 letter to the Governor over concerns Florida had agreed to additional reductions in the ACF flow. I spoke to Ms. Layman, DEP Chief of Staff, several times, and then in an email from Ms. Janet Llewellyn, Director of Water Resource Management for DEP, I was asked to provide the Board with copies of recent letters from DEP to the Corps. Ms. Llewellyn wanted me to inform the Board that "Florida has **not** supported Georgia's most recent request (nor any of the previous requests) for lower flows...Obviously, a 100 cfs reduction in the spawning season or summertime would be strongly opposed. Florida said it would not vigorously oppose the temporary reduction request of Georgia of 100 cfs because it is not a significant issue during the wet season when River flows are the highest and we are experiencing 40,000 cfs- a basin inflow reduction of 100 cfs when the inflow is 40,000 cfs needs to be taken in context, and you'll see by the letter that the current request only deals with the winter season. As stated strongly in Florida's letter to the Corps, Florida will aggressively oppose any flow reductions during the spawning season. We have and will continue to vigilantly monitor ecological impacts to the Apalachicola River and Bay as well."

Ms. Llewellyn went on to say "Please contact us if you have any questions or are interested in DEP's view on any action the County is considering in regard to ACF issues. We have a positive relationship with Franklin County on this issue, and we sincerely appreciate and value that support. We are always available to answer any questions. Then the Commission can decide if a letter is necessary after obtaining more thorough information which we are happy to provide."

Attached to my report is the Board's Nov. 25<sup>th</sup> letter, and the back-up that DEP asked I provide the Board.

9- On a related note, Ms. Kelly Layman, DEP Chief of Staff, wants the Board and the public to know that Florida and Alabama filed a joint brief on Friday in the U.S. Supreme Court in opposition to Georgia's appeal of the ruling in which Florida and Alabama prevailed when the court nullified the 2003 agreement between the Corps, Georgia, and the Atlanta area water

suppliers. DEP is hoping that Georgia pending request for the case to be heard by the U.S. Supreme Court will be rejected.

10- Inform Board that FAA has renewed the Apalachicola Airport License. I have given Mr. Mosteller the original license which he will post at the airport. The Board will have a copy in its file.

11- Inform Board that FWC has executed the Eastpoint Boat Ramp Grant so the bid for construction can be awarded.

12- I have been informed by the Franklin Chronicle that on Dec. 24 the Chronicle will meet the definition of a paper of general circulation so they will be able to publish legal notices and advertisements in 2009. Does the Board want to solicit bids for the publication of legal ads?

**Motion by Jackel, seconded by Sanders, once verified that the Chronicle meets the definition of a paper of general circulation, to solicit bids for the publication of legal ads; Motion carried 5-0.**

13- Mr. Curt Blair, TDC Coordinator, has four contract extensions for the Board to approve. The TDC has approved all four contracts. On the following page is the summary from the TDC on the four extensions. The Board has previously acted on the initial approval of TDC contracts, so the TDC presumed the Board would want to approve any extensions. The TDC budget includes funds for all four contract extensions. Board action.  
Curt Blair explained the need for the contract extensions.

Item A - Geiger and Associates, Inc

Commissioner Lockley and Mr. Blair discussed publicity exposure received from other groups besides Geiger.

Commissioner Sanders, the Board's representative on the TDC, discussed some of the confusion with the Geiger extension and supported approving the extension.

**Motion by Jackel, seconded by Sanders, to approve the contract extension for Geiger and Associates; Motion carried 4-1, Parrish opposed.**

Item B – Forgotten Coast TV

**Motion by Jackel, seconded by Sanders, to approve the contract extension for Forgotten Coast TV; Motion carried 5-0.**

Item C – 2K Web Group

**Motion by Jackel, seconded by Lockley, to approve the contract modification for 2k Web Group; Motion carried 4-0, Sanders abstained**

Item D - Bay Media

**Motion by Lockley, seconded by Jackel, to approve the contract with Bay Media; Motion carried 5-0.**

14- The Board has been notified that a grant application period will open from Feb. 16-27, 2009 for applications to the Land and Water Conservation Fund. This grant can be used to acquire property, but there is a 50% match requirement, and the maximum grant amount is \$200,000. With such limitations this grant is not really large enough to acquire waterfront property, and with the 50% match requirement the Board needs to determine if it has any funds available to consider for a match. Board direction.

Board discussed this matter. Commissioner Sanders recommended that because of the difficult economic times, the County not apply for this type of grant that requires that much match.

15- Inform Board that unless it objects I have asked Dan Rothwell to turn over R-O-W complaints to me for review and disposition. I plan to use the Bldg Inspector to make the initial inquiry and then if there is a safety hazard that takes an engineer I will contact Dan.

Commissioner Jackel and Mr. Pierce discussed the process for removal of abandoned vehicles, boats, trailers, white goods, garbage, and trash.

16- Inform Board that I am working with Preble-Rish to generate a list of infrastructure projects that the county could undertake within 120 days that we would seek federal funding for. This list is an effort undertaken by the FAC and NACO to help ensure that Florida receives its share of federal infrastructure dollars needed to stimulate the economy. The key aspect of this list is that the projects need to be eligible for federal funding. In the past, this has **not** included road paving of county roads. We are looking at airport work, resurfacing and extending bike paths in the county as those were originally built with federal ISTEA funds, and other county projects that received federal funds in the past.

**Motion by Jackel, seconded by Sanders, to send a letter to Congressman Boyd and Governor Crist requesting some of the funds that President Obama will release for his public works program; Motion carried 5-0.**

Board gave a list of projects that the County should seek funding for during the President's project.

17- Board action to pay National Association of Counties annual dues, which are \$400.

**Motion by Putnal, seconded by Sanders, authorizing the payment of the \$400 NACO annual dues; Motion carried 5-0.**

Commissioner Sanders asked Mr. Pierce to contact NACO and see what information they could provide on whatever savings the County received with the drug prescription program.

18- Board action to write letter of support for a Wilderness Coast Library Grant to enhance computers and computer training at all the libraries that are part of Wilderness Coast, including Franklin County libraries. There is no matching requirement.

**Motion by Sanders, seconded by Jackel, to authorize the Chairman's signature on a letter of support for the Wilderness Coast Library Grant; Motion carried 5-0.**

19- Inform Board that the fully executed CDBG agreement for \$700,000 worth of improvements in the Eastpoint Sewer and Water System has now been received by the Board. It will be filed in this meeting file. The improvements are for a new sewer vacuum station, and new sewer and water lines.

**Michael Shuler – County Attorney – Report (11:52 AM)**

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

1. Authorization to accept service of process

Susan Riley, an employee at Solid Waste, has a small judgment against her in the approximate amount of \$1,200.00. That judgment creditor, Asset Acceptance, LLC, has garnished her wages with the county.

We have to deduct the money from her check each pay period (about \$200) until the judgment is paid in full. We will not release the deducted funds without court order. If we fail in this regard, the county will become responsible.

Board Action: Motion authorizing me to accept service of process on your behalf and to defend the county's interests in this matter.

**Motion by Sanders, seconded by Lockley, to authorize Attorney Shuler to accept service of process, on the Board's behalf, and to defend the County's interests in this matter; Motion carried 5-0.**

2. Urgent Care Property in Carrabelle

At its regular meeting on December 11, 2008, the School Board declined the county's request that they gift or lease the five acres needed for the urgent care facility in Carrabelle, Florida. They want to proceed with the purchase and sale contract for \$100,000.00.

The School Board has several reasons. They said:

- a. the \$100,000.00 will go into a capital outlay fund and will likely be used to build a field house at the school.
- b. that giving the land to the City of Carrabelle was different because while the Carrabelle High School was costing them money and they had to get rid of it, the vacant unused five acres the county wants is not costing them money.
- c. that as custodians of public land, it is not prudent for them to give the land away for nothing.
- d. they want to stick with the deal that was made.
- e. the county did not want to lease the land like the City of Carrabelle, because the City cannot build on the land and the School Board can get the land back anytime they need it.
- f. the School Board had offered the Carrabelle High School and land to the County before it made the deal with the City and the county did not take it.

The School Board also indicated that they might accept county services instead of the money if the county demolished and hauled off the Apalachicola High School. The suggested this but also said it was up to the county to make that proposal to them. If not, then they will proceed with closing for \$100,000.00. I obtained a rough estimate from Luberto's in Eastpoint. They roughly estimate the cost to demolish and haul the Apalachicola High School is about \$250,000, if the debris is dumped in Apalachicola at the airport. If not, the cost will almost double to haul the debris to the landfill

They also indicated that in the future they would want to discuss a joint venture with the county to build an auditorium at the consolidated school site.

**Board Action:** None Recommended. Unless you say otherwise, I am closing the purchase this week for \$100,000.00 to be paid to the School Board. You previously authorized the Clerk to issue the check to pay for the land.

Attorney Shuler and the Board discussed this matter further.

### 3. FCTV

Helen Sphorer is present to give you the annual report required by her contract with you. She is to provide a written report stating that she has complied with all regulations and laws governing her operation of the local channel.

She would also like to report to you concerning her community service.

**Board Action:** None Recommended.

Mrs. Helen Sphorer and Mr. Royce Rolstad of Forgotten Coast TV (FCTV) distributed and reviewed the end of year report, which stated that FCTV provided 332 hours of Commission meetings in 2008. Mr. Rolstad asked for Board action to credit the 96 hours in the contract towards the 332 hours of Commission meetings aired on FCTV.



Attorney Shuler asked the Board to consider amending the contract hours to 332 hours from the current amount of 96 hours and discussed the advantages and disadvantages of each.

Mrs. Sphorer stated why the County should consider using its 96 hours for the County Commission meeting and discussed the contract further.

Commissioner Sanders stated that there are residents who want the Cities of Apalachicola and Carrabelle meetings, School Board meetings, and Planning and Zoning meetings televised on FCTV.

Chairman Parrish stated that if we went along with Mr. Rolstad and Mrs. Sphorer, the Board would lose the opportunity to televise these other meetings.

Attorney Shuler described what was discussed during the initial negotiations with FCTV which included a discussion of the 96 hours being in addition to the airing of the County Commission meetings.

Mrs. Sphorer disagreed.

Mrs. Sphorer stated that the airing of these meetings are sponsored.

Chairman Parrish and Mrs. Sphorer agreed that the County has never requested the use of their 96 hours.

The Board was satisfied with the current situation and did not see the need to commit the 96 hours specifically to the airing of the County Commission meeting.

#### 4. Miller Street, Eastpoint

I sent Don Lively and his wife Patricia Lively a letter directing that they remove the trailers from the right of way. A copy is attached.

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

#### 5. Private Road in Eastpoint

I spoke with Mr. Watkins about the complaints you have received that repairs to his private road are needed. He said he is now aware of the situation and is going to take care of it. I did not send Mr. Watkins a letter as I think speaking with him is more effective.

**Board Action:** None Recommended

#### 6. Brickyard Road, Highway 65, Eastpoint, Florida

You previously authorized me to take action to stop shooting over the homes at Brickyard. Ch. 190, Florida Statutes seems to address this, so I authorized the road department to put up signs warning the public not to shoot within 500 yards of the homes. Hopefully, this will solve the problem.

**Board Action:** None Recommended

#### 7. Bill Snyder

I left two messages for Mr. Snyder to call me. To date he has not done so. I understand he may have resolved the matter with Mr. Pierce, so that may explain why he has not called me back.

**Board Action:** None Recommended

#### 8. Alligator Point Donated Land

I have mailed the deed to Mr. Gladwin. He says he is going to gift 30 feet of Lot 2 and all of Lot 3, Block V, Unit 6, Peninsular Point, Franklin County. A copy is attached.

**Board Action:** None Recommended

#### 9. Lombardi Property

The seller finally delivered the appraiser completed IRS Form 8283. As the Board previously authorized the chairman to execute the form and donation letter, I have asked the Clerk to have the chairman sign those two forms.

The county is doing this to acknowledge receipt of the land and that the seller claims to have sold it to us for less than market value. The county expressly states that it takes no position concerning the sellers claimed market value. We only state that we received the land and that we paid \$1,500,000.00.

**Board Action:** None Recommended

#### 10. Airport

The Florida Department of Transportation (DOT) requested that I send them a letter that the county complied with the Consultants Competitive Negotiation Act when hiring AVCON, Inc. as your airport engineer. I have sent them the letter along with a copy of the signed agreement. A copy is attached.

DOT says that the letter is necessary before they would release grant funds.

**Board Action:** None Recommended

#### 11. Weems

I sent a follow-up letter to the Agency for Health Care Administration. (AHCA) They have not responded to my October 2008 letter requesting a refund of the \$60,000.00 Weems paid them toward the old DaSee fines and penalties. A copy is attached.

As you recall, Weems was forced to assume responsibility for about \$320,000.00 in fines and penalties caused by DaSee, the prior operator who leased the hospital.

Representative Kendrick was instrumental in obtaining funds to pay off that debt in full. We want AHCA to refund the \$60,000.00 Weems them before the legislative money was received.

**Board Action:** None Recommended

**Commissioners' and Public Comments (12:14 PM)**

**The Commissioners wished everyone a Merry Christmas and a Happy New Year.**

Commissioner Jackel stated that she received over 30 emails regarding the scheduling of regular meetings in the evening and asked the Board to consider discussing it at the next meeting.

**Adjourn (12:17 PM)**

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

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Joseph A. Parrish, Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Court