

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
JANUARY 20, 2009
9:00 AM**

MINUTES

Commissioners Present: Joseph Parrish - Chairman, Bevin Putnal – Vice Chairman, Cheryl Sanders, Pinki Jackel

Commissioner Absent: Noah Lockley

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

Call to Order (9:05 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:05 AM)

There was a Prayer followed by the Pledge of Allegiance.

Approval of Minutes – Regular Meeting: January 6, 2009 (9:07 AM)

Motion by Putnal, seconded by Jackel, to approve the minutes of the January 6, 2009 Regular Meeting; Motion carried 4-0.

Payment of County Bills (9:07 AM)

Motion by Sanders, seconded by Jackel, to authorize payment of the County’s bills as presented; Motion carried 4-0.

“Skip” Shiver – Franklin County Sheriff (9:08 AM)

Sheriff Shiver distributed and read the following statement.

*I AM TRYING TO RESTRUCTURE MY DEPARTMENT TO MAKE OPERATIONS RUN MORE EFFECTIVELY AND EFFICIENTLY.
I CURRENTLY HAVE ONE DISPATCH POSITION, ONE CORRECTIONS POSITION, AND ONE LAW ENFORCEMENT POSITION OPEN.
AS YOU ALL KNOW MY OFFICE NEVER SHUTS DOWN. WE OPERATE 24-7.
I WANT TO SHUFFLE SOME POSITIONS AROUND.
I WANT TO FILL MY DISPATCH POSITION AND FILL MY LAW ENFORCEMENT POSITION WITH A CORRECTIONS OFFICER CURRENTLY EMPLOYED.
I ALSO HAVE A K-9 THAT IS NOT BEING UTILIZED AND IS WASTING THE COUNTY'S MONEY. BY DOING THIS RESTRUCTURING, I WILL BE ABLE TO GET THE K-9 UNIT BACK UP AND RUNNING.
I WOULD THEN LIKE TO TAKE THE TWO OPEN POSITIONS IN CORRECTIONS AND TURN IT INTO ONE POSITION. THIS PERSON WILL FUNCTION AS A SUPERVISOR TO OVERSEE THE JAIL OPERATIONS.
ALL OF THIS IS WITHIN THE SCOPE OF MY BUDGET. AND IN DOING SO, I WILL ESSENTIALLY HAVE ONE LESS EMPLOYEE. THEREFORE, ONE LESS BENEFITS PACKAGE OR EXPENSE TO THE COUNTY.*

The Board and Sheriff Shiver discussed his plans to reactivate the K-9 unit, shuffle positions, and the financial status of the Sheriff's department.

Alan Pierce – Director of Administrative Services – Report

Mr. Pierce presented this item from his report.

Item 10 – Inform Board that Mark Curenton is finishing up the Competitive Grant Application for a new EOC building. After consulting with Ms. Register, EM Director; Sheriff Shiver, and others, the county will be seeking \$1Million to build a 5000 square foot building. The approximate division of the building would be 3000 square feet for Emergency Management, 1000 square feet for Public Works, and 1000 square feet for a communications area that ultimately might house Sheriff's Dispatch and 911.

Mr. Pierce also stated that location for the new EOC, either the Road Department or the Sheriff's Department, will depend on the amount of grant funds received by the County, but one of the major concerns is to move the communication center from where it is presently located, inside the jail.

Commissioner Putnal expressed concerns of correction officers being displaced because after the communication center is moved they will not be able to assist with dispatching.

Sheriff Shiver said he has taken this matter into consideration.

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works 9:13

Larry Brown submitted a report to the Board.

Commissioner Putnal and Mr. Brown discussed maintaining some of the County roads with the remaining milled asphalt.

Commissioner Jackel thanked Mr. Brown for all of the work the Road Department has done on St. George Island with the grading and moving the storm water around.

Commissioner Jackel also discussed a complaint she received from Mr. Bloodworth regarding the lack of signage, since the repaving of Highway 65, indicating the bridges and creeks, which is making it difficult to give directions to visitors for hunting purposes.

Mr. Brown stated that the signage is a State, through VMS, matter.

Commissioner Sanders stated that she also has the same issue on Highway 98 in the forest, in her district, and asked Mr. Pierce to send FDOT and VMS a letter on this matter.

Commissioner Jackel stated that Mr. Bevin Miller asked for assistance with paving Avenue A in Eastpoint.

Commissioner Putnal stated that he has already addressed this issue.

Commissioner Sanders stated that she has received some complaints of the sudden drop off on the aprons on CR370 in Alligator Point.

Clay Kennedy, of Preble-Rish, stated that he has already contacted C. W. Roberts and they will address this issue.

This item was part of the Road Department's report.

As of January 6, 2009 Department of Corrections implemented an every 30 minute check in from all inmate supervisors who get their inmates from the Bay City Work Camp. Therefore the inmate supervisor now has to call in to the office every 30 minutes with their squad number, a visual count on their inmates and their location and then in return the office has to document and call the control room with all of this information from all working squads. When the Department of Corrections implemented this it put a great deal more responsibilities on the office personnel and to the supervisors to ensure that someone is able and in the office at all times to receive calls every 30 minutes, it also makes regular job duties and schedules to get behind on time. There are occasions when the county radio does not transmit or receive signal in certain areas throughout the county and this causes a controversy for the inmate supervisors since they do not have any county cell phones to be able to call in this information and then they are forced to use (if they have) their own personal cell phones.

Alan Pierce – Director of Administrative Services – Report

Item 5 - I also spoke to the Warden regarding the new policy requiring inmate supervisors to call in every 30 minutes to make sure all inmates are accounted for, and to make sure the supervisors themselves are not in trouble. The Warden is willing to work with the county to minimize the level of calls that have to be made to implement this policy, and I will be working with the appropriate county department personnel to comply with this policy. The Warden has provided me some additional guidelines that might make things easier.

Commissioner Putnal stated that Warden Spears is leaving his post here in Franklin County shortly so Mr. Pierce might need to contact the new warden to discuss this matter again. Mr. Brown and Mr. Pierce discussed employees using their personal cell phones in areas where the County radios do not work.

Van Johnson – Solid Waste Director (9:20 AM)

Mr. Johnson submitted the following items for the Boards review.

ALLIGATOR POINT DUNE WALKOVERS:

FOR BOARD INFORMATION: The building material needed to construct the first dune walkover in Alligator Point has been purchased and delivered to the Landfill. We are now waiting on the Department of Corrections to free up an Inmate construction crew, this should occur around the beginning of next month. The first walkover is scheduled to be built at the beach access point off Chip Morrison Drive. **ACTION REQUESTED: None.**

DEER CARCASS DISPOSAL:

FOR BOARD INFORMATION: The construction and placement of the containers to collect and dispose of deer carcasses are completed. They are strategically located near Airport and Brownville Road outside Apalachicola, at Bear Creek off State Road 65 in Eastpoint, at Gully Branch off State Road 67 outside Carrabelle and at Cypress Slough, which is also outside of Carrabelle. **ACTION REQUESTED: None.**



EASTPOINT VROOMAN PARK:

FOR BOARD APPROVAL: The installation of ball field lighting at Vrooman Park is complete and we are now beginning the process of installing the irrigation system and laying sod on the fields. **ACTION REQUESTED: None.**

Commissioner Jackel and Mr. Johnson discussed the status of the playground equipment repairs. Mr. Johnson stated that he would investigate this matter further and report back to Commissioner Jackel during the week.

Commissioner Putnal asked Mr. Johnson to address the problem of trash that has gathered around the lighthouse area and the Senior Citizen center in Carrabelle.
Commissioner Sanders asked Mr. Johnson to also do some pickup on Highway 67.

Dan Rothwell – County Engineer (9:22 AM)

1. - BOARD ACTION: West Gulf Beach Drive @ Franklin Boulevard Drainage Bid Award:

The staff recommends that the Board award the construction contract to Duggar Excavating, Inc., and requests permission to give the notice to proceed today.

Commissioners Sanders and Putnal stated that they would prefer the use of local contractors which would help the local economy.

Commissioner Jackel discussed the project in detail, including the fact that the lowest bidder was at least \$10,000 over what was expected for the project, which could explain why a local contractor was not used.

Motion by Jackel, seconded by Sanders, to award the West Gulf Beach Drive project to Duggar Excavation as recommended by Mr. Rothwell; Motion carried 4-0.

2. - BOARD ACTION: Request for West Franklin Boulevard Construction Detour:

If awarded, the Duggar Excavating requests to be allowed to detour traffic during working hours, for one block radius around the project.

The Board was concerned of the impact this proposed detour would have on the traffic. Mr. Rothwell stated that this detour would only be in effect while the contractor has personnel there working on the project during the day.

Motion by Jackel, seconded by Sanders, to approve this request as long as the detour time is minimized as much as possible; Motion carried 4-0.

3. - NOTICE TO THE BOARD: West Bay Shore Drive Park @ West 9th Street Boundary:

Staff has staked the approximate northeast property pin location between 925 West Bay Shore Drive and the County Park. The resident's fence is not on County Property and does not block water access from the park to the bay.

Commissioner Jackel stated that she was glad that this situation was resolved.

4. - Ochlockonee Bay Boat Ramp Project:

St. Joe Company is reviewing the FDOT easement for the project and will act soon on the easement request.

5. - Ochlockonee Bay Boat Ramp Project:

St. Joe Company said it will act on the Will Kendrick Sports Complex entry road property request at the same meeting as the Ochlockonee boat ramp.

Commissioners Parrish and Sanders discussed Items 4 & 5, especially the importance of the additional entrance to the Will Kendrick Sports Complex.

Commissioner Sanders stated that she would like the entrance to the Will Kendrick Sports Complex paved.

6. - Apalachicola Airport Runway 06/24:

The project has come to substantial completion and will finish after sub-contractor, material vendors, and design engineer release forms have been submitted.

7. - Indian Creek Park:

Staff is continuing to work with the Apalachicola River Keepers to design the breakwaters and park amenities.

8. - Squire Road, Peachtree Road and Long Road Drainage Design:

Work on the plans and field marking is still pending prior to starting any Public Works project on these roads. When the plans are completed a recommendation will be submitted to the District commissioner for consideration and approval.

Commissioner Putnal asked what would be the best option to repair Avenue A in Eastpoint. Clay Kennedy, of Preble-Rish and Mr. Rothwell discussed this matter with the Board and decided to investigate this situation further and present a recommendation to the Board at the next meeting. The Board asked Mr. Kennedy and Mr. Rothwell to see if the Concrete Plant will assist financially with repairing the road as was agreed to previously, and create a cost estimate for repairing the road.

Commissioner Sanders wanted verification that the County's road paving project was moving forward. Mr. Kennedy gave an update, stating that Preble-Rish will advertise for requests to pave Gulf Beach Drive and Alligator Point and then advertise for the County wide paving project, which should be ready to move forward in February or March.

The Board and Mr. Pierce discussed using some of the funds requested, if received, from the President's stimulus package to fund a larger County wide paving project.

Mr. Kennedy, of Preble-Rish, requested Board action to authorize advertising for bids for the Gulf Beach Drive paving project.

Mr. Kennedy verified for Commissioner Jackel that the State would be funding this project.

Motion by Jackel, seconded by Sanders, to authorize an advertisement for bids for the paving of Gulf Beach Drive in Alligator Point; Motion carried 4-0.

Mr. Rothwell discussed using the SCOP funding for the repair and paving of certain roads.

Pam Register – Emergency Management (9:36 AM)

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

Item 1 – Jan.14, 2009 at 7:00 PM, the Franklin County 911 Communications Group meeting was held at the EOC. We had a great turn out and it was very informative.

Item 2 – We attended the District 2, Local Emergency Planning Committee in Tallahassee, and efforts will be made to have special hazmat training provided for our volunteer fire departments. Classes will be coordinated thru our office.

Item 3 – We have scheduled an ESF 17 Animal Protection meeting with county partners to finalize our Animal Shelter Plan for Jan. 20, 2009 at 2:00 PM at the EOC. This is a continuing part of our mandated scope of work.

Item 4 – I met with the new Sheriff, Skip Shiver, and we are in the process of tentatively setting up an all hazard evacuation workshop for all business and citizens of the islands in Franklin County.

Item 5 – Mike Rundel is working with the City of Carrabelle to get a copy of their resolution to accept the County's Local Mitigation Strategy (LMS). This document is required by FEMA in order to clear the way for the federal funding of mitigation projects.

Bill Mahan – Extension Office Director (9:37 AM)

Mr. Mahan submitted a report for the Board's review and discussed these two items from his report.

THE ISSC 2009 BIENNIAL MEETING: This year's Biennial ISSC Meeting is scheduled for October 17 – 23, 2009 at the Radisson Hotel Manchester in Manchester, NH.

FLOUNDER MANAGEMENT ISSUES: In response to stakeholder concerns and Commission direction to review flounder, a report summarizing the life history and stock status in Florida

and providing a staff evaluation of requests to: 1) increase the allowable by-catch of flounder harvested by shrimp trawls, and 2) reduce the recreational flounder bag limit and prohibit the use of gigs to harvest flounder during spawning season has been developed.

Commissioner Parrish stated that there have been concerns raised about the restrictions of the use of gigs to harvest flounder.

Mr. Mahan discussed these restrictions on the use of gigs to harvest flounder with the Board. Commissioner Putnal was in opposition to these restrictions because it would take jobs from seafood workers, and suggested sending letters to the County's legislative delegation explaining how these restrictions will hurt the County.

Motion by Putnal, seconded by Jackel, directing Mr. Pierce to call the Fish and Wildlife Commission, send a letter to the County's legislative delegation, the appropriate State agencies, and the Governor's office, stating our objection to this restriction on the use of gigs to harvest flounder during spawning season, and then call the neighboring gulf coast counties, and follow with a letter, to explain the restrictions and how it will affect the economy in their communities; Motion carried 4-0.

Board review of proposals for County Probation Services (9:45 AM)

The Board received two proposals for County Probation Services, The Salvation Army and Judicial Correction Services, Inc.

The Board interviewed The Salvation Army first, so Judicial Correction Services left the room.

Mrs. Bobbie Fester, the local representative for the Salvation Army, introduced Mr. John McMahon, the State Corrections Director, who reviewed the services that the Salvation Army provides for the Franklin County probation office.

Casey Bader, Handel Information Technologies Vice President of Sales, discussed the RiteTrack software, which is currently in use by The Salvation Army to track all information relating to probation.

Mr. McMahon explained why he didn't provide any statistical data in his presentation.

Commissioner Sanders asked Mr. McMahon if he could provide the total percentage of money collected in Franklin County based on what was assessed for County probation.

Mr. McMahon stated that The Salvation Army has just implemented their new system, and as time passes that information will be available.

Commissioner Sanders asked how long has the RiteTrack software been in use in Franklin County.

Mr. McMahon stated that the software was implemented this year in Franklin County and information from the program would be accessible to the County Judge and Clerk of Court.

Mrs. Johnson, Clerk of Court, stated that as far as she knows, the software was actually installed last week, and she doesn't have any access as yet.

Mr. McMahon explained that there has always been some type of tracking database in place but it was not able to provide the detailed reports as RiteTrack could.

Commissioner Jackel and Attorney Shuler discussed the original contract with Salvation Army and Commissioner Jackel asked if there was any specific reason for this action at this time.

Commissioner Putnal stated that since the original contract was started in the 1992, the Board wanted to make sure that the County is getting the best service.

Chairman Parrish expressed his concern regarding his attempt to gather probation data before these interviews, but discovered that this information was not available, and asked how often does Mrs. Fester's supervisor visits the Franklin County office.

Mr. McMahon stated that Mrs. Fester is supervised from the Panama City office and local visits are made at least twice a year.

Chairman Parrish asked how many times has Franklin County Probation office lost jurisdiction on any of its cases.

Mr. McMahon stated that it was only 2 cases, and explained both incidents.

Commissioner Jackel asked if his company's fees are competitive with others.

Mr. McMahon stated that the \$40 supervision fee is competitive and explained that other companies have special fees that The Salvation Army doesn't.

Commissioner Jackel asked if their employee in the Franklin County office is fulltime and from Franklin County.

Mr. McMahon stated that Mrs. Fester is fulltime and from Franklin County.

Commissioner Jackel asked if the County was experiencing any problems with the County Probation office.

Mrs. Johnson explained that the delayed collection of funds has been a problem for the County, but after discussing this matter with Mrs. Fester it was resolved.

Mr. McMahon suggested using direct transfer of funds and direct deposit as an option to solve this issue.

Mrs. Johnson stated that the lack of reports is also an issue to be resolved.

Commissioners Putnal and Parrish agreed that the need for information on a timely manner is very important.

Mr. McMahon stated that RiteTrack will provide the necessary information.

Commissioner Jackel inquired as to when RiteTrack will be installed and a process to provide necessary reports.

Mr. McMahon and Mr. Casey, an IT coordinator from the Salvation Army, explained that the software is already installed and representatives from the IT department will be coming to teach the County Judge, the Clerk's Office and others in the County how to use the software.

Mrs. Johnson stated that there was a report that she received from the County Probation office but explained some of the problems she had with the lack of information from that report.

Commissioner Jackel asked if The Salvation Army is willing to provide the necessary reports and information on a regular basis.

Mr. Casey stated that they would.

Mrs. Fester provided some statistical information regarding probation and explained why there was a problem with forwarding the fees, on a timely basis, to the Clerk's office.

Chairman Parrish asked if the office remained open when Mrs. Fester was sick or on vacation. Mrs. Fester stated that in her absence the office is closed, but explained what is done when this happens, and introduced Ms. Joanna Johnson and Clarice Powell who provide additional services to the clients.

Ms. Joanna Johnson, PHD., explained the services she provides to the probation clients in conjunction with The Salvation Army.

Recess (10:21 AM)

Chairman Parrish called for a recess.

Reconvene (10:30 AM)

Chairman Parrish reconvened the meeting.

Open Bids: EOC Heating System (10:30 AM)

Mr. Pierce opened and read the bids.

R Ray Services – \$12,240 – No bid bond

Gunn Heating and Air – \$14,000 – No bid bond

Motion by Sanders, seconded by Putnal, to forward the bids to Emergency Management office for a recommendation; Motion carried 4-0.

Open bids for the enhancement of the St. George Island Boat Ramp Revetment (10:32 AM)

Mr. Pierce opened and read the bids.

BCL – \$39,762.50 – bid bond

CW Roberts – \$192,300.00 – bid bond

Jason White – \$49,400.00 – cashier's check

Luberto's – \$82,200.00 – cashier's check

Vonier and Son – \$127,300.00 – bid bond

Mr. Pierce suggested that the Board ask Preble-Rish, the Engineer for the project, to review the bids and make a recommendation to the Board for an award today, if possible, in order to expedite this project because the County would like this project completed before the 1st Saturday in March.

Commissioner Putnal restated his concern of using local contractors for local projects.

Chairman Parrish and Mr. Clay Kennedy, of Preble-Rish, expressed their concerns regarding the difference in the bids amounts for this project.

Mr. Kennedy explained that all of these firms were at the pre-bid meeting so they all received the same information.

Commissioner Jackel asked Mr. Kennedy to look at lowest bidder's proposal and see if they qualify and meet all requirements.

Attorney Shuler asked Mr. Kennedy if it would be possible for him to make a recommendation to award this project before this meeting is over.

Motion by Sanders, seconded by Jackel, to forward the bids to Preble-Rish for a recommendation for award before the end of this meeting, if possible; Motion carried 4-0.

Board review of Probation Officer proposals – Continued – (10:40 AM)

The Board interviewed Judicial Corrections Inc., so representatives of Salvation Army left the meeting room.

Mr. Richard Stewart, representing Judicial Correction Services Inc., discussed the services and software that his company provides, along with the success rate he has had with other counties.

Commissioner Putnal and Mr. Stewart discussed the ratio of officers to probation clients.

Commissioner Sanders asked if Judicial Corrections was awarded the County probation contract, if the employees in the local office would be from Franklin County.

Mr. Stewart stated that the local office would be manned with a fulltime employee and it will be his preference to hire someone from Franklin County, and a replacement officer will be sent to cover the local office when needed, such as vacation or sick days. Mr. Stewart also stated that the local officer will be required to have a BA and will be closely supervised.

Mr. Stewart stated that after taking over probation fee collections in Bay County, collections have increased, and is currently at a rate of 85%.

Mr. Stewart then explained the job fair that Judicial Corrections hosts to encourage their clients to get jobs which will make it easier with collecting fees, and it is Judicial Corrections aim to get clients off of probation as soon as possible.

Mr. Stewart discussed the importance of providing information and reports in a timely manner to appropriate County offices.

Mr. Stewart explained that their services will be at no cost to the County with a \$40 supervision rate, and there is a 70/30 split of the fees collected, with the Court fees being paid first, then explained how payments are determined for clients, discussed other programs that are in place to help with the probation clients, and coordination with local outreach programs and agencies.

Board members expressed their satisfaction with Mr. Stewart's presentation, especially with the data that is being provided to other counties.

Motion by Sanders, seconded by Putnal, to hire Judicial Correction Services Inc., to provide County probation services effective March 15, 2009, and to have Attorney Shuler create a 3 year contract with renewals; Motion carried 4-0.

Planning & Zoning Consent Agenda (11:00 AM)

Mr. Pierce presented the follow items for approval.

Item 1 – Approved by Planning and Zoning (unanimous) Consideration of a request to construct a replacement Single Family Private Dock at 610 Mariner Circle, Alligator Point, Franklin County, Florida. This Dock will have an 80' x 4' walkway with an 8' x 20' platform. This application meets all state and local requirements. Request submitted by William Todd McMahon, applicant.

Motion by Sanders, seconded by Jackel, to approve Item 1 of the Planning and Zoning report; Motion carried 4-0.

Item 2 – Approved by Planning and Zoning (unanimous) Consideration of a request for Sketch Plat approval of a seven (7) lot subdivision named "Pickett Bay" a 30.76 acre parcel lying in Section 8, Township 7 South, Range 4 West, North of Carrabelle, Franklin County, Florida. Request submitted by Brenda Powell, Florida Environmental and Land Services, Inc, agent for Jon P. Johnson and Gene Langston, applicants.

Board reviewed the sketch plat.

Elva Peppers, representing the applicants, provided some more information on this request.

Motion by Putnal, seconded by Jackel, to approve Item 2 of the Planning and Zoning report; Motion carried 4-0.

Item 3 – Recommended for Public Hearing by Planning and Zoning (unanimous) Consideration of a request to re-zone a .65 acre of land zoned C-4 Commercial Mixed Use to C-3 Commercial Recreation on property lying in Section 14, Township 7 South, Range 4 West, described as 2118 Highway 98 East, Lanark, Franklin County, Florida. Request submitted by GEA, Inc, agent for Dog Catcher Properties II, LLC, applicant.

Motion by Sanders, seconded by Putnal, to authorize the scheduling of a public hearing for Item 3 of the Planning and Zoning report; Motion carried 4-0.

Advisory BOA Report (11:06 AM)

Mr. Pierce submitted the following items for approval.

Item 1 – Approved by the Advisory Board of Adjustment a request for a variance to construct a boat ramp within the Critical Habitat Zone on property described as the Common Area of River's Edge Subdivision north of Apalachicola off of Bluff Road. Request submitted by William Poloronis.

Attorney Shuler provided some additional information on the variance request.

Motion by Putnal, seconded by Jackel, to approve Item 1 of the Advisory Board of Adjustment report; Motion carried 4-0.

Item 2 – Approved by the Advisory Board of Adjustment a request for a variance to construct a single family house five feet into both side setback lines on property described as Lot 9, Block 2, Unit One East, St. George Island. Request submitted by Gary Ulrich, agent for Nancy Wright, owner.

Attorney Shuler provided additional information on this variance request.

Motion by Jackel, seconded by Sanders, to approve Item 2 of the Advisory Board of Adjustment report; Motion carried 4-0.

Item 3 – 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 30, Unit 7, Peninsular Point, Alligator Point. Request submitted by DEC Engineering, Inc., Robert W. Hall, owner.

Motion by Sanders, seconded by Jackel, to approve Item 3 of the Advisory Board of Adjustment report; Motion carried 4-0.

Marcia M. Johnson – Clerk of Courts – Report (11:12 AM)

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

Item 1 – My office has received bonds from the Sheriff, the Tax Collector, and myself as Clerk in the amounts of \$10,000 and from the Property Appraiser and the Supervisor of Elections in the amounts of \$5,000 conditioned for the faithful performance of the duties of our offices. The amounts are higher for the Sheriff, the Tax Collector, and the Clerk because we three have more responsibilities with money handling. Pursuant to Florida Statutes 137.01, a motion is needed to approve the amounts and the bonds.

Motion by Sanders, seconded by Jackel, to approve the amounts and the bonds; Motion carried 4-0.

Item 2 – I was presented with a resolution from the Tax Collector, Jimmy Harris, for your approval. Pursuant to F. S. 145.022, the Tax Collector has the option to be a budget officer funded by the Board of County Commissioners or may elect to be a fee officer where his office would be funded solely by the fees collected. If he were to elect to be a fee officer, his budget would be submitted to the Dept. Of Revenue. Every four years after the election cycle, the Tax Collector must choose an option. Mr. Harris has chosen to remain a budget officer with his salary and budget through the County with his fees collected to be turned over to the County. A motion is needed to approve the resolution as prepared by the Tax Collector.

BUDGET RESOLUTION

Whereas, Section 145.022, Florida Statutes provides that the Board of County Commissioners with the concurrence of the Franklin County Tax Collector as provided for in said section, shall by resolution guarantee and appropriate a salary to the Franklin County Tax Collector in an amount not to exceed that specified in said chapter, and

Whereas, the Franklin County Tax Collector has requested and concurred with the Franklin County Board of County Commissioners that said Tax Collector be placed on a salary as provided in said Section, and

Whereas, the said Tax Collector will pay all fees collected by said office to the Franklin County Board of County Commissioners as provided in said section.

NOW, THEREFORE, BE IT RESOLVED;

- 1) That the Board of County Commissioners of Franklin County, Florida pays the Franklin County Tax Collector a guaranteed salary as provided for in Section 145.022, Florida Statutes.*
- 2) That said Board will provide funds according to the Budget as submitted by said Tax Collector and approved by the Board, which will include each and every item of expenditure necessary, to operate said office, including the salary of the Franklin County Tax Collector*
- 3) That said Board would pay over said funds to the Tax Collector as provided by law or upon monthly requisition.*
- 4) That a copy of this resolution be filed with the Florida Department of Banking, The Florida Department of Revenue and the Auditor General.*

Adopted this day _____ of January 2009.

Motion by Sanders, seconded by Putnal, directing Attorney Shuler to review the resolution and make a recommendation to the Board at the next meeting; Motion carried 4-0.

Item 3 – At an earlier meeting, I had requested that Dr. Stephen Miniati be placed on the agenda for today for discussion on his lease agreement with the County on the building he occupies. Mr. Pierce and I have been in discussions regarding the lease, and negotiations are still on-going, so he was taken off the agenda. I'll report back to you when we're at a point where your approval or input is needed.

Item 4 – The Hospital operating account balance at the end of December 2008 is approximately \$430,000.

Commissioner Putnal discussed a complaint he got from a local resident regarding Mediacom cancelling channels from packages without reducing the costs of these packages and the unwillingness of Mediacom to come before the Board to discuss complaints.

Mr. Pierce discussed some of the past efforts and experiences the Board has had with Mediacom.

Commissioner Sanders asked Attorney Shuler to review the Mediacom contract and present some recommendations to the Board at the next meeting.

Chairman Parrish asked Mr. Pierce to ask Mediacom to have a representative at the next meeting to discuss some of these issues.

Commissioner Putnal discussed a complaint he received from a resident who had to pay back the SHIP program some of the funds he received when refinancing his mortgage.

Demetrius Buzier, the SHIP client and resident, explained that he was forced to pay back the SHIP program a portion of the loan he received from program because the County's Housing Board would not authorize a subordination agreement when he refinance his mortgage.

Motion by Putnal, seconded by Jackel, to have Mr. Pierce and Attorney Shuler research this matter; Motion carried 4-0.

Alan Pierce – Director of Administrative Services – Report (11:27 AM)

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

1- Provide Board with St. James Bay DRI Annual Report. This is a required report; no action needed.

2- Remind Board that the FAC Legislative Day is March 25 in Tallahassee. If commissioners wish to attend please let me know so that arrangements can be made.

Motion by Sanders, seconded by Jackel, to authorize travel and expenses to allow the Commissioner to attend the FAC Legislative Day, the CCC meetings, and the FAC annual conference; Motion carried 4-0.

3- Inform the Board that the State of Florida won another victory in the ACF legal battle. The United States Supreme Court denied Georgia's appeal of a previous court ruling that invalidated the agreement between the Corps, Georgia, and other users of the Lake Lanier water. The court said such an agreement has to go through Congress.

Chairman Parrish updated the Board on the ACF legal battle and the meaning of the recent ruling.

Commissioner Putnal stated that the Seafood Taskforce, at their last meeting, agreed that a study on providing locks at Bob Sikes cut is needed, and wanted the Board to support this study.

Motion by Putnal, seconded by Sanders, to send a letter to the County's Legislative Delegation requesting a study on providing locks at Bob Sikes cut; Motion carried 4-0.

4- Inform the Board that I contacted the Franklin County Legislative Delegation as directed by the Board during the Special Legislative Session on the Budget. The Board asked to preserve SHIP funds and it appears they were spared any cuts. Commissioner Sanders also asked, and the Chairman concurred, that I amend the request to also seek preservation of funds for a work camp to be built next to Franklin Corrections, which is the prison north of Carrabelle.

I spoke with the Warden Spears on Friday regarding a couple of issues, and he is glad to inform the Board that the work camp was spared also. Construction for the work camp should start in May, with construction taking some 10 months. Upon completion the work camp will create 70 new jobs. Franklin County residents interested in pursuing a career in corrections need to be pro-active and obtain their correctional officer certification during the next 10 months, as those individuals who are already certified officers will be hired before individuals who do not have certification. The certification classes are held at the Gulf Franklin Center.

5- I also spoke to the Warden regarding the new policy requiring inmate supervisors to call in every 30 minutes to make sure all inmates are accounted for, and to make sure the supervisors themselves are not in trouble. The Warden is willing to work with the county to minimize the level of calls that have to be made to implement this policy, and I will be working with the appropriate county department personnel to comply with this policy. The Warden has provided me some additional guidelines that might make things easier.

This item was addressed earlier during the meeting.

6- In a record keeping note, I am informing the Board that the fully executed St. George Island Boat Ramp grant will be found in the Dec. 16, 2008 Board file. This was the date when the Board authorized the execution of the grant and awarded the construction bid to Polaronis Construction.

7- Provide Board with copy of status report for Indian Creek Park. Mark Curenton has prepared the report and requests the Board review and approve it. Board approval can wait until next meeting.

8- Provide Board with copy of Affordable Housing Committee 2008 Status Report. The report was prepared by Ms. Lori Switzer, and recommended by the Affordable Housing Committee. Board approval can wait until next meeting.

9- Provide Board with brief overview of the Jan. 14th 911 meeting, held at the EOC. Fire Chief Jay Abbott chaired the meeting, and the following items were discussed.

- *Request to Progress Energy to re-instate the policy where at least one lineman in the county have a truck at their house for call-out. This will save at least 30 minutes to 60 minutes in response time. Mr. Bobby Pickels said he would bring his supervisor to the next meeting when more time could be given to responding to this topic, but Mr. Pickels assured the Committee that public safety was of great concern to Progress Energy.

- *Acknowledgement that Sheriff's Department dispatch has improved to the Fire Departments since last meeting.

- *Discussion regarding dispatch to EMS receiving additional training and this was left with the Sheriff to consider.

- *Discussion of the need for additional ambulance in the county, and the need for all ambulances not to be the van type, which have less work area, and is less functional on the long runs made in the county. This was left to be discussed with the Hospital Board and staff.

- *A long discussion about the issue of inter-operability of radios between response agencies concluded the meeting. A presentation was made on one solution. Sheriff Shiver was there and introduced some consultants he was using to review the radio equipment/capability currently in place at the Sheriff's Office. It was generally agreed that this problem has high priority but it has many complexities that must be worked through.

- *The next meeting will be held on Feb. 11, at 6PM at the St. George Fire Station on Pine St.

- *Mr. Abbott has additional comments from the United Fire Fighters Meeting.

Fire Chief Jay Abbott distributed and reviewed the minutes from the Firefighters association meeting and discussed some of the items that will be discussed at the next meeting on February 4 on St. George Island including MSBU funding, addressed some of the items that Mr. Pierce covered in his report regarding the 911 meeting, and thanked the Board members who have supported the County's firefighters.

Chairman Parrish expressed his concern of Progress Energy's ability to respond to emergencies in the County in a timely manner, mainly because of all the trucks being located at their Gulf/Franklin center which is close to the County line.

Chairman Parrish expressed his displeasure with the lack of service the County receives from Progress Energy including somewhere to pay our bills.

Board discussed this matter further.

Motion by Putnal, seconded by Sanders, to send a letter to Progress Energy regarding their response time to emergencies in the County and the poor service they are providing to the County residents; Motion carried 4-0.

10- Inform Board that Mark Curenton is finishing up the Competitive Grant Application for a new EOC building. After consulting with Ms. Register, EM Director; Sheriff Shiver, and others, the county will be seeking \$1Million to build a 5000 square foot building. The approximate division of the building would be 3000 square feet for Emergency Management, 1000 square feet for Public Works, and 1000 square feet for a communications area that ultimately might house Sheriff's Dispatch and 911.

This item was addressed earlier in the meeting.

11- Board action to appoint Commissioner Jackel to the Wilderness Board.

Motion by Sanders, seconded by Putnal, to appoint Commissioner Jackel to the Wilderness Board; Motion carried 4-0.

Open bids for the enhancement of the St. George Island Boat Ramp Revetment (11:44 AM)

Mr. Clay Kennedy, of Preble-Rish, stated that he and Mr. Rothwell reviewed the two lowest bidders and is recommending BCL for the St. George Island Boat Ramp Revetment project.

Motion by Jackel, seconded by Sanders, to accept Preble-Rish's recommendation and award the St. George Island boat ramp revetment project to BCL; Motion carried 3-1, Putnal opposed.

Commissioner Jackel asked if the County is planning to accept and use the old School Board administrative office.

Mr. Pierce discussed his visit to the building, the need for some rehab work on the inside including the need to separate the auditorium from the offices, and possible uses for the building. Mr. Pierce stated that he will get someone from the Planning and Zoning office to do a cost estimate for the works that needs to be done, but recommended the Board getting the building.

Commissioner Jackel asked Mr. Pierce to look into available grant funds, perhaps historic grants, that could be used to rehab the building, and asked when it would be available for use. Mr. Pierce stated that the building should be available by spring or summer and would get with the Clerk and submit some recommended uses to the Board.

Commissioner Jackel asked that data on the current and future needs of the County's Constitutional offices be provided to the Board members in a timely manner so that a good decision could be made on the use of the building.

Commissioner Sanders thanked Mr. Pierce and Mrs. Johnson for their efforts on completing the FAC survey, as Franklin County was complimented on the completion of the survey.

Michael Shuler – County Attorney – Report (11:53 AM)

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

Item 1 – Land Use Seminar - March 2, 2009

On March 2, 2009, a one day seminar will be held in Tallahassee concerning current issues concerning current laws governing subdivisions, annexations and zoning. I would like to attend this seminar.

The tuition for the seminar is \$329.00.

Board Action Requested: Board authorization for me to attend this seminar and for the Clerk to issue a check for the cost of the seminar.

Motion by Jackel, seconded by Putnal, to authorize travel and expenses for Attorney Shuler to attend the Land Use Seminar; Motion carried 4-0.

Item 2 – South Shoals

I recommend that we cancel the executive session. The executive session is statutorily limited as to the issues which can be discussed and has not been advertised. I will prepare a memorandum for the Board and answer any questions which the Board may have concerning the status of the litigation either individually or at a special meeting of the Board. You will have a special meeting of the Board February 17, 2009 for the employee termination hearing. If you want this discussed at a special meeting, Mr. Pierce can add this issue to the advertisement.

Board Action Requested: Motion cancelling executive session

Motion by Sanders, seconded by Jackel, to cancel the executive session; Motion carried 4-0.

Item 3 – Weems Hospital

Attached is a copy of the \$59,601.00 refund check from the Agency for Health Care Administration (AHCA) to Weems Hospital.

The explanation for that refund follows:

In 2007, Representative Kendrick successfully obtained a legislative appropriation of \$320,000.00 to repay fines and penalties assessed by AHCA against Weems Hospital. The assessment was for offenses committed, not by the County, but by the hospital's prior operator, DasSee Health Care Systems. When DasSee abandoned the hospital in December 2005, AHCA compelled Franklin County to take responsibility for that assessment as a condition of transferring to the County the license needed to operate the hospital. Weems made payments on the assessment until the legislative assessment was paid.

In 2008, AHCA received the funds secured by Representative Kendrick for Weems Hospital, but refused to refund the payments Weems had made to them. In fact, they said the County owed them additional money. After several attempts, AHCA finally refunded Weems the amount paid on the assessments. The check was directly paid to Weems.

But for Representative Kendrick's efforts, Weems Hospital would have had to pay the entire \$320,000.00 assessment to AHCA.

Board Action: None recommended.

Commissioner Jackel commended and thanked Representative Kendrick for all of his efforts on this matter.

Item 4 – M/A-Com Contract:

I have reviewed the contract proposed by M/A-Com for radio services for solid waste and the road department. I have a number of concerns with the present form of the contract, primarily on the issues of radio coverage (It is my opinion that they should have an affirmative duty to provide meaningful coverage throughout the county) and the financial penalty they want to be paid in the event of early termination of the contract (It is my opinion that there should be no financial penalty).

I have asked them for an electronic version of the contract so that I may edit and return it to them with my comments.

Board Action: None recommended

Item 5 – Charles Wall

Attached is a copy of a January 7, 2009, letter I sent to Mr. Wall and his wife informing them of the health hazard caused by a burned out trailer on their property at 525 West Pine Street, St. George Island, Florida and instructing them to take steps to remove it.

Board Action: None recommended.

Item 6 – Boat Ramps

At the last meeting, the Board asked me to consider an ordinance regulating parking at county boat ramps so that the ramps are not blocked. I recommend that we simply place parking signs at the ramps instructing the public not to block the ramps. If the problem persists, then the Board could consider an ordinance. If the Board prefers an ordinance I will prepare one, but hopefully the signs will solve the problem with the least expense.

Board Action: None recommended.

Commissioners and Public Comments (11:56 AM)

Commissioner Jackel read the following statement.

"I would like to ask the Board to approve a motion for me to pursue a plan, subject to the Board's approval, to form an Economic Development Council for Franklin County. My reasons for needing this council are: (1) Recent unemployment data proving unemployment has been steadily on the rise in Franklin County. Today more and more of our citizens are looking for work. (2) Tourism Bed Tax is forecasted to generate less revenue in 2009 and 2010 than generated in 2007 and 2008. This will affect our EDC revenue. (3) We are seeing more and more legislation on our seafood industry. This legislation is decreasing the amount of seafood product that we can harvest from our waters. This ultimately affects our seafood workers.

Most importantly, if we hope to receive our fair share of the anticipated economic stimulus package from the new administration, we are going to need someone to lobby constantly for Franklin County and our citizen's needs on the state level. Writing letters will not get the job done. We need to do more and we need a constant voice for Franklin County. This is a huge opportunity, possibly once in a century, for us to receive infrastructure funding and Franklin County needs to have a unified plan for obtaining these funds. Through an Economic Development Council, we can do this. An Economic Development Council will bring responsible employers to Franklin County. These employers will help increase our shrinking tax base.

On the basis of this information, I ask for the Board's approval to pursue the formation of and Economic Development Council."

The Board discussed this matter, and directed Attorney Shuler to find out the requirements to create an Economic Development Council.

Commissioner Sanders was very much in favor of this idea and provided additional comments.

Motion by Jackel, seconded by Sanders, to have Commissioner Jackel pursue the formation of an Economic Development Council; Motion carried 4-0.

Attorney Shuler gave an update on the progress of the Urgent Care Center project in Carrabelle. Mr. Pierce stated that C W Roberts will provide free dirt to help level property where the Urgent Care Center will be built.

Chairman Parrish also provided some additional info on the project.

Commissioners Parrish and Sanders discussed the morale of hospital employees during the transition to Tallahassee Memorial Hospital management.

Dan Tonsmeire, of Apalachicola Bay and River Keepers, asked for an update on the sewer issues on St. George Island and the water study report.

Mr. Pierce stated that the Health Department was enforcing some of the sewer issues on St. George Island, and the County was waiting to see what resolution that action would bring.

Mr. Pierce discussed the water study and stated that there will be another water study done for the comp plan.

Adjourn (12:08 PM)

There being no further business Chairman Parrish adjourned the meeting.

Joseph Parrish, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts