

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MARCH 3, 2009
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, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Director, Michael Morón – Board Secretary

Call to Order (9:00 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:01 AM)

There was a Prayer followed by the Pledge of Allegiance.

Payment of County Bills (9:03 AM)

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

Commissioner Jackel and Mrs. Phillips discussed payments to Carr, Riggs, and Ingram, the firm that is doing the County audit.

Approval of the Minutes (9:04 AM)

Motion by Jackel, seconded by Lockley, to approve the minutes of the February 17, 2009 meeting; Motion carried 5-0.

Commissioner Comments (9:05 AM)

Commissioner Putnal stated that there was an accident last week in the area of the consolidated school. Commissioner Putnal then expressed his dissatisfaction with the response time of Progress Energy, which was two hours, and blamed it on Progress Energy's new plan, which the County Commission did not agree with. Commissioner Putnal stated that while waiting for Progress Energy to respond to the accident the car was totally destroyed by the energized power lines and first responders were unable to assist the victim who was ejected from the vehicle, but was behind the energized power lines. Commissioner Putnal renewed his concerns of the second class treatment that Franklin County is receiving from Progress Energy, and stated that the County needs to become more aggressive with demanding that Progress Energy changes the way it treats Franklin County.

Commissioner Sanders agreed with Commissioner Putnal and cited other incidents where Progress Energy's slow response caused problems during an emergency.

Chairman Parrish stated that he informed Progress Energy, at the first 911 Communication meeting, that this response time is unacceptable.

Commissioner Putnal stated that Wakulla and other neighboring counties receive better treatment than Franklin County does from Progress Energy, and this incident required an employee to travel from Wakulla County who could not turn off the power to the lines so an employee had to travel from Gulf County to turn off the power.

Attorney Shuler, based on Commissioner Jackel's inquiry into the County's legal remedies in this matter, stated that he will have to do some research before he can comment further on this matter.

Commissioner Lockley suggested that we send letters to the Public Service Commission, the Governor's Office, and the County's Legislative Delegation.

Mr. Pierce suggested that we send an official complaint to the Public Service Commission since they are charged with overseeing Progress Energy.

Motion by Putnal, seconded by Sanders, directing Attorney Shuler to contact Progress Energy and discuss their obligations to Franklin County especially their response time to emergencies, research what options the County has to demand better treatment from Progress Energy, and if necessary, request that the Chairman call a special meeting to discuss the results of Attorney Shuler's research; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (9:16 AM)

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

Item 1-At this point, as your budget officer, I need further clarification on why we're scheduling a budget workshop in April. The Legislature is just beginning its session and we won't know the outcome of their actions until after April which could affect our revenues and could place more mandates on us. At this point, I've already met with all your departments. We're okay with the current year's budget and everyone is aware they should be watching their spending as well as being aware that next year's budget will be more difficult. My finance department, using the expertise gained with their accounting and finance degrees, are watching all the expenditures to

ensure we don't overspend and that we're fiscally responsible with spending this year. Once we hear from the Property Appraiser on her projections for the tax roll for next year, we'll need some guidance from you to prepare the budget letters being sent to everyone. I recommend you wait until after the Legislature has concluded its session and you've heard from the Property Appraiser. At that point, we'll have more information available to make a more accurate prediction on how the budget could be affected, and you'll be better able to make decisions on what directions you give for the preparation of budgets. I've prepared a resolution for your adoption requiring that all budgets be turned in by May 1st instead of June 1st, as required by law, to facilitate an earlier start to the budget process. If you feel it would be beneficial, you could certainly write letters to everyone requesting they notify you what impact they'd have if they were required to cut next year's budgets by a percentage you determine. I believe you face a real challenge with next year's budget, but I feel what we should be doing right now is deciding what are essential county services and mandated services versus what are non-essential or desired services. I do feel that workshops, when held between the Board and those entities receiving county funding alone, can be productive at the proper time. I just need some clarification on the direction in which you wish to head.

RESOLUTION
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of Franklin County, Florida, are concerned about the economic situation existing, and

WHEREAS, the Board wishes to begin the budget process earlier to ensure enactment of their proposed fiscal policies, and

WHEREAS, more time is needed to make sure the budget is in compliance with county requirements and is tentatively prepared.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Florida, that all Constitutional Officers, Department Heads, and any other entity requesting funds, be directed to submit their tentative budget by May 1, 2009 for the fiscal year 2009-2010.

ADOPTED in open, regular session this 3rd day of March, 2009.

Joseph A. Parrish, Chairman

ATTEST:

Marcia M. Johnson, Clerk of Court

Chairman Parrish agreed with Mrs. Johnson's statement that suggested that because of the economic situation, the Board will have to take a look at what services will be considered essential or nonessential and which of these services to fund.

Mrs. Johnson asked the Board to inform the Finance Office if they have any projects that will need funding as soon as they can so that it could be considered with the new budget.

Commissioner Lockley was not in favor of having a budget meeting this early, he wanted to wait until the Legislature made their cuts.

Motion by Jackel, seconded by Lockley, to authorize the Chairman's signature on the resolution; Motion carried 5-0.

Mrs. Johnson, based on an inquiry from Commissioner Jackel, stated that the County should be able to cover the \$500,000 shortfall, mostly because she had met with all department heads and Constitutional Officers a few weeks ago and asked them to curtail their spending.

Commissioner Jackel asked Attorney Shuler what information he was able to gather regarding the Board's authority to access unspent funds in department and Constitutional Officers current budgets.

Attorney Shuler stated that he was still researching this matter and would present a memorandum as soon as he has gathered the necessary information.

Mrs. Johnson stated that all Constitutional Officers are required by law to return all unspent funds to the Board, and County Department excess funds are used as cash carry forward to help with the next year's budget.

Commissioner Jackel is requesting a 6 month year to date spending report, ending in March, for the current budget for each County department head and Constitutional Officer at the first meeting in April.

Mrs. Johnson explained that the Constitutional Officers and County Department heads should be able to rely on an entire budget once it has been set and approved by the Board, and not have to worry about the budget being changed midway through the budget year, and recommended that the Board cancel the early budget workshop.

Commissioner Jackel stated that it was not her intention to change the current budgets of the County Offices or the Constitutional Offices but wanted to see the six month year to date spending of each of those offices, agreed with rescinding the early budget workshop, and had the utmost confidence that the Clerk's office was responsibly watching the budget.

Commissioner Sanders agreed that next year's budget will be a challenge for the County.

Mrs. Johnson stated that she will continue to hold informal roundtable meetings with all of the departments and Constitutional offices and keep everyone informed of the budget situation.

Commissioner Jackel was glad that the \$500,000 shortfall was covered.

Chairman Parrish explained that last budget year, the Board asked Mr. Johnson to put more money in certain departments due to high cost of gasoline at the time and with gas not being as high as it was last year, the County is able to realize some savings.

Mrs. Johnson warned that even though the shortfall is currently covered, if the County experienced some type of disaster this fiscal year, it would definitely change the budget situation.

Commissioner Putnal suggested eliminating the oil samples program because the County no longer rotates its heavy equipment, and eliminating this program could save the County up to \$20,000 per year.

The Board agreed that this is a very good idea.

Motion by Putnal, seconded by Sanders, to stop oil sampling program for the County's heavy equipment; Motion carried 5-0.

Item 2-I want to make the Board aware of a new program endorsed by the Chief Judge of our circuit in cooperation with the Clerk's Office, the State Attorney's Office, and a group called Companions for Therapy (ComForT) to provide pet therapy to victims of violence, ages five and older, who will be testifying in Court. The intent of the program is to have victim/witnesses be made more comfortable and able to provide more accurate testimony through the use of dogs. Pet teams will remain with the victim/witness while they are waiting to testify, and to the extent possible, be available at the conclusion of testimony. This effort will be coordinated through the State Attorney's office and the victim advocate's office. Each Pet Therapy team will have liability insurance in the amount of \$1,000,000. This is just for the Board's information.

Commissioner Sanders stated that she thought this program is a good idea.

Item 3-The last financial report from the Hospital indicated a balance in their operating account of approximately \$419,000 for the month ending January 2009. For the month of December, we collected \$73,609.72 from the health care sales tax and one-half of that (\$36,804.86) will be deposited in the hospital's operating account and the other one-half into the capital fund.

Commissioner Sanders and Mrs. Johnson talked about the bill that was recently introduced in the Legislature to have the court powers removed from the Clerk of Courts and give it to the Court Administration office.

Mrs. Johnson updated Commissioner Lockley on the estimated amount of funds collected for the first year from the one cent sales tax.

Board discussed this matter and agreed that based on what has been collected so far, the estimated goal should be met.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:36 AM)

Mr. Chipman did not have any items that required Board action.

As the board requested at the February 3rd meeting: two "No Littering" signs were put on West Drive in Carrabelle (District 2); the hole at the Timber Island Boat Ramp was repaired with 55 cubic yards of boulders and the Timber Island Bridge was repaired with 100 sand bags and concrete (District 5).

Commissioner Sanders asked Mr. Chipman to verify that there are sufficient speed limit signs on Oak Street in Lanark Village because she has been receiving complaints from the residents in that area.

Commissioner Jackel stated that she has received complaints of speeding on Dunlap Street and asked Mr. Chipman if he could put some speed bumps on that street, because a lot of children play in or around the street because there is no playground in that area. Commissioner Jackel stated that she spoke to Mr. Pierce about this request and he suggested that someone verifies that all of the residents are in agreement with the speed bumps, which Commissioner Jackel thought that they were. Commissioner Jackel suggested that the County consider reducing the speed limit in that area.

Commissioner Sanders suggested posting "Children at Play" signs.

Commissioner Putnal stated that the last time the Board installed speed bumps, the County ended up paying to repair vehicles that claimed that they were damaged by the speed bumps. Commissioners Sanders and Jackel discussed the speed bumps that were installed in the St. James Bay development which were done without County permission.

Attorney Shuler verified that these were done without Board permission.

Commissioner Sanders stated that she attended a meeting in Santa Rosa County and on one of the roads, they used an alternate method, not speed bumps, to slow down traffic and preferred this method to speed bumps, especially the ones in St. James Bay.

Mr. Rothwell discussed alternative traffic calming devices, as he was asked to do research on this matter two years ago by the Board, and at that time the Board decided not to proceed with using any of these devices.

Mr. Chipman stated that an alternative device is in use on Hathcock Road.

Commissioners Sanders and Putnal were both in favor of using the devices that causes the vibration when driving versus speed bumps.

Commissioner Sanders stated that the speed bumps that were installed at St. James Bay without County authorization should be addressed.

Mr. Pierce explained that C. W. Roberts was hired by the St. Joe Golf Course to install the speed bumps, but it was done without Board permission or his knowledge. Mr. Pierce further explained that after contacting C. W. Roberts about the speed bumps, he was informed that the speed bumps meet the uniform traffic safety standards.

Commissioner Sanders stated that even though it meets the standards, they still should have requested Board approval, especially since it is a safety issue, and proper signage is needed.

Mr. Chipman stated that some modifications have been made to the speed bumps and blinking lights have been installed to warn the drivers.

Chairman Parrish stated that the speed bumps could have been installed because of the golf cart crossing and the new nursing home.

Motion by Sanders, seconded by Jackel, directing Mr. Rothwell to verify that the speed bumps at St. James Bay are built to County standard, send St. James Board a letter stating that these speed bumps were built without County approval and ask why the speed bumps

were installed, have C. W. Roberts send letter of design to the County's insurance carrier, and also direct Mr. Rothwell to check on the speeding problem on Dunlap road; Motion carried 5-0.

Van Johnson – Solid Waste Director (9:48 AM)

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

AIR CURTAIN INCINERATOR RENEWAL PERMIT:

FOR BOARD ACTION: I have for the Boards approval and the Chairman's signature, the renewal permit application to operate the Air Curtain Incinerator at the Landfill. The renewal is for five years and is required by the Department of Environment Protection to operate the unit. Because Franklin County is a small county, the permit fee is only \$100.00.

ACTION REQUESTED: Motion authorizing the Chairman's signature on the FDEP Application for Air Renewal Permit and authorizing the payment of \$100.00 for the Permit fee.

Motion by Sanders, seconded by Lockley, authorizing the Chairman's signature on the FDEP application for the Air Renewal Permit and authorize a \$100.00 payment for the permit fee; Motion carried 5-0.

DEER CARCASS DISPOSAL UPDATE:

FOR BOARD INFORMATION: Animal Control personnel have collected and disposed of 156 animal carcasses countywide since the inception of the program. ACTION REQUESTED: None.

Motion by Sanders, seconded by Lockley, to send a letter of thanks to FWC and the Division of Forestry for their assistance with the deer carcass disposal program; Motion carried 5-0.

Mr. Johnson stated that the Franklin County Seahawks Basketball team has made it to the State's Final Four and he has submitted a request from his Parks and Recreation budget for \$2500 to assist the team with their travel expenses to Lakeland.

The Board congratulated the Basketball team for their success this year.

Commissioner Lockley stated that he would like the Board to present a proclamation to the basketball team when they return from Lakeland and asked Mr. Pierce to arrange it.

Commissioner Sanders asked Mr. Johnson to attend the next Lanark Village Association monthly meeting which will be held on the first Monday in April at 7:00 pm, and update the Association on garbage collection schedules and procedures in the County.

Commissioner Sanders stated that a resident in Lanark Village suggested that the County move the Animal Control department from Solid Waste to the Sheriff's department.

The Board discussed this matter and decided to address this matter at a later date when the Sheriff would be available to discuss it.

Mr. Johnson was in agreement with this suggestion.

Commissioner Sanders stated that there is some damage to the asphalt on the basketball court at Kendrick Park.

Mr. Johnson stated that the company that laid the asphalt will investigate if the damage is under warranty.

Motion by Sanders, seconded by Jackel, directing Attorney Shuler to send the company a letter about the damage to the basketball court at Kendrick Park; Motion carried 5-0.

Later in the meeting Mr. Johnson stated that the company that laid the asphalt has determined that the damage to the basketball court at Kendrick Park is covered under the warranty.

Board discussed the upcoming baseball schedule including the progress of the ball field in Eastpoint.

Chairman Parrish stated that the tables and chairs from the Armory are needed for the opening day of baseball season.

Mrs. Johnson stated that she is in favor of that request as long as no one is renting the Armory on that same day and expecting to use the tables and chairs.

Commissioner Lockley asked about the status of the ownership of the Armory.

Attorney Shuler and Mr. Pierce stated that the County is still leasing the Armory from the State, at a nominal fee, who has ownership.

Commissioner Putnal stated that Coach Riley was requesting the use of a pitching machine. Mr. Johnson stated that he would look into this matter.

Commissioner Jackel stated that Mason Bean of St. George Island informed her that the residents of St. George Island wanted to do something special for the Road Department and Solid Waste Department so Mr. Bean promised a fish fry for those employees when the weather is better.

Dan Rothwell – County Engineer (10:03 AM)

*Item 1 - BOARD ACTION: W. Gulf Beach Dr Drainage Project:
The project is complete and appears to function very well. Staff requests permission to pay the complete project amount on the only invoice.*

Motion by Jackel, seconded by Sanders, to authorize the payment of the final invoice of the West Gulf Beach Drive Drainage Project; Motion carried 5-0.

*Item 2 – BOARD ACTION: Eastpoint Boat Ramp Project:
Staff requests Board approval for the Chairman to sign the construction contracts and to allow staff to issue the notice to proceed once the contracts are approved by the County Attorney and*

signed by the Chairman. Staff also desires to inform the Board that the Army Corps of Engineers permit was approved late yesterday.

Motion by Jackel, seconded by Lockley, to authorize the Chairman's signature on the construction contracts and authorize staff to issue the notice to proceed once the contracts are approved by the County Attorney and signed by the Chairman; Motion carried 5-0.

Item 3 - BOARD ACTION: Eastpoint Boat Ramp Project:

Staff requests that the Board direct the County Attorney to attempt to reach an agreement with the Eastpoint Water and Sewer District to allow the County to use the easterly $\frac{3}{4}$ of lot 31-08S-06W-0000-2100-0010 for a dredge spoil site in the event the project may not be able to be accomplished by usual excavation means.

Motion by Lockley, seconded by Sanders, to direct Attorney Shuler to negotiate an agreement with Eastpoint Water and Sewer District for use of the easterly $\frac{3}{4}$ of lot 31-08S-06W-0000-2100-0010 for a dredge spoil site if needed; Motion carried 5-0.

Item 4 - BOARD ACTION: Apalachicola Regional Airport Access Rd:

Staff requests the Board to direct the County Attorney to seek termination of the construction contract for cause.

Mr. Rothwell stated that the project is overdue by 534 days and funding for this project is now at risk.

Motion by Sanders, seconded by Lockley, directing Attorney Shuler to review this project with Mr. Rothwell and report back to the Board with a recommendation; Motion carried 5-0.

Item 5 - Indian Creek Park:

Staff has submitted the permit application to FDEP for the breakwaters and marsh grass planting. Staff will work with the Northwest Florida Water Management District Environmental Resource Permit for storm water control and treatment.

Item 6 - Alligator Point Dune Walkovers:

Staff has secured permits for the Alligator Point dune walkovers and has staked all locations twice and one location three times because of vandalism. The Parks and Recreation Department will start construction of the dune walkovers next week.

Item 7 - Phase 2 of the Bluff Road Boat Ramp:

Construction of Phase 2 of the Bluff Road boat ramp has started.

Alan Pierce – Director of Administrative Services – Report

Mr. Pierce presented this item from his report.

6- Inform Board of the status of the county road paving program. Preble-Rish previously informed the Board that they would be ready to bid out the \$4M road paving program in March. That timeline has been delayed because of my request for assistance over the last three weeks with help in securing transportation stimulus funds. At this time, Preble-Rish has spent a good deal of time working on proposed plans and specifications for projects that might not be funded (remember a project could not even be submitted unless it was shovel ready), and that effort interfered with the completion of plans and specs for the road paving. Preble-Rish also has assisted in reviewing proposed FEMA reimbursements for Alligator Point. Both the stimulus projects and the Alligator Point work have been done to assist the county, and Preble-Rish has not sought reimbursement for their efforts and expenses on behalf of the county.

The new timeline for advertising road paving will be in April, unless the stimulus projects become a reality of such a magnitude that they over-ride the road paving program.

As an aside, while today is not a budget workshop, the Board should be aware that the current road paving program is being funded because the Board dedicated local tax dollars over a four year period for road paving. If the Board were to depend only on gas tax revenues for its next road paving program, it would take approximately 12 years to save up \$4M since the county gas tax revenues are only about \$350,000 a year.

Pam Register- Director of Emergency Management (10:10 AM)

Mr. Mike Rundel was present to answer any questions the Board had regarding Mrs. Register's report.

Item 1 - Our office has applied to be a host agency for The Senior Community Service Employment Program. What our office will be doing is providing on the job training for a volunteer in our office that this agency will pay to come in 20 hours a week to help with light office duties. It doesn't cost the county anything for this volunteer to come into my office and help out.

Item 2 - I am in Jacksonville with our surrounding County EM Directors previewing mass notification system that a company will write a grant for the county to purchase this and so it would be of no cost to the county.

Item 3 - Our all Hazard Workshop is scheduled for March 10th at the Eastpoint firehouse at 6:00 pm. please sees attachment.

Item 4 - February 27, 2009 we had our first exercise design team meeting to start planning the fire on St. George Island exercise.

Item 5 - The next 911 communications group meeting will be held at the Franklin County Sheriff's Office on March 11, 2009 at 9:00 A.M.

January 28, 2009

*The Franklin County Emergency Management office and the Franklin County Sheriff's office would like to invite you to attend an **ALL HAZARD WORKSHOP** for business, homeowners associations and citizens who live on the islands in our county. We ask that if you are a business or homeowners association and have an emergency plan in place, please bring a copy of it. If you do not have one, we will work with you to developed one. We also ask that you review any insurance policies that your business might have to see if there are any 'curfew' clauses in them. The purpose of this workshop is for us as a community to come together, get to know each other and for each of us to understand what our roles and responsibly is during a disaster. The most important part of this workshop is to start to put together a plan that will make operations during a disaster work a lot smoother. We need you, as a member of this community, to have an input into this.*

Date: March 10, 2009

Place: Eastpoint Firehouse, 24 6th St, Eastpoint, Fl

Time: 6:00 PM.

Mr. Rundel stated that he would provide any assistance the Board needed when addressing the problems the County has with Progress Energy.

Chairman Parrish suggested someone documenting all of the recent incidents with Progress Energy

Attorney Shuler stated that he would contact Mr. Rundel and get any pertinent information from him on this matter.

Board discussed this matter further.

Commissioner Sanders directed staff to advertise that more than one of the County Commissioners will be at the March 11, 911 Communication meeting which will start at 9:00 AM.

Bill Mahan – County Extension Director (10:12 AM)

Mr. Mahan submitted a report to the Board for their review.

Commissioner Putnal suggested that the Board pass a resolution and circulate it to the other coastal counties asking the State to abolish or amend the net ban rule. Commissioner Putnal stated that banning this rule will help the seafood industry and help the economy of the coastal counties.

Chairman Parrish stated several actions passed by the State and not acted on, that is comparable to request that Commissioner Putnal is making.

Mr. Will Kendrick offered some suggestions to the Board on how to effectively draft the resolution asking to change the net ban rule.

Motion by Putnal, seconded by Sanders, to authorize the drafting of a resolution asking the State to abolish or amend the net ban rule and then circulate this resolution, which will state that the banning of this rule will help the economy, to all of the other coastal counties, the Governor's office, the County's Legislative Delegation, and the Fish and Wildlife Commission; Motion carried 5-0.

Commissioner Putnal expressed his concerns of Fish and Wildlife Commission dumping oysters that are in bags but not tagged in the sand or other places. Commissioner Putnal stated that it would make more sense to put them back on the oyster bars which would be better for all concerned.

Motion by Putnal, seconded by Lockley, directing staff to send a letter to FWC, asking them to use due diligence when oysters are seized due to violations, and place them back on the growing bars, and use discretion with violators of hull ID numbers and other minor offenses; Motion carried 5-0.

Commissioner Sanders stated that she was opposed to the moving of FWC's M/V J. J. Brown. Mr. Pierce stated that he received a letter this morning from Representative Bembry stating that FWC will not be moving the M/V J. J. Brown to Panama City.

Motion by Lockley, seconded by Sanders, to send a letter of thanks and appreciation for not moving the M/V J. J. Brown; Motion carried 5-0.

William Scott – Veteran's Service Officer (10:26 AM)

Mr. Scott thanked the Board for creating the Assistant Veteran Service Officer (AVSO) position. Mr. Scott requested board action to approve travel and training expense of \$2000.00 to allow the AVSO to attend some training classes.

Motion by Lockley, seconded by Putnal, to approve funding request for travel and training for the AVSO; Motion carried 5-0.

Recess (10:27 AM)

Chairman Parrish called for a recess.

Reconvene (10:38 AM)

Chairman Parrish reconvened the meeting.

Open Bids – Gulf Beach Drive Re-Surface Project (10:38 AM)

Mr. Pierce opened the bids.

GAC – \$1,657,575.94 – Bid Bond
C W Roberts – 1,472,760.60 – Bid Bond

Motion by Sanders, seconded by Lockley, to forward the bids to the project engineer for a recommendation; Motion carried 5-0.

Open Bids – Kendrick Park Tennis Court 10:40

Mr. Pierce opened the bids.

North Florida – \$40,832.00 – bid bond status unknown

Arrowhead enterprises – \$41,446.00 – bid bond status unknown

American Tennis Courts – \$39,737.00 – bid bond status unknown

McClain Tennis – \$35,460.00 – bid bond status unknown

Crowder – \$39,402.65 – bid bond status unknown

Motion by Sanders, seconded by Lockley, to forward the bids to the Parks and Recreation Department for a recommendation; Motion carried 5-0.

Commissioner Jackel read the following statement:

Governance Meeting

Alan Pierce and I met on Friday, February 27th, as directed by this Board, with four other County Commissioners and their Administrative Representatives. We learned the following:

Federal Allocation of the stimulus money is going to be and has been distributed on a population driven formula. As well, state agencies will be strict on how the money is distributed due to needing to cover state deficits.

68% - will go to the top 10 populated counties and cities. (20 entities)

32% - will be distributed to counties with populations of less than 200,000.

The first wave has already gone out. Some knew what was coming and how to get it. They got it in large part because of their population and staffing abilities.

Assessment of Governance

They have the staff to keep up with the funding as it becomes available, to notify the county entities, and assist with the application process. Funding is very fast paced. Evidence of this is the fact that, the first train has left the station and arrived at its destination.

We can work with them as an individual county. Not just on regional projects, however, there will be regional projects too. We will need to give them a list of projects that we are interested

in and they will tell us what is there, how to apply for it and assist us with the application process. They will send someone to our offices if we need them.

Governance was instrumental in helping the City of Apalachicola obtain a \$1.5 million dollar grant on a pro bono basis (fee free) for the senior center building. They sent someone down at their expense to assist in writing the grant application.

If we don't contract with them, we will need a strong commitment from our staff that they will commit their time and resources to obtaining these grants.

Our Staff

It is going to be difficult for our limited staff. We likely do not have the staffing requirements needed to watch for the funding as it becomes available and apply in a timely manner. Mr. Pierce indicated to me that he is concerned about this as well and agrees that they cannot keep up with the pace of the funding.

My recommendation

We are under staffed to stay on top of the funding. There are no guarantees. The chairman of this board says he is not in favor of funding an EDC at this time. Looking at the downside of not investing the money in Franklin County, we could be the big losers. We certainly would be upset if we heard our other neighbors had succeeded with Governance and we voted to miss the boat. On the basis of the facts as represented in the meeting we attended and the ever-increasing need of stimulus dollars in Franklin County, I make a motion that we agree to sign a contract with Governance for one year.

Commissioner Jackel stated that funding for a contract with Governance could come from the County's professional service account and has discussed the available balance in this account with the Finance office.

Commissioner Sanders said that based on her understanding, Governance is now willing to take a more individual county approach rather than regional approach, and will assist the County grant writing.

Commissioner Jackel agreed with Commissioner Sander's statement and explained it in further detail.

Mr. Pierce offered some more information regarding the meeting with Governance. Mr. Pierce also expressed his frustrations with not knowing the rules to apply for stimulus funding, and stated that hiring a lobbyist is somewhat of a gamble as there are no guarantees that Franklin County will receive any funding, even with the assistance of a lobbyist.

Commissioner Putnal stated that Franklin County's population is too small therefore will not receive any stimulus funding.

Commissioner Jackel stated that there is a State discretionary fund of over 400 million dollars that small counties can benefit from. Governance will represent between 5 to 7 counties in the State.

Commissioner Sanders stated that the stimulus funding is a three year project, based on the President's guarantee, so Franklin County needs to get involved.

Chairman Parrish and Commissioner Jackel discussed level of assistance Governance will provide the County with grant writing for stimulus funding, and their role with assisting the County with seeking funding.

Commissioner Jackel stated she was comfortable with entering into a contract with Governance because \$20,000 is a nominal amount of money for the work that Governance will have to do. Mr. Pierce again reminded the Board that there are no guarantees that Governance will be able to obtain stimulus funding for the County.

Commissioner Lockley discussed stimulus funding a FQHC in Bay County received and then discussed that level of involvement that Governance will have with assisting the County with grant writing.

Board and Mr. Pierce discussed this matter further, especially with the regional approach versus the individual County approach.

Commissioner Jackel explained what lobbying services Governance will do for the County.

Commissioner Sanders explained the importance of forwarding a priority list to Governance.

Commissioner Putnal stated that he thinks that most of the funding received by the State will be used by the State to fix their budget.

Mr. Pierce agreed.

The Board discussed the risk of engaging or not engaging Governance.

Motion by Jackel, seconded by Sanders, for the Board to waive its bid policy and to enter into a contract with Governance for one year at an amount of \$20,000, which will be funded from the professional services account, to assist the County with seeking and obtaining stimulus funding, contingent on Attorney Shuler's review of the service contract; Motion carried 5-0.

Commissioner Putnal was not optimistic that Franklin County would receive any stimulus funding.

Commissioner Lockley and Mr. Pierce discussed the extent of Governance grant writing services that will be provided to the County.

Board and Mr. Pierce discussed compiling a list of projects that could be submitted for funding.

Commissioner Lockley suggested that Governance send the County a list of funds that are available.

Motion by Jackel, seconded by Sanders, to direct staff to create a priority list of projects and submit this list to Governance to assist with funding; Motion carried 5-0.

Mr. Pierce will present the list that he submitted to Governance at the next meeting.

Alan Pierce – Director of Administrative Services – Report (11:20 AM)

1- Board decision on ranking for proposed FCT grant applications. The county has now been notified that the FCT grant applications will open Feb. 27 and close May 13, 2009. The Board

discussed several prospective projects last meeting and now needs to rank projects. County staff recommends the following two grant applications be submitted with this priority: Lombardi, and then South Shoal. The Board has an old St. George Island grant application that could be renewed and re-submitted as a third project. The Planning Dept. has asked Mr. Doug Haddaway, the TNC director, to review our grant applications to see what he thinks could be improved. Read Mark's memo. Board direction.

Commissioner Sanders wanted to know what Lombardi project ranked.

Mr. Pierce stated that he would try and get this figure because it was not included in Mr. Curenton's memo.

Commissioner Jackel wanted verification that these applications were previously submitted and ranked.

Mr. Pierce verified that they were.

Commissioner Putnal stated that he didn't want the FCT grant to put any type of restrictions on the commercial use of the Lombardi boat ramp.

Mr. Pierce stated that the grant application would be clear that Lombardi would be a commercial boat ramp with no restrictions.

Attorney Shuler stated that the minimum ranking on Lombardi would be about 170 points.

Chairman Parrish discussed how the County could raise the points at the Loambardi boat ramp.

Mr. Pierce suggested that the Board submit all three projects for funding and if FCT tries to limit the use at Lombardi, the County will refuse the funding.

Motion by Sanders, seconded by Jackel, to direct staff to send all three projects Lombardi, South Shoal, and St. George Island for FCT grant funding; Motion carried 5-0.

2- Inform Board of proposed schedule for quarterly night meetings. The proposed schedule for night meetings for the remainder of 2009 is as follows: June 16, Sept. 15, and Dec. 15. These meetings would be the second meeting of the month and would start at 5 PM, and would take the place of the day meeting that would have otherwise occurred on that day.

Commissioner Lockley requested that if attendance is low at these meetings, the Board reconsider scheduling any further night meetings.

3- Inform the Board of two responses from letters from past Board meetings. One, Mr. Jim Karels, Division of Forestry, has responded to the Board's resolution opposing the closing of roads in Tate's Hell State Forest. Two, FWC has responded to the Board's opposition to changing the floundering rules. Mr. Ken Haddad, FWC Director, said in his letter..."It is clear from public input that there is great interest in this fishery in Florida and many of the comments were of the same opinion as the Franklin County Commission." No action was taken but there will be more evaluation through 2010.

Commissioners Jackel and Sanders, and Mr. Pierce discussed road closing in Tate's Hell.

4- *Inform the Board that it had been invited to a groundbreaking ceremony for the new FWC building on Timber Island. The single invitation to the Board was received after the last Board meeting and I misread the date and put it in this Board meeting's file. The groundbreaking was Feb. 24. More attention will be given to when the building is finished and the ribbon cutting ceremony is scheduled, which should be sometime in August.*

5- *Inform the Board that the FWC has sent the county a letter informing the Board that the Board has failed to maintain regulatory markers in several channels around the county. Board action to direct Mr. Shuler, County Attorney, to research whether the county really does have such a responsibility since the county does not have the ability to maintain regulatory markers. FWC claims the markers are No Wake signs that were installed under authorization of county ordinances dating back to 1977.*

Commissioner Sanders asked Mr. Pierce to check into available funding in boating improvement grants that would allow for the requested channel markers.

6- *Inform Board of the status of the county road paving program. Preble-Rish previously informed the Board that they would be ready to bid out the \$4M road paving program in March. That timeline has been delayed because of my request for assistance over the last three weeks with help in securing transportation stimulus funds. At this time, Preble-Rish has spent a good deal of time working on proposed plans and specifications for projects that might not be funded (remember a project could not even be submitted unless it was shovel ready), and that effort interfered with the completion of plans and specs for the road paving. Preble-Rish also has assisted in reviewing proposed FEMA reimbursements for Alligator Point. Both the stimulus projects and the Alligator Point work have been done to assist the county, and Preble-Rish has not sought reimbursement for their efforts and expenses on behalf of the county.*

The new timeline for advertising road paving will be in April, unless the stimulus projects become a reality of such a magnitude that they over-ride the road paving program.

As an aside, while today is not a budget workshop, the Board should be aware that the current road paving program is being funded because the Board dedicated local tax dollars over a four year period for road paving. If the Board were to depend only on gas tax revenues for its next road paving program, it would take approximately 12 years to save up \$4M since the county gas tax revenues are only about \$350,000 a year.

This item was addressed earlier in the meeting.

7- *Commissioner Lockley asked me to investigate how the healthcare stimulus funds will be distributed. I called Rep. Boyd's aide, Carter Johnson, for clarification. Mr. Johnson returned the call and said that healthcare funds will be dispersed through "executive discretion", or through a federal grant program. He said "executive discretion" meant that the funds will come either to AHCA (Agency for Health Care Administration) or DOH (Dept. of Health) with the Governor then exercising discretion on how the money is allocated. The federal grant money would be distributed by a federal agency.*

Chairman Parrish talked about a discussion he had with Mr. Carter Johnson, Mr. Boyd's aide, on stimulus funding for health care.

8- Ms. Lori Switzer has been contacted by Florida Housing regarding the county's Affordable Housing Report. While Florida Housing is satisfied with the report, they are requiring a letter saying the Board has reviewed the report. I am today handing out the Report, and I request the commissioners review it, as I will ask for an acceptance of the Report at the next Board meeting.

9- The Board previously voted to hold a budget workshop in the afternoon of April 7 and I would like clarification of what the workshop is intended to cover.

A budget has two sides, revenues and expenditures. The revenue side is made up of local tax revenues and state revenue sharing. The county expects state revenue sharing to decrease but no forecasts will be available by April 7. Without state revenue figures it will be difficult to have a meaningful discussion of what the revenue side of the county budget is going to look like. So, for the purpose of the budget workshop, I would recommend the Board not discuss revenue but focus on what steps its departments and Constitutional Offices would take if they were required to reduce expenditures by 25%. What programs would be cut, what services, and generally what actions would be taken if everyone had to cut expenditures by 25%.

The document the Board would need from the Finance Office is a Year to Date expenditure report showing what each department has spent in the first six months of this fiscal year by general category, and the budgeted amounts by general category. The Finance Office does not maintain financial records for the Constitutional Offices so the Offices will have to provide that information directly to the Board.

Finally, this is a workshop between the Board and other sections of government; this is not a public hearing. The workshop will take place in a public setting, the public is invited to attend, but it is my understanding that the Board will not be taking questions from the public during the workshop.

This item was discussed earlier in the meeting.

10- Hospital Update.

A) Because of the economic downturn hospitals across Florida are experiencing fewer admissions, and doctor's offices are seeing fewer patients. People are putting off health care which translates into less revenue for Weems. The Hospital Board is acutely aware of the need for the hospital to operate on its own finances. To that end, some hospital employees are seeing some reductions in hours when the patient census is low. But the hospital is trying to increase revenue opportunities. With the support of Dr. Sanaullah, the hospital will start doing pacemakers again, and the first one is scheduled for today.

B) Carrabelle clinic- In January, 94 patients were seen. 35% of the patients were from Carrabelle, 35% were from Eastpoint, 20% were from Apalachicola, and the remaining 10% from Lanark Village and other places. To that end, the Hospital Board is trying to develop strategies that will allow Eastpoint and Apalachicola residents to get primary medical care in their own

communities, which will free up the Carrabelle clinic for Carrabelle residents and those on the eastern end of the county.

C) The Hospital Board did talk about the federal stimulus. It appears there is money to increase reimbursements to hospitals serving lower income areas- the DISH payments, which should benefit Weems. When and how much Weems will receive is unknown.

11- Inform Board and public that the US Census is hiring. More information on last page of my report.

Commissioner Sanders requested that staff contact the County's Legislative Delegation and setup appointments for the Commissioners on March 25 which is Legislative Day.

Commissioner Sanders also asked Mr. Pierce to get a copy of the original water study which was done by Meridian Services.

Commissioner Jackel stated that she has received numerous emails and calls about trash on the bridge to St. George Island and when she contacted FDOT's local contractor VMS, they stated that they only do trash pickup 6 times a year, based on their contract, which is inadequate. Commissioner Jackel stated that she likes the Sheriff's no littering signs at the foot of the bridge that was there this weekend, and even thought the trash haulers were doing a better job in covering their trucks, more has to be done to keep the bridge clean.

Mr. Pierce stated that because it is a state highway it makes this a difficult situation, and didn't have an immediate solution.

Chairman Parrish stated that the trash on the bridge is embarrassing to County, but using county workers to clean the bridge presents a liability issue.

Commissioner Jackel stated that beside the unsightliness, the trash is also blowing into the bay which creates another problem. Commissioner Jackel suggested appealing to VMS for increased trash pickups.

Chairman Parrish suggested asking VMS to put no littering signs at both ends of bridge.

Attorney Shuler suggested asking the Sheriff's Department to enforce the no littering laws.

Commissioner Jackel suggested send letters to both the Sheriff's Department and the Highway patrol about the littering problems.

Commissioner Jackel stated that some of the oystermen have asked if it is possible to make cuts in the old causeway, which is currently the bird sanctuary, which would help with nourishing the oysters on the outside of the causeway.

Commissioner Putnal stated that the causeway has caused increased currents especially around Cat Point, and agreed that cuts in the causeway would help oysters on the eastern side and would help with water flow.

Mr. Pierce stated that the causeway walls are collapsing in some area but he will need to discuss this request with DEP.

Commissioner Putnal stated that the bird sanctuary would be better in another location and then the causeway could be removed.

Commissioner Jackel, who is not proposing removing the sanctuary, stated that fewer birds are using the sanctuary on the causeway each year.

Mr. Pierce discussed what state agency has jurisdiction over causeway.

Motion by Jackel, seconded by Sanders, to direct staff to contact the appropriate State agency who is responsible for the sanctuary and discuss the possibility of creating a more balanced environment between the oysters and the bird sanctuary; Motion carried 5-0.

Commissioner Sanders stated that while doing their repaving project on Highway 98, FDOT put the signs that indicate where Lanark Village starts in the wrong area in both directions and they also did not double stripe the no passing zone area. Commissioner Sanders asked staff to contact FDOT and ask them to remedy this situation.

Michael Allen, of WOYS, stated that a road sign in Carrabelle has "Eastpoint" as two words and not one which also needs addressing.

Commissioner Putnal asked Mr. Pierce to make copies of letter he received for each of the commissioners and the appropriate staff.

Commissioner Lockley and Mr. Pierce discussed the need to pave the parking lot behind the Hospital and Health Department, and to restrict the use of the parking lot in front of the Health Department because it is causing a traffic problem.

Chairman Parrish commented on the use of the front and rear parking lot and the need to pave the rear parking lot.

Mr. Pierce stated that he will discuss this matter with the engineers and the road department.

Commissioner Sanders discussed a road in Lanark Village that should have been striped at least 4 – 5 years ago which is only being done now.

Commissioner Sanders asked that Mr. Tice, of the Health Department, come to the next meeting to discuss the budget cuts the Health Department will experience during the next budget year.

T. Michael Shuler – County Attorney – Report (11:58)

Attorney Shuler submitted the following report for discussion and/or approval.

ITEMS REQUIRING BOARD ACTION

1. Country Wide Home Loan vs. Stephen Foster (Franklin County Case 09-33-CA)

I have been served with another lawsuit foreclosing a Franklin County Fire Tax bill for \$42.00. The property is located at 1180 West Gulf Beach Drive, St. George Island, Florida. The mortgage was recorded in 2005. The County's Fire Tax lien was recorded in 2008. The bank's mortgage is superior to the County's lien. We have no factual or legal basis to contest the foreclosure.

Board Action Requested: Board authorization to accept service of process and to allow a default to be entered against the County. The default will wipe-out the lien of the fire tax bill and the County will not be paid.

Motion by Sanders, seconded by Lockley, to authorize Attorney Shuler to accept service of process and to allow a default judgment to be entered against the County; Motion carried 5-0.

2. County Probation Services Contract

Judge Russell, myself and Judicial Corrections Services have approved the form of the contract. The contract is for an initial three year term, with additional one year renewals upon approval of the Court and Franklin County. Either party may terminate the contract upon 90 days notice.

Franklin County received an unlimited indemnity from JCS, who also provided a two million dollar insurance policy to fund the indemnity.

I recommend approval.

Also, attached is my letter to the Salvation Army formally notifying them of the termination of their contract.

Board Action: Motion authorizing the chairman to sign the contract.

Commissioner Jackel asked if JCS could incorporate some type of provisions for some of the oystermen when they are unable to work, perhaps because of Bay closing, to defer payments of fines and fees.

Chairman Parrish stated that he thinks that discretion is with the County Judge not the County probation officer.

Mrs. Johnson stated that community service is an option when fines cannot be paid.

Mr. Richard Stewart, of JCS, stated that probation officers are bound to follow the instructions of the Judge.

Motion by Putnal, seconded by Lockley, to authorize the Chairman to sign the County Probation Services contract with JCS Services; Motion carried 5-0.

3. South Shoal

Judge Hankinson granted my motion to continue the March 24, 2009 trial. It is my intent to await the outcome of the foreclosure suit against South Shoal before taking further action in the lawsuit.

However, I anticipate that I will in the near future receive a signed settlement offer from South Shoal, which I will forward to you for consideration along with my recommendation.

Board Action: Motion authorizing myself and Alan Pierce to negotiate with South Shoal and return to you with a recommendation for your consideration.

Motion by Lockley, seconded by Sanders, to authorize Attorney Shuler and Alan Pierce to negotiate with South Shoal and return with a recommendation; Motion carried 5-0.

ITEMS NOT REQUIRING BOARD ACTION

4. Publication of Legal Advertisements for the County

Attached is the letter from the Postmaster confirming that The Franklin Chronicle is qualified to publish legal advertisements in Franklin County, Florida for Franklin County, a political subdivision of the State of Florida.

Board Action: None recommended.

5. Pauline Sullivan

Pauline Sullivan and the City of Carrabelle have been sued by Carol Reynolds, a former employee of the Lanark Water and Sewer District. Damages are in excess of \$15,000.00, but the specific amount of damages is unknown.

Reynolds alleges that her rights under the Whistle Blower statute have been violated as a result of her reporting alleged misconduct by Pauline Sullivan. Reynolds alleges that Pauline Sullivan and the City of Carrabelle retaliated against her for reporting the misconduct of Pauline Sullivan and that Reynolds was fired by the City of Carrabelle.

Board Action: None recommended.

6. Eddie Teach's License Agreement

In an effort to move along a resolution to their wastewater treatment problem, I drafted the license agreement for Eddie Teach's. They were supposed to prepare it, but seemed unable to do so. The agreement will allow a transmission line to be placed under Gunn Street on St. George Island. I am waiting on the return of the signed agreement. The license is revocable by the county and requires that the county be held harmless for damages caused by the transmission line and revocation of the license.

You have previously authorized the installation of the transmission line. We have, and still are, waiting on the signed license agreement from them.

Board Action: None recommended.

7. Carr Creek

I am still reviewing whether it is a Mosquito Control Ditch.

8. School Bus Insurance

It is my understanding that the agreement has been negotiated by the Fixed Base Operator at the Apalachicola Airport to transport students for vocational training. We do not need to consider the issue whether our insurance will cover such transportation at this time for that reason.

Board Action: None recommended

9. Eastpoint Appliances in Right of Way

I spoke with the landowners, Doug Creamer and his brother George Creamer. They are to make sure that their tenant moves the appliances out of our right of way.

I will follow up with them in thirty days.

Board Action: None Recommended.

10. Star Fish Apartments

You have asked that I act to remove some mattresses and other debris behind this apartment building on St. George Island, Florida. All the items in question are on private property. None of the debris is on your right of way.

I have asked Mr. Pierce, as your administrator, to refer this matter to the Department of Health, which he has done.

The Department of Health has already sent notices to the property owner and, if it is not cleaned up, they will mail her a legal notice.

Board Action: None recommended

11. Bayou Harbor Subdivision (Plat Book 5, Page 38)

You have asked me to determine whether the roads in the Bayou Harbor subdivision are public or private. The road is private and the plat specifically states that Franklin County shall have no obligation to maintain any of the roads.

Board Action: None recommended.

Commissioner Putnal asked for some clarification on Item 11 which was about Timber Island Road.

Attorney Shuler stated that Timber Island road is not public.

Commissioner Sanders stated that the City of Carrabelle has accepted road as a city road.

Attorney Shuler stated that he was unaware of this fact.

Commissioner Putnal asked Mr. Pierce to verify that the City of Carrabelle did accept the road.

12. Mandatory Garbage Pick-Up

I have nothing to report on this matter. Van and I will continue to work on this issue.

Commissioner Jackel asked Attorney Shuler if he received any response from Chamber Bank based on his letter asking them to clean up their property in Eastpoint.

Attorney Shuler said that he has not received a response as yet but will follow up with their attorney this week.

Commissioners' & Public Comments 12:08

Commissioner Jackel stated that she has received an inquiry from a resident asking why the County was spending \$47,000 on lighting for the St. George Island bike path. Commissioner Jackel explained that the funding for this project was from a State grant and most projects in

the County was funded by grants and if these grants are not used the County has to refund the unused amount to the State.

Mr. Pierce stated that almost all of these types of projects are grant funded but the County is reimbursed by the State after the project is completed.

Mrs. Johnson reminded the Board that the County does pay for the maintenance of these projects out of its budget.

Commissioner Putnal says that it is important to note that these grants are what make our budget look bigger than what it actually is.

Commissioner Jackel reminded public that the St. George Island Chili Cook-off is on March 7 and the Eastpoint Rib Cook-off would be on the following Saturday March 14 and both of these events help support the volunteer fire department in each of those districts.

Commissioner Sanders reminded the public of the Camp Gordon Johnson events and parade on March 14.

Chairman Parrish stated that he has received requests to form an Airport Economic Development Initiative which will be a joint venture with Gulf County, with the assistance of Opportunity Florida, where their deep port and our airport could be used to create economic opportunities in this area. The Chairman said that this venture has been in the works for some time, and Opportunity Florida has stated that there is an overseas company that has expressed interest in using both the deep water port in Gulf County along with the airport in Franklin County, but in order to pursue this opportunity, board action is needed to approve himself, Mark Friedman who has previous EDC experience from another County, and Dan Garlick of the Airport Advisory Council, to represent Franklin County. The Chairman also stated that they would also look for other economic opportunities for Franklin County, especially at the airport, as he has been working closely with Gulf County's EDC director and members of the Gulf County Board of County Commissioners. Chairman Parrish stated that any economic opportunities that they are able to produce will have to be equally beneficial to both Counties and will be presented to the Board. Mark Friedman will also be one of the Chairman's nominations to the Franklin County EDC when it is formed.

Commissioner Sanders mentioned some of the issues the Board experienced when teaming with Gulf County in the past.

Commissioner Jackel stated that she will be presenting the bylaws for the proposed Franklin County EDC at the next meeting.

Motion by Putnal, seconded by Lockley, to appoint Chairman Parrish, Mark Friedman, and Dan Garlick to meet with Gulf County representatives on this joint initiative; Motion carried 5-0.

Clay Kennedy, of Preble-Rish, who is the Engineer of record for the Gulf Beach Drive Re-Surface Project, recommended C W Roberts for that project.

Motion by Sanders, seconded by Jackel, to accept the recommendation of Preble-Rish and award the Gulf Beach Drive Re-surfacing Project to C W Roberts; Motion carried 5-0.

Adjourn (12:22 PM)

There being no further business Chairman Parrish adjourned the meeting.

Joseph Parrish, Chairman – FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts