

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
APRIL 7, 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 Courts, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Director, Michael Moron – Board Secretary

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

Chairman Parrish called the meeting to order.

**Prayer and Pledge (9:00 AM)**

There was a Prayer followed by the Pledge of Allegiance.

**Approval of the Minutes (9:04 AM)**

**Motion by Sanders, seconded by Jackel, to approve the minutes of the March 17, 2009 regular meeting; Motion carried 5-0.**

**Payment of County Bills (9:04 AM)**

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

**Presentation – Ken Moneghan FACT – Plaque (9:05 AM)**

Mr. Moneghan discussed the Florida Association of Counties Trust (FACT) program and presented a plaque to the Board of County Commissioners.

Craig McMillan, of FACT, complimented the County's staff and Clerk's office for their cooperation with working with FACT.

Commissioner Sanders thanked FACT attending and participating in the United Firefighters Association meeting.

Chairman Parrish thanked the FACT staff for attending the meeting and for all of their cooperation with the County.

**Discussion – Susan Hoffritz of Relay for Life (9:14 AM)**

Ms. Hoffritz thanked Commissioner Jackel for all of her assistance with the Relay for Life Program, invited all of the Commissioners to the Relay for Life event, and asked for as much public volunteer support as possible.

Ms. Hoffritz discussed the Relay for Life program and how it has helped some of the residents in Franklin County.

Chairman Parrish thanked Ms. Hoffritz for presenting this information to the Board and encouraged the public to participate in the Relay For Life program.

Commissioner Jackel stated that she is working on getting some youth groups to participate in the event.

**Doris Pendleton – Property Appraiser – Estimate of Next Year’s Tax Base (9:23 AM)**

Ms. Pendleton read the following statement.

*Proposed values for 2009*

*Amendment 10 was implemented in Florida in 1995. The goal of this amendment was to give Florida residents protection for their homestead property. Amendment 10 limits the taxable value increase on homestead property to 3% or the cost of living index, which ever is the least amount. It is not my duty to choose which amount to apply to Franklin County property. This is mandated by the amendment and is monitored by the Florida Department of Revenue. The Amendment 10 increases have ranged from 1.6% to the maximum of 3% reaching the full 3% only five times in the past 15 years. The point I am building to is that this increases no matter how large or how small, has still added value to the rolls each year as the amendment states the taxable shall increase 3% or the CPI until the appraised value and the assessed value equal. The CPI this year is .1%. This amount will add only an estimate of \$372,485 in value as opposed to the CPI last year that added \$119,931,170 in taxable value. This is just one more decrease in value to consider this year.*

**2008 Certified Roll total is \$3,454,756,008**

**2009 Proposed value as of 4/6/09 is \$2,418,329,205**

*This is a 30% reduction from last year. **This is a preliminary amount!!***

*My staff and I are still working on the roll and this amount could even be higher, therefore at the very least we are looking at 30% less in taxable value.*

*I would also like to remind you of the final implementation of Amendment 1, which is the 10% limitation on all NON HOMESTEAD property until the title changes at which time it will assume a market value. It is also introduced in the capital to change this limitation to 5%.*

*Bottom line Commissioners, the taxable values that we are looking at today is basically the bench mark for our values for the next several years.*

Commissioner Sanders commented on how the information presented by Mrs. Pendleton will affect the County's budget.

Mrs. Pendleton discussed the County's taxable values and upcoming budget further.

Commissioners Sanders stated that she hopes the stimulus funding trickle down to local banks to help with foreclosures in the County.

Mr. Pierce and Mrs. Pendleton discussed when the County's taxable value was last at 2.4 billion which was around 2002.

Commissioner Sanders stated that this will assist the finance office when they are working to finalize the 2009-2010 budget.

Commissioner Jackel stated that this crisis is not specific to Franklin County as the State and Nation is also suffering but was confident that Franklin County would get through this situation.

Commissioner Jackel thanked Mrs. Pendleton for providing this information to the Board, as bad as it is.

Commissioner Putnal stated that as bad as it is for Franklin County there are other counties that are in a worse economic situation.

Mrs. Pendleton was glad that Board keep millage rate down in the past as other counties are already at their maximum millage rate which will make it difficult during budget time, but also doesn't think that values will not get any lower for Franklin County.

**Motion by Putnal, seconded by Sanders, directing Mr. Pierce to send the Governor a letter requesting stimulus funding for Camp Gordon Johnson and the oyster relay program, and also contact Governance, the County's lobbying firm, and ask them to help the County seek funding through the Department of Agriculture for the displaced seafood workers; Motion carried 5-0.**

Mr. Pierce discussed the possibility of obtaining funding through the Workforce Board.

Mr. Pierce also commented on a conversation he had with the staff at the testing lab regarding the reopening of the Bay.

Commissioner Lockley also commented on the Bay and its reopening date.

### **Department Supervisor Report**

**Hubert Chipman – Superintendent of Public Works (9:40 AM)**

Commissioner Sanders asked Mr. Chipman and Mr. Rothwell to investigate some drainage problems on West Drive in Carrabelle and present some solutions to the Board at the next meeting

Commissioner Putnal stated that he has received some calls on this same issue.

Mr. Chipman stated that he has looked at this problem before and he thinks that some pipes will be needed to help with the drainage problem.

Commissioner Sanders cautioned Mr. Chipman about any changes to the drainage in that area not flooding Highway 67.

Commissioner Sanders asked Mr. Chipman to alert Mr. Polous of the Mosquito Control department, that after all of the standing water in the County is drained away, a major ditch cleaning effort is needed throughout the County along with increased spraying, and warned the Board that this department will probably need additional funding to cover the cost of the increased spraying.

Mr. Chipman discussed the problems he is having with clogged ditches and some of the ditches he has been assisting Mr. Polous with clearing.

Commissioner Lockley told Mr. Chipman that there are roads in his district that need clearing before the paving project starts, but would like it done in phases so that it is not an overwhelming project for the Road Department.

**Motion by Lockley, seconded by Sanders, to authorize the Road Department to clear Earl King Road in Apalachicola before the paving project starts; Motion carried 5-0.**

Commissioner Jackel asked Mr. Chipman to get with Mr. Rothwell and discuss the drainage problem on East Gulf Beach Drive next to 9<sup>th</sup> Street on St. George Island.

Mr. Rothwell stated that he was contacted by Mr. Clay Kennedy of Preble-Rish regarding this problem and discussed it further.

Commissioner Jackel thanked Mr. Chipman for his assistance with drainage problem at Tip Tucker Road in Eastpoint but asked Mr. Rothwell to come up with a permanent solution to this drainage problem.

Commissioner Sanders asked Mr. Chipman and Mr. Rothwell to look at the roads that have been flooded, especially in the eastern end of the County, and verify that there are no undermining problems with these roads.

Chairman Parish asked Mr. Chipman to look at certain roads that are experiencing drainage problems and thanked Mr. Chipman for the Road Departments assistance during the storm.

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

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

**Item 1 - RESTORATION OF VROOMAN PARK COMPLETED:**

*FOR BOARD ACTION: The renovation of Vrooman Park funded in part by a \$100,000 special legislature appropriation and \$30,000 from the Tourist Development Council is complete. The renovation included the removal of the old clay infields and replacing them with sports clay, new sod in the outfields, a new irrigation system, wireless electronic scoreboards, lighted fields, additional restrooms, new basketball goals, fencing, a pavilion, and new metal rollup doors on the concession stand.*

*It has been suggested that the County consider naming the three newly renovated fields after Eastpoint residents Billy Granger, Greg Martina, and Lynn Martina. All three individuals have extensive history at the facility and with the youth in the Eastpoint community. Billy Granger helped build much of the original park and Greg and Lynn Martina to my personal knowledge devoted countless hours coaching and maintaining the facility before the creation of the county parks and recreation department. ACTION REQUESTED: A motion naming the three newly renovated baseball fields at Eastpoint Vrooman Park after Billy Granger, Greg Martina and Lynn Martina.*

**Motion by Putnal, seconded by Jackel, naming the three newly renovated baseball fields at Eastpoint Vrooman Park as requested; Motion carried 5-0.**

Commissioner Putnal thanked Mr. Johnson for the renovation done to Vrooman Park and stated that he is in discussion with someone about obtaining property for a small park in Eastpoint that is similar to the Tillie Miller Park in Carrabelle.

**Item 2 - LANDFILL BEGINS SUMMER HOURS:**

*FOR BOARD INFORMATION: On Wednesday, April 1, the Landfill began its summer hours of operation. The facility is now open for business starting at 7:00AM to 4:30PM, Monday through Friday, excluding Saturday. Due to the elimination of overtime from the solid waste department budget and the reduction in personnel, the landfill will no longer open for a half day on Saturday. ACTION REQUESTED: None.*

**Item 3 - EMPLOYEE INVOLVED IN TRAFFIC ACCIDENT:**

*FOR BOARD INFORMATION: On March 23, a Landfill employee was involved in a traffic collision where he was hit from behind while turning off U.S. Highway 98 unto Arizona Street in Lanark. The county truck received minor damage and the employee was transported to Weems for treatment, he has since returned to work. ACTION REQUESTED: None.*

**Item 4 - INDIAN CREEK PARK DOCK REPAIRS:**

*FOR BOARD ACTION: The Seafood Task Force has secured a \$5,000 grant from the Department of Agriculture to pay for repairing the three (3) small docks used by crabbers at Indian Creek Park. The docks are in poor condition and are in need of repairing or demolishing. According to Kevin Begos, Executive Director of the Task Force, the grant will pay for the repair work at no cost to the county. The Task Force is proposing a partnership with the county, whereby the Task Force applies for and administers the grant as a 501(c) (3) and pay for the repairs as a donation to the County.*

*As with others county projects, the work will be performed by a licensed contractor and in accordance with county approved specification and overseen by Staff from the Parks & Recreation Department. ACTION REQUESTED: A motion authorizing Parks & Recreation partnering with the Seafood Task Force to affect the repairs to the three (3) small docks at Indian Creek Park using a \$5,000 grant from the Department of Agriculture to be secured by the Task Force.*

Commissioner Jackel and Mr. Pierce discussed the other grant funded project that the River Keepers was working and verified that there would be no conflicts with this grant.

**Motion by Lockley, seconded by Putnal, authorizing the County's Parks and Recreation Department to partner with the Seafood Task Force on the \$5000 Department of Agriculture grant that will repair the three small docks at Indian Creek Park; Motion carried 5-0.**

Chairman Parrish and Mrs. Millender, of the Parks and Recreation Department, discussed the installation of the recreation park equipment at Indian Creek Park.

*Item 5 - ADDITIONAL WORK AT LOMBARDI'S SEAFOOD LANDING PARK:*

*FOR BOARD ACTION: The Board is scheduled this morning to make a final determination on the contractor to construct an observation deck and a canoe launch at the Lombardi's Seafood Landing Park.*

*To keep the momentum going toward a timely completion of the whole project, I'm requesting Board approval to solicit additional bids as one package for the construction of the restrooms and a new roof over the entire old seafood processing building at the site.*

*The construction of the restrooms is allowed under the special legislature appropriation and the Task Force is actively seeking other funds to cover the new roof. We feel that we can get the best Bid price possible by bidding the two components together. ACTION REQUESTED: A motion authorizing the solicitation of bid for the construction of restrooms and a new roof over the old seafood processing building at the Lombardi Seafood Landing Park.*

Commissioner Putnal and Mr. Johnson discussed the bathroom facilities further.

Commissioners Sanders, Parrish, and Mr. Johnson discussed the availability of funding for the entire project.

Commissioner Jackel and Attorney Shuler discussed if it was appropriate to seek bids on this project before all of the needed funding was available.

Commissioner Lockley asked Mr. Johnson to include security cameras in this bid request which would help reduce vandalism as it did on Carrabelle Beach.

**Motion by Lockley, seconded by Putnal, authorizing the solicitation of bids for the construction of restrooms and a new roof over the old seafood processing building at the Lombardi Seafood Landing Park; Motion carried 5-0.**

*Item 6 – KENDRICK PARK FRDAP PHASE IV HANDICAP PLAYGROUND*

Mr. Johnson distributed a quote from Game Time that listed the type of equipment that is needed to complete the handicap playground. Mrs. Millender discussed the project further. Mr. Johnson asked for Board action waiving the County's bid policy declaring Game Time a sole source provider for this project.

**Motion by Sanders, seconded by Putnal, to waive the County's bid policy declaring Game Time a sole source provider and accept the quote from Game Time for the Kendrick Park Handicap Playground; Motion carried 5-0.**

Commissioner Jackel and Mr. Pierce discussed securing grants for other County parks. The Board discussed the difficulty in obtaining additional FRDAP grants. Commissioner Jackel asked Mr. Pierce to look into any open grant applications.

**Dan Rothwell – County Engineer (10:03 AM)**

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

*Item 1 – BOARD ACTION: St. George Island Speed Limits:  
Staff requests the Board to zone all paved roads, except East & West Gulf Beach Dr., on St. George Island (SGI) to 25 mph and all dirt or asphalt milling roads to 20 mph.*

**Motion by Jackel, seconded by Sanders, to zone all paved roads on St. George Island, except East and West Gulf Beach Drive, to 25 mph and all dirt or asphalt milling roads to 20 mph and to advertise these speed limit changes; Motion carried 5-0.**

Commissioner Jackel liked this idea to help alleviate speeding, especially because of the State's resistance to use stop signs to control speeding, but also stated that enforcement is needed. Commissioner Jackel that she will monitor the situation and if needed will ask for Board action to install stop signs to also help with speeding.

Board discussed the speed bumps at Crooked River Road in St. James which has caused damage to a car, creates a liability for the County, and was not approved by the Board.

Mr. Rothwell updated the Board on the process of removing those speed bumps.

Commissioner Jackel asked what other options there are for reducing speeding throughout the County, especially in areas where children are at play. Mr. Rothwell discussed what actions he is taking regarding Commissioner Jackel's concerns.

Commissioner Sanders suggested adding speed limit reductions in the St. James area to the advertisement regarding the speed limit reduction on St. George Island.

Chairman Parrish and Mr. Rothwell discussed installing appropriate signage in the St. James area and other areas in the County.

Mr. Rothwell will discuss enforcement of County speed limits with the Sheriff's department.

Commissioner Jackel and Mr. Rothwell discussed other calming devices that can be used where golf carts frequently cross County roads.

*Item 2 – Eastpoint Boat Ramp Notice to Proceed*

Mr. Rothwell requested Board action to authorize the Notice to Proceed for the Eastpoint Boat Ramp project.

Mr. Ben Withers wanted to address the Board regarding this bid. Attorney Shuler advised the Board not to hear or respond to any comments from Mr. Withers as he has filed legal action against the County regarding this project.

**Motion by Jackel, seconded by Putnal, to authorize the Notice to Proceed for the Eastpoint Boat Ramp project; Motion carried 5-0.**

Commissioner Jackel thanked Mr. Rothwell for his efforts on repairing the drainage problems on Franklin Boulevard and Gulf Beach Drive on St. George Island.

*Item 3 – Alligator Dr Shoulder Repair:*

*County Road Department accomplished road shoulder repairs on the south (Gulf Side) of Alligator Dr from Clemens Dr to Tom Roberts Rd on Friday 3/27/2009 from 2:00 pm to 7: pm. The shoulder was eroded from wave spray and rain and has been re-stabilized with crushed shell.*

*Item 4 – Alligator Point Dune Walkovers:*

*Parks and Recreation Department has almost completed the dune walkover at the end of Chip Morrison Dr. Work on the other two dune walkovers is as soon as possible before turtle nesting season begins.*

*Item 5 – Spring Dr Sinkhole:*

*The road department has repaired a small sinkhole in the center of Spring Dr just north of Enabob Ave. I have contacted the Northwest Florida Water Management District concerning the formation and occurrence of sinkholes. I was informed that it is common procedure to fill, compact and repair the pavement when the occasional small sinkhole occurs. The small holes are not normally cause for serious concern, but once one has been observed they should be repaired and monitored. (See attached information from the Florida Geologic Survey Division of FDEP and the University of Florida)*

**Pam Register – Emergency Management Director – (10:17 AM)**

Ms Register requested board action to extend the local State of Emergency.

**Motion by Sanders, seconded by Lockley, to extend the local State of Emergency until it has been determined that the flood waters have receded; Motion carried 5-0.**

Commissioner Sanders discussed the flooding problems the opening of the Talquin Dam is causing on the Eastern and Northeastern portion of the County and would like Board action to schedule a joint meeting that would include representatives from Franklin, Wakulla, and Liberty



Counties, and other necessary State agencies. Commissioner Sanders stated the importance of State agencies using historical data to determine potential flooding problems.

Mr. Roy McLeod, of Rio Vista Drive, explained how his area has been flooded because of the opening of the Talquin Dam, which belongs to the City of Tallahassee, and thanked Mike Rundel of the County's EOC for his assistance.

Commissioner Putnal agreed that the meeting is needed and discussed the problems caused by the "dumping" of the excess water into the Bay, which almost amount to the same of not sending enough fresh water into the Bay.

Mr. Pierce discussed this matter further.

**Motion by Sanders, seconded by Jackel, directing County staff to coordinate a public meeting, in a central location, with all affected counties and agencies State and Federal, the County's Legislative Delegation, and any other necessary agencies; Motion carried 5-0.**

The Board discussed the reopening of the Bay and seeking some financial assistance for the displaced seafood workers.

**Motion by Lockley, seconded by Sanders, directing Mr. Pierce to start the process of seeking funding for the displaced seafood workers while the Bay is closed, especially since more rain is expected; Motion 5-0.**

Ms. Register discussed Progress Energy's livewire training classes which will be held tonight at the airport, and stated that all first responders are aware of this training.

Commissioner Putnal discussed problems with Progress Energy's lack of services in the Franklin County.

**Motion by Putnal, seconded by Lockley, directing Attorney Shuler to investigate what options the Board would have if the Board decided to enter into litigation against Progress Energy regarding the lack of services in the County; Motion carried 5-0.**

Commissioner Sanders thanked Ms. Register for all of her efforts during the rain event.

Ms. Register thanked the Apalachicola Fire Department and the Road Department for all of their help with sand bags, and all of the other agencies that assisted.

Commissioner Putnal stated that there was a fire at the vacant Eastpoint nursing home building and stated that this building is not secured and is causing a security problem and the owner should be notified of this problem.

**Motion by Putnal, seconded by Sanders, directing Attorney Shuler to send the owner of the vacant Eastpoint nursing home building a letter informing him that his building should be secured, with posted no trespassing signs and that there are patient files still in that building; Motion carried 5-0.**

**Bill Mahan – County Extension Director (10:43 AM)**

Mr. Mahan discussed the following items with the Board.

*Franklin - UF IFAS Updates:*

1. *Eastpoint Diseased Mullet (Board update required)* – As requested at the last Board Meeting I met with Mr. Bob Allen about the “sick” mullet that were being caught in Indian Creek in Eastpoint. The silver mullet I examined had obvious sores and hemorrhaging scattered over their body. To make a long story short UF IFAS fish health veterinarians but me in contact with Ms. Catalina Brown, FWC’s Fish Kill Hotline Coordinator. Ms. Brown arranged for fresh fish samples to be collected and sent to FWC’s Fish & Wildlife Research Institute in St. Petersburg. I’m still waiting for the final histopathology results on the fish. However, it is believed the fish have a fungus infection caused by *Aphanomyces invadans*. There have been a number of documented outbreaks of this fish disease around the state. It is typically caused by environmental stress weakening the fish’s immune system.

Mr. Mahan explained that one of the causes of the fungus infection is “environmental stress”, and explained that further.

The Board and Mr. Pierce commented on this item.

2. *FWC Black Bear Meetings* – I have had several meeting in the past two weeks with FL Fish & Wildlife staff about black bear issues and initiatives in the County. Now the FWC has a new Bear Program Coordinator, Dave Telesco and local Bear Liaison, Maria Williams hired there are several projects they would like to complete. One is to reactivate the former “Franklin County Bear Taskforce.”

Maria Williams introduced herself to the Board and provided her contact information.

**Recess (10:47 AM)**

Chairman Parrish called for a recess.

**Reconvene (11:04 AM)**

Chairman Parrish reconvened the meeting.

**Jason Flowers – Discussion of Black Henna Tattoos (11:04 AM)**

Mr. Pierce discussed this issue and distributed some information on behalf of Mr. Flowers.

**Adoption Hearing – EAR based Amendments to Comp Plan (11:05 AM)**

Mr. Pierce recommended that the Board table this item until 10:15 AM at the April 21, 2009 meeting which would allow County staff and the RiverKeepers to finalize the language on the amendments.

Commissioners Parrish and Sanders explained the EAR amendments further.

The Board and Mr. Pierce discussed the amendments further.

Andy Smith, of the RiverKeepers, agreed with Mr. Pierce and asked about mixed use in the future land use maps (FLUM) section.

Mr. Pierce explained that some of the FLUMs were still in litigation.

**Motion by Sanders, seconded by Jackel, to table the Public Hearing until 10:15 AM on April 21, 2009 with the completed language, which should include recommendations from the RiverKeepers; Motion carried 5-0.**

Commissioner Sanders asked for Board action to have the two FLUMs that relate to the St. Joe Company than have yet to be agreed to by the Courts and the Governor's office along with his Cabinet members removed from the County's Comprehensive Plan and direct Attorney Shuler to present a process to the Board to have the other two FLUMs that also relate to the St. Joe Company that have previously been approved also removed from the Comprehensive Plan. Commissioner Sanders stated that she feels the St. Joe Company no longer has a vested interest in the two FLUMs that were approved.

Attorney Shuler asked if the four FLUMs referred to are included in the EAR amendments that will be discussed at the April 21, 2009 meeting. Commissioner Sanders confirmed that they were, and her intention is that the County starts from "ground zero" with this development. Commissioner Sanders explained that her reason for this recommendation is that economy and housing market in the County is in such a downturn with so much property for sale, allowing the St. Joe Company to continue would only further flood the housing market, especially since they have not shown any interest in Franklin County. The Commissioner continued by stating that at the time of the approval the economy and the housing market was in a better situation but as she has previously stated, if there ever came a time when she thought that this was not a good project for Franklin County, she would say so and do something about it.

Commissioner Sanders warned that St. Joe Company probably will protest this action by the Board.

Commissioner Putnal, Mr. Pierce, and Attorney Shuler discussed time limits on developments, subdivisions, and land use changes in the County.

Andy Smith, of the RiverKeepers, stated that there was an overlay in the appendix that was presented but never actually adopted that is similar to the FLUMs.

Mr. Pierce and Attorney Shuler discussed this matter.

**Motion by Sanders, seconded by Lockley, to immediately start the process of removing the four FLUMs, the two that have been approved and the other two that are still in litigation, and the overlay appendix, that applies to the St. Joe Company and St. James Island, from the County's Comprehensive Plan; Motion carried 5-0.**

Commissioner Putnal suggested that in the future when these types of projects or developments are presented to the Board for approval the Board takes a more “step by step” approach to these projects.

Commissioner Sanders discussed that with the economy on the downturn the Board has to be more insistent with asking developers to actually show how their projects will provide jobs in the County.

**Alan Pierce – Director of Administrative Services – Report (11:21 AM)**

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

*1- Board action to approve a Resolution announcing April 12-18, 2009 as National Library Week. Request submitted by Franklin County Library.*

**Motion by Sanders, seconded by Jackel, to approve the National Library Week Resolution; Motion carried 5-0.**

*2- Board action to approve Resolution announcing April 19-25, 2009 as Juvenile Justice Week. Request submitted by Franklin County Juvenile Justice Program.*

**Motion by Putnal, seconded by Lockley, to approve the Juvenile Justice Week Resolution; Motion carried 5-0.**

*3- Inform Board that DEP has agreed that Lombardi’s/Seafood Landing Park is no longer required to have a Submerged Land Lease or pay the \$600/year fee because the county is a public entity. Provide DEP documents in Board file.*

*4- Inform Board that DOT is now very much aware of the submerged pilings for the old St. George Island Bridge. DOT has scheduled a dive trip to the site to document the pilings and to determine the best course of action. The dive trip was scheduled for last week but I am unsure if it has occurred because of the weather. We asked DOT to provide the Board with a copy of their findings.*

Commissioner Jackel asked Mr. Pierce follow up on this item.

*5- Provide Board with response from Transfield Services regarding the litter issue on St. George Island Bridge. The operational sentence in the letter is: “While we cannot commit to increasing the number of cycles our contractor removes litter, we will increase the efforts of our in-house crews to monitor the St. George Island Bridge on a weekly basis during the peak tourist season.”*

Commissioner Jackel stated that she is still getting calls about trash on the St George Island Bridge and is working on some other possible solutions to this problem.

*6- Inform Board that it received \$79,502.07 from DEP for payment in Lieu of taxes for land purchased by the state. These funds were anticipated in the county budget so this is not unanticipated revenue. The School Board received almost \$89,000. The payment is based upon the land the state purchased in the last ten years. Next year the amount will drop by \$2400, but the following year it will drop by \$42,000, as land purchases move beyond 10 years.*

*7- Inform the Board that the School Board has not finished moving out of the School Administration building, and it could be 60 days more before they are out. The cost of putting the building on the county insurance is \$4000 per year. The School Board has not yet provided cost of utilities for the building, but the building has two stories and if the county only uses part of the building the utility costs are going to be hard to compare.*

Commissioner Jackel expressed concerns of the County assuming this building because of the maintenance and utilities cost, especially due to downturn in economy and the County's shrinking budget.

Mrs. Johnson reminded the Board that the County is currently paying \$2000 in rent, along with maintenance and utilities, to house the Supervisor of Elections office.

Commissioner Putnal warned that the building that currently houses the Supervisor of Elections is on the market and could be sold at anytime, and then we will need to find somewhere to house the Supervisor of Elections.

Mrs. Johnson warned the Board that the Chief Judge can ask all non-court County services, such as the Property Appraiser and the Tax Collector, to be removed from the Courthouse, which has been done in other counties such as Jefferson.

Commissioner Sanders suggested doing a cost analysis of assuming ownership of this building and the space that would be needed for some of the County's offices, and also suggested raising the rent for anyone that currently rents County buildings.

Commissioner Jackel suggested that the County do a space study of anyone using space in the Courthouse, such as Probation Services who provides County Probation services, and consider charging rent.

Commissioner Lockley was in favor of assuming the building, and suggested moving the Supervisor of Elections there as soon as possible.

Board suggested doing some comparison space and cost studies, and discussed the possibility of the Chief Judge asking all non-court services to move out of the Courthouse.

Commissioner Putnal suggested waiting until the County receives the deed before deciding who moves into the building.

Attorney Shuler stated that he has started the process of assuming the School Board Administrative building, and recommended that the Board continue with this process but do a cost study for the best use of the building.

Chairman Parrish reminded the Board that during the last budget cycle the Board allocated \$800,000 to build an administrative building, but after doing a cost estimate it was determined that it would cost double that amount to construct this building, so if the Board changed its decision to accept this building it would need to discuss an alternate plan for space.

**Motion by Lockley to move the Supervisor of Elections into the School Board Building; motion failed due to a lack of a second.**

*8- Inform the Board that Ms. Lori Switzer has been notified by Florida Housing that Franklin County will receive \$350,000 as a result of the county being able to access a state Trust Fund for counties which have reduced or impose no impact fees. Ms. Switzer had sought \$2M, but our share turned out to be \$350,000. The Franklin County Housing Board recommends this money be used for promoting new home construction.*

*The Housing Board requests the Board approve an amendment to the county Housing Plan which will allow these funds to be used in the following manner:*

*Maximum Loan Amount not to exceed \$100,000. Payment will be low interest loan of 1%, 30 year mortgage, so the funds will be recouped by SHIP.*

*Income Categories will include up to 120% of Area Median Income. This is necessary so the applicants have an income sufficient to make a mortgage payment and pay for other living expenses. (Some SHIP categories are reserved for just low income but with home ownership the Housing Board believes higher incomes should be allowed to participate).*

*The purpose of these funds is to encourage homeownership. An applicant will pick from a selection of house plans provided by the SHIP Program. The house plans approved will be consistent with the needs of the household. Because the \$100,000 is not enough to build a house and buy land, a successful applicant must have clear ownership to land or have an agreement with the Franklin County Community Land Trust for land ready for construction. There must be a current survey providing the properties legal description, and elevation if needed. If sewer and water is available the property must have sewer and water hook-up paid for. If unavailable the applicant must provide evidence of alternative sewage treatment and water source (i.e. septic tank permit).*

*Because the Housing Board believes there will be a large number of applicants they recommend the Board authorize the Housing Board to advertise this program for a month, and then enter all income eligible applicants in a pool from which the recipients will be drawn. (The drawing will occur in a public place, and potentially at a county commission meeting. All names will be drawn and processed in order from which the names are drawn). In order to participate in the drawing, you must be within the income guidelines and you must have land or an agreement with the Land Trust. If you are drawn and cannot meet the other requirements in a timely fashion then the SHIP program will move to the next applicant.*

*Board action on Housing Plan amendment for New Home Construction.*

The Board expressed problems with the lottery system, and would rather have a system that will put families who are in need first.

Chairman Parrish suggested setting up a criteria list to determine who will be qualified for these funds. The Chairman stated some of the agencies that have assisted with affordable housing in the County and suggested that we seek their assistance with determining the criteria for this program.

Commissioner Sanders suggested looking at other Counties and Habitat for Humanity for suggestions.

9- Ms. Pat McWhinnie, 911 Coordinator, is in need of a software package that Fairpoint Communications is using on the 911 system. The acquisition can be paid for out of 911 funds. Board action to declare 911 DataMasters as a sole source and authorize \$17,600 of 911 funds to purchase the software. I have checked with Finance and funds are available.

**Motion by Sanders, seconded by Putnal, to declare 911 DataMasters as a sole source provider and authorize the purchase of software for the amount of \$17,600; Motion carried 5-0.**

10- Inform the Board that the County Road Paving Program bids will be opened at the next Board meeting. Preble-Rish wants to make sure the Board understands that the focus of this Road paving program is paving roads. Shoulder work, drainage problems, and replacing missing signage have not been included in the scope of work. The County Engineer has been working with Public Works on drainage and shoulder issues, but the bid documents do not include any details on drainage, missing signage or unusual shoulder work.

Clay Kennedy, of Preble-Rish, stated that stripping is included in the project. Chairman Parrish suggested that all drainage and culvert work is done before paving project is started.

The Board discussed paving project further.

11- Inform Board that while the county is still waiting for notification from DOT on Stimulus projects, the county has been informed that the sidewalk for Carrabelle Beach is slated for construction in 2013. The county had made a request several years ago through ISTEAs, which was the funding source for the St. George Island Bike Path, for other sidewalk projects, and Carrabelle Beach is our next project, four years away.

12- Inform Board that Progress Energy has invited all first responders and local government officials to a "Live Wire" Demonstration at the EOC, tonight at 6PM. After the demonstration, Progress Energy will discuss its plans for the upcoming hurricane season.

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

13- Lanark Village was designated several years ago by the Health Dept as a site for a walking path/exercise route. The designation was intended to provide the senior residents with an opportunity for exercise. In support of that effort, the county has been providing the Lanark Village Association with funds to pay for street lights because the exercise route became the sidewalks. I recommend the Board pay for the lights directly and that the expense come out of the Recreation Dept. budget. I have spoken to Mr. Johnson and he has agreed to fund the street lights. Board action to inform the Lanark Village Association that they will no longer be receiving county funds as the street lights will be paid directly by the Board. The expense is approximately \$5,000.

**Motion by Sanders, seconded by Jackel, to authorize payment of the \$5000 street lights in Lanark Village is paid directly by the Board from the Park and Recreation department, and inform the Lanark Village Association of this action; Motion carried 5-0.**

*14- Mr. Doug Haddaway, Trust for Public Land Director, has reviewed the county's potential FCT applications against the scoring criteria. Upon full review of the situation, Mr. Haddaway recommends the county submit only one FCT application, and that be for the St. George Island tract. The Board had previously wanted to submit for repayment of Lombardi and for the acquisition of South Shoal. Under the existing FCT rules, the county would have to re-zone part of Lombardi to recreation, and rather than risk future conflicts with the state we recommend the county not pursue FCT funding for Lombardi. The county is still trying to obtain funding for Lombardi through the Stan Mayfield Working Waterfront if the Waterfront language can be amended to allow for prior acquisition. On South Shoal, because of changes in scoring since the last time the county submitted South Shoal is no longer going to score in the funding range. County staff recommends we accept Mr. Haddaway's recommendation. The TPL are the experts in getting FCT funding and they will assist in completing and updating the St. George Island application. It would be for the full 20 acres of land, and 1600 linear feet of shoreline on the Bay. It is a beautiful tract and would provide public access to the Bay, and a buffer against the St. George Island commercial district. Board action to submit one FCT application for the St. George Island tract.*

**Motion by Sanders, seconded by Lockley, to accept Mr. Haddaway's recommendation and submit the one FCT application for the St. George Island tract; Motion carried 5-0.**

Chairman Parrish updated the Board on the Working Waterfronts meeting.

*15- The Franklin County Health Dept. is requesting \$17,224.00 of Reserve for Contingency funds to pay Parker Services to replace 2 existing Heat Pumps that have failed on Health Dept. Building with types specified by an engineer employed by the Health Dept. to deal with a recurring mold problem in the building. Board action.*

**Motion by Lockley, seconded by Jackel, to authorize the \$17,224.00 payment, out of the Reserve for Contingency funds, to pay Parker Services for new heat pumps at the Health Department; Motion carried 5-0.**

*17- Update on Stimulus Opportunities. Governance Services has provided the county a breakdown of the various funding sources in the Stimulus. I have provided copies of the educational opportunities to the School Board for their review, and copies of law enforcement and judicial opportunities to the Sheriff. Commissioner Jackel and I went over the opportunities for the county, and Mark Curenton and I are pursuing some ideas related to energy conservation and solar energy grants and Commissioner Jackel is pursuing some related to economic development. We have received notice from DOT that the county will be receiving some transportation projects, though very limited in scope. There will be three, pending final authorization by the Federal Highway Administration. The projects are all sidewalks and they*



are: connecting the Bluff Road Bike Path to Avenue M in Apalachicola; connecting the St. George Island Fishing Pier with the St. George Island Bike Path, and some sidewalks in the St. George Island Commercial Districts. These projects were selected by DOT out of 18 sidewalk projects the county submitted.

Based upon the information provided by Governance, it appears the state's various workforce development boards will be receiving quite a bit of stimulus funds for a variety of job training opportunities. To better understand Franklin County's access to these funds, Commissioner Jackel and I called Ms. Kim Bodine, executive Director of the GulfCoast Work Force Board. She acknowledged that the Workforce Board will be receiving about \$1.7 Million dollars for different training programs. In the conversation we saw an opportunity to increase Franklin County's visibility in WorkForce decisions. The Workforce Board has a specific number of seats. One of Franklin County's seats is held by Mr. Cliff Butler. His term is up. He sits on the Board because of his role in a community based organization. There are not that many community based organizations in Franklin County, so Ms. Bodine is willing to move the seat for community based organizations to another county, and let Franklin County fill a business owner seat with Ms. Lynn Martina, who is willing to serve of the Gulf Coast Board. Board action.

**Motion by Putnal, seconded by Jackel, to appoint Ms. Lynn Martina to the Gulf Coast Board as the County's representative; Motion carried 5-0.**

Commissioner Jackel discussed information provided by Governance regarding the breakdown on economic stimulus funding, which includes improvements to the Courthouse building, possibly through energy assistance funding. Commissioner Jackel stated that there could be funding opportunities through improvement to the community health centers, Department of Homeland Security funding, firefighters grants, Housing and Urban Development's Home Investment Partnership Program, workforce funding, youth grants, and youth build funding, which Ms. Lynn Martina, and the Literacy Program, could get very involved in. The Commissioner stated that Governance will assist the County with some of these grant applications as they are competitive applications.

18- At the March 17<sup>th</sup> meeting, the Board opened bids for improvements at Lombardi Seafood. The bids ranged from 79,500 to 149,500. The apparent low bidder, being Eastern Coastal Const, was approximately \$10,000 above the grant amount. Ms. Nikki Millender and Clay Kennedy met with low bidder and negotiated the price down to the budgeted amount. The negotiated changes do not change any lengths of the dock or observation platform. I have attached the negotiated changes to the last page of my report. Board action to award the low bid to Eastern Coastal with the negotiated changes to bring the bid award to \$69,998.0, which is within the project budget.

**Motion by Putnal, seconded by Sanders, to award the Lombardi Seafood improvement project to the low bidder Eastern Coastal for the amount of \$69,998.00; Motion carried 5-0.**

19- Inform the Board that Ms. Lecia Benhanna, AHCA, has inquired if Franklin County would like to have Weem's Hospital participates in the LIP program, which will increase revenues to the

*Hospital. LIP, or Low Income Pool, is a fund where medical providers in communities with a large percentage of low income, or under-insured constituents, are eligible to receiving matching dollars. Franklin County is such a community and Weems is such a provider. The LIP program works by the county submitting to AHCA an agreed amount of money on a quarterly basis. The money has to come out of a revenue stream dedicated to medical care, in our case it is the one cent sales tax for health care. Because we are eligible for LIP, whatever the county sends AHCA on a quarterly basis; AHCA then adds a percentage and sends the funds back within 30 days. Chairman Parrish and I called Ms. Benhanna Monday afternoon to discuss the particulars. It appears the Legislature is going to set the LIP payments at 15% for the upcoming fiscal year. This means that if Franklin County agrees to participate in the LIP program then in the course of a year we agree to submit \$1M to AHCA then will return \$1.15M. Essentially Weems will be receiving \$150,000 for letting AHCA count our money as providing services in low income areas. Weems is providing the service anyway so it appears to be a great way to leverage tax money to create additional revenue.*

*The only risk apparent is that the money has to be sent to AHCA, so cash is taken out of the Hospital's hands for the time it is being processed by AHCA. Board discussion of topic. No action has to be taken today but ultimately if the Board is interested it will sign an agreement with AHCA stating the dollar amount that the county will participate.*

The Board discussed how this program would help health care in the County and how hospital operations would be affected by the unavailability of cash for that period of time. Commissioner Sanders stated that she would like more information on this program. Chairman Parrish and Mr. Pierce suggested sending this item to the Hospital Board for a recommendation.

**Motion by Sanders, seconded Putnal, to ask Attorney Shuler and Hospital Board to review this program and the agreement, and forward a recommendation to the Board; Motion carried 5-0.**

*16- Mr. Ted Mosteller, to present options for the hanger project at airport and to seek Board Direction. Mr. Lee Lewis, AVCON, should be present to assist. Before we start with the presentation I am providing for the Board file a copy of the DOT Inspection report for the airport indicating we have passed inspection. I am also providing a copy of Mr. Mosteller's certification as an FDOT Airfield Pavement Inspector.*

Mr. Mosteller requested Board action on the following items.

*1 – Sign two copies of Resolution authorizing Chairman's signature on supplemental FDOT JPA #42072019401*

*2 – Sign the five (5) copies of supplemental FDOT JPA #42072019401. This JPA is for the amount of \$839,542 for the 10,000 sq. ft. hangar project.*

*3 – Sign two (2) copies of Resolution authorizing Chairman’s signature on FDOT JPA #41604719401.*

*4 – Sign the five (5) copies of FDOT JPA #41604719401. This JPA is for the amount of \$10,458 for the FAA matching funds.*

*5 – Commission approve signing of contract to purchase Phase I property. (This item may be presented by Attorney Michael Shuler during his segment time.)*

*6 – Commission decision and signing Task Orders #3 and #4. Task Order #3 is for engineering for the Corporate Hangar program (paint hangar?) and Task Order #4 is for the Utility Expansion (water/sewer).*

*7 – Commission approval to proceed with the multi-use concept—adaptable for a paint hangar—or leave the issue in the Airport Advisory Committee (AAC) and Engineer’s hands.*

*8 – Board permission to draw from FDOT grant funds as Project Manager representing the airport and the Commission for the Hangar project. This 1% compensation is separate from the Administration fees previously set by the Board.*

Mr. Mosteller distributed a handout and discussed items that needed Board action.

The first item Mr. Mosteller discussed was a land acquisition project for existing runway Protection Zone (RPZ) of the approach to Runway 13 at Apalachicola Regional Airport.

Mr. Mosteller stated that \$10,458 needs to be transferred from the existing FDOT JPA grants and used for the 5% match for the Phase I FAA land acquisition project.

Commissioner Sanders expressed concerns of moving the \$10,458 from the funds for the Hangar project for the land purchase. Commissioner Sanders stated that she would prefer to get some authorization from the FAA in writing authorizing to the County to transfer these funds.

Commissioner Jackel commented on this request, discussing the breakdown of expenses that Mr. Mosteller presented and expressed her concerns of the County using an appraisal that was over a year old to determine the selling price of this property.

Chairman Parrish and Mr. Mosteller agreed that because the FDOT funds are from a Joint Participation Agreement (JPA) the County would be allowed to move those funds without written permission because if FDOT doesn’t agree with the transfer then they won’t sign the JPA.

Attorney Shuler stated that he has a contract for the Board’s review in his report that includes a condition that the contract becomes null and void if all of the grant funds are not available to purchase the property which would allow the County to move forward with the land acquisition of 21.34 acres at \$9,800 per acre.

The Board, Attorney Shuler, Mr. Mosteller discussed the appraisals, the purchase price, and other matters relating to this proposed land acquisition.

Commissioner Sanders recommended that the County seek a new appraisal for this property, and asked Mr. Mosteller if the County would be granted an extension on the grant while the new appraisal was being completed.

Mr. Mosteller was not confident that an extension on all of the grant funds would be allowed.

**Motion by Sanders, seconded by Jackel, to delay the transfer of funds and the sale until the County is able to obtain a new appraisal, and direct Mr. Mosteller to seek an extension on the grant funds; Motion carried 3-1, Lockley against, Parrish abstained.**

**Motion by Lockley, seconded by Putnal, authorizing the Chairman's signature on Task Order #3; Motion carried 5-0.**

**Motion by Sanders, seconded by Jackel, authorizing the Chairman's signature on Task Order #4; Motion carried 5-0.**

**Motion by Lockley, seconded by Sanders, to proceed with multi-use concept of the hangar, adaptable as a paint hangar; Motion carried 5-0.**

There was discussion between the Board, Mr. Pierce, and Mr. Mosteller regarding the manner in which Mr. Mosteller is compensated from the County as Airport Manager.

**Motion by Sanders, seconded by Jackel, to table the request "draw from FDOT grant funds as project manager" until Mr. Pierce and Attorney Shuler investigate and clarify Mr. Mosteller compensation agreement with the County; Motion carried 5-0.**

Mr. Ben Withers, a contractor who has done some work at the Airport, asked if any of the funds on these grants can be used to satisfy the balance owed to his company.

Attorney Shuler informed Mr. Withers that was not the appropriate time to discuss this matter.

**Recess (1:06 PM)**

Chairman Parrish called for a recess.

**Reconvene (1:22 PM)**

Chairman Parrish reconvened the meeting.

**Marcia M. Johnson – Clerk of Courts – Report (1:22 PM)**

Mrs. Johnson didn't present any items for Board discussion and/or approval.

**Public Hearing – Local Contractor Preference Ordinance (1:22 PM)**

Attorney Shuler suggested tabling this item and re-advertising this Public Hearing at a later date.

Commissioner Sanders agreed because there were some parts of the language of this proposed ordinance that she wanted to discuss with Attorney Shuler.

**Motion by Sanders, seconded by Jackel, to table the Public Hearing until a later date which will be advertised; Motion carried 5-0.**

**T. Michael Shuler – County Attorney – Report (1:24 PM)**

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

Attorney Shuler stated that he received notification from Attorney Nick Yonclas that Mr. Ben Withers is suing the County. (This item was not Attorney Shuler submitted report)

**Motion by Sanders, seconded by Lockley, authorizing Attorney Shuler to accept service on the Ben Withers litigation; Motion carried 5-0.**

*1 – CitiMortgage, Inc. vs. Timothy Davis et al (Franklin County Case 09-115-CA)*

*I have been served with another lawsuit foreclosing a Franklin County SHIP mortgage for \$15,974.00 dated March 2002, recorded in OR Book 708, Page 346, Franklin County, Florida.*

*This is different from the lawsuits foreclosing fire tax liens.*

*The property at issue is located in Greater Apalachicola, Florida.*

*The bank mortgage was recorded in 2006, at OR Book 921, Page 251, Franklin County, Florida. The County's SHIP mortgage appears to be superior because it was recorded in 2002, but I will need to investigate this. Typically, SHIP mortgages expire after five years (in this case that would be March 2007) or are subordinated to the bank mortgage. If investigation merits a defense, one will be raised.*

*Board Action Requested: Board authorization to accept service of process and investigate whether the county should defend this suit. If no defense is merited, a default will be entered and the SHIP mortgage wiped out by the foreclosure*

**Motion by Sanders, seconded by Lockley, to accept service of process and investigate whether the County should defend this suit; Motion carried 5-0.**

*2. Eddy Teach's*

*The Board previously authorized Eddy Teach's to place a waste water transmission line under Gunn Street on St. George Island for the purpose of treating the waste on a drain-field located across the street.*

*I am advised that the larger drain field is needed to bring Eddy Teach's into compliance with state code requirements. Ultimately, I had to draft the revocable license, which I received April 2, 2009.*

*The County may revoke the license upon 60 days notice.*

*This license shall not be recorded.*

*Board Action: Motion authorizing Chairman Parrish to execute the license agreement.*

Attorney Shuler explained to Commissioner Sanders that he would rather the agreement not be recorded because he didn't want anyone to think that this agreement provided a vested interest.

Attorney Shuler confirmed for Commissioner Jackel that the burden of repairs and maintenance of Gunn Street or anywhere else is stated in the agreement.

**Motion by Lockley, seconded by Sanders, to authorize the Chairman's signature on the license agreement; Motion carried 5-0.**

### *3. DSW Purchase Contract*

*The Purchase and Sale contract is attached and speaks for itself. The County will use Federal and State grants to pay for 100% of the purchase price and the parties will equally split the cost of closing.*

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

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

### *4. Economic Development Council Resolution*

*The proposed resolution establishing the Economic Development Council is attached for your review and speaks for itself. Generally speaking, it will seek out economic opportunities for the county.*

*The Counsel will be a county advisory board. It will have no authority to make decisions affecting economic development without first obtaining the prior approval of the County Commission.*

*The general membership of the Counsel will total up to 23 members, of whom 10 will be directly appointed by the County Commission. The resolution allows representative groups, such as Weems Hospital, to appoint their own representative as those groups know best whom to appoint.*

*The Counsel will be controlled by an internal five person executive committee appointed by each commissioner from their district.*

*The County Commission will appoint one commissioner to act as a non-voting County commission liaison, who will act as the chairman.*

*Board Action: Motion to approve the resolution and second motion to appoint a commissioner liaison to the Economic Development Counsel.*

Commissioner Jackel stated that she and Attorney Shuler have invested many hours on this Resolution, especially on making sure that this counsel would serve in an advisory capacity to the Board of County Commissioners (BCC). She wants this counsel, that will be made up of volunteers, to act as a "think tank" for forming ideas and concepts that would be forwarded to the BCC, but currently there are no funding sources for an executive director. Commissioner Jackel indicated that both of the local newspapers had articles regarding the high

unemployment rate in the County, and hopefully this council would bring entities to the County that would create job opportunities. The Commissioner asked her fellow Board members to submit the names of people who they would like to serve on this council.

Chairman Parrish asked if changes were made to the resolution yesterday.

Attorney Shuler stated that the mission statement that was in section 2 of the document was removed and there was a section 3-f that was added that addressed how donations were to be handled.

Attorney Shuler confirmed for Commissioner Sanders that he was comfortable with the resolution.

Chairman Parrish asked why the mission statement was removed from the resolution.

Attorney Shuler explained that he and Commissioner Jackel fine tuned the resolution on Monday which was after he sent out a draft of the agreement on Friday.

Commissioner Jackel explained that she and Attorney Shuler agreed that the resolution should be more of an operational agreement that would address the legal confines of how the EDC would operate, where as the mission statement is more of a philosophical point. She recommended that after the council is formed, they would be tasked with creating their own mission statement.

Commissioner Jackel explained to Commissioner Lockley that each time the EDC meets, someone from the executive committee would update the BCC on what transpired at the meeting along with the presentation of meeting minutes.

Attorney Shuler explained that the council would have to adhere to all Sunshine in the Government rules and regulations.

Commissioner Jackel informed the Board that there will be no compensation for any of the Council members, which is included in the resolution. Commissioner Jackel did explain that corporate sponsorship would be used to support a website that would provide information about the County to any interested companies.

Commissioner Putnal stated his dislike of committees, and discussed his bad experiences with the County's Board of Adjustment and the Marine Fisheries Commission, that has ruined the fishing industry. He didn't like any committee that has decision making authority, because he feels that the Board of County Commission, which is elected by the voters of Franklin County should be the only ones making decisions that affect the people of Franklin County.

Commissioner Putnal stated that he thought it was too late for the EDC to create any employment opportunities, but wanted to make sure that this would be an advisory committee because he didn't want any projects approved, especially in the C-1 district, that would cause the closing of the Bay.

Commissioner Jackel assured Commissioner Putnal that the EDC would be an advisory council whose only purpose is to come up with economic ideas to submit to the BCC for approval.

Attorney Shuler read aloud section 5 of the resolution that addresses the EDC as an advisory council.

Commissioner Putnal and Attorney Shuler discussed advisory councils and boards further.

**Motion by Sanders, seconded by Jackel, to approve and authorize the Chairman's signature on the Economic Development Council resolution; after a roll call the motion failed 2-3, Parrish, Putnal, and Lockley, opposed.**

**There was discussion regarding the vote as it was unclear who was for and against the approval of the resolution.**

Commissioner Putnal stated that he opposed the forming of an EDC because he didn't want the creation of another "Port Haven" style project.

Commissioner Sanders stated that the Board has many other advisory committees it relies on, and if she thought the forming of this committee would be bad for Franklin County she would be against it, but with the condition of the economy the forming of an EDC is a positive thing.

Commissioner Jackel expressed her disappointment with the Commissioners who opposed the forming of the EDC, especially because of the current economic condition of the County and also because the Commission unanimously, at a previous meeting, supported and authorized her to pursue the concept and forming of this council along with appointing her to this Board.

Commissioner Sanders stated that she rather have this council that would only concentrate on Franklin County rather than Chairman Parrish's efforts that included other counties. She also wanted to be clear that the creation of the EDC did not mean that a job was promised to anyone.

*5. Apalachicola Armory Lease*

*I understand that the City of Apalachicola is interested in taking over the County's lease with the State.*

*Mayor Johnson informs me that the City of Apalachicola will continue to make the armory open to the public in the same manner that the County has.*

*Board Action: Direction from the Board. Do I request that the State consider transferring the armory lease from the County to the City of Apalachicola?*

**Motion by Sanders, seconded by Putnal, to approve the lease with the State, for \$300 a year, which would allow the County to manage the National Guard Armory; Motion carried 5-0.**

*6. Advertising RFP*

*The Franklin Chronicle has filed a bid protest alleging that the bid submitted by the Apalachicola Times is non-responsive and should be rejected. The Chronicle asks that it be awarded the bid as the only responsive bidder.*

*I have attached a memorandum for your review.*

*Board Action: Unless the Chronicle withdraws its bid protest, I recommend that you not award the bid at this time and that you appoint Mr. Pierce to conduct a hearing and make a recommendation to you. This is the process you followed in the last bid protest we received.*

**Motion by Jackel, seconded by Sanders, to authorize Mr. Pierce to conduct a hearing on this bid protest and submit a recommendation to the Board; Motion carried 5-0.**

*7. Weems Hospital*



*Weems Hospital seeks permission from the Board to file an application with Medicare to have the Carrabelle Clinic classified as a "Rural Healthcare Clinic."*

*If approved, the reimbursement to the hospital will increase. The exact increase in reimbursement rate is not known, but Weems billing agent, Assurance Health Care, recommends that you approve this application, as any increase is positive and will enhance our competitive edge and provide additional money for additional services.*

*Board Action: Motion Authorizing the Chairman's signature on the application.*

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

**8. Tri-State Water Litigation Hearing**

*The court is conducting a major summary judgment hearing in Jacksonville on May 11, 2009. You have previously directed that I attend hearings in this litigation to keep the county informed.*

*Board Action: Motion authorizing me to attend the hearing in Jacksonville.*

**Motion by Jackel, seconded by Lockley, authorizing Attorney Shuler to attend the Tri-State Water litigation hearing in Jacksonville; Motion carried 5-0.**

**9. County Attorney Seminar (June 24-25, 2009)**

*The Florida Association of County Attorneys is holding its annual conference in Collier County at the Marco Island Marriott. The cost of the hotel is \$149.00 a night for two nights. Registration is free.*

*Board Action Motion authorizing me to attend the annual county attorney conference.*

**Motion by Lockley, seconded by Jackel, authorizing expenses and travel to allow Attorney Shuler to attend the FACA annual conference in Collier County; Motion carried 5-0.**

**ITEMS NOT REQUIRING BOARD ACTION**

**10. Carrabelle Senior Center**

*I previously delivered to you the letter I received from two of the Senior Center saying that due to circumstances beyond their control they had to resign. A copy of that resignation letter is attached.*

*Board Action: Board direction to respond to the letter?*

**11. Eastpoint Redevelopment Clean-up**

*Attached is a letter I received from attorney John Lovett stating that he has informed his client of the County's interest in their clean up plans.*

*Board Action: None recommended.*

**12. Carr Creek**

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

**13. Mandatory Garbage Pick-Up**

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

**14. East Point Alternative Spoil Site**

*I am still waiting on the letter from East Point Water and Sewer confirming that they will make the site available as a spoil site, provided that the fill material is not contaminated and it does not interfere with their construction plans, which commence mid-May 2009.*

*Board Action: None recommended.*

**15. Litigation Status Letter 2009**

*Attached is the annual litigation status letter requested by the auditors. The letter speaks for itself and requires no board action.*

**16. Bifano vs. Brinkley**

*The Bifano's latest attorney of record has made a second public record request.*

*They have never paid for the first record request totaling \$3,500.00. Their second record request totals almost \$1,000.00 more.*

*Due to the Bifano's nonpayment and that the total cost to copy the records is \$4,400.00, I have instructed staff and the Bifanos' counsel that we will produce the records only after they pay for them.*

*A copy of my correspondence to the Bifano's is attached.*

*Board Action: None Recommended.*

**17. Chapman High School**

*Preble-Rish is proceeding with two surveys. One survey is for the foot print of the building and the land between the building and Highway 98. The second survey is for the parking lot we are leasing from them. The estimated cost is \$4,500.00.*

*Once the surveys are prepared, attorney Sanders will prepare the deed to the building and the lease for the parking lot.*

*I expect this to be completed in the next couple of weeks.*

*Board Action: None Recommended.*

**18. Carrabelle Water Line**

*Attached is the letter I sent to the City of Carrabelle concerning the water line for David Langston along Lighthouse Drive contingent upon the city assuming maintenance and responsibility for the line.*

*Board Action: None recommended.*

**19. Jason White Construction on Dunlap Street, Eastpoint**

*I have spoken with Mr. White concerning the complaints raised. He assures me that he will cease operations and clean up what he put on the property; except for a little dirt that property owner wants him to leave.*

*Instead of immediately proceeding with litigation as authorized, I will give Mr. White a reasonable time to keep his word.*

*Board Action: None recommended*

**20. Progress Energy**

*A copy of my letter to Progress Energy concerning response times is attached. The letter speaks for itself. No Board action is needed.*

**21. Larry Handman/Dog Island Property**

*You previously directed that I contact Mr. Handman concerning his destroyed house on Dog Island. He and I have corresponded several times. He contacted me after the last Board meeting to state that he would contact Mr. Wayne Householder for an estimate to remove and haul off the overhanging deck and roof line.*

*I will await further instructions from the Board in this matter.*

*Board Action: None recommended.*

**22. St. George Island Businesses/Health Department**

*The Blue Parrot has served a 30 day notice of intent to sue the State of Florida concerning the alleged failure of the State to enforce its health and safety regulations at two business locations on St. George Island.*

*The notice served by the Blue Parrot means that if the State does not take the action demanded by the Blue Parrot, they may sue the State.*

*The notice expires at the end of April, 2009.*

*Board Action: None recommended.*

**23. Franklin County Sheriff**

*The Sheriff desires to enter into a contract with the State Department of Corrections to house state inmates. The contract is for \$400,000.00 and runs for one year, with an option to renew.*

*The Clerk has placed a copy of this contract in your mailboxes.*

*You will be asked to approve this contract at a future meeting.*

*The Sheriff cannot be present today because he is away at a training seminar.*

**24. Franklin County vs. Reed**

*On April 3, 2009, I represented the county before County Judge Russell, when Mr. Reed protested a citation issued to him for letting his dog run loose on River Road in Carrabelle. The dog was not destroyed, but Mr. Reed had to pay a fine. I was notified of this after your last meeting. This is for your information only.*

**25. Local Channels on Satellite**

*Attached is a letter I sent at the request of Commissioner Putnal concerning local channels not being available on satellite.*

*Board Action. None recommended.*

**Commissioners' & Public Comments (1:54 PM)**

Commissioner Jackel stated that the Florida Association of Counties newsletter acknowledged Franklin County's Guardian Ad Litem volunteers and she recognized these individuals: Jason Flowers, Patricia Anderson, Clarise Powell, Connie Kendrick, and John Solomon. Commissioner Jackel thanked these individuals and wanted the entire County to be aware of these individuals and their efforts.

Commissioner Jackel stated that the St. George Island Lighthouse Association ceremony dedicating the lighthouse was wonderful, and listed some of the other guests that attended.

Commissioner Jackel asked Commissioner Sanders to update the Board on Florida Association of Counties' Legislative Day. Commissioner Jackel commented on how well known Commissioner Sanders is at the Legislature in Tallahassee, and how much she enjoyed attending with the Commissioners.

Commissioner Sanders stated that she was disappointed with the general attitude of the Legislature, especially with a member of the County's Legislative delegation, but discussed the productive meeting with others, mentioned the Small County Coalition luncheon, and thanked Chairman Parrish for representing the Commission so well in the committee meetings he was involved in. Commissioner Sanders thanked the other Board members for supporting her on the St. Joe Company issue earlier during the meeting.

Mr. Pierce stated that Mr. Maddox, of Governance the County's lobbying firm, stated that he would offer some help with the proposed budget cuts to Health Departments that will affect the County. Mr. Pierce also stated that Senator Al Lawson has submitted legislation striking all amendments to this proposed Health Department bill.

Dan Tonsmeire, of the Apalachicola Bay and River Keepers (ABARK), gave an update on ACF "water wars". Mr. Tonsmeire stated that there was a National Research Council meeting in Washington DC last Thursday and Friday where information was heard to assist with creating a study to determine the water needs in the basin, which has been in the works for a while. Mr. Tonsmeire distributed comments that were made by Secretary Sole and Dave Mclain. Legislation submitted by Senator Nelson and Congressman Boyd to fund the study was also discussed.

Mr. Tonsmeire discussed a notice he received for a large reservoir on Bear Creek around Atlanta that will provide up to 32 million gallons a day from the Chattahoochee River which would not be good for the Apalachicola Bay. ABARK has requested an extended comment period on this notice.

Chairman Parrish questioned the Corps stand on request for new dam especially if they are aware that there isn't enough water now to meet their current demands.

Mr. Tonsmeire explained that this is not a Corps dam, they will only issue a dredge and fill permit for the dam, but it is very important that the County and the State object to this dam during the comment period.

Chairman Parrish stated that he had a discussion with Mr. Lee Edmiston regarding the State's stand on this permit application, where Mr. Edmiston stated that the State would file objections.

Chairman Parrish and Mr. Tonsmiere further discussed why the Corps would allow a new dam which will reduce the water flow which is not meeting the current demand, and the need for the a letter or resolution opposing this new dam.

Attorney Shuler stated that he would verify accuracy of notice, especially if the amount of water that will be withdrawn is incorrect on the notice and make that fact part of objection.

Commissioner Putnal suggested that we send a copy of the letter and the Resolution to President Obama's office.

Mr. Tonsmiere confirmed for Chairman Parrish that ABARK supports the NRC study and discussed the importance of the study for the Bay.

Commissioner Putnal commented on the effects of too much or not enough water flow to the Bay.

Mr. Tonsmiere discussed the current status of the dams further up the river, including Lake Lanier.

Commissioner Sanders discussed the problems of the Talquin Dam overflowing caused in Franklin County.

Mr. Tonsmiere reminded everyone that the final day for oral presentation from the three states and the Corps will be on May 11.

**Motion by Putnal, seconded by Sanders, to authorize a Resolution opposing the request for new dam and send a letter opposing the new dam, which Mr. Tonsmiere will assist in drafting, to Senator Nelson, Congressman Boyd, and President Obama's office; Motion carried 5-0.**

Bruce Drye, St. George Island Volunteer Turtlers, stated that May 1, 2009 is the start of turtle season and stated that the volunteers will be involved in a Wildlife Friendly Lighting Workshop on May 7, 2009.

Commissioner Sanders asked if newly dedicated lighthouse was ever lighted, would it affect the turtles.

Mr. Drye stated that if the lighthouse is ever lighted during turtle season, the Turtlers would be against it.

Ted Mosteller, Airport Manager, stated that the FAA grant funds for the airport might not be rolled over or available for future projects. Mr. Mosteller stated that he didn't get a return call from FDOT and the owner of the property that was for sale stated that he would have to check with his partners if the sale price was reduced.

**Adjourn (2:23 PM)**

There being no further business Chairman Parrish adjourned the meeting.

**Attest:**

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Marcia M Johnson – Clerk of Courts