

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
AUGUST 4, 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 Clerk, Michael Morón – Board Secretary, Renee Stone – Deputy Clerk.

Call to Order (9:05 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:05 AM)

There was a Prayer followed by the Pledge of Allegiance.

Presentation of Award – WastePro for Bear Proof Residential Cans – First in State of Florida (9:07 AM)

Maria Williams and David Talesco presented the award to Ralph Mills of Waste Pro USA, on behalf of FWC. Mr. Talesco said that over half of all calls to FWC in Franklin County are for bears getting into garbage and while cooperative efforts by FWC, private citizens, local/state governments, and businesses have made progress, it took a substantial investment from Waste Pro to move FWC forward to offer citizens one of the best tools available to keep bears out of residential garbage. Mr. Talesco also said Waste Pro is the first waste service company in the State of Florida to offer wildlife resistant cans on a large scale, allowing residents of Wakulla and Franklin Counties the opportunity to choose a company who will work with them to reduce human and bear conflicts and hopes the initiative and leadership role that Waste Pro has taken will be followed by others.

Ralph Mills, of Waste Pro, thanked the Board for the opportunity to service the residents of Franklin County and said they are putting out bear proof canisters and dumpsters on a daily basis and he hopes that two years from now the “bear in the garbage” problem will be eliminated.

Chairman Parrish thanked Ms. Williams, Mr. Talesco, and Waste Pro for their efforts to help alleviate some of the bear problems in the County and said the Board looks forward to working with them in the future.

Payment of County Bills (9:10 AM)

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

Approval of the Minutes – Regular Meetings July 7, 2009 & July 21, 2009 – Emergency Meeting : July 23, 2009 (9:10 AM)

Motion by Lockley, seconded by Sanders, to approve the minutes of the July 7, 2009, July 21, 2009 regular meeting & July 23, 2009 emergency meeting; Motion carried 5-0.

Discussion – Health Insurance – Gary Barber (9:12 AM)

Gary Barber, Insurance Agent for Franklin County, said he had been in touch with Erin Griffith, Assistant Finance Officer for Franklin County, notifying her that Blue Cross Blue Shield (BCBS) had proposed an 8% rate increase, and based on discussion with Mrs. Griffith, the Board requested that Mr. Barber seek a rate hold, which was approved so the rates will not increase at this time.

Commissioner Putnal asked how this would affect the budget and Mrs. Griffith said it will decrease it by about \$65,000.

Commissioner Jackel and Mr. Barber discussed the possibility of a rate cut by BCBS, but Mr. Barber believed that even though the 8% hold isn't actually a rate cut, it would probably be all they would allow, explaining that if BCBS just kept up with medical rate inflation, the increase would be 13% every year. Commissioner Jackel asked Mr. Barber to ask for a rate decrease, saying the County had nothing to lose by asking, and Commissioner Lockley wanted to know the duration of the hold and also asked about choosing other insurance companies. Mr. Barber explained that the hold would be for one year beginning October 1, 2009 until September 30, 2010. He said BCBS gives competitive rates but there is one other option, which is United Health Care, although half of the physicians in the County are not in-network providers for this company, but they could be added in the future.

Commissioner Jackel asked if it would benefit the County if the group was split into age brackets, but Mr. Barber didn't believe this would be feasible and would not lower the cost of premiums for the County.

There was further discussion between the Board and Mr. Barber concerning changing providers, asking for a decrease in rates, and re-bidding the policy.

Mrs. Johnson didn't believe there would be enough time to do a re-bid now, so Mr. Barber suggested they start working on this earlier next year to allow for any changes before October 1st.

Commissioner Sanders asked Mrs. Griffith to check into the Florida Association of Counties insurance program to see if it might be beneficial to the County.

Mr. Barber said he would speak with BCBS about cutting the rates.

Department Supervisor Report (9:32 AM)

Hubert Chipman – Superintendent of Public Works

Mr. Chipman had no items for Board action.

Mr. Chipman, Mr. Pierce and the Board discussed installing signs for the Eastpoint Boat Ramp. Commissioner Jackel asked Attorney Shuler to please have a draft of the proposed Boat Ramp Ordinance, which was discussed at the previous meeting, ready by the next meeting.

Commissioner Putnal asked Mr. Johnson if he had heard anything about the signs for the boat ramp and Mr. Chipman said the signs are at the Road Department office.

Commissioner Sanders said she might have been misunderstood at the budget workshop, and what she suggested was that Mr. Chipman move Mr. Tommy Sadler to operate heavy equipment and put Mr. Lamar Hardy with a road crew. The Commissioner also said she had gotten some emails from residents about S Curves and Beach Walkovers on Alligator Point and asked that Mr. Rothwell and Mr. Chipman find a resolution to these issues.

Commissioner Sanders and Mr. Chipman discussed repairing roads in Carrabelle with milled asphalt.

Commissioner Jackel asked the Board to consider changing the speed limit on South Bay Shore Drive in Eastpoint back to the original speed limit of 35 MPH, which should stop the redirected traffic that Island Drive is experiencing, as it might have been a mistake to have had it lowered.

Motion by Jackel, seconded by Lockley, to change speed limit on South Bayshore Drive in Eastpoint back to 35 MPH; Motion carried 5-0.

Van Johnson – Solid Waste Director (9:39 AM)

Mr. Johnson presented his report to the Board.

2009-2010 SMALL COUNTY CONSOLIDATED GRANT AGREEMENT:

FOR BOARD ACTION: I have for Board approval and the chairman signature the 2009-2010 Small County Consolidated Grant Agreement. As stated earlier the grant totals \$78,787, and its purpose is to offset the cost of providing solid waste management services.

REQUESTED ACTION: A motion accepting and authorizing the chairmen's signature on the agreement.

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

MECHANIC'S HELPER:

FOR BOARD ACTION: I'm requesting Board approval to reassign equipment operator Jonathan Kelly into the job classification of mechanic's helper with compensation. Kelly will fill in part time for the Solid Waste Department's regular mechanic Leonard Brannan, while Brannan is out for six weeks on a work related injury. Brannan is a certified mechanic and earns \$17.19 an hour, while Kelly earns \$12.28 as an equipment operator. I'm requesting Board approval to compensate Kelly an additional \$2.00 an hour during his reassignment from Brannan's dormant salary. If the Board approves, during the period while Brannan is out, Kelly will earn \$14.28 an hour as a part time mechanic's helper with some experience.

REQUESTED ACTION: Motion granting the reassignment of Jonathan Kelly from Equipment Operator to part time Mechanic's Helper with a temporary increase in compensation of \$2.00 an hour.

Commissioner Putnal wanted to know if this was the starting pay for a mechanic and voiced concerns about raising Mr. Kelley's salary, which might exceed the salaries of long time employees' and could cause problems. Mr. Johnson didn't believe it would be fair to put this employee in a skilled position and not compensate him for it but offered to withdraw his proposal.

Commissioner Jackel wanted to know if Mr. Kelley is making the minimum mechanic's salary at this time and if he isn't, she doesn't believe it would be unfair to pay Mr. Kelley the minimum mechanic's salary if he is doing a mechanics job.

Chairman Parrish said he seemed to recall that the Board had directed Mr. Johnson to find someone to fill Mr. Brannan's position while he was out, believed the employee should be compensated for the job until Mr. Brannan is able to return to work, and doesn't believe one mechanic can keep up with proper maintenance on County vehicles, which if not properly maintained, will cost the County more money in the long run.

Commissioner Lockley asked if any action could be taken against the employee if he refused to do the job. Attorney Shuler said the Board had the discretion to place employees in positions as they choose and it would be up to the Board to take any action.

Motion by Jackel, seconded by Sanders, to pay Jonathan Kelley at starting mechanic salary of \$26,160; Motion carried 3-2, Parrish, Lockley opposed.

Commissioner Jackel thanked Mr. Johnson for helping the folks in Eastpoint with the cleanup.

Dan Rothwell – County Engineer (9:51 AM)

Mr. Rothwell presented his report to the Board.

1. **BOARD ACTION:** *Eastpoint Boat Ramp:*

Staff requests approval to pay the next to last invoice for \$23,910.79 with balance due plus retainage of \$34,800.79 remaining of the contract amount \$299,007.86 for construction of the ramp and facilities.

Commissioner Jackel wanted to inform the Board that there is a wash-out on the West side of the ramp and said she had asked Mr. Poloronis, during the construction phase, to place rip rap material at the ramp, but she now understands that Poloronis Construction is asking for a change order to put the material there.

Mr. Rothwell said he did not get the impression that this was part of the contract and did not find this information included after a review of the drawings. Commissioner Jackel said this should have been discussed prior to completion of the ramp, but Mr. Rothwell said he didn't know about her request before completion.

Mr. Rothwell believed this issue is symptomatic of many of the boat ramps because of the method of loading, which causes prop scour depressions, so he proposed that Geo-Tech fabric be put down first and then rock be placed on top of it and then presented a drawing detailing the boat ramp. Mr. Rothwell also believed the County has ramps that are much more intensely used because of the large number of aqua culture professionals, which could be causing some of the erosion issues.

Commissioner Jackel asked if the County crews could do this work. Mr. Rothwell believed that the County crews could complete this work because they have the equipment, but because of their busy schedule, it will take longer to complete the repairs and pointed out that DEP is willing to work with the County on boat ramp maintenance.

Commissioner Jackel believed that the crews will be caught up with the County Road paving projects by the end of the year, and Commissioner Putnal suggested waiting until winter when usage isn't as heavy and tides are lower, to repair the ramp.

Commissioner Lockley suggested in the future that Geo-Tech fabric be installed at all boat ramps.

Motion by Jackel, seconded by Sanders, to pay invoice to Poloronis Construction; Motion carried 5-0.

Steve Fling, of Alligator Point, discussed safety issues with traffic calming devices on Alligator Point. Commissioner Sanders discussed the speed limit on Alligator Drive and wanted the Sheriff's Office to monitor this area, and stated that the County's Golf Cart Ordinance might need to be expanded to include Alligator Point.

Motion by Sanders, seconded by Lockley, to send Sheriff Shiver a letter asking the Sheriff's Office to monitor, more frequently, speed limits on Alligator Drive in Alligator Point; Motion carried 5-0.

2. *Eastpoint Boat Ramp Propeller Washout Area:*

The contractor has supplied staff with an "As-Built" drawing showing the prop wash depression at the end of the new boat ramp. This is symptomatic of all the ramps and staff will try to resolve this issue to repair and prevent this in the future. (See attached drawing)

3. CR30A County Incentive Grant Program Agreement:

Staff request approval for the Chairman to sign a corrected agreement with Florida Department of Transportation for this project from Marine St East to US98 to correct a FDOT typographical error.

4. St. George Island Multi Use Path Lighting:

Staff has spoken with the contractor and has been informed that all the solar light bollards will have the batteries replaced with a larger capacity battery and adjustments will be made to the charge cycle to enhance over all performance.

5. 1st St @ Odom Dr. cross drain replacement:

The damaged cross drain has been removed and replaced by the Road Department with assistance of the County Engineer.

6. District 2 & 5 resurfacing projects:

The projects are going well and the contractor should start work the week of 8/4/2009 in the Carrabelle area. Areas that require new cross drains or replacement cross drains have been discussed with the Preble-Rish and the Road Department for installation.

Pam Brownell – Emergency Management Director (10:06 AM)

(Mike Rundel attending in place of Mrs. Brownell)

Mr. Rundel had no action items for the Board.

Commissioner Sanders and Mr. Rundel discussed a River Gauge Map, which detailed proposed river and rain gauges, which resulted from discussion at the Tri-County meeting.

Bill Mahan – County Extension Director (10:08 AM)

Mr. Mahan had no action items for the Board.

Interstate Shellfish Sanitation Conference Updates:

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

Mr. Mahan had a Fisheries Management Report for the Board's review. He said he would meet with the Commissioners once they had reviewed the report.

Commissioner Sanders suggested sending Chairman Parrish to the Interstate Shellfish Sanitation Conference (ISSC) meeting in October.

Motion by Sanders, seconded by Lockley, to authorize Chairman Parrish to attend the ISSC Meeting in New Hampshire October 17, 2009 – October 23, 2009; Motion carried 5-0.

Open Bids – Improvements at Lombardi’s (10:13 AM)

Mr. Pierce said there would be a re-bid on this project due to additional work that is needed to be done and the new bids would be addressed at the August 18, 2009 regular Board Meeting.

Open Bids – Construction of Hanger (10:13 AM)

Mr. Pierce said Scherer Construction & Engineering, LLC, submitted a faxed revision, which showed tabulation errors, before bids were opened and asked for Board direction on this matter. Attorney Shuler recommended rejecting the revision at this time and opening bids that were submitted before the deadline and advising the review committee to pay attention to whatever the math error is on Scherer Construction’s tabulation sheet because the goal is to get the best possible product at the best possible price.

The Board discussed the fact that there were no local bidders.

Mr. Pierce said none had submitted a bid although a local company did attend the required pre-bid conference.

Mr. Pierce opened and read the bids:

Cathey Construction & Development, Mexico Beach, Florida

Base Bid: \$852,599/Paint Booth: \$375,646/Office: \$191,521/Bid Bond attached

Dooley/Mack Constructor of Northwest Florida

Base Bid: \$823,346/Paint Booth: \$362,610/Office: \$184,402/Bid Bond attached

Floridian Construction & Development Co.

Base Bid: \$875,300/Paint Booth: \$392,000/Office: \$199,000/Bid Bond attached

Pinnacle, Valdosta, Georgia

Base Bid: \$849,792/Paint Booth: \$366,976/Office: \$126,809/Bid Bond attached

P.S.B.I Pro Steel Buildings, Inc., Tallahassee Florida

Base Bid: \$872,434/Paint Booth: \$353,698/Office: \$175,126/Bid Bond attached

Ram Construction & Development Midway, Florida

Base Bid: \$819,599/Paint Booth: \$349,449/Office; \$164,685/Bid Bond attached

Scherer Construction & Engineering, LLC, Gainesville, Florida
Base Bid: \$854,402/Paint Booth: \$373, 958/Office: \$98,028/Bid Bond attached

Shumaker Inc.,
Base Bid: \$814,400/Paint Booth: \$328,890/Office: \$83,594/Bid Bond attached

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

Public Hearing – Consider Amending MSBU Fire Assessments (10:28 AM)

Jay Abbott, FCUFA, introduced and stated the names of all of the Franklin County Fire Chiefs who were in attendance.

Steve Fling, Alligator Point Fire Chief, said he has been a firefighter since 1984 and gave a little history of all seven County Volunteer Fire Departments (VFDs), stating that all of them provide Fire & Rescue, Emergency Medical Care, and Medical First Responder services. Mr. Fling said that there are two ambulances operating in the County, but due to the County's size, ambulance response typically takes over 20 minutes to arrive at the scene, so the VFDs strive to be there within 5 minutes after the emergency call is received and said they all carry defibrillators when responding to calls. Mr. Fling gave the Board more statistics on emergency response calls and said if you own a house in Franklin County today, you pay a Municipal Service Benefit Unit (MSBU) of \$42 per year which funds the fire department in your area but the VFDs are asking for a \$15 per year increase, per household and \$12 for vacant parcels, which pay nothing now. Mr. Fling said the average MSBU per household in Florida pays over \$100 per year.

Mr. Fling said the current MSBU for Franklin County falls short of funding Fire Departments, which are operating through savings accounts, fundraisers, cookouts, and hat drives, and he presented figures on individual VFDs in the County with their operating budgets and shortfalls. Mr. Fling stated that homeowner insurance rates are affected by the location of local fire departments and the Insurance Services Organization (ISO) rating of Fire Departments, which is based on a scale of 1 to 10, and Franklin County's VFDs have an average Public Protection Class (PPC) rating of 6 and because of local fire department ratings, County wide homeowner insurance savings are over \$70 million per year.

Mr. Fling said if County fire departments are closed, insurance costs will increase for residents which may therefore affect the County budget and then services will have to be reduced. Mr. Fling stated that the fire departments are facing budget shortfalls, will have to meet additional funding requirements for new mandatory State requirements for protective equipment and new training, increased insurance rates, and safety inspections. He then gave the Board more numbers on costs to maintain and operate the fire departments, including vehicles and equipment and said several of the departments are now required to have ladder trucks. Mr. Abbott presented pictures of ladder trucks at a private three story home on pilings and said that by State law, if the County has more than 5 homes on pilings that are 3 stories high, they

are required to have a ladder truck, a building to store them in, and budget for the expensive maintenance cost; Carrabelle, Lanark Village and St. George Island currently have ladder trucks. Jessie Doyle, a firefighter was asked to demonstrate the mandatory and necessary equipment required for each firefighter and priced each item for the Board.

Mr. Fling concluded that without an MSBU increase, he didn't know if the fire departments will be able to maintain the current level of service which is critical to the County's future because it will help the County maintain the tax base. Mr. Fling said with no increase, the Lanark Village VFD would be gone because they have been operating on savings for the past two years and he believed Dog Island VFD would also have to close.

Commissioner Jackel asked Mr. Fling for statistics on how many calls the County received for the fire departments; Mr. Abbott said in 2008 they made over 700 runs.

Bill Escanic, Weems EMS, lives in Monticello, but said he is fortunate enough to work in Franklin County and supported the MSBU increase. Mr. Escanic said he and his co-workers could not operate safely in the County without the volunteers and first responders and is honored and privileged to work with the Franklin County VFD crews.

Commissioner Sanders asked Mr. Fling if all members were volunteers, and Mr. Abbott said he receives temporary pay for administrative services.

They discussed dividing the County into districts and home size to determine where to raise the MSBU and asked Attorney Shuler if this is feasible. Attorney Shuler said this action would be at the discretion of the Board but he would need more information before making a recommendation. The Commission suggested that the VFDs work with Attorney Shuler to determine where to raise the rate increase in their districts.

Mr. Pruet, of the Eastpoint VFD, said doing it this way would cause a substantial increase for certain areas and not others, and this idea had been discussed before and the property owners with larger homes didn't believe it was fair.

Commissioner Sanders said she had spoken with residents who support an increase, not the amount that is being considered, and has also heard from those who do not support any increase; so she is torn but does understand the importance of the VFDs in the County.

Mr. Abbott said there is an indigent form offered by the Tax Collector that allows lower income property owners to be exempt from the MSBU.

Chairman Parrish opened the floor for public comment.

Ken Osborne, of Alligator Point, supported the MSBU increase, and believed that it is important that everyone who gets the protection contributes, and he also said that the Alligator Point Taxing Authority (APTA) supported the increase.

Commissioner Jackel, Attorney Shuler, and Mrs. Johnson discussed adding the assessment to the ad valorem tax bill so that it is all paid at one time which may increase revenues by making people more likely to pay the assessment when paying the tax bill. Mrs. Johnson said there were about 750 MSBU liens recorded in her office this year, which would have been \$31,500 in revenue to the County that probably would have been collected if it were added on the tax bill. Commissioner Jackel asked if the County received any money to record the liens.

Mrs. Johnson said there is no cost to record them, just the work to record them, but a fee is collected when the lien is satisfied.

Mr. Fling said that at the Commission's direction, it was drafted as an assessment, which will keep people from losing their homes if it isn't paid.

Commissioner Jackel asked the Board to consider reviewing the proposed MSBU increase amounts and adjusting them, which perhaps would allow some progress in this matter.

Commissioner Jackel explained that she has received a number of phone calls and emails which expressed concerns about any increases for the residents of the County, has listened and does have a heart for those folks who are struggling and feel like they can't pay any additional fees for anything, but at the same time, she also understands the value of what these fire departments bring to the County. Commissioner Jackel spoke of what the cost would be to the County if these volunteer services were not available and is opposed to any tax increase except for this one, although she does not agree with the requested assessment amounts as they are presented and would like to see some adjustments.

Chairman Parrish and Commissioner Sanders both agreed with Commissioner Jackel.

Commissioner Jackel asked for clarification on how vacant parcels would be assessed and Mr. Fling, along with Doris Pendleton, clarified that there would be an assessment per parcel.

Commissioner Jackel proposed raising the single family assessment by \$1 per year since the last increase in 2001, making it an \$8 increase.

The Board recommended these other increases.

Single Family Residence: \$50

Multi –Family Rental Units (Duplex Apartment, Etc.): \$50 per unit

Mobile Home Park & Travel Trailer/Recreational Vehicle Rental Spaces &: \$16/\$160 per 10 units /\$375 maximum

Motels, Hotels, Inns, Bed & Breakfasts: \$10 per unit/\$100/\$500 maximum

Commercial Establishments: \$100/\$375 maximum

Multiple Business Activities (Business Complex, Strip Malls): \$375

Vacant Parcels - \$10

Commissioner Jackel said putting an assessment on the vacant parcels will make many people unhappy but with the statistic of 70% of the fires addressed being on vacant properties, she feels like there is a need for this assessment.

Chairman Parrish said this is where he also received the most opposition from residents but believed the Board did a good job at reducing the increases, which will allow the VFDs to generate some revenue.

Mr. Pierce suggested that each fire department monitor the mobile home assessments in their areas to be sure they are listed on the tax roll correctly.

Commissioner Sanders is still concerned that VFDs like Lanark Village will not receive much benefit from such a small increase. The Fire Chiefs stated that the vacant land assessment would benefit Lanark Village.

Commissioner Jackel and Mike Rundel discussed grant money from Governance to fund updates for the fire departments.

Chairman Parrish recommended that the VFD's who need equipment notify the County and see if grants might be available for the needed equipment. Mr. Abbott said some VFDs have written and received grants and others have not.

Commissioner Putnal wasn't sure he could validate increasing assessments to those residents who would not benefit from the increase because of their location in the County.

Mr. Fling said that residents in the outmost parts of the County would receive the medical response benefits and protection in the event of a forest fire.

Commissioner Sanders asked if the rates needed to be advertised before approval.

Attorney Shuler said the County has not advertised increased amounts in the past, as it is not required, but he would endorse advertising the proposed increases to help inform the public.

Mr. Abbott believed the decision should be made at this meeting because it was already advertised as a public hearing.

Chairman Parrish believed that it is a bad time to raise any public fees, but the Board, which is charge with looking out for public safety and welfare, has diligently reviewed and reduced these rate increases, which will allow the County VFDs to generate funds for operation and equipment.

Commissioner Lockley asked to have time to look at the new numbers, advertise the increases and hear from the public before making a decision.

Doris Pendleton, Property Appraiser, said this action would affect her office and wanted to know if the Board is going to put this assessment on this year's tax bill; the Board said it was not.

Mrs. Johnson asked Mrs. Pendleton if this could be included on the tax bill for next year because, if assessed individually, it would generate a large amount of liens for the Clerk's Office to record.

Mrs. Pendleton said she would be opposed to putting the notices on the tax bill because if the MSBU was part of the tax bill and not paid, someone could lose their property to a tax certificate sale.

Steve Carney, of St. George Island, supported the MSBU increase and suggested the Board vote today.

Mr. Fling recommended making a decision today because this was a public hearing to hear public comment and going through another one would put an undue burden on the fire departments.

Commissioner Sanders reiterated that continuing the public hearing is just a matter of giving the Board an opportunity to review the numbers and changes before making a decision, which would probably result in a unanimous vote, which is what she preferred on this type of action.

Commissioner Jackel believed that all public advertisements and disclosures have been met.

Motion by Lockley, seconded by Sanders, to continue public hearing until August 18, 2009 @ 10:15 AM; Motion carried 4-1, Jackel opposed.

Motion by Lockley, seconded by Putnal, to advertise MSBU rate increases; Motion carried 5-0.

Recess (11:55 AM)

Chairman Parrish called for a recess.

Reconvene (12:08 PM)

Chairman Parrish reconvened the meeting.

Discussion – Acquisition of Apalachicola Airport Property (12:09 AM)

Commissioner Sanders said she had been approached by several people asking her to support the Airport Property purchase so she wanted to make an offer of \$7,500 per acre for Phase I of the project.

Commissioner Jackel said she had never been opposed to the purchase of this property; only to the purchase price.

Commissioner Putnal said he had no issue with purchasing this property because at some point, the County will need it and at a later date, this property might cost much more.

Chairman Parrish said this reduced price is not consistent with the three appraisals on the property and does not reflect the true market value when the bottom number of the appraisals was \$9,000 per acre, which was the amount Mr. Garlick was asking, and he believed the purchase price should reflect the appraisals. Chairman Parrish stated that the three appraisals obtained by the County were: \$9,415 to \$14,499 per acre, for 38.9 acres (April 24, 2008); \$10,000 per acre, for 38.9 acres (June 10, 2008); and \$9,038 to \$12,749, for 38.9 acres (April 15, 2009). The Chairman said property purchased previously was conducted upon appraised values, and he would like to see the land purchased at the bottom number of the appraisals since that is what Mr. Garlick is proposing.

Commissioner Sanders said in Attorney Shuler's report, the property owner asked for \$9,000 an acre and also a charitable letter of \$40,000, but originally the property owners had asked for \$7,500 per acre when they approached the County, so that is why she made her proposal of that amount. Commissioner Sanders also discussed an offer of \$8,600 that had never come before the Board.

Mr. Ted Mosteller, the Airport Manager, said all three phases went before the Board at separate prices but Phase III did have a proposal of \$8,600 per acre, and this purchase would be funded by grant money.

Commissioner Jackel said the numbers in the offers went up after the appraisal.

Commissioner Putnal said it was important to purchase this property just as it had been for the property for the clinic in Carrabelle, for which they paid \$20,000 per acre because eventually the property will have to be purchased.

Dan Garlick, the property owner, said the property does have value and could be developed to some degree because it is zoned residential, so homes could be built without a land use change although it has low quality wetlands, and is not regulated by DEP or the County.

Commissioner Jackel said the County does have the final say as to what is built there.

Mr. Garlick said there is already a home built 100 feet from where this property is located and all 3 Phases, which includes his offer on 51 acres, would need to be purchased for this project.

Commissioner Jackel also questioned whether or not Phase II funds had been applied for.

Mr. Mosteller said the FAA has the application and is waiting for approval from the Board for the purchase.

Commissioner Sanders expressed concerns about the Board needing a 5% match on the funds and had received an email from Senator Bill Nelson stating that the County had grant funds in the amount of \$251,000 for Phase II in the numbers presented to the County, but acquisition of the land would be \$264,000.

Mr. Mosteller said DOT would be making up the difference with grant money.

Mr. Garlick stated that his offer to sell the property at \$9,000 per acre for 51 acres is contingent upon the County receiving the funds needed.

Commissioner Jackel said the appraisal stated that the land is not buildable.

Mr. Garlick said there are buildable areas on this property.

Commissioner Jackel and Mr. Garlick discussed his resignation from the Airport Advisory Board and the opinion of the Ethic's Commission.

Commissioner Sanders said she had always supported the airport until the purchase of this land, and she was offering a reasonable price for the land but is concerned with the purchase because it is questionable to her.

Commissioner Sanders and Mr. Mosteller discussed the length of time it has taken to make a decision and also the issues going on with the purchase of this property, including resignations from the Airport Advisory Board and changes in the purchase price.

Commissioner Sanders asked that decisions by the Board not be held over the heads of each Commissioner because of the decisions made.

Commissioner Putnal asked Mr. Garlick if he will accept the offer of \$7,500 per acre with no charitable letter of donation, and he said he couldn't accept an offer of less than the appraisal amount. The two discussed future development of this property.

Commissioner Jackel and Mr. Garlick discussed whether or not the property was purchased as an investment or solely to sell back to the County.

Mr. Garlick said he bought the property so that the County could come in and buy the land and still be able to do this runway project.

Commissioner Sanders and Mr. Garlick discussed communication issues between himself and the Board.

Ken Osborne, Concerned Citizens of Franklin County, said he filed a letter with each Commissioner and the Clerk opposing the sale of this property from the standpoint of the process and the fact that Mr. Garlick was a member of the Board that moved forward to buy land from himself. Mr. Osborne said whether Mr. Garlick had resigned or not, he was still involved in the initial decision and they would continue to push forward with the opposition of this process.

Mr. Garlick, correcting some of Mr. Osborne's statements, said that he only voted once regarding this property and he went back to the Airport Advisory Board to see if they were still interested once he bought the land, and at that point, he abstained from voting on any issues on this parcel.

Chairman Parrish said because of the appraisals and the review by a separate entity, he didn't believe the Board was qualified to say the property is worth less than the appraisals, which is considered fair market value and said the owner has offered the lowest value of the appraisals.

Motion by Sanders, seconded by Jackel, to purchase Phase I of 21.34 acres at \$7,500 per acre for the airport property; Motion failed 2-3; Lockley, Putnal, Parrish opposed.

The Board and Attorney Shuler discussed the offer from Mr. Garlick. Attorney Shuler said as far as the charitable donation letter, the valuation of the land is the responsibility of the Seller and not the County, so the County will state that they bought a certain amount of land at a certain price.

Motion by Lockley, seconded by Putnal, to purchase 51 acres at \$9,000 per acre, contingent upon availability of funds, along with a \$40,000 letter of charitable donation; Motion carried 3-2; Jackel, Sanders opposed.

Marcia M. Johnson – Clerk of Courts – Report (12:49 PM)

Mrs. Johnson presented her report to the Board.

1-Board action is requested to appoint members to the Value Adjustment Board. Two commissioners must be appointed and you must also appoint a citizen member who owns homestead property within the county. The citizen member can't be a member or employee of any taxing authority.

Motion by Sanders, seconded by Lockley, to appoint Commissioners Jackel and Putnal to the Value Adjustment Board; Motion carried 5-0.

Motion by Jackel, seconded by Sanders, to appoint Walter Armistead as the member who owns homestead property to the Value Adjustment Board; Motion carried 5-0.

2-The Health Dept. requested the Board adopt a resolution approving their fee schedule for services they provide. The fee schedule was attached to their budget request.

Commissioner Putnal asked what some of the fees were for.

Mrs. Johnson explained that they are for inspections on tanning facilities, swimming pools, etc., conducted by the Health Department.

Commissioner Jackel asked if the fees had gone up very much.

Mrs. Johnson said she was advised the tanning facility and environmental fees went up \$5.

Motion by Lockley, seconded by Putnal, to approve fee schedule for the Health Department, which will be effective October 1, 2009; Motion carried 5-0.

3-For information, the hospital sales tax collections for the month of May was \$138,771.69. The balance in the hospital's capital fund was \$859,363.71.

Alan Pierce – Director of Administrative Services – Report (12:53 PM)

1- Provide Board with copy of letter Chairman gave to PSC at hearing on Thursday, July 30 regarding proposed rate increase by Progress Energy.

2- The Board had asked at a previous meeting for an estimate on air-conditioning the Armory. In 2006, the National Guard received a grant for a need assessment of what needed to be done on the Armory. The estimate for air conditioning was \$171,000. The estimate for re-wiring, part of which would have to be done for air-conditioning, was \$156,000. The total of those two costs is \$327,000. Franklin County was prepared to submit a Historic Preservation grant to seek funds to make those improvements but the Legislature stripped the large grant projects of funding, but kept the small grant projects. A small grant is \$50K or less. Mark Curenton is preparing a grant application for the small grant to fix a leak in the roof that should be less than \$50K.

3- On a related note, the Board needs to approve the Armory Management Plan for submission to the State. The Armory Management Plan was drafted by Mark Curenton with assistance from Nikki Millender. The Management Plan, and attachments, is some 50 pages, but can be summed up in one sentence extracted from the Plan: "It is the intention of the Franklin County Board of County Commissioners to continue to use the building in the future as it has been used for the last five years." Board action.

Motion by Sanders, seconded by Lockley, to approve Armory Management Plan; Motion carried 5-0.

4- Inform the Board that Franklin County is in receipt of a Public Notice from the Corps of Engineers that Hall County in Georgia is proposing to construct a water supply reservoir on Flat Creek, to be known as the "Glades Reservoir." It appears to be in the Upper Chattahoochee River Basin. I will be consulting with RiverKeepers and other interested parties to see if this Reservoir will affect water flows in the ACF.

Commissioner Putnal believed the Board should oppose any new reservoirs, coal burning plants, or anything else that will affect the rivers.

Andy Smith, Apalachicola Bay & Riverkeeper (ABARK), said the comment period on the Longleaf Energy System Plant ends today with the Georgia Environmental Protection Division and ABARK is working on comments against it. Mr. Smith said ABARK is also working on comments opposing the Glades Reservoir project, which ends Friday, and said they would be happy to work with the County.

Commissioner Putnal asked Mr. Smith if he was going to a public hearing and thought that he could deliver a letter for the County, but Mr. Smith said a public hearing had already been held

for the Longleaf Energy System Project, so Mr. Pierce suggested sending the letter electronically to be sure it is there on time.

Commissioner Jackel asked if there would be another hearing on the Glades Reservoir.

Mr. Smith said that the Board could ask for a public hearing in their comments.

Motion by Putnal, seconded by Jackel, to write letters opposing the Longleaf Energy System Plant and Glades Reservoir Projects and ask for a public hearing for the Glades Reservoir Project; Motion carried 5-0.

5- Inform Board that Preble-Rish Engineers are assisting the county in applying for a future County Incentive Grant Program to receive funds to pave Pine St. on the St. George Island, and repave Brownsville Road.

6- Update on Sidewalk projects.

A) Inform Board that the Request for Qualifications for firms to provide Construction Engineering and Inspection services for the 3 sidewalk projects has been advertised. The responses for this will be engineering firms, for which the county will select the most qualified one to provide the inspection services. The Board will open the RFQs at the August 18 Board meeting.

B. The Board now has the Notice to Proceed for all 3 Sidewalk Projects, the third one coming in Friday, July 31. There is a longer advertising period according to DOT because these are federal funds, so I am seeking direction on how to proceed with advertising from DOT. Unless the Board directs otherwise, I will begin advertising as soon as possible.

The Board discussed how this project will work and hoped that local companies will be able to be competitive in their bidding.

7- Inform the Board that the Public Hearing for revoking the Peddler's Ordinance is Sept. 1, at 10 AM.

8- Hospital Update:

A. Remind the Board there will be a ground breaking ceremony on Thursday, Aug. 27, at 11:00 AM at the Carrabelle Urgent Care site. More details to follow.

B. The Hospital Board continues to work with the Hospital architect. If the Board would like to see a proposed rendition of the Carrabelle Urgent Care Clinic the Hospital Board chairman is available to present it in a few minutes. The Hospital Board and the architect recommend the County Commission allow the Hospital Board to utilize the Guaranteed Maximum Price approach in bidding out the building. This is the approach the county commission used in renovating the courthouse and it allows the owner, the county commission, to be guaranteed a maximum price for construction. It allows the contractor to make suggestions during the design phase on cost saving steps as opposed to a fixed bid where the contractor must bid and build according to finished plans.

The Hospital Board and architect are ready to advertise for Requests for Qualifications to select a Construction Manager, which would be the contractor responsible for building at a guaranteed maximum price. Board action to allow Hospital Board to advertise for Construction Manager for the construction of the Carrabelle Urgent Care Clinic. The opening of the RFQs would take place at a county commission meeting, but the Board would turn over the RFQs to the Hospital Board and architect for a recommendation. There is currently approximately \$790,000 for the construction of the Urgent Care building. Board action.

Chairman Parrish liked the idea of the guaranteed maximum price because if they are able to save money in the design phase, there might be other things that can be added to the building as a result of those cost saving measures.

Commissioner Jackel asked if the bid would be for an exact item.

Attorney Shuler explained that the bid would start with basically a ceiling and then the manager tries to make more money by bringing in the project as specified at the lowest possible price. Commissioner Jackel wanted to know if the Construction Manager would be the contractor as well.

Attorney Shuler said they should be but if not, they would be in charge of the contractor.

Gail Dodds, Hospital Board, presented copies of the proposed building plans, said the building was 5,190 square feet now but she was trying to bring it down to 4,000 square feet, and further discussed the layout of the facility with the Board. Ms. Dodds said the Hospital Board is hoping to be able to have more doctors and specialists come to the County to utilize this facility.

Commissioner Lockley asked what the balance for the hospital account was at that time.

Ms. Dodds didn't have that information but will forward it to the Clerk for the Board's review.

Ms. Dodds discussed the possibility of a hospital foundation, which is a non-profit arm of fundraising, and said they would be coming before the Board with more information. Ms.

Dodds said this works toward excellence of the hospital and has real positive ramifications for public relations.

Chairman Parrish hoped there would be volunteers to help with fundraising to offset costs and enhance the County's delivery and quality of health care services and thanked Ms. Dodds on behalf of the Board.

Commissioner Jackel confirmed the date of the Urgent Care Facility Groundbreaking in Carrabelle as August 27, 2009 @ 11:00 AM.

Motion by Lockley, seconded by Sanders, to authorize the Hospital Board to advertise for RFQ's to select Construction Manager for Carrabelle Urgent Care Clinic; Motion carried 5-0.

9- Provide Board with copy of annual report for Resort Village in the Plantation. The Board gets a copy of the report. There has been no activity in the last year.

10- Florida Housing has advised me that I will need to make changes to the new Florida Homebuyer Opportunity Program Strategy as it is mandated that these funds must be paid back to the County.

You approved this strategy on the July 21st meeting. The wording that you approved read "A Homebuyer who fails to fully repay the loan within the 18 months shall be subject to a thirty (30) year Deferred Payment Loan

I have changed the wording to read "If the homebuyer fails to fully repay the loan within 18 months a lien will be filed detailing the terms of the loan. The SHIP loan will be in the form of a deferred payment loan (DPL) which carries 0% interest and is due when the borrower sells or ceases to occupy the home as a primary residence."

Once the IRS First Time Homebuyer Tax Credit is no longer available, the un-used funds can then be used for the usual Down Payment, Emergency Repair and Rehabilitation Strategies. When these loans are paid back to the county, they will be considered Program Income and can also be used as needed.

Commissioner Sanders and Mr. Pierce discussed the details of the paving project on C30A in Carrabelle.

Mr. Pierce confirmed for Commissioner Jackel that the letter to Waste Pro had been sent.

Commissioner Jackel inquired about the letter to DOT questioning the markers on pilings, and Mr. Pierce said he had emailed Gabrielle Corbin, DOT, and her first response was that the markers were intended to mark the path of where pilings used to be and they don't reflect any exposed pilings. Mr. Pierce said he told her they are not permanent markers and he has not received any other response as yet.

Chairman Parrish wanted to know why they would mark the area if there were no pilings there. Mr. Pierce reminded the Board that Attorney Shuler will talk to the General Counsel regarding this matter.

Mr. Pierce, updating the Board on the Workforce employees, said there will be 5 employees who will be picking up litter and debris on weekends for 6 months.

The Board and Mr. Pierce discussed the possibility of the employees cleaning the approaches of all County bridges.

T. Michael Shuler – County Attorney – Report (1:19 PM)

Attorney Shuler presented his report to the Board.

1. Country Wide Home Loans, Inc. vs. Katie Thomhill (09-429-CA)

The bank is suing the landowner for defaulting on a mortgage recorded in OR Book 873, Page 231. Franklin County is named as a defendant because the County filed a \$42.0 fire tax lien on the property. The County's lien is recorded in OR Book 940, Page 605. The County's lien is inferior to the bank lien. There is no legal or factual defense justified by the circumstances. The property is located in Eastpoint, Florida.

Board Action: I recommend that the Board authorize me to accept service of process and that no response be filed with the Court. This means that the Court will extinguish the County's lien and the County will not be paid for the fire tax lien.

2. Bank of America vs. Jack Davidson (09-39 J ~CA)

The bank is suing the landowner for defaulting on a mortgage recorded in OR Book 937, Page 262. The bank seeks to foreclose a fire tax lien recorded in OR Book 969, Page 793. Franklin County is wrongly named as a defendant, because the bank's mortgage is on Lot 9, Driftwood Subdivision. The County's lien is on Lot 15, Gulfview, a different subdivision. This means that the bank's mortgage is on one parcel and the county's lien is on another different parcel. I have filed a response notifying the Court that the bank is wrongly seeking to foreclose your fire tax lien and requesting attorney fees.

Board Action: I recommend that the Board authorize me to accept service of process.

3. Capital City Bank vs. Dale Anders (09-366-CA)

The bank is suing the landowner for defaulting on a mortgage recorded in OR Book 676, Page 239. Franklin County is named as a defendant because the County filed two fire tax liens totaling \$42.00, plus interest and fees, in OR Book 969, Page 438 and OR Book 970, Page 175. The County's lien is inferior to the bank lien. There is no legal or factual defense justified by the circumstances. The property is located near Sumatra, in Franklin County, Florida.

Board Action: I recommend that the Board authorize me to accept service of process and that no response be filed with the Court. This means that the Court will extinguish the County's lien and the County will not be paid for the two fire tax liens.

Motion by Sanders, seconded by Lockley, to accept service of process on items 1 – 3 of Attorney Shuler's report; Motion carried 5-0.

4. Airport Property

Attached is a copy of an offer from Mr. Garlick to the County to sell 51 acres of land at \$9,000.00 per acre, totaling \$459,000.00. It is my understanding that the purchase price and closing costs will be paid from grant funds. Mr. Garlick's offer speaks for itself. The 51 acre parcel is located at the end of the main runway at the Apalachicola Airport. A copy of a drawing showing the parcel is attached.

The property is presently subject to two mortgages. The property will not be purchased until, and unless, the parcel is released from both mortgages.

Attached is a proposed contract I have prepared based on Mr. Garlick's offer. If the Board approves, then both parties will have to sign the contract before it is enforceable. Mr. Garlick has requested that the County execute a charitable donation letter and IRS form for a \$40,000.00 donation being the difference between the purchase price and the appraised value of the property.

I have approved the form of the proposed contract.

Board Action: Does the Board want to approve the purchase of the property?

This item was addressed earlier during the meeting.

5. Possible Voting Conflict:

The signed opinion from the Ethics Commission is attached.

This item was addressed earlier in the meeting.

Commissioners' & Public Comments (1:19 PM)

Commissioner Jackel discussed the Public Service Commission (PSC) hearing regarding the Progress Energy proposed increase. Commissioner Jackel stated how pleased she was with the turnout and was proud of the citizens and the Board, especially the comments made by Chairman Parrish who represented the Board well. Commissioner Jackel stated that Gail Riegelmayr, of St. George Island, told her that Franklin County had the best showing of all nine counties that had been visited by the PSC.

Commissioner Sanders echoed Commissioner Jackel's comments.

Commissioner Sanders asked if Chairman Parrish would attend the PSC meetings, which will be held from Sept. 21 through Oct. 2, to represent Franklin County and oppose the Progress Energy rate increase.

Chairman Parrish said he had a conversation with the office of Public Counsel, and said he would travel on the day that Public Counsel said would make the most impact. Chairman Parrish also said a rate increase would not only affect private residents' bills but also County Government utilities and the School Board's budget.

Motion by Sanders, seconded by Putnal, to authorize Chairman Parrish to attend PSC meetings in Tallahassee on the day recommended by the General Council office; Motion carried 5-0.

Commissioner Putnal said he gave people permission to tie up at the oyster house docks in Eastpoint because of the high traffic at the Eastpoint boat ramp and asked Attorney Shuler if this would present a problem.

Attorney Shuler said that he would look into this matter.

Commissioner Putnal requested that a crew cut some of the weeds to the east of the Eastpoint Boat Ramp.

Commissioner Lockley recommended that Russell Crofton, who is an experienced pilot and is knowledgeable in the area, replace Dan Garlick on the Airport Advisory Board.

Motion by Lockley, seconded by Putnal, to appoint Russell Crofton to the Airport Advisory Board; Motion carried 4-1; Jackel opposed.

Adjourn (1:28 PM)

There being no further business Chairman Parrish adjourned the meeting.

Joseph Parrish, Chairman – FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts