

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
SEPTEMBER 15, 2009  
5:00 PM**

**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

**Call to Order (5:06 PM)**

Chairman Parrish called the meeting to order.

**Prayer and Pledge (5:06 PM)**

There was a prayer followed by the Pledge of Allegiance.

**Approval of Minutes: September 1, 2009 Regular Meeting Minutes (5:07 PM)**

**Motion by Lockley, seconded by Jackel, to approve the minutes from the September 1, 2009 regular meeting; Motion carried 5-0.**

**Payment of County Bills (5:07 PM)**

**Motion by Putnal, seconded by Lockley, to pay the County's Bills as presented; Motion carried 5-0.**

**ACF Stakeholders Update (5:08 PM)**

Mr. Dave McLain presented a power point with information regarding the ACF (Apalachicola-Chattahoochee-Flint) Stakeholders and gave the Board an update on the latest information available from the Riparian County Stakeholders Coalition, which is part of the ACF. He said for the past year and a half Dan Tonsmiere, ABARK, Chairman Parrish and himself, representatives of the RCSC, have been trying to reach upstream to neighbors to the North to find commonality to build bridges up there. He said when trying to find a focal point between ourselves and 4

million people in Atlanta you have to move upstream and see what kind of partnerships can be obtained and that the ACF advances from Lake Lanier through Middle Georgia all the way down to the Apalachicola Basin. Mr. McLain explained the missions and goals among the Coalition's seventeen page Charter, which states the equitable solutions among stakeholders so that there is balance between economic, ecologic, and social values and the viable solution is to ensure that the entire ACF Basin is a sustainable resource for current and future generations. He was particularly concerned about the ability to develop and disseminate a common scientifically valid understanding of the ACF Basin, including inner related nature of water management in the Basin, the needs of all Stakeholders and the levitations of the system. He said they have been trying to get an in stream assessment done so there could be some determination about what the resource will sustain. Mr. McLain gave more information about the ACF Stakeholders organization and the role it plays in the preservation of the ACF Basin. He asked everyone to look at the ACF's website at [www.acfstakeholders.org](http://www.acfstakeholders.org) to get more information.

Commissioner Putnal asked if this was a voting committee. Mr. McLain explained that the decision body was the governing board and the executive committee was involved in administrative decisions. He said the governing board makes all final decisions by consensus. Commissioner Putnal expressed concerns about Franklin County's water supply being cut off during drought situations but Mr. McLain believed that this group was organized to protect the little guy.

Commissioner Sanders asked how much membership dues were and Mr. McLain gave the information to the Board but Mr. Pierce said the County had already paid the membership dues. Mr. McLain said the information was available in the membership application for anyone who was interested. Commissioner Sanders commended Mr. McLain for the help he has provided for the people along the River.

### **Department Supervisors Report**

#### **Hubert Chipman – Superintendent of Public Works (5:23 PM)**

Mr. Chipman said the Road Dept. and Mr. Rothwell tried to find a solution to drain the standing water at the Old Carrabelle Beach but weren't successful and said with more rain the problem had gotten worse. Commissioner Putnal said the section behind the dunes from the Carrabelle Beach Park down to the Old Carrabelle Beach had a continuous problem with standing water and one of the residents in that area had contacted him about solutions and thought he might have some information about alleviating the problem and asked that Mr. Rothwell contact him. The Board discussed the flooding problem in County ditches because VMS isn't cleaning them out like they should.

Commissioner Lockley asked if it would be possible to have a work crew clean the ditches. Mr. Chipman said they do have crews cleaning the ditches but sometimes they can't keep up with everything all at once. Commissioner Lockley suggested asking the State to provide more inmate work crews.

Mr. Rothwell said the drainage network in Eastpoint looks as though it might cause serious flooding issues in the future and Commissioner Putnal said he was concerned that there would be serious flooding if any of the drainage ditches were clogged and asked that they continue to observe those areas.

Commissioner Sanders asked Mr. Chipman to stay on top of the work on the shoulders of the road where paving is being done. She also said she wanted to have a letter written to DOT about Ell's Court curve on Hwy. 98 outside of Carrabelle asking to have the ditch cleaned under the road and removal of silk screen.

**Motion by Sanders, seconded by Putnal, to send letter to DOT asking to have the standing water problem addressed at the section of Hwy. 98 @ Ell's Court; Motion carried 5-0.**

**Motion by Lockley, seconded by Sanders, to ask the Warden at FCI for additional inmates to help the Road Department with the cleaning of the ditches; Motion carried 5-0.**

Commissioner Putnal said he had a request from the School Board to help repair the parking lot at Brown Elementary in Eastpoint and Mr. Chipman said he had already been notified about this and the Road Department would take care of this matter.

Commissioner Jackel asked Mr. Chipman to have someone to look at driveways along Hwy. 98 that don't have culverts, which is causing water to back up into the businesses and she also asked him to take another look at drainage problems on Old Ferrydock Road in Eastpoint, suggested putting up additional signs with flashing lights in flooded areas.

**Motion by Jackel, seconded by Putnal, to purchase 50 new flashing lights and batteries, which will be less than maximum bid amount; Motion carried 5-0.**

#### **Van Johnson – Solid Waste Director (5:40 PM)**

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

#### *ANIMAL CONTROL ISSUES:*

*FOR BOARD ACTION: I need Board approval for the County Attorney's assistance in petitioning the county courts for custody of seven dogs found by Animal Control Officers in distress in the Carrabelle area and to prohibit the owners from further pet ownership because of neglect. Upon Animal Controls initial investigation, officers removed all seven dogs and had to take one to the local vet for a blood transfusion in order to save dog's life. ACTION REQUESTED: Motion granting the County Attorney's assistance in petitioning the county courts for custody of seven dogs found in distress by Animal Control Officers.*

Commissioner Putnal asked for more information about this situation and Mr. Johnson said that the Carrabelle Police Department contacted Animal Control, who found the dogs in such bad

condition that some were in need of immediate medical attention to prevent death. Mr. Johnson said Animal Control would like to obtain custody so that they can find suitable homes for the dogs.

Commissioner Sanders wanted to know about the request to prevent the owner from future pet ownership and Mr. Johnson said that is because this is the second offense by the same individual.

**Motion by Lockley, seconded by Sanders, to authorize Attorney Shuler's assistance in petitioning the courts to allow custody and prohibit further pet ownership because of neglect; Motion carried 5-0.**

**SOLID WASTE & ROAD DEPARTMENT SURPLUS AUCTION:**

*FOR BOARD INFORMATION: The Solid Waste Department recently netted \$6,400 from the sale of surplus county property assigned to the department. ACTION REQUESTED: None.*

**END OF THE FISCAL YEAR EXPENDITURES:**

*FOR BOARD INFORMATION: The various departments under my supervision are making some necessary end of the fiscal year expenditures that were put off earlier due to the spending freeze.*

- 1. Hookup Eastpoint Vrooman Park to central sewer, staff discovered septic tank at park has a large un-repairable hole; \$ 7,900*
- 2. Install batting cage at Kendrick Park in Carrabelle; \$ 9,400*
- 3. Install bleachers at football field at Kendrick Park in Carrabelle; \$ 10,500*
- 4. Construct batting stations and enlarge T-Ball field at D.W. Wilson Park in Apalachicola; \$ 1,800*
- 5. Live traps for Animal Control; \$ 600*
- 6. Backyard composting bins for Recycling Program; \$ 6,125*

*At this time, we are expecting to give back approximately \$150,000 of anticipated unspent funds to the county. ACTION REQUESTED: None.*

**LITTLE LEAGUE FOOTBALL SEASON:**

*FOR BOARD INFORMATION: The Franklin County Little League Football and Cheerleading Program have started its 2009 season. To date, staff has signed up 113 kids from throughout the county, 73 football players, and 40 cheerleaders. The jamboree will be held in Franklin County this year on October 3, at 10:00AM at the Franklin County K-12 School. ACTION REQUESTED: None.*

Commissioner Putnal mentioned an issue with bears scattering trash all over Carrabelle and Mr. Johnson said the best possible solution is the bear proof containers offered by Waste Pro but also said his crew would clean it up as they see it.

Commissioner Sanders asked Mr. Johnson to find a solution to picking up piles of trash set on the sides of the road because it seemed to be getting out of hand.

**Dan Rothwell – County Engineer (5:46 PM)**

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

**BOARD ACTION: Apalachicola Airport Access Road Final Invoice:**

*Staff requests permission to pay the final invoice of \$43,626.15 from the total project costs of \$948,091.18 of a \$1,000,000.00 grant once the final paper work is completed.*

**Motion by Lockley, seconded by Jackel, to authorize payment of final invoice for Apalachicola Airport Access Road; Motion carried 5-0.**

*District 1 service requests:*

*The Road Department has completed extensive work on the south side of East & West (E&W) Gorrie Drive to relieve many drainage issues. Staff will be meeting with several businesses' on East & West Gorrie Drive to attempt to address drainage concerns.*

*District 2 service requests:*

*Staff is working with the Road Department to stabilize Alligator Drive, drainage under Gulf Avenue and to prepare lime rock roads for paving program with cross drains and ditches.*

*District 3 service requests:*

*Staff has met with Commissioner Lockley to address work on Earl King Street, 20<sup>th</sup> Avenue, Morris Cannon Street, Earl King Street and other areas which have been communicated to the Road Department.*

*District 4 service requests:*

*Staff has been working with the Road Department to address several drainage projects in the district including Peachtree Road, Linden Road, Weems Hospital drainage project, and Wood Duck Drive.*

*District 5 service requests:*

*Staff has met with Road Department to provide cross drains and right of way preparations for the paving program as well as solving drainage issues.*

*Topographic Surveys:*

*Staff has completed field surveys for the following projects which require construction drawings.*

*West side of Linden Drive*

*Wood Duck Drive*

*West Gorrie Drive, West 3<sup>rd</sup> Street to Franklin Blvd*

*East Gorrie Drive at East 6<sup>th</sup> Street*

*Bay Front Drive*

Mr. Rothwell presented aerial photos and discussed proposed stormwater drainage projects throughout the County. He said some of the businesses and property owners have offered to possibly help with the cost and also offer portions of private property to resolve the drainage issue.

Commissioner Jackel discussed some of the current flooding and drainage issues with some of the roads and said part of the problem with stormwater drainage on Gorrie Dr. was due to impervious paving on the County right of way in front of the shotgun homes. She asked Mr. Rothwell to get back with the Board on cost estimates to resolve all of the drainage problems. Commissioner Jackel also mentioned that the paving projects could not begin until the problem is resolved.

Commissioner Lockley asked where funding would come from for these projects and

Commissioner Jackel said it would come out of District 1 County paving funds.

Commissioner Lockley and Commissioner Jackel agreed that paving could begin in Apalachicola due to the drainage issues.

Mr. Rothwell discussed the current status of County paving projects.

Commissioner Putnal wanted Mr. Rothwell to be sure that all aspects of the paving project were completed in every district.

**Motion by Jackel, seconded by Lockley, to direct Mr. Rothwell and Attorney Shuler to work with Mr. Armistead to create a document for Board review regarding this project and present to the Board at the October 6, 2009 meeting; Motion carried 5-0.**

Commissioner Sanders said she had been contacted by a resident of Alligator Point about a mishap on Alligator Drive in an area in the road that had standing water from recent rains. She said she thought this issue had already been taken care of and asked Mr. Rothwell to devise a plan to resolve the matter and also said there was an issue on Carlton Millender Road in Carrabelle and wanted Mr. Rothwell to find a resolution for that problem.

**Pam Brownell – Emergency Management Director (6:02 PM)**

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

*Action Items: Requesting the Board's approval of the 2009-2010 County Base Grant (EMPA/EMPG) in the amount of \$102,724.00.*

**Motion by Sanders, seconded by Putnal, to approve the 2009-2010 County Base Grant;  
Motion carried 5-0.**

Commissioner Jackel thanked Mrs. Brownell for the hours she put in with filling sandbags and delivering Red Cross packets during the recent rain storm.

Mrs. Brownell thanked all of the other departments who were involved. She said it was a County wide effort.

Commissioner Lockley and Mrs. Brownell discussed what might be available to homeowners who do not have homeowner's insurance.

*Information Items: The Emergency Management is hosting a Firewise Communities Workshop on Tuesday, September 29<sup>th</sup> from 9:30 am to 2:00 pm. at the Emergency Management office for county officials, community leaders, landowners and other stakeholder.*

**Bill Mahan – Extension Office Director (6:05 PM)**

Mr. Mahan didn't have any items for Board action and/or approval.

Commissioner Putnal asked Mr. Mahan that while he is at the Traffic Safety meeting to mention to DOT the flooding problems in the County.

Chairman Parrish said the ditches and culverts need to be cleaned and had asked Mr. Pierce to call someone on the issue the previous week. Mr. Pierce said Donnie Phillips, DOT, told him they would get here as soon as possible to take care of the problem.

The Board discussed this issue further and Commissioner Sanders said that she feared this problem with getting issues resolved would happen when FDOT went to privatization.

**Motion by Sanders, seconded by Jackel, to send a letter to FDOT stating problems in County ditches and grass blocking signs on corners; Motion carried 5-0.**

**Public Hearing – Peddler's Ordinance (6:11 PM)**

Attorney Shuler handed out copies and read excerpts of the proposed Peddler's Ordinance. He said the current Ordinance 95-14 authorizes and regulates Peddling throughout Franklin County and the proposed Ordinance would ban Peddling throughout the County with the exception of a certain grandfathered class which consists of Peddlers who have licenses for the year 2008/2009.

Commissioner Sanders said she didn't realize that this new Ordinance would affect the entire County and said she thought it was only for St. George Island because that is where the complaints were originating.

Commissioner Putnal said he was concerned about prohibiting people from selling fresh produce from their vehicles and Chairman Parrish said it didn't prevent those individuals from using private property.

Attorney Shuler said it was up to the Board if they wanted to open this up to other areas of the County.

Commissioner Jackel mentioned that only a small handful of folks had applied for Peddler's Licenses and most of those selling on the side of the roads are not licensed.

Commissioner Lockley and Attorney Shuler discussed the grandfather clause.

Commissioner Lockley wanted to know who had filed a complaint and Joe Baucher, SGI business owner and resident, stated the he filed the complaint because of unlicensed peddlers doing business on the Island, which takes business away from Island business owners and the local people they employ. He said he would like for the Board to stand up for business owners. Bill Blackburn, BJ's Pizza SGI, said the businesses have been fighting this forever and there are tax payers who are licensed and own businesses who sell all of the same products that these unlicensed peddlers sell.

Dale Phipps, owner of a concession trailer, stated that he was licensed but the proposed ordinance would stop him from operating and also said he had received Board approval to set up his trailer and sell his goods.

Commissioner Jackel said she supported SGI and Eastpoint businesses and the peddlers who have been on the Island for years and also supported the proposed Ordinance.

Chairman Parrish wanted to know how this proposed Ordinance would affect vendors at sporting event and Commissioner Jackel wanted to be sure vendors who are setting up at festivals are still allowed to set up.

Attorney Shuler said he would create language to cover those issues.

Commissioner Lockley expressed concerns about other areas of the County, besides SGI and Eastpoint, where peddlers set up on sides of the road or go door to door selling their goods.

Mr. Pierce said most of the complaints he received concerning other areas of the County are about people setting up on the State's Right of Way.

Attorney Shuler said this Ordinance was to regulate County Right of Way and County property and would not affect the State's Right of Way, private property or City properties.

Commissioner Putnal and Commissioner Lockley wanted to know what could be done to help Mr. Phipps do business now that he has bought a license.

Attorney Shuler said the wording of the grandfather clause would have to change and the amount in its class would change from 3 to 6 in the proposed Ordinance.

The Board and Attorney Shuler discussed the fact that Mr. Phipps would be selling prepared food out of his concession trailer.

Charlotte Bacher, SGI resident and business owner, asked if the definition of grandfathering was for private property or County property and asked if the County would be liable for any accidents or issues as a result of allowing peddlers to set up on public property.

Attorney Shuler said this Ordinance is regulating only County Right of Way and County property which isn't closed by the County and liability would depend on the situation.

Billy Blackburn, SGI business owner, stated that according to State Law, prepared food had to be served from a commercial kitchen and wanted to know if the County is responsible if someone becomes sick from food sold from a concession trailer or household kitchen.

Attorney Shuler said the State should be contacted if there is a violation of the State Health requirements.



Dale Carmichael, SGI Peddler, stated that if peddlers do not have a license the Sheriff's Department can arrest and remove them from the property. He said he has been peddling on SGI for years. Mr. Carmichael said he had 5 licenses to peddle and had even been to school to learn how to sell shrimp, and according to his attorney, the County is not liable for any accidents on County Right of Way. He said you can't satisfy everybody and he supported the proposed Ordinance.

Commissioner Putnal asked the difference between the old and new Ordinance.

Attorney Shuler said the old Ordinance authorized licensed peddlers without limitation and the new Ordinance would ban peddling except for a limited class of 3 to 6 grandfathered peddlers, according to how the Board decided to define the grandfather class. He said the peddler's who obtain a County Peddler's License were also required to have a State License or else the State could shut them down.

Selena Phipps, resident, stated that she and her husband, Dale, are local residents and pay taxes also. She said her husband had spent \$15,000 to build his concession trailer after the Board told him that he would be allowed to set up his business. She said her husband's business is inspected the same as restaurants are. She believed that vendors are business people also and asked that they be grandfathered in also.

Lois Swoboda, Apalachicola Times, asked if grandfathered peddlers licenses would be transferable to family members or business partners.

Attorney Shuler said the license would not be transferable if listed in an individual's name.

Chairman Parrish said he understands both sides of this issue and he also understands the ramifications and concerns that had been brought forward. He said he does have a problem with the grandfather clause because of complaints he had received from life-long County residents who said they would also like to have a license and he wanted to know if the County could go back and look at some of the issues and address some of the problems so that it would be fair and equitable to everyone.

Commissioner Putnal wanted to know if the business owners who have complaints would be opposed to 6 people having peddler's licenses and Chairman Parrish said they are opposed to those who sell prepared food.

Chairman Parrish said he believed that if one person was entitled to benefits then every constituent in the County should be entitled to the same benefits.

Steve Fling, Alligator Point, believed the most equitable solution would be to have a quota on the number of licenses sold each year.

Attorney Shuler explained that the quota system would be more like a lottery and would not ensure that the current peddlers would be issued a license.

Commissioner Putnal didn't have a problem with limiting the peddler's license to 6.

Commissioner Sanders didn't believe that the entire County should be included in the Ordinance when the problem is on St. George Island. She said times are going to get rough and people might need to sell vegetables on the side of the road.

The Board discussed the problem and the repercussions of passing or not passing this Ordinance so Attorney Shuler suggested tabling this item to give him time to look into and re-address some of these issues brought up at this meeting.

Commissioner Jackel said she didn't want the other Commissioners to feel like their districts were being punished and if this was a problem specific to St. George Island she would like to seek a remedy for that.

Commissioner Lockley wanted to know what the Board would do if there became a need for more businesses on St. George Island.

Chairman Parrish asked about putting a time limit on the grandfather clause and other issues that Attorney Shuler needed to address.

Rex Pennycuff, Fisherman's Choice, said he holds one of the peddling licenses, but said he does understand the conflict and competition between a business owner and a peddler. He asked about qualifications to receive a Peddler's License and wanted to know the penalty of operating without the license.

Attorney Shuler said it is a second degree misdemeanor which is punishable by a fine of up to \$500 and up to 60 days in jail.

Mr. Pennycuff pointed out that anyone operating without a license in the County at this time would be in violation and he would like to file a complaint. Attorney Shuler suggested he contact the Sheriff's Department.

**Motion by Putnal, seconded by Lockley, to table this item until the October 20, 2009 meeting @ 10:00 AM, allowing Attorney Shuler to research all issues raised by the Board; Motion carried 5-0.**

#### **United Fire Fighters – Jay Abbott - SGI Volunteer Fire Department (7:05 PM)**

Steve Fling spoke on behalf of Mr. Abbott.

Mr. Fling discussed items addressed at the recent United Fire Fighters meeting. He said the Federal Government mandates that all firefighter radio frequencies be changed by 2013 and they have already begun this process. He said Progress Energy and FWC are continuing to improve emergency responses and the Sheriff's Department has a new program that will show a picture of the home where the emergency is located to help dispatchers assist emergency responders in finding entry into homes.

Mr. Fling announced that the Lanark Village/St. James Fire Department will be holding a Seafood Gumbo fundraiser at the Lanark Boat Club on October 3<sup>rd</sup> to help with their budget shortfalls, thanked the Commissioners for approving the MSBU increase, and stated that it wouldn't be available to the VFD's until January. Mr. Fling said the idea about a "per call" fee for the fire departments had been discussed briefly at a previous meeting and he asked if the Board would possibly consider temporarily approving this fee to help the departments with shortfalls.

Commissioner Sanders asked if Lanark was the only fire department with a shortfall and Mr. Fling said all of the fire departments were facing some shortfalls but Lanark/St. James was facing the largest.

Commissioner Jackel asked for a better explanation of the proposed fee and Mr. Fling said the \$100 "per call" fee would be paid per call to the fire department responding to the call. He said

each fire department would have a form that would be filled out and could be verified with the Sheriff's Department, then that would be turned in to the Clerk of Court each month.

Chairman Parrish asked why this was previously implemented but then discontinued and if the fire departments wanted to do this again continuously and Mr. Fling said it was in place before the MSBU assessments were adopted but they only wanted to implement it again until the new monies of the new MSBU assessments were distributed in January.

Commissioner Jackel asked how many calls were received yearly and Mr. Fling said all of the departments combined would be approximately 300 calls.

Chairman Parrish asked how this would help the fire departments who need help the most but only receive 2 or 3 calls and Mr. Fling said that Lanark/St. James receive the largest volume of calls.

Commissioner Jackel asked about the financial position of the Lanark/St. James operating budget and also for a financial report and Mr. Fling said they are running off of savings but they were in the process of depleting those savings at this time. He said he would provide her with the financial information. Commissioner Sanders also wanted to know the financial position of this department.

Commissioner Putnal suggested making the Seafood Gumbo fundraiser an annual event for the Lanark/St. James Fire Department and said he could see this being a big deal for Lanark/St. James.

Commissioner Lockley asked how long the fire departments with the largest shortfalls will last and Mr. Fling said he wasn't sure but that Lanark/St. James was in the worst shape.

Commissioner Sanders asked that the fire departments present the Board with some numbers on their shortfalls at the October 6<sup>th</sup> meeting and said the Board would try to help in whatever way they can.

Jay Abbott, SGI Volunteer Fire Department, discussed the fundraisers in the works for each VFD and said they were going to try to make this an annual event. He said the Sheriff's Department has set Fire Prevention Week for October 5<sup>th</sup> – 9<sup>th</sup> at the Franklin County School and all fire departments will be participating.

Mr. Abbott said there is a collective effort going on between the Sheriff's Department, Volunteer Fire Departments and motorcycle groups to do Toys for Tots Motorcycle Run in November of this year.

#### **Recess (7:20 PM)**

Chairman Parrish called for a recess.

#### **Reconvene (7:38 PM)**

Chairman Parrish reconvened the meeting.

#### **Open RFQ's – Construction Manager for Carrabelle Urgent Care Clinic (7:38 PM)**

Mr. Pierce opened the RFQ's and stated the name of the companies. He explained that there is no money or bid bond involved and he would be verifying that the packet is who it says it is, then it will be turned over to the Hospital Board and architect that is already employed, who will in turn return a recommendation to the Board.

**Company Names:**

Ajax Building Corporation – Midway, Florida  
Allstate Construction – Tallahassee, Florida  
Castanaga Consulting Company/Steel Standing, LLC – Carrabelle, Florida  
Childers Construction – Tallahassee, Florida  
Cook Brothers – Midway, Florida  
Creative Construction – Havana, Florida  
Culpepper Construction – Tallahassee, Florida  
Peter Brown – Tallahassee, Florida  
Robins & Martin – Birmingham, Alabama

**Motion by Sanders, seconded by Jackel, to turn RFQ's over to the Hospital Board for a recommendation; Motion carried 5-0.**

Commissioner Sanders recognized Mr. Cal Allen, one of the recently elected City Commissioners of Carrabelle.

**Open bids – Sidewalk construction for 3 Stimulus projects (7:46 PM)**

Mr. Pierce said he recommended the Board form a committee to review the bids to be sure all specs are met and the Board will meet September 28, 2009 @ 4:00 PM for a special meeting to award the low bid. Mr. Pierce handed out the bid sheets and opened the bids.

**Bluff Road Sidewalk, Apalachicola:**

BMI - \$102,085.93 – Bid Bond – Franklin County  
BCL - \$176,000.00 – Bid Bond – Mexico Beach, Florida  
Blackfin - \$68,000 – Bid Bond – Mexico Beach, Florida  
Bowers - \$166,062.55 – Bid Bond – Panama City, Florida  
Coastal Materials of Alabama - \$126,401.40 – Bid Bond – Valparaiso, Florida  
Panhandle Construction - \$215,295.00 – Clarksville, Florida  
Poloronis Construction - \$198,060.00 – Certified Check – Apalachicola, Florida  
Semper Fi Services - \$98,993.00 – Bid Bond - Safety Harbor, Florida

**Motion by Lockley, seconded by Putnal, to forward RFQ's to committee for recommendation of lowest qualified & responsive bid; Motion carried 5-0.**

**Franklin Boulevard Sidewalk, St. George Island:**

BMI - \$32,334.34 – Bid Bond – Franklin County

BCL - \$80,000.00 – Bid Bond – Mexico Beach, Florida  
Blackfin - \$29,000.00 – Bid Bond – Mexico Beach, Florida  
Bowers - \$76,506.40 – Bid Bond – Panama City, Florida  
Coastal Materials of Alabama - \$52,885.00 – Bid Bond – (Description of project is for Pine Street on St. George Island) – Valparaiso, Florida  
Poloronis Construction - \$65,050.00 – Cashier’s Check  
Semper Fi Services - \$44,846.50 – Bid Bond – Safety Harbor, Florida

**Motion by Putnal, seconded by Lockley, to forward to review committee for recommendation of lowest qualified & responsive bid; Motion carried 5-0.**

**Pine Street, St. George Island Sidewalk:**

BMI - \$70,265.01 – Cashier’s Check – Franklin County  
BCL - \$161,500.00 – Bid Bond – Mexico Beach, Florida  
Blackfin - \$55,000.00 – Bid Bond – Mexico Beach, Florida  
Bowers - \$130,624.44 – Bid Bond – Panama City, Florida  
Coastal Materials of Alabama – Bid Bond – (Description of project is for Franklin Boulevard on St. George Island) – Valparaiso, Florida  
Poloronis Construction - \$127,135.00 – Cashier’s Check – Apalachicola, Florida  
Semper Fi Services - \$78,079.00 – Bid Bond – Safety Harbor, Florida

**Motion by Sanders, seconded by Jackel, to forward to review committee for recommendation of lowest qualified & responsive bid; Motion carried 5-0.**

Mr. Pierce discussed conversations he had with FDOT concerning information about and the County’s responsibility for these projects.

**Helen Spohrer – TDC Update (8:13 PM)**

Mrs. Spohrer said that the TDC was requesting approval of their recommendations for the 2009/2010 Grant Awards. Mrs. Spohrer explained that this year was particularly difficult for the Grant Awards because there were so many applicants due to difficult economic times. There were 34 applications and TDC was able to come up with funds for 29 of the applicants which includes five \$20,000 each sustaining grants, eleven \$2,000 grants, eight \$4,000 grants, five \$6,000 grants, eight \$500 special requests.

Mrs. Spohrer said the TDC has not had this many applications in the past and said they planned to find ways to improve the application process for the grants.

Commissioner Putnal said from what he saw they had really worked hard to be fair with everyone.

Ms. Spohrer said they will be funding twenty four events and keeping five non-profit organizations that have tourist related entities open during the year.

Commissioner Sanders said she received a couple of calls over the weekend asking if the Volunteer Fire Department’s (VFD’s) would be eligible to receive funding to help with

fundraisers. Ms. Spohrer said she believed they would because the events bring people into the County. Commissioner Sanders wanted to be sure the VFD's know this is available in the future.

**FCTDC 2009-2010 OFF SEASON GRANT AWARDS**  
 TDC approval 9/1/09      FCBOC approval 9/15/09

**OFF-SEASON:**

**Assistance Awards**

<b>SPONSOR</b>	<b>Award \$</b>	<b>EVENT</b>	<b>EVENT DATE</b>
Apalachicola Area Historical Society DBA Raney House	2,000.00	18th Annual Trinity Historic Aplachicola Home & Garden Tour	4/30 to 5/1/2010
Apalachicola Bay Chamber	2,000.00	Apalachicola Art Walk & Wine Festival	5/8/2010
Apalachicola Bay Chamber	2,000.00	Forgotten Coast Community Yard Sale	10/3/2009
City of Apalachicola, History, Culture and Arts Board	2,000.00	Water Street Festival of Ice	8/1-9/4/2010
Carrabelle CARES Corp	2,000.00	Forgotten Coast Black Bear Festival	10/17/2009
Carrabelle Lighthouse Association	2,000.00	Crooked River Lighthouse Lantern Fest	10/31/2009
Panhandle Players Inc	2,000.00	A Christmas Tuna	11/20-21-22/09
Panhandle Players Inc	2,000.00	Oklahoma	4/16-17-18/2010
St. George Island Business Association	2,000.00	1st Annual SGI Snowbird Day	2/9/2010
SGI Lighthouse Association	2,000.00	Forgotten Coast Lighthouse Mini-Challenge	4/23-24/2010
Supporters of St Vincent NWR Inc	2,000.00	St. Vincent Island Open House	3/13/2010 Alt 4/10/10
<b>Total this category:</b>	<b>22,000.00</b>		

**Special Grants: Fund Raise w/Economic Impact**

<b>Sponsor</b>	<b>Award \$</b>	<b>EVENT</b>	<b>EVENT DATE</b>
Rock By The Sea Inc.	4,000.00	Rock By the Sea IV C-Quarters Marina Kingfish/Grouper	4/15-18/2010
CQM Kingfish Shootout, Inc.	4,000.00	Shootout	8/7-8/2010
St. George Island Chili Cook-off & Auction Inc	6,000.00	St. George Island Charity Chili Cook-off & Auction	3/4-5-6/2010
<b>Total this category:</b>	<b>14,000.00</b>		

**Sponsorship:**

<b>SPONSOR</b>	<b>Award \$</b>	<b>EVENT</b>	<b>EVENT DATE</b>
Apalachicola Bay Chamber	4,000.00	22nd Annual Historic Apalachicola Christmas Celebration	11/27-28-29 to12/5/2009

Apalachicola Bay Chamber	4,000.00	Historic Apalachicola Antique & Classic Boat Show	4/23-24/2010
Apalachicola Riverkeeper Camp Gordon Johnston Association Inc.	4,000.00	Wild and Scenic Film Festival	8/28-9/4/2010
Carrabelle Area Chamber	4,000.00	Camp Gordon Johnston Days	3/12-14/2010
Dixie Theatre Foundation	4,000.00	Holiday on the Harbor/Boat Parade of Lights	12/12/2009 1/6/2090 to 3/29/2010
<b>Total this category:</b>	<b>24,000.00</b>		

**Festival:**

<b>SPONSOR</b>	<b>Award \$</b>	<b>EVENT</b>	<b>EVENT DATE</b>
Carrabelle Area Chamber	6,000.00	20th Annual Riverfront Festival	4/24-25-2010
Florida Seafood Festival Inc.	6,000.00	46th Annual Florida Seafood Festival	11/6-7/09
Forgotten Coast Cultural Coalition	6,000.00	Fla Forgotten Coast Plein Air Invitational	5/7-16/2010
St. George Island Business Association	6,000.00	4th Annual SGI Oyster Spat Festival	10/9-10/2009
<b>Total this category:</b>	<b>24,000.00</b>		

Special \$500 requests                      **4,000.00**                      as submitted and approved                      various

**TOTAL OFF SEASON GRANT AWARDS                      88,000.00**

**FCTDC 2009-2010 SUSTAINING GRANT AWARDS**

**SUSTAINING:**

<b>FACILITY:</b>	<b>Award \$</b>
Apalachicola Area Historical Society DBA Raney House	20,000.00
Camp Gordon Johnston	20,000.00
Carrabelle LH Association	20,000.00
Dixie Theatre Foundation	20,000.00
St. George Lighthouse Association	20,000.00

**Motion by Putnal, seconded by Jackel, to approve TDC funding request as presented; Motion carried 5-0.**

Ms. Spohrer said she would like to request a meeting with the Board to discuss the TDC plan.

Commissioner Putnal asked that they schedule a meeting and Ms. Spohrer said she would contact Michael Moron, Board Secretary, to decide on a date and time for this meeting. Ms. Spohrer informed the Board that the "bed tax" income was only down 3% as of June 2009.

**Marcia Johnson – Clerk of Courts – Report (8:22 PM)**

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

*1-The Franklin County Library has presented their application for the State Aid to Libraries Grant Agreement for the Chairman's signature. They could possibly receive \$64,000 if the grant is approved.*

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

*2-I need a motion to approve a line-item budget amendment. The Board approved the Lanark Village Association, Inc.'s request for an additional \$6,271 for payment of street light expenses at the September 1, 2009 meeting. This budget amendment is needed to move \$6,271 from the General Fund Reserve for Contingencies to Other Human Services - Lanark Village Association. We would increase 001.52.569.8301 Other Human Services - Lanark Village Association by \$6,271 and decrease 001.99.584.9600 Reserve for Contingencies by the same amount of \$6,271.*

**Motion by Sanders, seconded by Putnal, to approve the line-item budget amendment; Motion carried 5-0.**

*3-I need a motion to approve a line-item budget amendment. The Tourist Development Committee approved at the April 22, 2008 meeting to reallocate funds from their Reserve Account to pay for improvements at Vrooman Park. The improvements were not completed in FY 2007-2008 and the funds remained in the Reserve Account. The improvements are now complete and this budget amendment is needed to reallocate the funds. We would increase 130.33.552.4600 Repairs and Maintenance by \$4,000, increase 130.33.552.5200 Operating Supplies by \$1,000, increase 130.33.552.6300 Infrastructure by \$21,100.00, and decrease 130.99.584.9600 TDC Reserve for Contingencies by \$26,100.00.*

**Motion by Putnal, seconded by Sanders, to approve the line-item budget amendment; Motion carried 5-0.**

*4-I have 3 resolutions for adoption on unanticipated revenues. As we begin to close out the current year's budget, you will probably see more of these resolutions which involve monies received during the year which were not included in the initial budget. We need to adopt them in order for the monies to be appropriated and expended for the purposes they were received to comply with F.S. 129.06(2)(d). The first resolution deals with \$137,289.93 received from the State of Florida for the St. George Island Lighthouse Project. This money was put into the*



General Fund with \$121,486.34 going to account 001.20.511.6300 Infrastructure and \$15,803.59 going to account 001.20.511.6401 Machinery & Equipment. The second resolution deals with \$128,890.04 received from the State of Florida for the Carrabelle Recreation Park Phase IV. This money was put into the General Fund with \$49,367.94 going to account 001.20.572.6301 Infrastructure and \$79,522.10 going to account 001.20.572.6401 Machinery and Equipment. The third resolution deals with \$17,862.30 received from the State of Florida for the Carrabelle Recreation Park Phase III. This money was put into the General Fund in account 001.20.572.6301 Infrastructure.

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$137,289.93 from the STATE OF FLORIDA for the SGI LIGHTHOUSE PROJECT, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2008-2009, and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.20.511.6300	Infrastructure	\$121,486.34
001.20.511.6401	Machinery & Equipment (+\$5,000)	\$ 15,803.59

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$137,289.93 in the GENERAL FUND in order to comply with FS129 (2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15th day of SEPTEMBER 2009.

**Motion by Lockley, seconded by Jackel, to adopt the resolution for the SGI Lighthouse Project; Motion carried 5-0**

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

*WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and*

*WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and WHEREAS, Franklin County has received unanticipated revenues in the amount of \$128,890.04 from the STATE OF FLORIDA for the CARRABELLE RECREATION PARK PHASE IV, and*

*WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2008-2009, and*

*WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and*

*WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:*

001.20.572.6301	Infrastructure	\$ 49,367.94
001.20.572.6401	Machinery & Equipment (+\$5,000)	\$ 79,522.10

*NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$128,890.04 in the GENERAL FUND in order to comply with FS129(2)(d).*

*THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15th day of SEPTEMBER 2009.*

**Motion by Sanders, seconded by Putnal, to adopt the resolution for the Carrabelle Recreation Park Phase IV; Motion carried 5-0.**

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

*WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and*

*WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and*

*WHEREAS, Franklin County has received unanticipated revenues in the amount of \$17,862.30 from the STATE OF FLORIDA for the CARRABELLE RECREATION PARK PHASE III, and*

*WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2008 and 2009, and*

*WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and*

*WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:*

<i>001.20.572.6301</i>	<i>Infrastructure</i>	<i>\$17,862.30</i>
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*NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$17,862.30 in the GENERAL FUND in order to comply with FS129(2)(d).*

*THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15th day of SEPTEMBER 2009*

**Motion by Sanders, seconded by Putnal, to adopt the resolution for the Carrabelle Recreation Park Phase III; Motion carried 5-0.**

*5-The balance in the hospital's operating account for the month ending August 09 was \$332,933.09.*

*6-Please remember, the final budget hearing is scheduled for Monday, September 28<sup>th</sup> at 5:15.*

**Alan Pierce – Director of Administrative Services – Report (8:27 PM)**

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

*1-Provide Board with photographs documenting the removal of the sunken boat at the Patton Drive Boat Ramp. The owner of the boat signed a release allowing the county to move the boat to the open space next to the county jail. The owner will move the boat when he gets out of jail.*

*2- Board action to sign the Community Rating Annual Re-certification program. This is the program that the Planning Office administers which provides a 10% reduction in flood insurance premiums to policy holders in the county.*

**Motion by Jackel, seconded by Lockley, to sign the Community Rating Annual Re-certification program; Motion carried 4-0, Sanders absent.**

3- Board action to sign annual SHIP certification form prepared by Ms. Lori Switzer. The following SHIP funds are still available: \$60,000 of disaster assistance money that can be used this year; \$19,000 of down payment assistance money that Ms. Switzer is trying to convert to rehab money so that the house that Mr. Roscoe Daly left the county upon his death can be cleaned up and rented out (the SHIP program built the house for Mr. Daly and at his request in his will he left the house to the county in appreciation). As the Board is aware there is no SHIP program money for the fiscal year starting Oct. 1, 2009 except for the \$350,000 of first time home buyer money the Board has previously discussed. Board action.

**Motion by Lockley, seconded by Putnal, to sign the annual SHIP certification form; Motion carried 5-0.**

4- Ms. Barbara Sanders, attorney for Mr. Jim Green and Mr. Jack Corry, have a 3 acre out parcel of land in the Yents Bayou area that was left out of the sale of the adjoining land to the state. The 3 acre parcel is north of US 98 and north of the power line. The land sold to the state was rezoned one unit per 40 acres; the land that was not sold to the state was rezoned one unit per 10 acres in 1990. Ms. Sanders has discussed this situation with me and Mark Curenton, and we have discussed it with the County Attorney. While the zoning would stay at one unit per 10 acres we recognize that this outparcel existed before the one unit per 10 acres went into effect, so we recommend the Board allow this one 3 acre parcel be allowed one unit. This recommendation is acceptable to Ms Sanders and her clients. Board action to verify the 3 acre out parcel is allowed one residential unit.

**Motion by Sanders, seconded by Jackel, to send this request to the Planning & Zoning Commission for a recommendation; Motion carried 5-0.**

5- Mr. Jim Demonia has sent the Board a letter requesting the alley in Block 1 East be abandoned. Mr. Demonia does not own all of the lots in this block. Board action to follow the County Attorney's recommendation that Mr. Demonia be informed that the Board will not consider any abandonment until all the owners of the adjacent properties make a request.

**Motion by Jackel, seconded by Sanders, to accept Attorney Shuler's recommendation not to consider abandonment until all owners of the adjacent properties make a request; Motion carried 5-0.**

6- Board direction on the protocol Planning and Zoning Commission should take when its members fail to have a quorum for a regular meeting. In the case of the September meeting there was only one item on the agenda for review, a commercial site plan review, and not enough members showed for the regular meeting. The Commission did not have time to meet again before the Board meeting, so at this time the Commission will not meet until its regular Oct. meeting. The Planning and Zoning Chairman is requesting guidance from the Board on whether the Board wants the Planning and Zoning to make accommodations to make up missed

*meetings, or defer items to the next regular monthly meeting, or bring items directly to the Board. Please find attached to my report a list of the current Planning and Zoning members and their terms.*

Mr. Pierce said there had been some confusion about the Planning & Zoning Commission meetings and Commissioner Lockley said this was the second time this had happened recently and putting this item off until next month would be holding up progress. Mr. Pierce said the site plan was changed during the meeting so the County didn't actually know what they were responding to so it was sent back to Planning & Zoning Commission.

Chairman Parrish said when the Planning & Zoning Commission doesn't meet to approve or deny recommendations it causes the applicant a longer wait for an answer from the Board. He said applications should be able to go through due process in a timely manner.

The Board discussed the repercussions of the Planning & Zoning Commission not having regular meetings to approve or deny applications.

Chairman Parrish said he didn't want to set a precedent of calling special Planning & Zoning meetings to speed applications along but he felt like this applicant had followed protocol and their application should not be held up.

Commissioner Jackel agreed with Chairman Parrish and Commissioner Lockley didn't feel like the applicant's answer should be held up due to the Planning & Zoning Board not meeting.

Attorney Shuler said scheduling this special meeting should not set the precedent for the future.

Gayle Riegelmayr requested public notice of this special meeting and any other special meetings so that the public has an opportunity to attend.

Olivier Monod, applicant, stated if there was not a quorum at a regular meeting he thought it was proper that a special meeting is scheduled.

**Motion by Lockley, seconded by Sanders, to direct Planning & Zoning Commission to call a special meeting to discuss this project and forward a recommendation to the Board before it's October 6, 2009 regular meeting and to fill any vacant seats and look at the current terms on the Planning & Zoning Commission; Motion carried 4-1, Jackel opposed.**

Gayle Dodds, Hospital Board, discussed rescheduling the date for the ground breaking ceremony for the Urgent Care Center in Carrabelle.

*7- A Mr. Caruthers, owner of the Market Place Grocery on St. George Island, has asked that each Board member get a copy of a petition Mr. Caruthers collected in opposition to a proposed grocery store on St. George Island. Mr. Caruthers was not able to present it himself. Each Board member had their copy placed in their box.*

*8- Board action to sign the Engineering Inspection Agreements for Bailey, Bishop, and Preble-Rish consistent with the DOT guidelines for the 3 sidewalk projects.*

**Motion by Sanders, seconded by Lockley, to approve signature on the Engineering Inspection Agreements for Bailey, Bishop & Lane and Preble-Rish for sidewalk projects; Motion carried 5-0.**

*9- Mr. Ted Mosteller, has received an additional \$85,000 to put toward the Corporate Hanger being built at the airport. This is the hanger that will either contain a paint booth insert, or additional office space. This additional \$85,000 can be used for either use. Board action to sign JPA for the additional funds.*

**Motion by Lockley, seconded by Putnal, to sign the JPA for additional funds for the Corporate Hanger at the Apalachicola Airport; Motion carried 5-0.**

*10- Board action to replace Mr. Mark Friedman who has resigned from the Hospital Board. The Hospital Board recommends Mr. Nick Yonclas replace Mr. Friedman, whose term was expiring in September, so Mr. Yonclas will fill a full 3 year term.*

*Two other Board members have expiring terms and they would like to be re-appointed for an additional three year term: Curt Blair and Gayle Dodd.*

**Motion by Sanders, seconded by Putnal, to table this item until the October 6, 2009 meeting and ask the Hospital Board to consider Dr. Larry Applebee as a candidate for the Hospital Board when submitting a list of all candidates to the Board; Motion carried 5-0.**

*11- Board discussion of potential relocation of non-judicial offices out of Courthouse to a wing of the Apalachicola High School, and the relocation of the Supervisor of Elections to the Apalachicola High School. Franklin County Building Dept. personnel have inspected the high school building and have estimated that it would take a range of \$100,000 to \$250,000 to separate the electrical systems, replace the old AC system, install cat 5 computer cable, and re-configure classrooms into office space. There are no structural walls that need to be moved, but there may be considerable re-arrangement of partition walls, and the replacement of floor and wall coverings. The roof system is intact but will need some work in 5 to 10 years.*

The Board and Mr. Pierce discussed this plan as opposed to building a new building at the Courthouse and also parking limitations if a building were built in this location.

**Motion by Jackel, seconded by Sanders, to table this item until a later meeting; Motion carried 5-0.**

*12- Inform the Board that the Public Service Commission revised their agenda last week and did not take public testimony about the proposed Progress Energy rate increase so the Chairman was not allowed to testify. It appears the Commission will be taking testimony next week but the Chairman is trying to verify the time and place.*

13- Inform the Board that the Health Dept. will utilize the Old Chapman Bldg for temporary office space. It will take minor renovations that Chris Giametta and Robin Brinkley are doing. Provide Board with packets of information from the two firms contacted on analyzing the mechanical system (AC) at the Health Dept. The two firms are: H2 Engineering with Mr. Mike Hartman, PE, and Coastal Restoration with Mr. Matt McAllister as CEO and his P.E. Board direction on proceeding with selection of firm.

Wesley Tice, Franklin County Health Department, discussed this issue with the Board.

**Motion by Jackel, seconded by Sanders, to approve Mike Hartman, PE, to analyze the air problem with the Franklin County Health Department; Motion carried 5-0.**

14-Alligator Point update. At the last Board meeting the Board had directed the county's congressional delegation be contacted regarding Alligator Point. Before any letter could be written, FEMA contacted my office to inform me that \$680,000 had been approved for repairs to Alligator Point Road that was caused by Hurricane Gustav. The county, through Preble-Rish, had requested \$2M worth of mitigation so we are waiting to see what FEMA approved before deciding whether to appeal the FEMA decision.

Mr. Steve Fling has sent the Board a request from APTA regarding their preferred traffic control devices for Alligator Point. I have turned this list over to the County Engineer.

Commissioner Sanders asked Mr. Pierce if he had sent the application for the TIGER Grant and he said he had.

15-Road Department Disciplinary Hearing – October 6<sup>th</sup> @ 2:00 PM.

**Michael Shuler – County Attorney – Report (9:08 PM)**

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

1. Foreclosure Service – Coastal Community Bank vs. Richard and Olympia Key.

**Motion by Sanders, seconded by Jackel, to accept service of process and allow a default judgment to be entered; Motion carried 5-0.**

2. Eastpoint Land Purchase; Attached is a proposed contract for the purchase of three parcels in Eastpoint, next to the boat ramp on Patton Drive, Eastpoint, Florida for \$280,000.00.

*The County's July 2009 appraisal values the property at \$380,000.00.*

*The land fronts 150 feet along St. George Sound and Patton Drive, and is approximately 150 feet deep. A copy of a map prepared by the Property Appraiser showing the location of the three parcels is attached.*

*These are the same three parcels that the Board offered to purchase on July 15, 2009 for the same price, \$280,000.00. That offer expired on July 30, 2009 as a result of negotiations associated with the lender's participation in this short sale.*

*Although the price is not changing, there are a couple of other changes that the Board should take note of:*

- 1. The bank will be the Seller, as opposed to Art Riccard and his investment group in the expired offer. The bank will, but has not yet, received a deed in lieu of foreclosure from Riccard and his investment group, but it is expected to receive such a deed shortly. Once the bank gets that deed, it will be in a position to sell the three parcels to Franklin County. It is a condition of the sale that the Seller convey title to Franklin County free and clear of all liens and encumbrances.*
- 2. The Bank will pay to record the deed (around \$50) and the County will pay the remaining closing costs, which will be less than \$5,000.00.*

**Recommendation:**

- a. Motion authorizing renewal of the offer to purchase the three parcels for \$280,000.00.*
- b. Motion approving the chairman to execute the contract and closing documents.*
- c. Motion authorizing re-certification of an existing survey of the property to Franklin County.*
- d. Motion authorizing the Clerk to release funds sufficient to purchase the property and pay the closing costs.*

*Please note that the purchase excludes the two parcels to the East also owned by Art Riccard and his investment group, described as parcels 2210-0030 and 2210-0040 on the map. I have previously disclosed to the Board that my clients hold the mortgage on these two parcels, which mortgage is also in foreclosure.*

**Motion by Putnal, seconded by Jackel, authorizing purchase of three parcels in Eastpoint for \$280,000, authorize the Chairman to execute the contract and closing documents, authorize re-certification of existing survey of the property to Franklin County and authorize the Clerk to release funds sufficient to purchase the property and pay closing costs; Motion carried 5-0.**

Mr. Pierce gave an update on the property, saying that the docks need to be rebuilt but the building could be used.

Commissioner Putnal said there was a greater need for parking than for use of the building. There was further discussion about use of this property between Board members and Attorney Shuler



Commissioner Jackel wanted to set aside money for clean-up of the property from the balance of funds after the purchase of the property.

Mrs. Johnson and the Board discussed how funding for this would affect this year and the next year's budget. Mrs. Johnson said whatever the Board decided would have to be part of next year's budget. She said she would figure out how it could be done, email the Commissioners with options and she also suggested not voting on this matter until she gave them options as to how to budget the money.

Chairman Parrish mentioned repairs and improvements that needed to be done at Lombardi's.

*3. Proposed Boat Ramp Ordinance: I have incorporated provision for the Board to remove boats, trailers or vehicles blocking any public boat ramp, including submerged lands in front of such public boat ramps.*

*BOARD ACTION: None recommended, unless the Board is ready for me to schedule a public hearing.*

#### *4. Eight and Ten Mile Roads*

*The initial inquiry indicates that the County has been maintaining the roads, but there remains unanswered whether the County has maintained the roads such that they have become public. There is clearly evidence that the County has maintained the roads for some period of time. I will continue to look into this. Both 8 Mile and 10 Mile Roads remain open to the public and the road department is preparing signage to indicate that the two roads are public water access points. As to 9 Mile, according to the Lessee, the St. Joe Company representative, Jeff Furr, has said that they want it to remain closed. To date, I have found no evidence that the County has maintained 9 Mile, as it was under a private lease for many years.*

*BOARD ACTION: None recommended.*

#### *5. Phil Guzetta*

*Attached are three letters concerning Mr. Phil Guzetta's property within your right of way at Alligator Point. Although the letters speak for themselves, in a nutshell, Mr. Guzetta indicates that he will remove some, but not all of his property from the right of way. Unless the Board otherwise instructs, it is my intention to proceed with removal of his property from the right of way during the latter part of the week ending September 25, 2009.*

*BOARD ACTION: None recommended as you have previously authorized me to have Mr. Guzetta's property from the right of way.*

#### *6. Proposed Comprehensive Plan Amendment Deleting Carrabelle East and Marina Village*

*Attached are two letters updating you on this matter.*

*The first letter is from FACT to Franklin County dated August 19, 2009, indicating that no coverage determination is made at this time as to 81. Joe's July 16, 2009 letter to the County as it is not a claim. Rather, the St. Joe letter merely notifies Franklin County of a potential claim under the Bert J. Harris Private Property Rights Protection Act if the county follows through and in fact amends its comprehensive plan to delete Carrabelle East and Marina Village.*

*To date, the county has begun the process of so amending its comprehensive plan, but no such amendment has gone into effect. The county will have to conduct a second public hearing adopting the proposed amendment following comments from DCA. DCA has not made any comments on the proposed comprehensive plan amendments as of September 11, 2009.*

*The second letter is from St. Joe to DCA dated September 11, 2009, stating their objections to Franklin County's proposed comprehensive plan deleting Carrabelle East and Marina Village.*

*Also attached is an email from St. Joe's attorney to me confirming my prior request that St. Joe clarify whether they were asserting a Bert J. Harris Private Property Rights Protection Act claim at this time. As you can see, they are not asserting such a claim. I continue to research the potential risks to the county under the Bert J. Harris Private Property Rights Protection Act if the comprehensive plan is amended to delete Carrabelle East and Marina Village.*

*BOARD ACTION: None recommended.*

### **Commissioners and Public Comments (9:18 PM)**

Commissioner Putnal said Eastpoint doesn't have a children's park and would like to research and look for property to build one. He said the kids deserve a place to play.

Chairman Parrish asked if there was a playground at Vrooman Park and Commissioner Putnal said there wasn't really anything there for the kids. Mr. Pierce suggested the parks be in an area where they are accessible to the children.

Commissioner Sanders recommended discussing this with Van Johnson to see if he has any extra money to do something for the children.

Commissioner Putnal said he had heard some good news from Leon and Wakulla Counties about the reduction of electricity bills.

Commissioner Sanders said they have a company called Talquin Electric and recommended contacting them to see if they would offer services to Franklin County.

### **Motion by Putnal, seconded by Sanders, to send letter to Talquin Electric Company requesting an interest in utilizing their services in Franklin County; Motion carried 5-0.**

Commissioner Jackel said she wanted everyone to know that Florida Monthly Magazine's Best of Florida 2009 Award went to the St. George Island Lighthouse for the best looking lighthouse award. She gave a list of other awards won for Franklin County, which are:

Best Beach: St. George Island State Park, St. George Island

Best Outdoor Café: Blue Parrot Oceanfront Café, St. George Island

Friendliest Small Town: Apalachicola

Best Bed & Breakfast Inn: Coombs House Inn, Apalachicola

She said St. George Island State Park won Honorable Mention as one of the best State Parks in Florida. None of the 2008 winners were from Franklin County. She said this was more great publicity for Franklin County.

Commissioner Putnal mentioned that Franklin County beaches had no swimming advisories.

**Adjourn (9:24 PM)**

There being no further business Chairman Parrish adjourned the meeting.

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Joseph A. Parrish, Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Courts