

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
NOVEMBER 3, 2009
9:00 AM**

MINUTES

Commissioners Present: Joseph Parrish – Chairman, Bevin Putnal – Vice Chairman, Pinki Jackel, Cheryl Sanders, Noah Lockley Jr

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

Call to Order (9:01 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:01 AM)

There was a Prayer followed by the Pledge of Allegiance

Payment of County Bills (9:03 AM)

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

Approval of the Minutes (9:04 AM)

Motion by Sanders, seconded by Lockley, to approve the Minutes of the October 6 and October 20 regular meetings; Motion carried 5-0.

Ms. Lisa Mitchum & Ms. Lisa Granger – St. James Health and Rehab Center – Update (9:05 AM)

Ms. Mitchum and other staff members of St. James Health and Rehab Center introduced themselves, presented a card made by the residents of the Center, and thanked the Board for all of their support of the Center.

Chairman Parrish thanked the staff for all of their hard work at the Center.

Commissioner Sanders stated that Franklin County was one of the last Counties to get a Rehab Center.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:07 AM)

Mr. Chipman discussed the increasing cost to maintain some of his equipment. Commissioner Putnal discussed possibility of replacing the old equipment rather than constant expense of repairs.

Commissioner Sanders commended Mr. Chipman on the job he is doing working around the paving project.

Van Johnson – Solid Waste Director (9:11 AM)

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

TREATMENT OF FIRE ANTS AT COUNTY PARKS

FOR BOARD INFORMATION: Due to the recent heavy rains, fire ant activity specifically at Vrooman Park in Eastpoint and the D.W. Wilson Complex in Apalachicola was interfering with kids using the parks to practice football and soccer.

After receiving instructions from Commissioner Bevin Putnal to fix the problem, I ordered the treatment of fire ants at the D.W. Wilson Complex and the Seafood Landing Park both in the Apalachicola area. Also included was Vrooman Park in Eastpoint, which was the worse and Kendrick Sports Complex in Carrabelle and the walking area in Lanark Village.

All reports indicate that we have successfully obtained a 95% kill rate, but the parks need annual treatment to stay free of fire ants. However, the expense to accomplish this task is great. The Parks & Recreation budget expended \$9,800 for the one time treatment so that our kids and other park users could enjoy our outdoor facilities. ACTION REQUESTED: None.

COUNTY TRASH PROBLEM:

FOR BOARD INFORMATION: As requested, I'm still in the process of researching solutions to the trash problems reported throughout the county, especially in the Lanark Village area. I should have a report ready by the December 1, 2009, board meeting. ACTION REQUESTED: None.

BEAR RESISTANCE CONTAINERS:

FOR BOARD INFORMATION: As instructed at the last board meeting via motion, bear resistance containers have been ordered for placement upon arrival at the Carrabelle Beach Park and in the Alligator Point area.

On that note, Ms. Maria Williams, FWC Outreach Specialist on Black Bear Management is here this morning to give the Board a brief power point presentation on human bear conflict in Franklin County. ACTION REQUESTED: None.

Ms Williams reviewed her power point presentation on human bear conflict.
Chairman Parrish thanked Ms. Williams for her presentation.

Ms. Williams distributed additional info on Bears

Commissioner Jackel asked for contact info if Bears are spotted on personal property. Ms. Williams explained that the County and its residents will have to make changes in the manner in which garbage is stored and stated that residents can call 850-265-3676 if a bear is spotted on personal property.

Commissioner Jackel explained that the bear problems are putting citizens in danger, especially children, and something beyond a long term solution is needed for safety purposes.

Ms. Williams explained that restricting the availability of food for the bears will solve a lot of the immediate bear problems and discussed with Commissioner Jackel who shoulders the cost of the bear proof garbage containers.

Commissioner Jackel suggested that the Fish and Wildlife Commission (FWC) sponsor a pilot program that would include providing bear proof garbage containers throughout the County.

Ms. Williams explained what FWC has done thus far to help provide bear proof garbage containers including the availability of retrofit kits at local festivals for free. Ms. Williams stated that these same kits could be purchased at local hardware stores.

Commissioner Jackel stated that since Franklin County has some of the highest bear population, FWC should consider providing these retrofits kits at no cost to County residents and asked Ms. Williams to present this suggestion to FWC and report back to the Board any efforts FWC will make to assist with the bear problems in the County.

Commissioner Putnal stated that the bear problem would only increase once the bears start to reproduce and if it is the intent of FWC to protect the bears then they should be providing financial assistance to the County to assist with this problem.

Travis Osborne stated that he lives in the Country and he is on his 5th bear proof can as the others have been destroyed by bears and stated many of the other unsuccessful endeavors to try and stop his bear problems.

Commissioner Lockley and Ms. Williams discussed other efforts to try and stop bears.

Commissioner Lockley stated that these recommendations would create additional costs to the residents.

Billy Dalton, a Ridge Road resident, stated that bears have eaten small puppies in his neighborhood.

Ms. Williams and Commissioner Jackel discussed the process by which FWC evaluates the bear population in the County every year.

Ms. Williams and Commissioner Lockley discussed relocating bears as a solution.

Ms. Williams and Commissioner Sanders discussed euthanizing bears.

Commissioner Sanders discussed some of her experiences with bears.

John Sink, a County resident, provided a local contact number 6973734 and a Tallahassee contact number 8502653677 for FWC if there are problems with bears and discussed his experiences with bears as he served on a committee that dealt with bear problems.

Commissioner Sanders asked Mr. Johnson to resume the project that placed dumpsters throughout Lanark Village.

Dan Rothwell – County Engineer (10:05 AM)

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

BOARD ACTION: Syrup Branch Bridge Repairs:

Volkert Bridge Inspector under contract to FDOT through Transfield America has recommended:

One main bridge pile replacement

One timber column brace replacement

Repair of two (2) timber wing walls with six piles each

The project is estimated to cost approximately \$35,000.00.

The FDOT bridge painting department has been requested to re-paint structure & sub-structure.

Staff desires permission to prepare a request for proposals (RFP) to accomplish these repairs.

Commissioner Sanders asked why the Road Department couldn't do the necessary repairs.

Mr. Rothwell stated that the Road Department is not able to do any pile replacement and then explained the details of the project.

Commissioner Putnal suggested asking the State for financial assistance as they use the bridge more than the County does.

Commissioner Sanders stated that she will be attending an upcoming liaison meeting and will discuss this with State representatives that will be in attendance.

The Board discussed this matter further and was not in favor of spending \$35,000 on this bridge. The Commissioners made some recommendations to Mr. Rothwell regarding the repairs of this bridge.

Motion by Sanders, seconded by Putnal, directing staff to contact the Division of Forestry and discuss cost share for repairs to the bridge and changing the weight limit on bridge; Motion carried 5-0.

Indian Creek Park Breakwater Project:

Breakwater installation and historical beach contour grading has been completed and hydro seeded. Volunteers should perform Planting of the site with native species and marsh grass to be accomplished in the spring. I wish to recognize the following:

Building Department for people to hydro seed the project;

Road Department for materials, people, and equipment during the project;

Parks & Recreation Department for materials, people, and equipment during the project;

The Contractors for such a fine job and the donation of a portion of the time, equipment and materials;

The Apalachicola River Keeper for much of the funding and directions, planning and implementation;

The State Prison for the willing help with the project.

Commissioner Putnal stated that some of the seafood workers have problems with layout at Indian Creek.

Mr. Rothwell explained that the layout was approved by Florida Community Trust (FCT) who funded the project and the County has to follow FCT guidelines for this project.

Dan Tonsmeire, of the Apalachicola Bay and RiverKeepers, provided copies of the design plans for the Park, and while reviewing the plans admitted that some of the problems with the design and parking were due to him not communicating along with the construction delay. Mr. Tonsmeire stated that all of the County departments that were part of this project did a fantastic job, and he will get with the seafood workers to try an address some of the parking problems.

The Board and Mr. Rothwell discussed parking spots especially the problems created by a large oak tree in the parking area.

Commissioner Lockley and Attorney Shuler discussed possible liability if the large oak tree isn't removed from the parking area.

Commissioner Putnal and Mr. Rothwell discussed the possibility of repairing the other boat ramp on the park property that has been damaged for some time. The Board discussed this further.

Commissioner Jackel thanked everyone involved with this project but wanted the parking situation addressed as soon as possible.

Bruce Rotella, a local oysterman, stated that the damaged ramp needs to be repaired as soon as possible especially before the summer bars are opened.

Commissioner Jackel asked that all involved parties meet as soon as possible to rectify this situation.

Weems Hospital Drainage Project:

The Hospital drainage project should be completed this week. I wish to recognize the Building Department for people used to supervise installation and hydro seed the project and the State Prison for their willing help.

2009 Road Resurfacing Project:

The Road Department has removed and replaced Tilton road cross drain in preparation for resurfacing.

West Gorrie Drive Drainage Project:

The project should be completed this week, thanks to the Road Departments fine work.

Mr. Rothwell informed Commissioner Sanders that he had no new information on the Ochlocknee boat ramp project.

Commissioner Sanders stated that there needs to be progress on this project before funding becomes a problem.

Motion by Sanders, seconded by Jackel, directing Mr. Rothwell to attend the next Alligator Point Taxing Authority meeting; Motion carried 5-0.

Mr. Rothwell updated Commissioner Lockley on the road paving project.

The Board discussed the road paving project further.

Billy Granger, a local oysterman, and Chairman Parrish discussed the closing of the boat ramp at Box R.

Pam Brownell – Emergency Management Director (10:37 AM)

Mrs. Brownell presented the following items for Board information.

A CEMP meeting is scheduled at the Emergency Management office for Nov 10, 2009 at 9:00 AM. Mike Rundel, Coordinator has sent out invitations and hopes all will be able to attend and contribute.

I will be attending a Hazard Mitigation Grant Program application development workshop for Severe Weather & Floods November 4, 2009.

Bill Mahan – County Extension Director (10:38 AM)

Mr. Mahan submitted a report but did not attend the meeting.

November 3rd BCC Meeting – I am in Gainesville today and tomorrow, November 3rd & 4th for the Annual Statewide County Extension Director In-Service Training session. The annual training allows all the County Directors to coordinate statewide and regional programs and trainings for our clientele; be updated on immersing Extension issues; and to be trained in information technology. I am the Chairman of the Committee responsible for planning of this year's training.

Discussion – FDA/Oyster Industry Status (10:38 AM)

Mr. Pierce stated that Mr. Heil from the Department of Agriculture will attend the December 1 regular meeting to discuss the FDA proposed restrictions.

Ms. Lynn Bannister, of Senator Nelson's office, stated that Senator Nelson is against the proposed restriction by FDA and will work with Representative Boyd on this matter. Commissioner Jackel asked if the County can do anything to assist Senator Nelson on this matter.

Ms. Bannister stated that she will get with Senator Nelson's DC staff and send any suggestion back to the Board via Mr. Pierce.

Chairman Parrish stated some of the actions done since the emergency meeting and stressed the importance of coordination between all of the States and concerned agencies on this matter.

Commissioner Lockley stated the need for immediate legal action on this matter.

Commissioner Putnal suggested that the County should wait and see if pressure from all of the agencies, states, organizations on the FDA will make a difference before taking the path of legal action.

Motion by Sanders, seconded by Lockley, directing staff to contact Mr. Scott Maddox, the County's lobbyist, and ask him to get involved in this matter; Motion carried 5-0.

Motion by Sanders, seconded by Putnal, authorizing a resolution to keep funding for the Franklin Correctional Institute annex and direct staff to send this resolution to the Governor's office, the County's Legislative Delegation, and the Department of Corrections; Motion carried 5-0.

Ottice Amison, of the Seafood Task Force, presented a travel funding request for Kevin Begos regarding the FDA proposed restrictions. Mr. Amison discussed some of Mr. Begos' actions to spread the information about the FDA proposed restrictions, stated other sources for information on this matter, and the need for the industry to organization to fight these restrictions.

Chairman Parrish suggested that the Board table the funding request until the next meeting, which would allow the Commissioners a chance to review the request.

Commissioner Sanders asked that Mr. Begos submit a scope of work for any funding that he will request from the Board.

Helen Sphorer, the TDC's Chairman, discussed a flyer that the TDC has put together which provides information on this matter and stated that Geiger and Associates will assist the TDC with providing information on the effect of these FDA proposed restriction on the tourism industry in Florida.

Katie Green, of the Seafood Workers Association, asked for volunteers to assist with collecting signatures during Seafood Festival.

Mrs. Sphorer stated that the TDC will assist with the printing expenses.

Commissioner Jackel and Mr. Amison discussed funding Mr. Begos is currently receiving and if he is being compensated by GEOC.

Attorney Shuler suggested that all efforts regarding the Seafood Festival is coordinated through John Solomon the festival board president.

Commissioner Putnal suggested a donation box is placed at the Festival that would assist with funding the fight against the proposed restrictions.

Lynn Martina, a seafood business owner, stated that Mr. Begos is a real asset to the seafood industry in the County and the same bacteria that is affecting the oysters is also in the water and hopefully beaches will not be in danger of closing anytime soon.

Motion by Sanders, seconded by Putnal, to table Mr. Begos' funding request until the next meeting; Motion carried 5-0.

Commissioner Jackel wanted verification that all Task Force meetings are properly advertised which would allow more than one County Commissioner to attend.

Mr. Amison stated that all meetings are advertised.

Commissioner Jackel asked that the Board is notified of all Task Force meetings.

Recess (11:12 AM)

Chairman Parrish recessed the meeting.

Reconvene (11:28 AM)

Chairman Parrish reconvened the meeting.

Marcia M. Johnson – Clerk of Courts – Report (11:28 AM)

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

1-) *The sales tax collections for the month ending August 2009 totaled \$100,890.97. We have a balance in the hospital's capital fund of \$1,095,889.18.*

2-) *I have a resolution for adoption on unanticipated revenue. This is revenue that wasn't included in the budget initially because we didn't know it was going to be received. The resolution needs to be adopted in order for the money to be appropriated and expended for the purpose intended last year to comply with F.S. 129.06(2)(d). The resolution deals with \$434,486.64 received from the State of Florida Fish and Wildlife Conservation Commission. The money was put into the Boating Improvement Fund into the following accounts: 143.43.539.6300 Infrastructure - St. George Island Boat Ramp \$120,814.85; 143.43.539.6302 Infrastructure - Ochlocknee Ramp \$2,810.60, and 143.43.539.6303 Infrastructure - Eastpoint Boat Ramp \$310,861.19.*

**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 \$434,486.64 from the STATE OF FLORIDA, FISH AND WILDLIFE CONSERVATION COMMISSION, 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:

143.43.539.6300 Infrastructure – St. George Island Ramp	\$120,814.85
143.43.539.6302 Infrastructure – Ochlockonee Ramp	\$ 2,810.60
143.43.539.6303 Infrastructure – Eastpoint Boat Ramp	\$310,861.19

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$434,486.64 in the BOATING IMPROVEMENT FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 3rd day of NOVEMBER 2009.

Motion by Sanders, seconded by Putnal, authorizing the Chairman's signature on the Resolution; Motion carried 5-0.

Commissioner Lockley asked Mrs. Johnson to provide him the current balance in the Hospital Operation account.

Commissioner Jackel asked Mrs. Johnson to provide a listing of current county employees including their salaries and positions. Mrs. Johnson explained that salaries are available but many of the County employees do not have stated positions.

Commissioner Sanders expressed concerns of the Lanark Village Volunteer Fire Department's (VFD) available cash balance.

Mr. Bud Evans, representing the Fire Department, stated that they currently have less than \$1000 in their bank account.

Commissioner Jackel suggested advancing the Fire Department some of their MSBU funding. Commissioner Lockley and Mr. Evans discussed the Fire Department's monthly expenses.

Motion by Sanders, seconded by Jackel, authorizing the Lanark Village VFD to request a \$5000 advance from their 2010 MSBU collection; Motion carried 5-0.

Alan Pierce – Director of Administrative Services – Report (11:38 AM)

Mr. Pierce presented the following items for Board action, information, and/or discussion.

1- Inform Board that the new security system is being installed in the Courthouse. This will change the way the public enters the building. After Dec. 1, the front doors will no longer be open, and because of that a concrete sidewalk will be built around the west side of the courthouse to direct people to the rear doors which will be manned. There will be signs posted at the bottom of the steps to keep people from climbing steps.

2- Inform the Board that Rep. Bembry has notified the Board that by Nov. 30 Magellan Behavioral Health network will be opening an office in Franklin County so that residents needing mental health services and who are on Medipass will be able to get services in Franklin County. The letter does not say the services will be at the Apalachee Mental Health Bldg so the services may be in a different location.

3- Provide Board with copy of letter sent to the FCC about MediaCom.

4- Inform the Board that Ms. Marie Marshall and Ms. Cora Russ have resigned from the Franklin County Public Library Board of Advisors. I have spoken to Ms. Denise Butler, Chairperson for the Library Board. She advised me that the Library Board by-laws allow for up to 15 members, and while they have never had that many members, they do need some more members. The current members appear to be:

Denise Butler, Chair; and members are: Ms. Christine Hinton, Ms. MaryAnn Shields, and Ms. Mel Kelly. I do not have appointment dates or information on terms at this time.

At this time, Ms. Dee Grienenko, a resident of St. George Island, would like to be appointed to the Library Board. Board action.

Also, the Library Board has made a request to have Commissioner Jackel to serve as the county representative to the Board. The Library Board and Commissioner Jackel are aware this is a non-voting appointment. Board action.

Commissioner Sanders stated that she would like more of a county wide representation on this Board.

Chairman Parrish suggested that each Commissioner submit candidates for that Board.

Motion by Sanders, seconded by Lockley, to appoint Ms. Dee Grienenko and Commissioner Jackel to the Library Advisory Board; Motion carried 5-0.

5- Mr. Larry Hale would like to serve on the Board of Adjustment. Commissioner Jackel would like to fill her BOA seat created by the resignation of Mr. Richard Harper and Mr. Hale lives in her district. Board action.

Motion by Jackel, seconded by Lockley, to appoint Mr. Larry Hale to the Board of Adjustment; Motion carried 5-0.

6- Inform the Board that the Planning and Zoning Commission has three at-large vacancies- the resignations of Gayle Dodds, Mary Lou Short, and the extended absence of Bill Laine. Mr. Laine has not attended a meeting since May and there is no timetable for his return. The Board tries to balance appointments equally among districts. There are 9 P and Z member seats and 2 alternates and the appointment breakdown is this:

Commissioner Sanders has 3 (Murphy, Millender, McCleod); Commissioners Putnal has 0; Commissioner Jackel has 2 (Perryman and Ulrich); Commissioner Lockley has 0; Commissioner Parrish has 2 (Davis and Ward).

There will be a November P and Z meeting but most likely not a December meeting because of Holiday schedule so the Board has some time to decide who gets to fill these three at large seats, and there is one existing alternate vacancy created by Arnold Tolliver's extended absence.

7- Inform the Board that the St. George Island Lighthouse has received permission to light the light during non-turtle nesting season so the Light should have been turned on Nov. 1. The light will be shielded so that it is not visible from the Bridge leading to the Island.

8- Provide Board with photos documenting the extensive heart rot the tree in the Enabob Right of Way had. The tree trimmer said that if the county had not cut the tree down it had a high probability of falling in a strong wind. If the tree had fallen it could have caused extensive damage to surrounding private property.

Motion by Sanders, seconded by Putnal, to authorize the cost for grinding the stump located at the Enabob right of way; Motion carried 5-0.

9- Board action to direct Preble-Rish to advertise for bids for the resurfacing of C30A in Carrabelle and Avenue A in Eastpoint. Both projects are funded through state grants which require the county to get separate bids even though there is a paving contractor in the county.

Commissioner Jackel and Clay Kennedy, of Preble-Rish, discussed to possibility of paving Avenue A around the curve to 6th Street.

Mr. Kennedy stated that he would make this request to FDOT.

Commissioner Lockley and Chairman Parrish stated the importance of paving from 12th Street to Bluff Road all the way to the boat ramp.

Motion by Jackel, seconded by Sanders, directing Preble-Rish to advertise for bids for the resurfacing of C30A in Carrabelle and Avenue A in Eastpoint; Motion carried 5-0.

10- Board action to accept FCTV's option to exercise their contract with the Board for the three additional years as allowed in the original contract. If the Board accepts, this then puts the expiration of the contract in December, 2012.

Attorney Shuler explained that there are no changes to the contract; this is just an extension to the contract.

Motion by Jackel, seconded by Lockley, approving FCTV's option to exercise their contract with the Board; Motion carried 5-0.

11-Inform Board that I met with DOT representatives Mike Horton and Greg Taylor regarding the service provided by Transfield, formerly known as VMS. The issue covered include: A) Asset management is being done all around the state and so there is no option to go back to DOT personnel actually working the road system again.

B) The current painted stripes on US 98 will be replaced with Thermoplastic lines but the asphalt has to cure before the permanent lines are installed.

The Board asked Mr. Pierce to inform FDOT that they wanted the striping to go back to the original passing zones on Highway 98 before the project started.

Mr. Pierce suggested that each Commissioner meet with the FDOT representative to discuss problems in their district.

C) DOT will evaluate the paving of the other lane on US 98 but it will have to be included in a five year work plan.

D) Transfield is being monitored on the ditch cleaning and improvements will be made.

E) DOT will evaluate a sidewalk along US 98 to the school but that is a capital project which will require engineering and design and so it will not happen quickly.

F) Trash collection on bridges. If the county wants to move forward with cleaning the bridges DOT will work with the county to provide the safety guidelines and standards a contractor must follow. DOT would then allow Transfield to sub out the bridge cleaning to the county and the county would receive the funds, which were around \$10,000.

Commissioner Jackel asked that workforce group clean grassy areas from Eastpoint to the Apalachicola Bridge before the start of the seafood festival.

12- Board action to support a grant application for the RiverKeepers to do a clean-up, recycling, and educational program in the County. The County Solid Waste will provide in-kind contributions, and Van Johnson, Solid Waste Director, has agreed to this. The cities of Carrabelle and Apalachicola are also participating.

Motion by Sanders, seconded by Jackel, to support a grant application for the RiverKeepers to do a clean-up project; Motion carried 5-0.

13- Remind Board that on Dec. 15th the TDC and the Board will have a joint meeting in Carrabelle at 3 PM at the Carrabelle City Hall, and then at 5 PM the Board will have its regular Dec. 15th meeting also in Carrabelle City Hall.

14- Provide Board with copy of letter sent to President Obama regarding the FDA and the oyster harvesting issue.

Provide Board with copy of letter sent to Gov. Crist regarding the oyster harvesting issue.

15 – The County has leftover money from the settlement of the lawsuit with Ben Withers on the Airport Road, and Board directions is needed to go out for bid, using those monies, to pave the additional part of that road that was not paved under the Wither’s contract.

Motion by Sanders, seconded by Lockley, authorizing staff to advertise for bids, using the remaining funds from lawsuit settlement, to pave that particular section of Airport Road that was not paved under the Ben Withers contract; Motion carried 5-0.

Motion by Sanders, seconded by Putnal, to re-establish Lanark Village Planning and Zoning Board; Motion carried 5-0

Commissioner Sanders asked Mr. Pierce to contact Dorothy Blair for candidates who are willing to serve on this Board.

Commissioner Sanders asked Mr. Pierce to look for available funds for sidewalks in Lanark Village.

Board discussed Commissioner Putnal’s idea for creating sidewalk from Eastpoint to the new school. Commissioner Jackel suggested routing the sidewalk through Gramercy because of the traffic on Highway 98.

Commissioner Jackel explained that Ms. Robbie Smith, an Eastpoint resident, was denied dental service because of her address which is outside the area served by the dental clinic in Gulf County. Ms. Smith was informed that she would have to travel to Taylor to get this service because of her address. Commissioner Jackel would like all residents of Franklin County to be served at the clinic in Gulf County.

Board discussed this matter further.

Chairman Parrish stated that this is a FQHC service and reminded the Board that Commissioner Lockley has been working to get Representative Boyd to open an additional FQHC in Franklin County. Chairman Parrish also stated other issues concerning this matter.

Mr. Pierce will discuss this matter with Mr. Tice of the Health Department.

T. Michael Shuler – County Attorney – Report (12:06 PM)

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

1. Proposed Boat Ramp Ordinance:

I have previously provided to the Board a proposed ordinance regulating use of the public boat ramps in Franklin County. The proposed ordinance establishes parking controls, prohibits blocking the ramps, provides authority to remove improperly parked trucks and boats and imposes penalties.

I need board guidance concerning how long boats may tie up at the dock. On the one hand, commercial boats need to tie-up longer to the dock to load-out for the day and unload product at the end of the day. On the other hand, recreational boats do not seem to need as much time at the dock.

The length of time that boats tie up to the dock is the final issue to resolve. It seems to me that limiting the time that commercial boat tie up during the daytime is impractical because the time they need to load and offload product is difficult to predict.

BOARD ACTION: *How does the Board want to regulate the time that boats tie up at the dock?*

Commissioner Jackel stated she has received calls and complaints regarding some people who are ignoring the signs and tying up their boats, either overnight or for an extended period of time, at the boat ramp and because of this would like a public hearing on this ordinance. The Board discussed the proposed ordinance further. Attorney Shuler discussed the penalty process that is in the proposed ordinance and County staff enforcing these penalties.

Motion by Jackel, seconded by Lockley, to schedule a public hearing before year end, preferably on Dec 15, on this proposed ordinance; Motion carried 4-1, Sanders opposed.

2. Old St. George Island Bridge Pilings

I have attached my email request to DOT for an update on their plan to remove the pilings at the old bride site which have caused a danger to the boating public.

Essentially, DOT says that they are working on a plan and hope to have funding for the fiscal year 2010/2011.

DOT's response to my request for specific information and acceleration of the plan speaks for itself and is part of their reply to me email.

BOARD ACTION: *Unless the Board directs otherwise, I will continue to monitor this from time to time to make sure that DOT is following through.*

Board discussed this matter, including the County not being liable.

Motion by Jackel, seconded by Sanders, authorizing a Resolution stating the importance of the funding for this project and send a copy to Mr. Tommy Barfield of FDOT; Motion carried 5-0.

3. St. George Island Central Sewer Plant

The Board's agreement to hold this case in abeyance expires December 10, 2009. As the Board is aware, the Health Department did not close any beach on St. George Island this past summer. To my knowledge, the funding for the water quality study for Apalachicola Bay has not come through.

As you recall, Mr. Brown, said that he would withdraw his central sewer plant application if the Board asked him to withdraw it. Unless the Board takes Mr. Brown up on his offer to withdraw his application, I will have to begin preparation of a defense in this matter.

Given that the County is now faced with the monumental, and expensive, task of opposing the proposed FDA ban, and given that no beaches were closed on St. George Island this past summer, it is my recommendation that the Board formally request that Mr. Brown withdraw his waste water treatment plant application.

BOARD ACTION: I recommend that the Board accept Mr. Brown's offer to withdraw his sewer plant application.

Commissioner Jackel suggested looking for an alternative funding source for a water study since the RiverKeepers did not receive the grant for that study.

Motion by Jackel, seconded by Putnal, to accept Mr. Brown's offer to withdraw his central sewer plant application; Motion carried 5-0.

Attorney Shuler then discussed a settlement offer made by FACT on behalf of the County relating to the bidder that filed a bid protest lawsuit because he was not selected for 2 boat ramp bids. Attorney Shuler explained that the offer is \$2000 and attorney fees will also be covered.

Commissioner Putnal expressed his dissatisfaction with unhappy bidders suing the County if they are not selected.

Commissioner Jackel and Attorney Shuler discussed FACT deductible amount, FACT role in this settlement, and the willingness of the challenging party is willing to dismiss the lawsuit.

Attorney Shuler said he would enter into this type of discussion with the plaintiff if the Board desires, but the plaintiff did not agree to this type of offer previously

Commissioner Jackel also did not like this type of litigation.

Attorney Shuler discussed possible options the County can use to reviewing bidders with past history. Attorney Shuler informed the Board that the County's settlement didn't include payment of the plaintiff's attorney fees.

Motion by Putnal to agree to settlement offer made by FACT on behalf of the County; Motion failed as there was no second.

Commissioners' & Public Comments (12:38 PM)

Commissioner Sanders stated that she wanted County wide representation on the Apalachicola Airport Board and wanted the Airport renamed so that the County's ownership of the Airport would be reflected.

Mr. Ted Mosteller listed the current members on the Airport Board.

Commissioner Jackel and Mr. Mosteller discussed the fact that there were no women currently serving on the Airport Board.

Mr. Mosteller explained that the Airport Board would invite anyone with avionics experience to join the Board.

Commissioner Putnal discussed the need for the County to act more unified.

Commissioner Lockley stated that he would like an African American to serve on the Airport Board.

Motion by Sanders, seconded by Putnal, to rename the airport to the Franklin County Apalachicola Regional airport and to appoint members to the Airport Board that represents the entire county; Motion carried 5-0.

Ms. Lynn Martina, a seafood business owner, stated that the GOIC has asked Mr. Begos to go to Washington DC to address the proposed FDA regulations on oysters and she is seeking assistance from the County with his travel expenses which will be about \$1500.

The Board discussed this matter.

Motion by Sanders, seconded by Jackel, to table this request until the Board re-adjourns at 1:30 PM; Motion carried 5-0.

Recess (12:48 PM)

Chairman Parrish recessed for lunch.

Reconvene (1:41 PM)

Chairman Parrish reconvened the meeting.

Commissioners' & Public Comments continued (1:41 PM)

Mr. Pierce stated that he was unable to get in contact with Mr. Begos during the lunch break to obtain any additional information regarding the funding request for the Washington DC trip, but recommended allocating the \$1500 which would be deducted from any additional funding assistance the Board will provide while trying to fight the proposed FDA regulations.

Motion by Sanders, seconded by Jackel, to advance up to \$1500, which will be deducted from the total amount the Board funds, to the Seafood Task Force for Mr. Begos's trip to Washington DC regarding the proposed FDA regulations as this matter is of utmost importance to the people of Franklin County; Motion carried 5-0.

Commissioner Sanders reminded everyone that the Seafood Task Force is a not for profit that is independent of the Board of County Commissioners.

Interview Finalist for Construction Managers for Carrabelle Urgent Care Clinic (1:45 PM)

Mr. Pierce explained the events that led up to the Board interviewing the finalist for Construction Manager at Risk for the building of the Carrabelle Urgent Care Clinic.

Gayle Dodds, Chairman of the Hospital Board, explained that the Hospital Board is recommending Childers Construction for the Carrabelle Urgent Care Clinic.

Mrs. Dodds explained the Hospital Board would like to meet with the County Commission to discuss the direction of the Hospital and other concerns, such as the requirement that by 2014 all of the Hospital records must be maintained electronically.

Mrs. Dodds explained the process that was used to select the candidate for Construction Manager at Risk for the Carrabelle Urgent Care Clinic project.

Commissioner Sanders asked for the names of the other finalists.

Mr. Pierce stated the name of the companies:

Ajax Building Corporation
Allstate Construction
Childers Construction
Cook Brothers
Creative Construction
PeterBrown Construction

Michael Eaton of CRA Architects, who were selected to design the Center, stated that there are working drawings of the plans but the final specifications has not yet been released because they are waiting for certification. Mr. Eaton stated that CRA has done other projects with a few of these companies.

Sam Childers, co-owner of Childers Construction, started their presentation which included a PowerPoint presentation.

Commissioner Jackel asked what percentage of their projects are medical facilities.

Mr. Childers stated that 75% of their projects are medical facilities.

Commissioner Putnal asked how much of their labor force on this project would be local residents.

Mr. Childers stated that as many local people that are qualified will be hired for this project including local contractors.

Chairman Parrish explained the importance of using local contractors as local dollars are being used on this project.

Commissioner Sanders verified that Greensteel, which is a local contractor, would be used by Childers Construction.

Commissioner Jackel and members of Childer's Construction discussed energy efficiency and "green" certification.

Commissioner Sanders asked if Childer's Construction is statewide or just regional.

Mr. Childers explained that most of their projects are regional not statewide.

Commissioner Sanders asked for the "scope of work" for Gadsden Memorial Hospital project.

Mr. Childer's explained that the project was a renovation of the entire facility, but there were alternate plans that the County was not able to fund and discussed the particulars of this project further.

Commissioner Putnal stated that at some point the County might want to expand this building. Representatives from Childer's discussed this matter further.

Chairman Parrish asked the representative from CRA if the building was being designed to accommodate the requirement for electronic records.

Mr. Eaton said that the designs would accommodate this requirement.

Commissioner Jackel if a specialized electrician would be required to install the jacks in the building.

Representatives discussed this portion of the project.

Recess (2:42 PM)

Chairman Parrish recessed to allow the Childer's to remove their equipment and Ajax to setup for their presentation.

Reconvene (2:52 PM)

Chairman Parrish reconvened the meeting.

Jay B. Smith, Vice President, along with other representatives, proceeded with Ajax Building Corporation's presentation which included a power point presentation.

Commissioner Jackel asked what percentage of their projects are medical facilities.

Mr. Smith stated that 20-30% of their projects are medical.

Commissioner Lockley and Mr. Smith discussed Ajax using as much local labor, vendors, and contractors as possible.

Commissioner Jackel and Mr. Smith discussed energy efficient certification.

Mr. Smith explained to Commissioner Sanders that their service area is throughout the State of Florida and South Georgia.

Commissioner Lockley and Mr. Smith discussed Ajax's relationship with Shands Hospital and the possibility of the County expanding this building in the future.

Commissioner Sanders and Mr. Smith discussed Ajax's relationship with Mr. Eaton of CRA, and other projects they have done in neighboring Counties.

While Ajax was breaking down from their presentation representatives from Childer's Construction was invited back into the meeting room.

Chairman Parrish commended both companies on their presentation today, and supported the Hospital Board's recommendation which was Childers's construction.

Commissioner Sanders stated that both companies have representative who are County taxpayers in her district, but she has done due diligence in researching both companies including contacting Commissioners throughout the State, especially from Gadsden County who she has known for over 9 years, and supported Ajax Building Corporation for the project.

Commissioner Jackel and Attorney Shuler discussed requiring whichever company is selected to use as much local labor as possible.

The Board and Attorney Shuler discussed using a formula, instead a percentage method, to make sure local contractors are used during this project.

Commissioner Putnal was in favor of using Childers Construction because of their relationship with Tallahassee Memorial Hospital and because they were also the Hospital Board's recommendation.

Commissioner Jackel stated how difficult this decision is because both of the contractors are qualified.

Motion by Sanders, seconded by Lockley, to select Ajax Building Corporation as the Construction Manager at Risk for the construction of the Carrabelle Urgent Care Center and require Ajax Building Corporation to use as much local qualified contractors as possible; Motion carried 3-2, Parrish and Putnal opposed.

Chairman Parrish welcomed Ajax Building Corporation and thanked them for their presentation.

Adjourn (3:31 PM)

There being no further business Chairman Parrish adjourned the meeting.

Joseph A. Parrish, Chairman – FCBCC

Attest:

Marcia M. Johnson – Clerk of Courts