

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
DECEMBER 1, 2009
9:00 AM**

MINUTES

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

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

Call to Order (9:02 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:02 AM)

There was a prayer was followed by the Pledge of Allegiance.

Payment of County Bills (9:04 AM)

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

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:04 AM)

Larry Brown was present for Mr. Chipman and had no action items for Board discussion and/or approval.

Commissioner Putnal complained about the road paving project schedule.

Mr. Rothwell said CW Roberts had been changing their schedule and Mr. Brown said the changing of the schedule is also causing the Road Department problems.

Commissioner Sanders said there would be some potential flooding issues on Alligator Point Road from effects of the upcoming storm.

Van Johnson – Solid Waste Director (9:07 AM)

Fonda Davis was present for Mr. Johnson and had no action items for Board discussion and/or approval.

Commissioner Putnal asked that they increase the frequency of cleaning the carcass dumpsters. The Board agreed and discussed this issue further.

Dan Rothwell – County Engineer (9:09 AM)

Mr. Rothwell presented his report to the Board.

1. BOARD ACTION: Alligator Drive Speed Changes & Crosswalks Additions:

Staff desires Board approval to change the current speed limit on Alligator Drive as follows:

45 mph from the Cell tower to Bald Point Road

35 mph Bald Point Rd to the end of Alligator Drive

25 mph at the following new areas to on Alligator Drive at:

1421 Alligator Drive

1380 Alligator Drive

1561 Alligator Drive

1648 Alligator Drive

1561 Alligator Drive to around 1600 Alligator Drive (See attached aerial).

Lane shift on Alligator Dr. from George Vause Road to Tom Roberts Road and speed limit to 15 mph speed.

No Parking signs along milled asphalt.

Mr. Rothwell said he would also like to include no parking signs along the milled asphalt area, with a total cost of \$2,500 for the signage and the installation will be done by the Road Department. Commissioner Sanders suggested getting money for the signs from the Road Department.

Motion by Sanders, seconded by Jackel, to approve purchase and installation of speed limit and no parking signs for Alligator Drive; Motion carried 5-0.

Commissioner Lockley said he had received complaints of speeding at the roundabout in the Airport area and thought the speed limit should be dropped in that area.

Chairman Parrish directed Mr. Rothwell to research this matter and present a recommendation to the Board.

2. BOARD ACTION: East Gorrie Drive @ East 1st Street Gutter Request for Proposals :

The project is to install approximately 800' of gutters on East Gorrie Drive from east of East 1st St to the south end of North Franklin Blvd; approximately 430' on the north side and 370' on the south side of East Gorrie Drive. Staff requests Board approval to waive the \$10,000.00 limit for this project in order to complete the work at an estimated \$17,070.00 prior to the road paving

contractor moving to St. George Island. The intent is to avoid re-mobilization expenses if a Request for Proposals were required.

Commissioner Jackel said that there had been a proposed bid which was under the \$10,000 limit but when it was time for the work to be started the contractor reappraised his bid and it was significantly higher than the \$10,000 limit.

Mr. Rothwell discussed this matter further with the Board.

Motion by Jackel, seconded by Putnal, to waive the \$10,000 bid limit for the gutter installation on East Gorrie Drive & North Franklin Boulevard on St. George Island; Motion carried 5-0.

3. West Gorrie Drive and West 1st Street Drainage Replacement:

Staff has worked with the Road Department to remove and replace approximately 325' of the existing storm sewer and 3 manholes. Materials have been ordered and received for the project and stocked at the Road Department.

Pam Brownell – Emergency Management Director (9:19 AM)

Mrs. Brownell presented her report to the Board.

Action Items:

- *Approval for the State Homeland Security Grant Program for training and exercise in the amount of \$29,500.00.*

Motion by Lockley, seconded by Sanders, to approve the State Homeland Security Grant Program in the amount of \$29,500.00; Motion carried 5-0.

Information Items:

- *We are currently working to submit an application for the Hazard Mitigation Grant funds available to the county as a result of the Declaration for the Springs Floods of 2009 in the amount of \$19,195.31.*

Mrs. Brownell discussed the upcoming storm and effects to the County with the Board.

Commissioner Jackel asked about a “reverse 911” system and discussed the benefits to the County and the Emergency Management office because it can alert residents to emergency situations and Mrs. Brownell suggested contacting the Sheriff’s Office on this matter.

Commissioner Jackel asked Mr. Pierce to follow up on this matter, especially at the next 911 Meeting.

Mr. Pierce stated that the cost of this system restricted the County from acquiring it years ago and Mrs. Brownell discussed a free emergency notification system already in place for County residents.

The Board and Mrs. Brownell discussed this matter further.

Commissioner Lockley stated that the City of Apalachicola had failed to follow up on recommendations from Mrs. Brownell and Mr. Rothwell regarding flooding problems in the City.

The Board discussed this matter.

Motion by Lockley, seconded by Jackel, to send a letter to the City of Apalachicola asking that the flooding matter at Mrs. Cooper's home on 118 8th Street be addressed and resolved; Motion carried 5-0.

Bill Mahan – County Extension Director (9:33 AM)

Mr. Mahan presented his report to the Board.

Expansion of Clam Aquaculture in Franklin County – As requested by the Board, I spoke to Mark Berrigan, Bureau Chief; FL DACS Bureau of Aquaculture Development to schedule a Clam Farming Aquaculture Workshop to discuss the possibility of expanding clam aquaculture opportunities in Franklin County. Mr. Berrigan has tentatively identified December 15th, 16th, or 17th as possible workshop dates. Mark is checking with some key DACS staff he'd like to have at the workshop and I'm checking with Leslie Sturmer, UF Clam Aquaculture Agent. If none of these dates work, the workshop will be held in January 2010.

Chairman Parrish suggested having the meeting on December 17th.

GMFMC Red Snapper Individual Fishing Quota (IFQ) Program Changes Workshop – I attended the NOAA Fisheries Workshop help in Apalachicola on November 19th, to explain the IFQ Program changes on red snapper that will take effect in the Gulf of Mexico on January 1st, 2010. Approximately 30 offshore reef fishermen attended the meeting. In addition to some frustration with how the quotas were determined, some of the other issues discussed included the recent requirement that each fisherman have a credit card to be able to pay registration fees online and the new mandatory online method of reporting catches. Several fishermen questioned where the Federal government gets off telling businessmen that they are required to have a credit card and computer.

Mr. Mahan suggested the possibility of setting up areas at the libraries and the extension office for the fishermen to be able to utilize the computers to apply for quotas.

Florida needs a voice in the U.S. House of Representatives Natural Resources Committee – On November 17th, Rodney Barreto, Chairman of the FL FWC released the following press release. Florida is fortunate to have both of our U.S. senators - Bill Nelson and George LeMieux - on the Senate Commerce Committee, overseeing marine fisheries issues, but Florida is not represented on the equally important House Natural Resources Committee. Important federal fisheries law is going to affect lots of jobs and billions of dollars in Florida's economy. Florida is unique. We are the only state that borders the Atlantic Ocean and the Gulf of Mexico, with a lot riding on wise management of fisheries in these regions. Recreational saltwater fishing alone has a \$5.3 billion impact on Florida's economy, and 54,500 jobs depend on it. Commercial saltwater fishing contributes \$1.2 billion to the economy and supports 12,900 jobs - not to mention freshwater fishing, worth another \$2.4 billion and 24,800 jobs.

The Magnuson-Stevens Fishery Conservation and Management Act, last amended by Congress in 2007, directs how the federal government is required to manage saltwater fisheries. With Florida being such a major player in the industry, these federal management decisions greatly affect our state and citizens. It's critical for us to have a more direct voice in federal law that affects marine fisheries. While we strongly support efforts to restore and protect all of our natural resources for the long term, the unintended consequence of the Magnuson-Stevens Act is that it will result in rapid closures of numerous fisheries at the same time. The result for Florida is likely to be a blow to one of the most important and unique components of our economy.

Florida is the fishing capital of the world with more world-record fish catches than any other state - and more than any other country. More anglers come to Florida to fish than anywhere else in the world. Multiply the number of anglers by the times they go fishing and the total is 35 million fishing trips per year.

In the Atlantic, recreational anglers in Florida's waters bag almost all of the black grouper and two-thirds of the gag grouper. They also catch almost 90 percent of the red snapper and 43 percent of the vermilion snapper.

Meanwhile, in the Gulf, almost 100 percent of red and gag grouper and 47 percent of recreational red snapper come from Florida.

The U.S. House Natural Resources Committee oversees all saltwater fisheries and wildlife issues for the U.S. House of Representatives. Forty-nine representatives out of the 435-member House serve on the committee. California has seven seats on it, and all of the U.S. territories sit on it. But of the seven coastal states in the Southeast, Florida is one of four states that do not have a seat.

We're playing in the big leagues here; we need a slugger to step up to the plate. As chairman of the Florida Fish and Wildlife Conservation Commission, I applaud our congressional delegation's diligence in protecting Florida's interests. I am thankful that both of our senators serve on the Senate committee responsible for marine fisheries issues.

I urge Florida's congressional delegation to push for one or more of our representatives to serve on the House Natural Resources Committee. We need champions in both houses.

Commissioner Jackel said that Florida not having a seat on the U.S. House of Representatives Natural Resources Committee explained a lot of the regulation problems and suggested that Commissioner Sanders bring this matter up at the FAC meeting, requesting that Florida have someone seated on this committee.

Commissioner Sanders suggested sending a letter to the legislative delegation requesting that someone be appointed to this committee.

Motion by Sanders, seconded by Jackel, to send a letter to the Florida Legislative Delegation requesting that someone be appointed to the U.S. House of Representatives Natural Resources Committee; Motion carried 5-0.

Commissioner Putnal discussed state regulations on fishing and hunting quotas especially the over age 65 regulations on turkey hunting.

Motion by Putnal, seconded by Lockley, to send Larry Roberson, at FWC, a letter asking for changes to the over age 65 turkey hunting quotas and the removal of hunting quotas in Tate's Hell; Motion carried 5-0.

The Board discussed the unfair hunting rules throughout the State.

Glenda Ondracek – Fill Vacancy at Carrabelle Library (9:47 AM)

Ms. Ondracek asked for Board action to advertise an employment vacancy in the Library.

Commissioner Putnal asked if someone from within the system could be promoted to the supervisory position and hire someone else to fill the assistant position.

Denise Butler, Chairman of the Franklin County Public Library, explained the procedure of the Library hiring process.

The Board asked that a local resident be hired for the vacant position and the advertisement be placed in local newspapers.

Motion by Putnal, seconded by Sanders, to promote LaTonya Granger into the vacant supervisory position and advertise for her position as an assistant; Motion carried 5-0.

Mrs. Butler asked for board action to add the following candidates to the library board:

Ronda Swords

Harriett Kennedy

Sondra Furbee

Motion by Putnal, seconded by Sanders, to approve appointment of Ronda Swords, Harriett Kennedy and Sondra Furbee to the Library Board; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (9:54 AM)

Mrs. Johnson had no report for the Board.

Recess (9:54 AM)

Chairman Parrish called for a recess.

Reconvene (10:08 AM)

Chairman Parrish reconvened the meeting.

Public Hearing – 2 Small Scale Land Use Changes (10:08 AM)

Mr. Pierce discussed both of the land use changes with the Board.

1 – Request by Vance Millender to change a 10 acre parcel from A2 to R6, 1 unit per 10 acres, in the Hickory Hammock and Clarks Landing Road area.

The Board asked if this was consistent with what the Board has approved in the past and Mr. Pierce confirmed that it was.

Chairman Parrish opened the floor for public comment but there were no comments.

Motion by Sanders, seconded by Putnal, to approve land use change from agricultural to residential and rezoning from A2 to R6; Motion carried 5-0.

2 - Request to change land use near the intersection of Old Mill Road and River Road from agricultural to residential and from zoning A2 to R1.

Chairman opened floor for public comment but there were no comments.

Motion by Putnal, seconded by Jackel, to change land use from agricultural to residential; Motion carried 5-0.

Motion by Lockley, seconded Jackel, to approve rezoning from A2 to R1; Motion carried 5-0.

David Heil – Florida Department of Agriculture and Consumer Services - Update on Oyster Status (10:14 AM)

Mr. Heil, Florida Department of Agriculture and Consumer Services, presented documents to the Board and explained what happened about Vibrio Vulnificus at the 2001 Interstate Shellfish Sanitation Conference. He said they incorporated a Vibrio Vulnificus Risk Management for Oysters into the ISSC Program and this model ordinance is what the ISSC uses. He said they set the rules and regulations for the control of mollusk, shellfish, oysters, clams and mussels in this country at which point each state adopts the model ordinances as state rules. He said when the risk management for oysters was passed in 2001, the FDA concurred with that action. He said because it is a deliberative body, FDA was the entity that was driving the Vibrio Vulnificus controls, trying to reduce illnesses. He said the FDA submitted a proposal to the ISSC to have regulatory controls on Vibrio Vulnificus. He said the deliberative body came out with a plan that no one liked which required 6 very specific things:

*A targeted education program – trying to educate “at risk” individuals, caretakers of “at risk” individuals, physicians, clinicians and dieticians of those “at risk” individuals.

*States to develop standardized case information – was the person sick from Vibrio Vulnificus, was the source from oysters.

*Standardized process for tracking products – to know the location of the source of the Vibrio Vulnificus.

*A 25% post harvest processing capacity – had to have the ability to post harvest process.

*A 40% illness rate reduction goal in 2005/2006 – was achieved with a 47% illness reduction.

*A 60% illness rate reduction goal for 2007/2008 – the illness rate reduction was 35.2% illness rate reduction and this was not achieved.

Mr. Heil said this was always the plan of the ISSC since 2001. He said from 2001 till the present the FDA has evaluated all of the Gulf Coast states and has found them to be in complete compliance with this model ordinance requirement for Vibrio Reduction. Mr. Heil said that left them so that they needed to implement those regulations to achieve the 60% rate reduction goal. He said in April 2009 everyone met to see what could be done, based on science, to achieve the rate reduction. He said the industries decided not to do closures but see what could be done with time/temperature controls and the FDA provided a tool to be able to evaluate the time/temperature to see if they could get to the illness rate reduction goal. He said the plans were submitted to the ISSC in May 2009 with no objections to the plans with the understanding they would go to the ISSC meeting in October 2009 and fully debate it. Mr. Heil said when they got to the conference the FDA chose to go outside of the ISSC and require that beginning in 2011 all Gulf Coast product that moves in interstate shipment to be post harvest processed. He said it was a complete shock to the ISSC, regulatory agencies, as well as industry members. He said unofficially the FDA said they are doing this because they can, feeling they have the support of the new administration and Congress.

Mr. Heil said in response, the ISSC sent the FDA a letter letting them know that they didn't like what had been done and suggested a meeting to sit down with all of the states industry, academia and all interested parties and if they don't like what the ISSC is doing now then suggest something different. He said Commissioner Bronson also sent the FDA a letter suggesting them to withdraw their change in policy and to work through the ISSC. He said there were numerous individuals who helped put the pressure on the FDA to suggest they are going about the changes in the wrong way because they are not being open and forthright about what they are doing. He said FDA issued a statement that seems to put their change in policy on the backburner. He said it doesn't say they are backing down from where they want to go and they do have the authority to regulate any products that are moving in interstate commerce so if products cross state lines the FDA can do whatever they want to do. Mr. Heil said in the meantime the Gulf Coast States have no real choice but to implement the current requirements in the model ordinance, which means putting in regulatory controls to reach the additional 24.8% illness rate reduction shortfall for the required 60% illness rate reduction. He said at the hearing tomorrow they hope to implement the plans that Florida developed in April 2009 that were presented to the ISSC with no objections, which needed to be effective by May 1, 2010. He said the regulations they are looking for public comment on at the hearing are:

*November through April, no change.

*Months of May through October, proposing to meet the illness reduction goals by allowing harvest to begin at sunrise and have the oysters at a certified processor by 10:45 AM, with a reduction in harvest time, but more importantly a limit in harvest flexibility. He said they are also requiring that the processor cool the product down to 55 degrees or less within 8 hours. He said in the past there has been no requirement on how quickly the product had to be cooled down.

Commissioner Putnal expressed concerns of oysters being out of refrigeration after being cooled down to 55 degrees. Mr. Heil said the program allows for the product to be out of refrigeration for a maximum of 2 hours for moving process.

Commissioner Jackel asked how the new guidelines will be monitored or enforced and Mr. Heil said the HASA plan, which is currently in use with processors and critical control points, this meaning the product has to be received before 10:45 AM in order for raw consumption, if it doesn't meet that deadline it will either have to be shucked or go through the post harvest process. He said the other enforcement will be by the Florida Fish and Wildlife Conservation Commission. Mr. Heil said they could allow harvest to occur at a longer period of time on board the vessel if the processor could significantly cool the product much quicker. He said they weren't sure if this was practical but if it was possible it would allow for harvesting any 5 hours during the day. He said the problem he saw is that the cooling methods might be cost prohibitive to the harvester.

*It's very likely that onboard cooling can't bring the temperature down to 55 degrees or below but can it do better than the ambient temperature. Could the harvesters possibly bring the temperature down somewhere lower than where it is currently?

Commissioner Jackel asked if the proposed months could be looked at individually and temperatures be determined by the heat of the month being considered. She asked that the extreme measures be done during the warmer summer months.

Mr. Heil said there are other bacteria during those summer months so they would need to stand by the 5 hour limit.

Commissioner Lockley asked what would happen if, after all changes are made, someone with a weak immune system died from consuming oysters.

Mr. Heil said there is no zero risk with what they are proposing but there is also no zero risk with what the FDA has proposed. He said illnesses will continue to happen but they are hoping that with these regulations it will significantly reduce the amount of illnesses caused by *Vibrio Vulnificus*. He said every illness from *Vibrio Vulnificus* is from a person who has a weakened immune system. Mr. Heil said if deaths continue to arise after changing the regulations, they will have to revisit the policies and make changes.

Commissioner Putnal said if the numbers of sickness and death are so low compared to the amount of consumers of oysters that all these regulations will not make that much of a difference and he also believed that FWC should cooperate with oyster harvesters to help with this situation, especially with being able to be on the bay before sunrise.

Mr. Heil said they would like to have these comments come up at the meeting so that they can get a response from FWC about these concerns.

Commissioner Lockley believed that most individuals who die from *Vibrio Vulnificus* and oysters have other illnesses and would probably die from any strain on their immune system.

Mr. Heil discussed the fact that the deaths caused by *Vibrio Vulnificus* happen so quickly that it is easier to determine that the cause was from this bacteria.

Commissioner Sanders asked if the hours of sunrise to 10:45 AM offered enough oysters for harvesters and dealers to make a living. She believed that these regulations should not hurt the industry.

Mr. Heil said they have assumed that the time limited aspects will reduce the catch by 10% and if it is more than that they could come back and adjust the time frames.

Chairman Parrish said what the Dept. of Agriculture is trying to do is keep the FDA from closing the oyster industry down for 5 months and making it so that the harvesters have no hours. He said we need to reduce any ammunition the FDA can use to close the Bay for the summer months. He also discussed some additional options that have been brought up to help with cooling oysters, such as a barge with coolers.

Mr. Heil said another possibility the FDA is offering is an offshore relay, which cleanses the *Vibrio Vulnificus* but it takes up to 14 days to cleanse the oysters.

Commissioner Lockley asked if the State is willing to increase shells in certain areas to help oystermen with harvesting on the summer bars. Mr. Heil said they would be willing to do resource development activities during the summer months provided there was funding available.

Commissioner Jackel asked if these recommendations were consistent with other Gulf Coast states and Mr. Heil said they are consistent but the real loser would be the State of Louisiana because they have a larger distance to go to harvest. He said their plan requires them to have their product onboard the vessel for 2 hours and they are only a time frame of 6 hours to cool the product down to a temperature of 55 degrees.

Commissioner Jackel wanted to know if the FDA is "picking on" the oyster industry or are they as aggressive with other industries. Mr. Heil said they are not as aggressive with other industries. The Commissioner asked why the FDA is more aggressive with the oyster industry and Mr. Heil said it is because oysters are consumed raw and the deaths are so visible and undeniable.

Commissioner Lockley and Mr. Heil discussed the effect on the other coastal states besides the Gulf Coast and the presence of *Vibrio Parahaemolyticus*, which is also found in those states and causes deaths by consumption. Mr. Heil said those states are going to be forced to regulate their industries also.

Chairman Parrish asked if a suggestion was made in Washington, DC that the FDA wasn't doing enough to fund and educate the "at risk" population about the consumption of any raw food.

Mr. Heil said the FDA has gone on record at the ISSC saying that educating the "at risk" individual is not successful. He said on the FDA website there is a question asking if these people know their health risks and the FDA said they do not.

There was further discussion concerning this matter.

Chairman Parrish, on behalf of the Board, thanked Mr. Heil for his presentation this morning.

Dr. Steve Atwell stated that the FDA will do an economic impact study and asked Mr. Heil to discuss this study and suggested that the County become proactive and get ahead of this study. Mr. Heil gave the Board a brief description of the FDA's economic impact study. He said this area of the State will change dramatically if the resources are not protected. Dr. Atwell said it would be helpful if there are more economic studies presented to the FDA rather than relying on their numbers alone.

Commissioner Sanders said that the Franklin County Tourist Development Council has economic numbers regarding the oyster industry and could give insight to the economic impact on the County. Mr. Heil suggested anyone with information should forward it to him or the ISSC.

Chairman Parrish asked Mr. Heil to gather a list and present it to the Commission, who in turn could forward the list to the legislative delegation.

Commissioner Jackel suggested that Mr. Heil voice these concerns to Mike Wasnin and have him present this information at the next GEO conference call.

Chairman Parrish invited everyone to attend the workshop tomorrow.

Commissioner Putnal asked that persons over age 65 be exempt from purchasing oyster licenses.

Chairman Parrish said you can't harvest oysters without the license but thought you might be able to have the fee waived.

Motion by Putnal, seconded by Jackel, to send a letter asking to waive the fee for saltwater products licenses and oyster harvester licenses with the restricted species endorsement for anyone over 65 years; Motion carried 5-0.

Alan Pierce – Director of Administrative Services – Report (11:33 AM)

Mr. Pierce submitted his report to the Board.

1- Provide Board with copy of notice from Congresswoman DeLauro of Connecticut requesting an audit of the FDA for backing down on implementing the risk management plan for Vibrio. This is just evidence that the post-harvest treatment battle over oysters has not gone away.

2- Inform the Board that the joint meeting of the County Commission and the Hospital Board is scheduled in the annex for February 2, at 1:30, which will be after a morning Board meeting.

3- Commissioner Putnal has provided two names for appointment to the Planning and Zoning Commission: Sidney Winchester and Jim Ward. These two individuals will fill at-large seats. Board action.

Motion by Putnal, seconded by Lockley, to appoint Sidney Winchester and Jim Ward to the Planning and Zoning Commission; Motion carried 5-0.

4- Provide Board file with copy of memo given to the Legislative Delegation at yesterday's Delegation meeting.

5- Supervisor of Elections Ida Elliott requests the Board sign a Resolution asking that the Governor and Legislature delay the implementation of upgrades to touch screen voting from 2010 to 2016 because of the cost involved, and "the fact that new technology has not been developed to allow any persons with disability to vote independently." The Florida Association of Supervisors of Elections, the Florida Association of Counties and the American Assoc. of People with Disabilities support this delay. All 67 counties are being asked to sign Resolutions. At this point 33 counties have, including Liberty, Calhoun, Bay, and Wakulla counties in our area. Board action.

Motion by Sanders, seconded by Lockley, to sign Resolution asking the Governor and Legislature to delay the implementation of upgrades to touch screen voting from 2010 to 2016; Motion carried 5-0.

Mr. Putnal said this is another example of unfunded mandates.

6- Provide the Board with a copy of a letter from DOC Secretary Walter McNeil stating the Department is aware of the importance of the annex at the Franklin Correctional Institute in Carrabelle. Rep. Bemby's office has provided further documentation that the funds appropriated for the annex are being held for its construction. Rep. Bemby provided a part of Section 13 of the Conference Report of Senate Bill 2600 that Franklin Work Camp is specifically designated as one of the facilities to be constructed using the bond financing that was approved by the Legislature. The information provided specifically states, "The Department can not use these funds for any other purpose without legislative consent."

7- Inform Board that DOT has provided an update on the status of the old St. George Island Bridge Pilings. In an email letter from Mr. Barfield this information was provided:

"We have received your recent letter relaying concerns regarding the submerged pilings at the old St. George Island Bridge. You indicated the County Commission feels strongly that the pilings need to be removed for the safety of residents and visitors. Presently, H.W. Lochner (DOT consultant) has subcontracted with ArcSurveying to perform a multi-beam scan of the bay bottom along the old alignment to determine the location of the submerged pilings for removal plans. The scan was performed the week of Oct. 19-23, 2009 and the data is being processed for inclusion in the plans. Please note, the permitting process will take some time and we hope to be able to advertise for the contract awarding in early fiscal year 2010-2011....Be assured, the Department of Transportation will continue to place a high priority on the safety of the travelling public.

Commissioner Jackel said she spoke with the Legislative Delegation and they have committed to moving this item along for the Board.

8- Board action to spend \$6K of St. George Island Bridge interest money to place a light at the boat ramp and fishing pier entrance to provide safety for boaters using the ramp.

Commissioner Jackel said she has had several calls concerning the need for lighting in this area and she asked that the lights be installed with this money.

Commissioner Jackel, seconded by Lockley, to approve use of \$6,000 from the St. George Island Bridge interest money for lighting at the boat ramp; Motion carried 5-0.

9- The ARPC has notified the Board that it needs to appoint a Chairman for the local Transportation Disadvantaged Coordinating Board. Normally it has been the Chairman of the county commission but it can be any elected official, including city commissioners. This is a one year appointment. Board action.

Motion by Jackel, seconded by Sanders, to appoint Commissioner Lockley as Chairman for the local Transportation Disadvantaged Coordinating Board; Motion carried 5-0.

10- FDOT shoulder widening with reallocation of funds for Franklin BLVD

Motion by Jackel, seconded by Lockley, to allow DOT to reallocate funds from the Pine Street project to build the paved shoulder on Franklin Blvd. and the reallocation of the road to the fishing pier; Motion carried 5-0.

Chairman Parrish asked that a railing be installed on the sidewalk in front of the cemetery on 12th Street and Bluff Road.

Clay Kennedy, Preble-Rish, said railings are being fabricated at this time and was included in the original project.

Commissioner Lockley said the County was forced to use the lowest bidder, who was not from the County, and did not hire any local residents and did not buy any materials from the County for the sidewalk projects.

There was further discussion on this matter between Mr. Pierce and the Board.

Commissioner Putnal asked for an update on the paving project schedule because of concerns voiced by citizens.

Mr. Kennedy explained that there are some ditches that need to be cut before any paving is done in those areas; there are additional crews in the county but he will verify this information and contact the Board with additional information.

There was further discussion on this matter.

T. Michael Shuler- County Attorney- Report (11:50 AM)

Attorney Shuler had no action items for Board approval.

Attorney Shuler and Mr. Pierce discussed obtaining a van for the Gulf Coast Work Force project. Chairman Parrish said the \$100,000 grant was to include transportation and tuition so he didn't believe it wouldn't be feasible to purchase a van and hire a driver.

Attorney Shuler said he has heard from the general counsel of the DCA and there was a meeting scheduled for this Friday.

Motion by Putnal, seconded by Jackel, to allow Chairman Parrish to attend DCA meeting with Staff; Motion carried 5-0.

Attorney Shuler discussed the special meeting on December 10 @ 10am concerning the Bert Harris Act issues.

Commissioner Jackel said that Eastpoint Water & Sewer isn't willing to provide free water for the Eastpoint Cemetery and she would like to have a Staff member to attend the EWS Board Meeting or send a letter to each EWS board member requesting the free water. Attorney Shuler said he will verify that the FCBCC members can contact the EWS Board Members.

Motion by Sanders, seconded by Jackel, to request that Eastpoint Water & Sewer place Commissioner Putnal on the beginning of the agenda for the December 15th meeting and include a letter to each member requesting free water for the Eastpoint Cemetery; Motion carried 5-0.

Commissioner Jackel wanted to verify that the records request she received was responded to and complied with by herself and Commissioner Sanders. Attorney Shuler verified that the Commissioners complied with the records request completely.

Commissioners' & Public Comments (12:01 PM)

Commissioner Sanders stated that partly because of the records request she has changed from dial up to high speed connection and she looked forward to the December 15th meeting in Carrabelle.

Commissioner Jackel expressed her regrets that she, Commissioners Sanders and Lockley can't attend the meeting tomorrow because they are attending a FAC meeting in St. Petersburg.

Adjourn (12:03 PM)

There being no further business, Chairman Parrish adjourned the meeting.

Joseph A. Parrish, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts