

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
JANUARY 5, 2010
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 Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Clerk, Renee Stone – Deputy Clerk

Call to Order (9:05 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:06 AM)

There was a Prayer followed by the Pledge of Allegiance.

Payment of County Bills (9:07 AM)

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

Approval of the Minutes: Regular Meeting - November 3, 2009 & December 1, 2009 (9:07 AM)

Motion by Sanders, seconded by Lockley, to approve the minutes from the November 3, 2009 and the December 1, 2009 regular meetings; Motion carried 5-0.

Department Supervisor Report

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

Mr. Chipman had no report for the Board.

Commissioner Putnal asked about the status of the paving projects and Mr. Pierce said temperatures had been too low for paving. Commissioner Sanders suggested the Road Dept. be doing shoulder work while waiting for paving to continue.

Commissioner Sanders asked Attorney Shuler to schedule an in-service meeting with the Road Dept. employees concerning work policies.

Commissioner Lockley and Mr. Chipman discussed the County's position on maintaining the area at 9 Mile.

Mr. Pierce said 8 & 10 Mile are maintained but had spoken with Mr. Schoelles concerning 9 Mile and they were trying to reach some type of compromise.

Commissioner Lockley asked Attorney Shuler if the County could acquire a lease so people could go to the water and pick up oysters and flounder. Attorney Shuler said the Board could lease it if the property owners agree.

Motion by Lockley, seconded by Putnal, to have Attorney Shuler get a list of roads from East to West in the County from Mr. Chipman so that he may inquire about leases for traditional water access; Motion carried 5-0.

Commissioner Jackel mentioned a STOP sign that is down on Island Drive on the Eastpoint side of the bridge and asked Mr. Chipman to straighten it back up.

Commissioner Jackel said she had been trying to hold off on repairing pot holes on E. Pine Street but due to the delay of the paving project she asked that the Road Dept. take care of this because the holes are getting larger.

Van Johnson – Solid Waste Director (9:15 AM)

Mr. Johnson presented his report to the Board.

PARKS & RECREATION VACANT POSITION:

FOR BOARD APPROVAL: Due to the recent retirement of Freddie Brown, the Parks & Recreation Department has a vacant position that needs to be filled, and I'm requesting Board approval to advertise to fill the position first in-house and if unsuccessful then with the local media.

In addition, in order to hire someone that doesn't need extensive training; I'm also requesting Board approval to advertise the position at the budgeted \$25,552.00 annual salary that the retired employee was earning.

ACTION REQUESTED: Motion authorizing the advertisement of the vacant position within the Parks & Recreation Department first in-house and if unsuccessful then with the local media, at the starting salary of \$25,552.00.

Motion by Lockley, seconded by Sanders, to authorize the advertisement of the vacant position within the Parks & Recreation Department, first in-house and if unsuccessful then

with the local media, at the starting salary of \$25,552.00 & to include construction work experience as a requirement; Motion carried 5-0.

CHANGE ORDER FOR RESTROOMS AT LOMBARDI:

FOR BOARD APPROVAL: I'm requesting Board approval for a change order for \$17,534 for Poloronis Construction to construct a detached restroom building at the Lombardi Seafood Landing Park.

The change is necessary because the requirements of the special legislature appropriation grant will not allow nor pay for the restrooms to be built within any of the existing structures at the park as initially advertised in the bid.

Poloronis Construction was the successful bidder; however, the switch due to grant conditions has increased the construction cost above the initial bid price of \$28,166.00.

The detached restrooms are allowed and payable under the grant. In addition, the contractor would like to begin working on re-roofing the existing building at the end of this week.

ACTION REQUESTED: Motion approving the change order for \$17,534 to construct a detached restroom and the contract so that Poloronis Construction can get started with the work.

Motion by Sanders, seconded by Lockley, to approve change order in the amount of \$17,534 for Poloronis Construction to construct a detached restroom at Lombardi's; Motion carried 5-0.

THE STATES NEW RECYCLING GOAL:

FOR BOARD INFORMATION: In 2008, the State Legislature passed "The Energy, Climate Change, and Economic Security Act of 2008, which establishes a new statewide recycling goal of 75% by 2020.

Small counties with populations of less than 100,000 will continue to be exempted from the requirement; however, they must continue to provide their residents with the opportunity to recycle.

Some noteworthy provisions of the statute that may affect Franklin County that you need to be aware of are:

1. All local school districts will be directed to implement recycling programs.
2. To be phased in is a requirement that all existing unlined C&D disposal facilities be modified to incorporate a Materials Recovery Facility at the front end of the process so that recyclable materials such as wood waste, asphalt, and concrete do not become part of the disposal waste stream.
3. Also under consideration is the \$1 per ton surcharge on waste disposed of at landfills that Commissioner Sanders spoke about several months ago.

For your review, I have copies of the report prepared and released yesterday by Secretary Michael Sole to the Governor, the President of the Senate and the Speaker of the House.

ACTION REQUESTED: None.

Motion by Lockley, seconded by Jackel, to approve installation of lights at D. W. Wilson Park in Apalachicola; Motion carried 5-0.

Commissioner Sanders said that at the December 7th meeting of the Lanark Village Association they voted to ask the County to look at mandatory trash pick-up in the Village area due to trash being placed on the sides of the streets. She asked Mr. Johnson to look into this matter and Mr. Johnson said he would speak with Attorney Shuler to see what can be done.

Dan Rothwell – County Engineer (9:24 AM)

Mr. Rothwell presented his report to the Board.

1. *BOARD ACTION: Apalachicola Airport Hangar*
Staff desires Board approval to pay the current professional services for \$6,948.75 with balance to finish including retainage is \$42,646.25.

The Board decided that this item was approved with the earlier motion to approve payment of the County's Bills.

2. *E. Gorrie Dr Gutters:*
The contractor has finished the south gutter and should finish the north side within one week.

3. *Indian Creek Park:*
Staff is working with the Apalachicola Estuarine Research Reserve and the Apalachicola River Keeper to modify the design of the project to seek approval of the funding organizations.

4. *Airport Road Round About Signage:*
Staff recommends additional signage in the form of "REDUCE SPEED", "TRAFFIC CIRCLE", and "SPEED LIMIT 25 MPH" on all approach roads and to change the yellow (advisory) speed limit signs to mandatory 25 mph signs. Further, to rezone Airport Road from US98 to the roundabout from 35 mph to a new speed of 25 mph. (See attached sketch)

Commissioner Lockley asked about installing speed bumps and Mr. Rothwell said the Board had decided not to install speed bumps because of liability and safety issues.

Commissioner Sanders asked Mr. Rothwell the status of the Ochlockonee Bay boat ramp and Mr. Rothwell said they will be opening the bids at the January 19, 2010 Board Meeting.

Pam Brownell- Emergency Management Director (9:29 AM)

Mrs. Brownell had no report for Board.

Mrs. Brownell said the State of Florida Emergency Management Director resigned this morning and David Hallstead will take his position.

Mr. Pierce said they are submitting the new EOC grant on January 15, 2010.

Bill Mahan – County Extension Director (9:31 AM)

Mr. Mahan presented his report to the Board.

Green Mussels – St. Andrew Bay – *I was notified last week that a number of green mussels (Perna viridis) were recently harvested by an oysterman tonging in East Bay (St. Andrew Bay). The specimen given to DACS by the oysterman was 4.5-inches long. Green mussels are an invasive exotic species native to Asia/Indo Pacific brackish waters. The mussel was first found in the Tampa Bay region of Florida in late 1999. It is now found on both the Atlantic and Gulf coasts of Florida.*

Mr. Mahan said he wasn't sure what kind of impact this could have on the ecosystem and said he has read that they are only suitable to eat a couple of months out of the year. Commissioner Putnal asked if freshwater mussels were good to eat and Mr. Mahan said if they are caught outside of tested waters it might be a risk.

ISSC Membership Renewal – *As requested by the Board, I completed the ISSC membership renewals (2010 – 2011) for Commissioners Lockley, Putnal & Sanders and submitted them to the County Finance Office for payment. If any of the Commissioners want to be considered for membership on any of the ISSC Committees for 2010 – 2011, please complete Committee sign-up sheet that you were provided and return them to the finance office to be submitted with your membership, or send it in separately to the ISSC Office.*

Expansion of Clam Aquaculture in Franklin County – *The Clam Aquaculture Expansion Workshop was held on December 17th at 6:00 pm at the Carrabelle City Complex. Approximately 15 people attended the workshop to learn more about clam farming in Alligator Harbor and the feasibility of expanding into new areas in the county. During the workshop DACS's Bureau of Aquaculture Development staff agreed to conduct bottom surveys in several areas that were recommend as potential farm sites to determine their feasibility. In addition, DACS officials agreed to work with individuals who want to gain some practical experience with clam farming before getting a lease to sublet an area of an existing clam lease from a current lease holder. Several attendees were current oyster harvesters who were considering clam farming as a summertime employment option.*

Commissioner Putnal said he hoped they come up with a plan to be sure that all of the clam leases are being worked. He believes that those who hold the leases and don't use them are taking jobs away from those people who would use them.

Motion by Sanders, seconded by Putnal, to direct Mr. Mahan to write a letter to Dept. of Agriculture to request, from the Franklin County Board of County Commissioners, looking at more clam lease areas and to look at the possibility of classifying more waters for shellfish harvesting; Motion carried 5-0.

Oyster Industry Lab Update – At 10:00 a.m. today Dr. Steve Otwell, UF IFAS Florida Sea Grant Seafood Specialist will provide the Board with an update on the work that the Oyster Industry Lab has done and discuss the planned research/education projects planned for 2010.

UF Natural Resource Leadership Institute – The UF Natural Resource Leadership Institute will be visiting Franklin County January 14 – 16, 2010 to learn more about the ACT River War and local oyster industry. The NRLI is a year-long professional development program that provides early-midcareer natural resource professionals the opportunity to gain in-depth knowledge on assorted natural resource issues facing Florida's natural resource professionals and residents. I am making local arrangements for the program and will be one of the instructors for the program.

Commissioner Lockley asked if there were membership fees for the UF Natural Resource Leadership Institute & Mr. Mahan said they do require a fee.
The Board discussed Bay closures and the effects on seafood workers.

Joyce Timmons- Discussion on Elder Services (9:43 AM)

Commissioner Jackel said that Ms. Timmons had paid her a visit last week to discuss the Elder Care Services in the County and finding that Ms. Timmons' concerns were valid and important she asked her to address the Board to let them have the value of her insights about what is going on. She wanted to see if they can arrive at some solutions to help the elder citizens of Franklin County.

Ms. Timmons, Advisory Board member for the Department of Elder Affairs and Franklin County resident, explained to the Board that she and Mrs. Janet Dorrier, Department of Elder Affairs Franklin County representative, are very concerned with the status of affairs of the Franklin County Senior Citizens. She said when the Department of Elder Affairs was established the State was divided into service sections, called PSA's (Planning & Service Areas) and monies that come down from the State and Federal Governments are administered by the Department of Elder Affairs and monitoring and assistance is handed off to the PSA's.

Ms. Timmons said the Area Agency on Aging is responsible for providing home delivered and congregate meals, a place for seniors to socialize and have some type of recreational activity, although there hasn't been one in Franklin County since early October 2009, and personal care items, housekeeping services, caretaker programs, Medicaid Waiver and Alzheimer's programs. She said the Dept. of Elder Affairs is in violation of their government contract by not having all of these programs available at this time. Ms. Timmons said, according to the Dept. of Elder Affairs, Franklin County has 12, 181 residents and 3,238 of those are 60 plus years of age. Ms. Timmons said the senior center building in Carrabelle is no longer used for any of these programs because of a dispute about seven years ago and the people who were working there were kicked out of the building and have been utilizing the small Garden Club building in Carrabelle. She said some of the programs that were being administered at the Senior Center in Carrabelle have been stopped. She said Elder Care Services was awarded the contract to

carry on these services and they began preparing the meals at the Carrabelle Garden Club location but have recently been preparing the meals in the Armory in Apalachicola. She said she hated to say it but the Armory is filthy and not the best place to store food and prepare meals because of rodents and bugs.

Ms. Timmons said Elder Care Services is no longer in operation in Franklin County and as of December 31, 2009 the City of Apalachicola had signed the contract to continue to provide the services that Elder Care Services was providing but the employees of Elder Care Services haven't been notified as to whether or not they are still employed.

Mr. Pierce said a \$50,000 grant had been applied for in order to repair some of the problems with the Armory.

Chairman Parrish said he believed some of these comments should be directed to the City if they have a contract to provide these services but that the Armory was acquired for the public to congregate for weddings, etc, not to prepare meals for the seniors. He said the County does support the seniors and the Board provides a subsidy to provide some of the programs but as far as how the program will be implemented and where the location of the implementation will be is up to the City of Apalachicola. He also mentioned problems he has been having in helping one of his elderly constituents receive services and he is as upset about the situation as Ms. Timmons is and is disappointed in how the program is being run and how it is being handled. Commissioner Jackel asked if any Elder Care Services were being provided at this time and Ms. Timmons said the City had signed the contract but she didn't believe they had retained or hired any employees to do the jobs.

Mr. Pierce asked who the contract was signed with and Ms. Timmons said the Area Agency of Aging.

Commissioner Sanders said the seniors on the East side of the County were not receiving any Elder Care Services and wanted to have the director of the Area Agency on Aging come before the Board and explain what is going on with services before any more funds are appropriated.

Motion by Sanders, seconded by Jackel, to direct Staff to contact Janice Wise, Area Agency on Aging, and ask her to come to the next Board meeting to explain Elder Care Services' position and to ask the Clerk to hold any funding, which was approved in July, for Elder Care Services; Motion carried 5-0.

Commissioner Putnal asked about Bert Ivey being fired and wanted to know how many others were fired and Ms. Timmons said Mr. Ivey's wife quit but there were still the same number of case managers working for Elder Care. She wasn't sure about anyone else being fired.

Ms. Timmons said her son has been making sure that the meals are still being delivered but there needed to be people who can be sure that residents who need help are receiving help. The Board discussed the situation further.

Commissioner Jackel thanked Ms. Timmons for being concerned about this and for making the Board aware of this situation. She asked Ms. Timmons to attend the next Board meeting along with Ms. Wise.

Chairman Parrish also thanked Ms. Timmons for coming to the meeting.

Recess (10:14 AM)

Chairman Parrish called for a recess.

Reconvene (10:30 AM)

Chairman Parrish reconvened the meeting.

Steve Otwell- University of Florida- Update of Vibrio issues (10:30 AM)

Steve Otwell, Professor of University of Florida, addressed the Board on the issue dealing with the Franklin County Oyster & Seafood Industry Lab. He said he wanted to make the Board aware that the Lab will begin to report the progress and activities to them quarterly in order to keep them up to date in a timely manner.

Mr. Otwell said they maintain their Lab's employees and furnishings and utilize two rooms out of the Emergency Management Building at the Airport but said they benefit from the County who provides utilities for the building and they appreciate it. He said they are part of the University of Florida Institute of Food & Agricultural Sciences Extension Services, which is linked through Bill Mahan.

Mr. Otwell introduced himself as the Program Supervisor, Victor Garrido-Project Director, Charlene Burke-Lab Director, and not in attendance was Nancy Horton-Lab Assistant. He said they maintain an oyster sensory panel of 10 people in Gainesville, they work with researchers doing oyster products and they have students working with various aspects of oysters. He said the majority of salaries for these people come from support at the UF through other projects or other established funds.

Mr. Otwell said most of the focus of their projects was on Apalachicola due to the nature and size of the fishery. He spoke about lab related travel, including traveling to China. He explained that the Lab purchases equipment and supplies with Federal Grant money but what the Lab does is a lot more ongoing than what is funded through the Federal Grants.

Mr. Otwell said they have been doing work in the County for over 30 years but over the last 10 years they have focused on the agreement reached in 1999 between the Oyster Industry, the FDA and the ISSC. He said the agreement was to; 1) have a PHP of 25% by 2004, 2) reduce illnesses by 40% by 2006, 3) have 50% PHP capacity by 2006 & 4) reduce illnesses by 60% by 2008. He said the Industry was unable to reach the last goal and that kicked in the emerging mandates which included closures, restricting harvest times and limits on amount of time on the water. He said the Lab was contractually obligated to develop these goals and selected the ones that could fit the nature and size for Franklin County and they met the goals. He said if they take away the PHP it will cause the amount of restrictions to be more stringent.

Commissioner Jackel asked if the industry was currently at 25% PHP capacity.

Mr. Otwell said they have the capacity to do it but whether they are doing the 25% would depend on other factors.

Mr. Otwell said they do a lot of product analysis and anyone can approach them and have it done for them. He said they have a sensory program that can judge the sensory quality of products and there is no charge for those. He said they have taken over the water analysis for all seafood processing plants in Franklin County.

He said they do educational activities and they also attend trade shows nationally and internationally. He said the demand in China was phenomenal and they would buy every oyster produced in the Gulf of Mexico because they recognize the product as safe and unique.

Mr. Otwell said they have an annual oyster school and this year's school will be on April 28th, 2010. He said the oyster school is conducted on the water and it is an interesting process. He said they, as advisors, will accompany the Industry to Washington, D.C. to see the Representatives and rub elbows with the others who share the burden on January 17 – 21, 2010.

Mr. Otwell said the future plans for the Lab include refining the PHP, focusing on harvester and dockside controls, education programs, buyer orientation and market development. To raise money, the Lab, along with the Seafood Workers Association, have plans to work on developing a calendar showcasing individual seafood workers. He said the profits will go to the Seafood Worker's Association and thought the Commissioners might want to join in the effort.

He said they plan to introduce a new program in 2010, called TOP's (Traditional Oyster Products) which will give a distinct and unique image to Apalachicola.

Mr. Otwell said the Commissioners have been very supportive and hopes they will continue to be supportive.

Commissioner Sanders thanked Dr. Otwell and the other UF people for the support given to the Commission and the Industry in the past year.

Commissioner Putnal asked if anything has been decided and Mr. Otwell said they are the same options given by David Heil at the December meeting. He said all of the paperwork is proceeding in this direction and these will go into effect in May.

Mr. Otwell said the Gulf States Industry will be meeting in Biloxi on January 12, 2010 to discuss these options.

Commissioner Putnal wanted to know if these options were put into effect and people still get sick what would happen. He said he was concerned that people would think the oysters had been cleaned up and begin to eat them again and become ill. Dr. Otwell said this is a discussion that will go before the Federal Government.

Commissioner Jackel asked if the UF would continue to fund these studies and Dr. Otwell said some of the programs are in jeopardy unless continuing grants are received to fund them.

Commissioner Putnal asked what the County could do to help and Dr. Otwell said he will contact the Board at the appropriate time. He suggested a commissioner be in DC to look our representatives in the eye.

Motion by Putnal, seconded by Sanders, to have Mr. Pierce write a letter to the appropriate individuals in support of his ongoing work with the Oyster & Seafood Lab; Motion carried 5-0.

Dr. Otwell said they have another project in the works to find out how consumers view the industry. He said they are going to take 4 or 5 people who know how to shuck oysters to

Gainesville and have them shuck the products they will be using in their studies. He said these people will be able to see what the Lab does.

Chairman Parrish thanked Dr. Otwell for coming to the meeting.

Marcia M. Johnson – Clerk of Courts – Report (10:58 AM)

Mrs. Johnson had no report for the Board.

Alan Pierce – Director of Administrative Services – Report (10:58 AM)

Mr. Pierce presented his report to the Board

1- Inform the Board that FWC has responded to Board's request that the Saltwater Products license fee be waived for individuals 65 years or older. In the letter FWC explains that they don't have the authority to waive the fee as it is set by the Legislature. Specifically, the letter says, "The Legislature has exempted individuals 65 and over from licenses regarding recreational hunting and fishing. However, the Salt Water Products License is a commercial license and although the qualifications for obtaining a license are less for senior citizens the fee is not waived."

Motion by Sanders, seconded by Jackel, to Contact Legislative Delegation to have the issue of exempting senior citizens from all licenses put on the agenda as an issue to bring up before the Legislature and have this changed; Motion carried 5-0.

2- Provide the Board with a copy of the FWC response regarding quota permits in Tate's Hell WMA. In summary, FWC said they go through a lengthy review process soliciting input from the public every two years. They will be finalizing the changes to the rules in February 2010 based upon the public process that took place in 2009. The FWC encourages the public and the Board to participate in this public process.

Commissioner Sanders said the Board's opposition to quota permits needs to remain on record with FWC.

3- Provide Board with electronic response received from DOT regarding the Oak St. sidewalk project. The email came from Mr. Barfield, District Secretary. In summary, DOT normally only advertises design-build on the internet but as the Board has requested local notice be given DOT will advertise the project in the local paper.

The Board also requested local contractors be used. DOT specifically said that since federal funds were being used, "The U.S. Federal Highway Administration has a prohibition against local hiring preferences and will not allow contracts to specify participation by local workers because it would violate the competitive process...Be assured, within the boundaries of federal and state law, all qualified local contractors will have the full opportunity to pursue this work.:

Commissioner Sanders said the stimulus money was supposed to benefit the local community. The Board discussed this matter further.

4- Provide Board with copy of letter that the Governor sent on Dec. 15th response to a letter the Board wrote the Governor back the summer regarding Florida's lack of receipt of Stimulus funds. The response is a summary of what has already happened and does not provide any additional information.

5- Provide Board with copy of Historic Preservation grant submitted to the Florida Dept. of State for \$50,000 worth of repairs at the Armory. The main repairs will be to fix the leaking roof and to install ADA handicap ramps. Many other significant improvements need to be made in the building, including the installation of air-conditioning and an electrical upgrade, but the Legislature capped Historic Preservation grants at \$50,000.

Commissioner Jackel asked if any of the energy stimulus money could be used for the Armory project and Mr. Pierce said it might but he needed to discuss this with Governance.

6- Airport update:

A) Inform the Board that bids will be opened at the Board meeting on Jan. 19th for storm water and utility improvements at the airport. These improvements are part of the hanger project.

B) Ted Mosteller, Airport Chairman, and I recommend the Board re-advertise for a tenant in the new hanger project now that the construction schedule is more certain, and now that it is clear the hanger will have office space. Mr. Mosteller, Mr. Rothwell, Mr. Lee Lewis, and I have met with at least one prospective tenant who seems very interested in leasing the building and utilizing the office space. Mr. Mosteller has had inquires from other parties as well. The project is on schedule with a completion date of June 2010. We recommend the Board re-advertise with proposals to be opened at the March 2 Board meeting. Board action.

Commissioner Jackel said the lease should go to someone who wants to utilize the hanger and the office space and Mr. Pierce said the prospective tenant wanted to lease the hanger and some office space.

Commissioner Jackel asked what the amount of the lease would be and Mr. Pierce said the usual procedure is 5% of the amount owed on the building, plus a 20 year lease.

The Board discussed this matter further.

Motion by Lockley, seconded by Jackel, to approve re-advertisement for the utilization of the new hanger and office space at the airport; Motion carried 5-0.

7- Board action to award paving contracts to the apparent low bids that were opened at the Dec. 15th meeting contingent upon Preble-Rish reviewing the bid tabulations.

The apparent low bidder for Ave A in Eastpoint is Peavy and Sons Construction Co., with a bid of \$215,134.05

Motion by Jackel, seconded by Putnal, to award bid for Avenue A paving project in Eastpoint to Peavey and Sons Construction Co.; Motion carried 5-0.

The apparent low bidder for C-30A in Carrabelle is Peavy and Sons Construction Co., with a bid of \$282,672.85.

Motion by Jackel, seconded by Sanders, to award bid for C30A paving project in Carrabelle to Peavey and Sons Construction Co.; Motion carried 5-0.

Commissioner Putnal asked Clay Kennedy if these projects would affect any of the paving being done by C.W. Roberts and Mr. Kennedy said it will not interfere with anything that is ongoing.

8- Board action to sign a supplemental JPA with DOT to utilize some remaining grant funds to pave the access road to the EOC that is currently lime rock. This is money left over from the building of the road known as "Airport Road" for which the county got into litigation. Now that the litigation is resolved DOT is allowing the county to spend the rest of the grant funds on paving the access road to the EOC.

Motion by Putnal, seconded by Sanders, to approve utilization of some remaining grant funds to pave the access road to the Emergency Operations Center; Motion carried 5-0.

9- Board action on Resolution prepared by Ms. Debbie Belcher on the CDBG grant application discussed at the Board meeting in Carrabelle on Dec. 15. The proposed project is to raise the approaches to the Crooked River Bridge.

Motion by Sanders, seconded by Lockley; to approve CDBG grant application to raise the approaches to the Crooked River Bridge; Motion carried 5-0.

Commissioner Jackel asked for an update with the Workforce project and Mr. Pierce said they have located a van but now they are waiting on drivers with a CDL.

The Board discussed the possibility of hiring a driver and if it would be affordable using the allocated monies after paying tuition for the students.

Commissioner Jackel said that she and Mr. Pierce are looking at resolutions for providing water for the Eastpoint Cemetery and would hopefully have a solution to report to the Board at the next meeting.

Commissioner Lockley asked about the Hospital Board adding additional board members and Attorney Shuler said he received a communication from the Hospital Board and he believed

they were going to come back before the Board with a recommendation of having members from each Commissioner's district and having "at large" seats. Commissioner Sanders wanted to know if these were going to be voting "at large" seats and Attorney Shuler said that would be at the discretion of the County Commission.

Motion by Lockley, seconded by Jackel, to have the Hospital Board have recommendations for new members ready at the Hospital Board's workshop scheduled for February; Motion carried 5-0.

Commissioner Jackel mentioned that the Board had discussed possibly expanding the Airport Advisory Committee to possibly have a better geographical representation and Attorney Shuler said it would have to be researched.

Motion by Jackel, seconded by Lockley, to have the Airport Advisory Committee revisit their geographic representation at their next meeting and, if so needed, to expand the committee;5-0

Sanders asked about rescinding the St. Joe FLUM's and Mr. Pierce said he had received a letter from the DCA saying the submission was complete and they would advertise their notice sometime in February 2010.

Motion by Sanders, seconded by Putnal, to send a letter to the City of Carrabelle thanking them for their hospitality in allowing the Board to hold meetings at the Carrabelle City Complex; Motion carried 5-0.

Motion by Sanders, seconded by Lockley, to approve Commissioners' travel to the Florida Association of Counties Annual Conference in June; Motion carried 5-0.

Commissioner Lockley asked that Lori Switzer, SHIP program, come before the Board to give an update on the SHIP program.

Commissioner Jackel said the Board needed an update from the Seafood Task Force.

T. Michael Shuler- County Attorney- Report (11:26 AM)

Attorney Shuler presented his report to the Board.

1. SunTrust Bank v. Guv Maudlin. Franklin County et al (09-694-CA)

SunTrust has sued Mr. Maudlin to foreclose a mortgage on Lot 52, Treasure Beach Subdivision, St. George Island, Florida. The principal amount owed on the property is \$202,200.00.

Franklin County was named as a Defendant because it is owed \$42.00 for a special assessment lien for the year 2008.

I have reviewed the complaint and the public records and find that the mortgage is superior to the county's lien. The county will not collect this tax lien but would be entitled to payment of the special assessment lien in the nature.

Board Action: Motion authorizing me to accept service of process and allow a default to be entered by the court against the county for the reasons stated herein.

Motion by Jackel, seconded by Sanders, to authorize acceptance of service of process and allow a default to be entered by the court against the County; Motion carried 5-0.

*2. BAG Home Loan v. Charles Pruett Franklin County et al (09-704-CA)
BAG has sued Mr. Pruett to foreclose a mortgage on property located in Eastpoint, Florida. The principal amount owed on the property is \$151,000.00.*

Franklin County was named as Defendant because it is owed \$100.00 for an unpaid civil judgment for unpaid fines and court costs.

I have reviewed the complaint and the public records and find that the mortgage is superior to the county's lien. The county will not collect the \$100.00 judgment lien.

Board Action: Motion authorizing me to accept service of process and allow default to be entered against the county for the reasons stated herein.

Motion by Lockley, seconded by Jackel, to authorize acceptance of service of process and allow default to be entered against the County; Motion carried 5-0.

3. Lanark Village Water and Sewer District

The Lanark Village Water and Sewer District recently transferred water and sewer services to the City of Carrabelle. However, the district will maintain its legal existence as an independent special district until dissolved

The State of Florida has asked that the County designate someone to complete the annual paperwork they require. I am told that there will be no charge by the State and that the forms are simple to complete because the district is presently not providing services.

Board Action: Motion authorizing the Chairman to file the annual paperwork with the State and also designating the Clerk as an agent.

Attorney Shuler explained the benefit of maintaining the existing independent districts and he recommended the Board authorize keeping this open.

Commissioner Sanders said she had informed the Lanark Village Association that this was just a formality to keep the options open.

Motion by Sanders, seconded by Jackel, to authorize the Chairman to file annual paperwork with the State maintaining the Lanark Village Water & Sewer District as an inactive entity and designating the Clerk as agent; Motion carried 5-0.

4. Library Lease (Eastpoint Branch)

The library lease in Eastpoint for the year 2010 needs to be renewed. I have reviewed the form of the lease prepared by the landlord and find it to be adequate. I am told that the rental amount of \$1,000.00 per month has not increased and that this is the same space that they have been leasing. Island Drive Properties (Rick Plessinger) is the landlord.

Board Action: Board authorization for the Chairman to execute the lease.

Motion by Jackel, seconded by Lockley, to authorize the Chairman to execute the lease on the Eastpoint Library; Motion carried 5-0.

Non-Action Items

5. Water Management Services, Inc.

Mr. Gene Brown's company has filed a Notice dismissing its application for a permit to operate a central sewer plant on St. George Island. That Notice states the company's position concerning disputed matters of fact and opinion which Franklin County has not consented to. Franklin County's position on the facts and opinions stated by Mr. Brown's company is reserved.

Board Action: None needed.

6. Weems Hospital Laboratory License Renewal

Due to a miscommunication, the Agency for Health Care Administration (AHCA), temporarily withdrew the hospital's application to renew its laboratory license. I have successfully negotiated a settlement of that issue without fine or penalty, though we did pay a \$100 administrative fee. Mr. Colvert authorized the settlement and I have executed same. I expect the fully executed settlement back from AHCA the week ending January 8, 2010. AHCA will now finish processing the license application.

Board Action: None needed

7. Chambers Bank

Chambers Bank owns the old Bruce Millender development project in Eastpoint. They have continued to work with the county to clean up the property. Copies of my last two correspondences with them are attached for your review.

Board Action: None needed.

Commissioners' & Public Comments (11:34 AM)

Commissioner Putnal said he is concerned about the issue with Elder Care Services. He said not only will the seniors lose out with the discontinuation of services but it will also be a source of more unemployment in the County.

Mr. Pierce said it won't go away because there is a legal obligation for the Area Agency on Aging to provide these services.

Adjourn (11:36 AM)

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

Joseph A. Parrish, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts