

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
MARCH 16, 2010  
5:00 PM**

**MINUTES**

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

**Others Present:** Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Clerk, Michael Morón – Board Secretary

**Call to Order (5:01 PM)**

Chairman Parrish called the meeting to order.

**Prayer and Pledge (9:05 AM)**

There was a Prayer followed by the Pledge of Allegiance.

**Approval of Minutes – December 15, 2009 & March 2, 2010 Regular Meetings (5:02 PM)**

**Motion by Sanders, seconded by Lockley, to approve the minutes of the December 15, 2009 & March 2, 2010 regular meetings; Motion carried 5-0.**

**Payment of County Bills (5:03 PM)**

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

**Department Supervisors Report**

**Pam Brownell – Emergency Management (5:03 PM)**

Mrs. Brownell was not in attendance. There were no action items for Board discussion and/or approval. Mr. Pierce said Mrs. Brownell was at the Apalachicola Airport concluding a two week military exercise.

*Information Items:*

- *Next 911 Communications meeting is scheduled for March 31, 2010 at 9:00am at the Franklin County Sheriff's office.*
- *County ID's are almost complete for most agencies with the exception of a few, please come into the Emergency Management office as soon as possible.*
- *The Emergency Management office has forward all possible information in support of the HMGP small drainage project for the County on March 11, 2010.*
- *We have a downed aircraft exercise scheduled for tonight at 6:00pm for the fire departments supported by VCT.*
- *March 22, 2010 we have a pre-season planning meeting scheduled with Progress Energy at the Emergency Management office at 11:00 am.*
- *March 24, 2010 we are participating in an outreach program with the Area Agency on Aging at the United Methodist Church in Carrabelle from 10:00am until 2:00pm.*
- *March 29, 2010 we have schedule a Special Needs meeting for our health care partners to make sure everyone has their special needs clients registered before the season begins.*
- *Suwannee County Emergency Management and Sheriff Tony Cameron delivered food donations to Franklins Promise Food Bank for our county to support the families in our county who need a little help on March 11, 2010*

Jay Abbott, St. George Island VFD, discussed the upcoming 911 Meeting and thanked everyone for their support of the Chili Cook-Off, which was a huge success.

Mr. Abbott reminded everyone to attend the Rib Cook-Off at the Eastpoint Fire Station on March 20, 2010.

**Motion by Sanders, seconded by Jackel, to send a Letter of Thanks to Suwannee County Emergency Management and Sheriff Tony Cameron for their support of the people of Franklin County; Motion carried 5-0.**

**Hubert Chipman – Superintendent of Public Works (5:06 AM)**

Mr. Larry Brown was in attendance and had no items for Board action and/or approval.

Commissioner Putnal discussed the possibility of the State cutting Mosquito Control funding and wanted to know if the Road Dept. could create three staging areas with dirt to assist residents with Mosquito Control problems. He said if something isn't done there will be major problems with mosquitoes.

Attorney Shuler and Mr. Pierce discussed legal problems with this suggestion. They wanted to be sure that no commercial businesses should have access.

Commissioner Putnal said the dirt was donated and should not be a problem. He said there was a big demand for sand to fill in wet areas in their yards.

Commissioner Sanders suggested putting a couple of loads of sand at the Road Dept. yard.

Chairman Parrish still wanted legal research on this matter.  
Attorney Shuler would like the opportunity to review the legalities of this matter and report back to the Board before a decision is made.

There was further discussion concerning this matter.

**Motion by Putnal, seconded by Sanders, to direct Dewitt Polous of Mosquito Control and Attorney Shuler to research this matter and make a recommendation to the Board; Motion carried 5-0.**

Commissioners Sanders said some residents of Lanark Village had contacted her concerning problems with maintenance of sidewalks and would like the County to take responsibility for all sidewalks in Lanark Village. She asked Attorney Shuler to look into this matter.

Commissioner Sanders said the Pine Coast Homeowners Association requested that the Road Dept. grade Jeff Sanders Road. She said they also submitted a letter of request and a plat map showing the areas that needed to be graded and asked that Attorney Shuler research this matter.

Commissioner Putnal asked if residents can buy their own material and ask the County to maintain the road as they do in Liberty County and Attorney Shuler said County policy is to not use County equipment on private property. He said he will talk to Liberty County's Attorney about their policies.

Commissioner Sanders said she had no problem with the County taking over a road once it has been brought up to County Road standards.

Attorney Shuler, Mr. Pierce, and the Board discussed County standards for roads.

**Motion by Sanders, seconded by Jackel, to direct Attorney Shuler to look into the County assuming responsibility for all sidewalks in Lanark Village and to contact Liberty County's Attorney to find out their policy on using County equipment on private property; Motion carried 5-0.**

**Van Johnson – Solid Waste Director (5:26 PM)**

Fonda Davis was in attendance and had no items for Board action and/or approval.

**ANNUAL DAY OF BASEBALL**

*FOR BOARD INFORMATION: The annual day of baseball will be held at Vrooman Park in Eastpoint on Saturday, March 27, 2010. In addition, there will be a short ceremony at the beginning of the day to dedicate the three baseball fields and the street leading into the park named by the Board earlier after Eastpoint residents. ACTION REQUESTED: None.*

Commissioner Sanders and Mr. Davis discussed the 8:00 AM start time of Day of Ball.

**PRACTICE BASEBALL FIELD ON SCHOOL BOARD PROPERTY:**

**FOR BOARD INFORMATION:** *As requested at the last Board meeting, the Franklin County School Board was approached and granted permission to the County to use the property adjacent to the Sheriff Office for a youth league practice field. ACTION REQUESTED: None.*

Attorney Shuler discussed the lease agreement.

**YOUTH LEAGUE BASEBALL UMPIRE TRAINING:**

**FOR BOARD INFORMATION:** *To eliminate some of the concerns that arose during last year's little league baseball season. Parks and Recreation sponsored a youth league baseball umpire-training clinic. All umpires are now Dixie Youth trained to call the games. ACTION REQUESTED: None.*

Mr. Davis discussed the upgrade on the installation of lights at D. W. Wilson Field in Apalachicola.

Mr. Davis also discussed security problems with light switches that are causing problems with the electrical box.

**Dan Rothwell – County Engineer (5:29 PM)**

Mr. Rothwell presented the following report.

**1. BOARD ACTION: 2010 County Paving Project:**

*Staff desires Board approval to pay construction invoice #8 for \$511,809.66 with a balance to finish including retainage of \$2,550,251.52.*

**Motion by Jackel, seconded by Putnal, to approve payment of Construction Invoice #8 in the amount of \$511,809.66; Motion carried 5-0.**

**2. 23<sup>rd</sup> Ave Drainage Project:**

*Survey and drawings are completed and copied to City of Apalachicola with recommendations.*

**3. Brownsville Rd Drainage Project:**

*The work is completed and drawings will be sent to Public Works this week.*

**4. 2010 County Paving Project:**

*C. W. Roberts will be working in Commissioner Sander's district over the next few weeks.*

**5. Tallahassee – Leon County Calming:**

*Staff observed speed humps, raised intersections or traffic circles on Collins Dr, Richland Rd, and Kerry Forest Parkway used as traffic calming in City of Tallahassee which no longer supports this program. Staff observed speed humps on Sharer Rd in Leon County which are no longer installing speed humps or raised intersections.*

Commissioner Putnal asked if Mr. Rothwell had gotten any other ideas for slowing traffic and Mr. Rothwell said he didn't notice anything special.

Commissioner Sanders asked for an update on speed signs and cross walks for Alligator Point. Mr. Rothwell and Mr. Brown stated that as soon as the signs arrive they will be installed.

Chairman Parrish asked Mr. Rothwell to look at the drainage problem on Apalachee Street and asked Mr. Brown to check on a drainage problem on Bay City Road.

Commissioner Putnal had a suggestion to help with drainage problems. He said they can put sand or dirt in the bottom of the ditch so the water would run even with the culvert.

**Bill Mahan – Extension Office Director – Report (5:37 PM)**

Mr. Mahan discussed the following items from his report.

*\*(Board Action Requested)\* Franklin County Traffic Safety Team – The Traffic Safety Team is requesting that the Board of County Commissioners consider writing letters of support to FDOT for two sidewalk projects being planned in Apalachicola. The Traffic Safety Team and the City of Apalachicola have already written letters of support for these two projects and feel that letters of support from the County Commission will strengthen the applications for these projects. The next Traffic Safety Team Meeting is scheduled for March 17<sup>th</sup> at 12:00 noon at the Apalachicola Community Center.*

**Motion by Lockley, seconded by Jackel, to approve writing letters of support to FDOT for two sidewalk projects being planned in Apalachicola; Motion carried 5-0.**

Commissioner Putnal said he had been told by Leslie Cox that the Board needed to do something about the Multi-Use Path from Carrabelle Beach to Carrabelle Bridge in order for FDOT to work on the project.

Commissioner Sanders said she had made the motion to start the path.

Mr. Pierce said he would get in touch with FDOT and find out what Ms. Cox is talking about.

*Center for Science in the Public Interest Vv Issue – Sarah Kline with the CSPI has filed an issue (2010 I – 007) with the Conference for Food Protection requesting the all food establishments that offer raw Gulf oysters have a consumer warning posted. The issue states that the Model Food Code recognizes that consumers should have notice regarding the risk of food borne illness from raw or undercooked meats, poultry, seafood, shellfish, or eggs. However, the model*

*consumer advisory fails to provide adequate notice for persons to accurately assess the risk of severe illness and death from Vibrio vulnificus in raw oysters harvested from the Gulf of Mexico. An adequate advisory is modeled in title 17 of the California Code of Regulations § 13675 which provides a basis for the proposed addition to Section 3-603.11. The Issue recommends that the Conference for Food Protection send a letter to the FDA recommending the addition of the following language to Section 3-603.11 of the Model Food Code, Consumer Advisory. 3-603.11 Consumption of Animal Foods that are Raw, Undercooked, or Not otherwise processed to eliminate Pathogens.\**

*(D) Every FOOD ESTABLISHMENT that offers raw oysters harvested from the Gulf of Mexico (any oyster harvested from the Gulf waters bordering the states of Alabama, Florida, Louisiana, Mississippi, or Texas) shall provide a written warning to any person who orders raw oysters, stating:*

**WARNING**

*THIS FACILITY OFFERS RAW OYSTERS FROM THE GULF OF MEXICO. EATING THESE OYSTERS MAY CAUSE SEVERE ILLNESS AND EVEN DEATH IN PERSONS WHO HAVE LIVER DISEASE, CANCER, DIABETES, OR OTHER CHRONIC ILLNESSES THAT WEAKEN THE IMMUNE SYSTEM. If you eat raw oysters and become ill, you should seek immediate medical attention. If you are unsure if you are at risk, you should consult your physician.*

*(E) Warnings under subsection (D) are not required whenever the FOOD ESTABLISHMENT has received a copy of a current verification letter from the dealer and tags or labels are as required by Section 3-202.18 of this Code demonstrating that the oysters have been subjected to an oyster treatment process sufficient to reduce Vibrio vulnificus to an undetectable level, as defined in the U.S. Food and Drug Administration Bacteriological Analytical Manual, 2004 Edition.*

*The year's Biennial Council for Food Protection will be held in Providence, RI on April 9<sup>th</sup> – 14<sup>th</sup>.*

The Board discussed this matter.

Commissioner Lockley mentioned that Progress Energy is going to ask the Public Service Commission for a rate increase again.

**Motion by Lockley, seconded by Jackel, to send the Public Service Commission a letter regarding a request by Progress Energy for a rate increase and to also inform surrounding Counties of this increase; Motion carried 5-0.**

**Joe Taylor/Beverly Conner – Update – Bay Aid (5:45 PM)**

Joe Taylor discussed this item from Mahan's report.

*UF Arts in Medicine Program in Town – The UF AIM for the Panhandle Program was in Franklin County last week. Instead of spending spring break on a cruise or ski trip, some University of Florida College of Fine Arts students were helping residents in Franklin County. The Project Team is led by Jill Sonke, professor of theatre and dance and director of the UF Center for the Arts in*

*Healthcare, a program operated within the UF's College of Fine Arts. The students and AIM team members worked with Bay Aid Franklin providing health screenings and education while collecting oral histories and engaging residents in community art projects with health care messages, including the construction of a mural.*

Mr. Taylor said the focus was on Eastpoint for this project, over 20 oral histories were captured and they saw over 30 families. He said a full written report of their activities will be presented to the Board.

Mr. Taylor said the students raised the money to pay for this project and he said the team used incredible care while dealing with the families. He said they left health (first aid) kits, which were distributed throughout the County.

Mr. Taylor said there was an incredible team effort between the team and local agencies. Commissioner Jackel said she had heard wonderful things about the group and this project. She thanked Mr. Taylor for his efforts.

Mr. Taylor said \$5,600 had been collected for Bay Aid and when \$10,000 is reached funding will be used to pay utilities, mortgages, etc.

Mr. Taylor said there is another potential program that was inspired by the Shelling Process, to have temporary work activities which would expose the seafood workers to other skills, such as using the computer or helping at the community center.

Mr. Taylor said Bay Aid has been looking for prospects for matching funds.

#### **Advisory Board of Adjustment – Report (5:53 PM)**

Mr. Pierce presented the report.

*(Approved By Board of Adjustment) Consideration of a request for a variance to construct a rip rap revetment within the Critical Habitat Zone on property described as Lot 6, Block 61, Unit 5, St. George Island, Franklin County, Florida. Request submitted by Garlick Environmental Associates, Inc., agent for Jonathan R. Lines, owner.*

Clayton Studstill, Garlick Environmental Associates, Inc., said approval was unanimous and discussed the project further.

**Motion by Jackel, seconded by Sanders, to approve request for a variance to construct a rip rap revetment on Lot 6 Block 61 Unit 5, St. George Island; Motion carried 5-0.**

#### **Marcia M. Johnson – Clerk of Courts – Report (5:56 PM)**

Mrs. Johnson presented her report to the Board.

*1-Regarding the Board's Request for Proposals for the Compensation and Classification Study, the committee appointed recommends the Requests be rejected at this time. They may be more*

*detailed or technical than we need. The committee suggests that board and clerk staff look at the job descriptions prepared but not adopted in 1995 and work in-house on preparing updated, correct job descriptions to be brought back to the Board for adoption. Because of these serious, questionable economic times, it is also suggested we hold off on looking at the salary structure now, and perhaps that can be discussed during the budget workshops.*

Commissioner Putnal was in favor of this proposal.

Commissioner Jackel asked about holding a workshop to discuss job classifications and get them in before budget time.

Mrs. Johnson said their plan was to send the job classifications to each department and have them decide the classification for their employees.

Attorney Shuler suggested letting the Clerk forward this information to each department head for a more polished product and then return to the Board for more discussion. He said he recommended adopting the Clerk's suggestion to reject the bids and table this matter to await further information from the Clerk and department heads.

There was further discussion on this matter.

**Motion by Jackel, seconded by Putnal, to accept Clerk's recommendations to reject all bids, table this item until Clerk returns to the Board with job classifications recommendations, preferably before budget process; Motion carried 5-0.**

**Recess (6:02 PM)**

Chairman Parrish called for a recess.

**Reconvene (6:15 PM)**

Chairman Parrish reconvened the meeting.

**Alan Pierce – Director of Administrative Services – Report (6:15 PM)**

Mr. Pierce presented his report to the Board.

*1- Inform the Board that FEMA has approved a time extension until Nov. 30, 2010 to complete the Alligator Point Road Relocation. And, I have signed a FEMA generated revised Project Worksheet (PW) for \$1.3M as the total eligible costs to buy the land and move the road. After signing the PW FEMA then asked for explanation on why we paved the road in front of South Shoal if we really intend to move it. I have responded that if FEMA had approved the road relocation 2 years ago the county would not have paved the road. I am waiting a response.*

*2- Inform Board that Dept. of Agriculture is beginning the process to update the Apalachicola Bay Management Plan. The public workshop schedule has not been set yet, but I have asked that the Board be notified when it is.*



Mr. Pierce said the State's changes to the management plan are very minor but he told Alan Pierce, DACS, the County's concern was about Bay closures.

Commissioner Putnal said the Bay had been closed way more than it has been opened this year. Mr. Pierce and the Board discussed how the recent rainfall has affected the Bay.

Commissioner Lockley wanted to be sure the management plan is made public and also that the public is aware of the workshop.

*3- Inform Board that the Chairman has asked me to investigate the options for the seafood industry to seek compensation from the federal government due to implementation of the Mangusson-Stevens Fishery Act. I have spoken to Mr. Kirk Stratton, fisheries expert in Senator Nelson's office in Washington. He agreed that there has been at least one time in the past when the federal government provided compensation because of litigation that followed the implementation of the Fishery Act. But compensation is only available if the federal government budgets funds, and if someone files a challenge to the Act in federal court that ultimately results in "regulatory closure" of a fishery.*

Commissioner Putnal spoke about how this has negatively affected tourism in Florida.

**Motion by Lockley, seconded by Putnal, to direct Attorney Shuler to research and report back to the Board information on filing litigation in Federal Court concerning the Mangusson-Stevens Fishery Act; Motion carried 5-0.**

Chairman Parrish said if FDA were to shut the oyster industry down for 6 – 8 months per year and in turn it makes the industry non-economically viable then it will amount to an economic loss and they should have to compensate for that.

The Board discussed this matter further.

*4- Board action to request Boys and Girls Club to appear before the Board and explain the current status of the program, and to withhold any more payment until such time as the Board is satisfied the programs are in place. The Board approved \$22,500 in the budget \$22,500 to help cover program costs. It appears some of the programs have been cut so the Board needs to decide whether it will provide funding for the remainder of the budget year. At this time the Board has only paid ¼ of the funds to the Club.*

Commissioner Putnal discussed State reduced funding for community activities, such as libraries.

The Board discussed problems with this program and not receiving funding from the State.

Chairman Parrish said he read earlier in the week that some of the Congressmen are requesting that the lead of the Boys & Girls Club appear before Congress because he is drawing a million dollar salary each year. He said research into salaries, such as this, is going from the Federal level down to local government. He believed there are a lot of issues that need to be addressed with the Boys & Girls Club.

Commissioner Sanders said when the Board agreed to fund the Boys & Girls Club it was for services only.

**Motion by Lockley, seconded by Putnal, to request that the Boys and Girls Club appear before the Board and discuss the status of the program; Motion carried 5-0.**

*5- Provide Board with copy of letter of support for Opportunity Florida's second attempt at getting a grant to install broadband internet access in North Florida. The Board had authorized support when the first grant request went in several months ago. Opportunity Florida asked for a new letter as they were re-writing the grant application.*

*6- Update on the shelling program. The shelling program should begin this week. The Board needs to approve the following items in order to assist the program. All of the items will be reimbursed by the DACS grant. The DACS contract is for \$100,000 for shelling and administration- \$90,000 for shells, and \$10,000 for administration. The administration split will be \$7500 to the FCSWA, and \$2500 to the Task Force.*

*A. Board approval to cut the first check to represent an advance on the shells to be moved this week. The Seafood Worker Association will pay the shelling participants at the end of the shelling day so they need the money upfront. The first check should be for \$20,000, which represents \$12,500 for shells and all of the administrative money of \$7500. The administrative money needs to be paid in the event there is an odd amount of shells delivered the Association will have enough money to cover an overage of shell delivery on the first day. They intend to put out 200 cubic yards of shells a day, but if they go over by some small amount they will need the funds to pay the workers.*

*B. Board approval to cut the \$2500 check to the Task Force because the Task Force has paid for the construction of the chute that will take the shells from the loader to the boat.*

*C. Board approval to cut manual checks if necessary for the other shelling days. The manual checks should be in the range of \$12,500 each time, until \$90,000 worth of checks is cut.*

*D. Board approval to close the Lombardi ramp to the public on the days that the shelling program is in operation. If all goes according to plans it will take 4 days to put 750 cubic yards of shell on Dry Bar. (A month later or so 750 cubic yards of shell will be planted on Eastpoint bars using a different loading location).*

*E. The county will seek reimbursement from DACS on a weekly basis so the county will not be out that much money at any one time.*

Commissioner Putnal said Cat Point also needs seeding.

Commissioner Jackel and Mr. Pierce discussed the Task Force building a chute.

Commissioner Lockley asked if this funding could be used for seeding and Mr. Pierce asked that the County be given recommendations by those who are in the oyster industry.

The Board and Mr. Pierce discussed the shelling and seeding matters further.

**Motion by Lockley, seconded by Jackel, to ask the State if there is additional funding for seeding; Motion carried 5-0.**

**Motion by Putnal, seconded by Lockley, to approve A) to cut first check to the FCSWA in the amount of \$20,000, \$12,500 for shells & \$7,500 for administrative money, B) to cut \$2,500 check to the Task Force for construction of the chute, C) to cut manual checks, if necessary, for the other shelling days with a limit of \$90,000, D) to close the Lombardi Ramp to the public on the days that shelling program is in operation; Motion carried 5-0.**

*7- Update on GulfCoast Workforce programs in Franklin County. I met with Ms. Kim Bodine, Sheila Hauser, and Gary Ross, Chairman of the Workforce on Wednesday, March 10.*

*Franklin County should see the applicants for the 3 temporary positions in Parks and Rec soon. It took longer for the Workforce to get the positions approved, but they are approved now.*

*Ms. Bodine is going to investigate providing training in Franklin County for EMTs, Certified Nursing Assistants (CNAs), and correctional officers, as those jobs are available in the county. Training for these careers will take place in the county. In an email to me Ms. Bodine said that the Workforce did not have enough response to warrant continuing to push the transportation/training project.*

*On a longer approach we discussed developing a student business training program to teach young people the ins and outs of going into business for themselves as there is a summer market of tourists that someone might make money from. It was our conclusion that there are very few opportunities for employment with existing businesses in the county, but there might be opportunities for young people to develop some businesses that might be used by the tourists that are already here.*

*Ms. Bodine is also going to explore what it would take to teach people clam aquaculture which might put more pressure on the state to create more clam leases in the county.*

*Ms. Bodine has asked that I attend some of the GulfCoast Workforce meetings as a great deal is discussed that from a staff standpoint I might be able to use to get more benefits for the county.*

*8- Remind Board that the county published a Notice in the paper advertising the public hearing that DACS will be having about summer harvesting rules. The hearing will take place this Friday, March 19, here in the Annex, at 4 PM.*

This item was addressed earlier in the meeting.

*9- Board action to approve letters of support for the purchase of 3 acres of land by the St. Vincent Wildlife Refuge from Ms. Ruth and Eldon Schoelles at 11 mile. If purchased, the Refuge will use these 3 acres as the access point to St. Vincent rather than going from West Pass in Gulf County.*

**Motion by Lockley, seconded by Putnal, to approve Letters of Support for the purchase of 3 acres of land by the St. Vincent Wildlife Refuge from Ruth and Eldon Schoelles at 11 Mile; Motion carried 5-0.**

*10- Board action to approve a \$4600 change order for BMI to extend the Pine St. sidewalks and crosswalks on St. George Island to go across Gulf Beach Drive and tie into the existing bike path and change order of \$7800(approx) for crosswalks on Franklin Blvd.*

**Motion by Jackel, seconded by Sanders, to approve a change order in the amount of \$4,600 for BMI to extend Pine Street sidewalks and crosswalks on St. George Island and to approve change order in the approximate amount of \$7,800 for crosswalks on Franklin Boulevard on St. George Island; Motion carried 5-0.**

**Motion by Sanders, seconded by Putnal, to send a letter to FDOT, with a copy to Transfield America, for signs at Lanark Beach and Lanark Village and send a letter to FDOT and Transfield America to have them look at the trees along the State Highways in Franklin County, as there was an accident this weekend with a fallen tree that killed two people, and send a representative from FDOT to attend the next Board meeting; Motion carried 5-0.**

Commissioner Sanders asked Mr. Pierce to look into stimulus funding for walk/bike path on Alligator Point and Bald Point.

Commissioner Sanders asked Mr. Pierce to look into the possibility of kayak launches in Lanark.

Commissioner Jackel asked Mr. Pierce if FDOT had reported back to him on the outcome of an inspection they conducted on the condition of Highway 98. Mr. Pierce said he had received a response letting him know that an official response would be forthcoming and he would report back to the Board.

Commissioner Jackel said she had received some requests to investigate a kayak launch on 9<sup>th</sup> Street on St. George Island. She said recent improvements to the roads have caused some issues there.

**Motion by Jackel, seconded by Lockley, to have Mr. Pierce contact FDOT to investigate the inconsistency in speed zones coming into Eastpoint from Apalachicola, especially at the Eastpoint Fire Station exit onto Highway 98, and request that blinking caution lights be installed at that location; Motion carried 5-0.**

**Motion by Jackel, seconded by Putnal, to send a letter to Legislative Delegation and Governance regarding the cuts in State funding for libraries and let them know that the Board supports the continued and current funding of State libraries; Motion carried 5-0.**

Mr. Pierce and Chairman Parrish discussed funding cuts for libraries.

**Michael Shuler – County Attorney – Report (6:55 PM)**

Attorney Shuler stated that before he proceeded with his first item, Ted Mosteller, Chairman of Apalachicola Airport Advisory Committee (AAC), wanted to make a statement concerning the installation of the transmission line by Progress Energy.

Mr. Mosteller stated that he had just received new information concerning the height of the new transmission lines from Attorney Shuler and asked that the Board table this item until the AAC had a chance to review it. He said the new information had been sent from the FAA to Progress Energy. Mr. Mosteller said that originally the poles were going to be 30 feet but are now going to be 60 -65 feet.

Attorney Shuler passed out copies of the letters from the FAA and reviewed the item that Mr. Mosteller was concerned with. He said the FAA has been contacted by Progress Energy concerning the installation of the poles and the FAA decided the poles were appropriate and did not constitute an air navigation hazard. Attorney Shuler said there seemed to be some confusion between the AAC and Progress Energy concerning the height of the poles. He said a continuance on this matter was totally at the discretion of the Board but he did not see the need for it. He said Progress Energy had spent quite a bit of time working with the County at the request of the County Commission to relocate the transmission lines due to the impact on the affected neighborhoods.

The Board discussed this item and favored this new proposal because this would be less of an imposition on the property owners in these neighborhoods.

Mr. Mosteller explained what runways are currently used and how this new proposed transmission line route will affect them. He also said the 60 – 65 feet poles will be in the flight path of one of the runways and that information differs with the information in the letter from the FAA.

Commissioner Jackel and Mr. Mosteller discussed the action taken by the AAC at last night's emergency meeting. Mr. Mosteller explained that he didn't have the correct information about the height of the poles until today so therefore they made their decision according to the previous information received by Progress Energy saying the poles were going to be 30 feet. Chairman Parrish said this is the best possible route that Progress Energy has proposed to the Board.

Attorney Shuler said that the County has to allow Progress Energy to install a second transmission line and agreed that this proposal is the least objectionable sent by Progress Energy.

Attorney Shuler referred to the map and explained the route of the transmission line.

Commissioner Lockley wanted to be sure the property owners in these areas agreed to this proposed route.

Commissioner Jackel and Attorney Shuler discussed the approved height of the poles.

Mr. Mosteller stated that once these transmission lines are installed, it will restrict the extension of the runways. He said that the information from Progress Energy is inconsistent. The Board discussed the minutes of the AAC Emergency Meeting, the fact that Progress Energy had worked with the Board to lessen the impact of the installation of the transmission lines on the community and also not shut down the airport in the process.

Chairman Parrish said that at the urging of the Board, Progress Energy had spent a lot more money on redirecting the route of the transmission lines and had gone above and beyond the call to satisfy the Board and the citizens in the community, yet still provide reliable electricity to the community.

There was further discussion on having Attorney Shuler put provisions in the agreement which requires Progress Energy to come back before the Board if replacement poles are to be installed.

Attorney Shuler noted that he believed Chairman Parrish had been very involved in the planning of this transmission line and didn't believe he would sign the agreement unless he was satisfied with all of the provisions.

Commissioner Parrish asked Mr. Mosteller if a formal action was taken by the AAC to make this recommendation to the Board today. Mr. Mosteller said the AAC voted to advise the Board to require Progress Energy to put the 30 feet pole cap in writing.

Chairman Parrish explained that the poles were allowed to be higher because they had backed them up several hundred feet from the original proposal. He also explained the original plan for the airport that promised not to alter private property if at all possible.

Attorney Shuler said this is the best route available to avoid the least amount of impacts on private property.

There was further discussion on this matter.

#### *1. Easement for Progress Energy Transmission Line Realignment*

*Progress Energy originally planned to run a new 115 Kv transmission line from the substation in Port St. Joe to the substation in Apalachicola. The purpose of the plan was to install a second transmission line to serve the Apalachicola substation.*

*This plan created controversy because Progress Energy planned to run the second transmission line on large concrete poles about 85 feet in height along Bluff Road that did not have existing transmission lines. Those neighborhoods were accustomed to the traditional 30 foot tall wooden distribution lines, not 85 foot tall concrete transmission lines. As originally proposed, the second transmission line route would have greatly impacted hundreds of citizens.*

*The Board conducted public hearings on this issue and asked Progress Energy to go back to the drawing board to find another route for the second transmission line.*

*After much work by the Board, Progress Energy has relocated its new transmission line along a different route such that the neighborhood impacts along Bluff Road do not occur. A small scale map is attached hereto showing the proposed new route.*

*Progress Energy was able to change the route by co-locating both transmission lines on one pole, except for a short run in front of the Apalachicola Substation.*

*Progress Energy's new route will bring the new transmission line into Apalachicola along Highway 98. Between Airport Road and 2 Mile, it will turn north and meander through property owned by Franklin County and the City of Apalachicola until it reaches the old ABC School site. From there, the two transmission lines split: One transmission line will continue in a straight line to the Apalachicola substation and the second transmission line will run South one block before turning and running to the Apalachicola substation. Progress Energy says that the split is*

*required because the width of the easement narrows as it approaches the substation and cannot carry two transmission lines at once.*

*They report that they have already secured all necessary private easements.*

*The existing transmission line running from 2 Mile into the substation will be removed and the poles cut down to the height of a distribution pole, thus reducing the existing impacts within that neighborhood. That leg will then solely provided distribution.*

*A copy of the proposed Easement is attached.*

**BOARD ACTION:** *Motion approving the chairman to sign the grant of an easement to Progress Energy 70 feet in width.*

**Motion by Sanders, seconded by Lockley, authorizing the Chairman to sign the lease with Progress Energy provided that all concerns raised by the Board such as permission from all affected property owners and verification of pole heights, are satisfied and that Attorney Shuler reviews and approves the lease and attaches all appropriate documentation including the letters from the FAA to the lease; Motion carried 5-0.**

## *2. 2009 Tax Rolls Bids*

*I have two sealed bids for the cost of publishing the 2009 Tax Rolls that need to be opened.*

*I changed the format of the bid from the "per parcel" cost requested by the Property Appraiser to a "per line" cost because the parcels were not of a uniform size subject to bidding and, if I arbitrarily established a standard parcel size, it could result in Franklin County paying too much to advertise a parcel which was smaller than the "standard."*

**BOARD ACTION:** *Open Bids. The Board may elect either to award the bid or refer the matter to a review committee.*

Attorney Shuler opened and read the bids:

The Chronicle - \$0.14 per line/per week.

The Times - \$0.20 per line/per week.

David Adlerstein, of The Times, asked if circulation was considered when awarding this bid. Attorney Shuler said that Florida Statute does not require a circulation request and both bidders were qualified.

Attorney Shuler and the Board discussed this matter further.

**Motion by Sanders, seconded by Lockley, to award bid to advertise the 2009 Delinquent Tax Roll to the lowest bidder, The Chronicle; Motion carried 5-0.**

## *3. Weems Hospital Land Swap*

Recently, a land swap was discussed that called for the City of Apalachicola to convey to Franklin County property it owns in Washington Square. Weems Hospital is located on this square and the purpose is to facilitate the construction of a new hospital.

In exchange, it was discussed that Franklin County would convey the following property to the city:

- a. One half Wharf Lot 6, Apalachicola, Florida
- b. One half Lot 3, Block 18 Apalachicola, Florida
- c. One half Lot 5, Block 64 Apalachicola, Florida
- d. All Lot 2, Block 154, Apalachicola, Florida

Note: Further investigation reveals that Lot 2, Block 154 is a whole lot, not a half lot as originally reported February 2, 2010.

The City of Apalachicola believes this exchange is a good idea and has suggested that the parties also consider that each donate two buildable lots in Apalachicola to the County's Land Trust for the purpose of moving forward with the development of affordable housing. The County's Land Trust would then have four buildable lots.

Franklin County owns enough lots in Apalachicola for both the exchange and the donation.

**BOARD ACTION:** Does the Board agree to donate two lots to the County's Land Trust, provided that the City of Apalachicola also donates two buildable lots and authorizing the Chairman to identify which two lots are donated to the County's Land Trust.

If both the City and the County approve of this, then the City would exchange the property it owns in Washington Square for the four parcels of land from the County and each would also donate two buildable lots in Apalachicola to the County's Land Trust.

If you approve this modification, I will send a letter to City asking them to provide written acceptance of this, and thereafter I will schedule the public hearing which must be held before these transfers may occur.

The Board discussed this matter with Attorney Shuler.

**Motion by Lockley, seconded by Sanders, to approve modification to the Weems Hospital Land Swap, contingent upon Attorney Shuler's approval; Motion carried 5-0.**

Commissioner Jackel discussed the clean-up of the property owned by the Bank of Arkansas along Highway 98 in Eastpoint. She said that Jason Flowers, Health Department, said he had received a complaint against one of the Bank of Arkansas properties.

Commissioner Jackel asked Attorney Shuler to follow up on this matter and he said he had been in contact with the owners on another matter and would follow up on this matter.

Commissioner Jackel said the company had been working with the Board but had gotten slow.

### **Commissioners and Public Comments (7:59 PM)**

Commissioner Jackel reminded everyone to support the Eastpoint Volunteer Fire Department Rib Cook-Off on Saturday, March 20, 2010.



Commissioner Sanders reminded everyone of the Community Day with the Senior Services on Wednesday March 24, 2010 from 10:00 AM to 2:00 PM at the United Methodist Church in Carrabelle. She said refreshments will be provided.

Commissioner Sanders said that AJAX had waived the \$125 plan fee and the 5% bond for the Urgent Care Center in Carrabelle. She said she let them know that the Board wanted as many local people as possible to benefit from the jobs that will be produced in building this center.

The Board, Mr. Pierce and Attorney Shuler discussed this matter.

Commissioner Sanders stated that she didn't like that the bids will not be opened in a public setting.

Attorney Shuler said the Board will determine the Guaranteed Maximum Price (GMP).

Commissioner Jackel said the Commissioners will be attending the Legislative Days for the County Commissioners on March 23 – 25, 2010.

Ted Mosteller, Airport Advisory Board Chairman, discussed Progress Energy's request for a 10 acre site at the Airport for a staging area for the transmission line project.

Attorney Shuler explained that the staging area is to stockpile the poles and construction supplies. He said it would be about 18 months before construction begins so the Board could make a decision at a later date.

Chairman Parrish said if the Board approves this item he would like for the proposed area to be fenced in while in use due to security issues.

**Motion by Sanders, seconded by Lockley, to direct Attorney Shuler to negotiate the lease and security with Progress Energy before a decision is made; Motion carried 5-0.**

Mr. Mosteller said Roger Newton wanted to obtain a lease with the Airport to store equipment.

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

Mr. Mosteller discussed weather delays on the Airport Hangar project. He also spoke about the Airport audit by FDOT.

Andy Smith, of the Apalachicola Bay and RiverKeepers, discussed the re-shelling and seeding project.

Mr. Smith also mentioned a new house at Summer Camp that is being built too close to the Coast. He said it is within the boundaries but thought there might be issues with how close it is to the water.

He reminded the Board of ABARK's upcoming Annual Membership Meeting on March 26, 2010 at the Apalachicola Community Center.

Commissioner Sanders said she had been informed that construction will begin on the Ochlocknee Boat Ramp this week.

**Adjourn (8:16 PM)**

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

---

Joseph Parrish – Chairman FCBCC

Attest:

---

Marcia M. Johnson – Clerk of Courts