

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
September 7, 2010
9:00 AM**

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, Michael Moron – 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 followed by the Pledge of Allegiance.

Payment of County Bills (9:03 AM)

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

Approval of the Minutes – August 3 & 17, 2010 Regular Meeting (9:03 AM)

Motion by Sanders, seconded by Lockley, to approve the Minutes of the August 3 & 17, 2010 Regular Meetings; Motion carried 5-0.

Doris Pendleton (Property Appraiser) – Discussion – Lawsuits (9:04 AM)

Mrs. Pendleton distributed and discussed a handout relating to pending lawsuits the County is involved in. She explained that the County is involved in a lawsuit along with Bay County

concerning property values relating to the oil spill and the County is also involved in a homestead fraud case. Mrs. Pendleton also said the St. James Bay lawsuit is still pending.

Commissioner Putnal asked if the County had to be involved in the oil spill case and Mrs. Pendleton said it does because the County is being sued.

The Board, Attorney Shuler, and Mrs. Pendleton discussed the attorney fees for this litigation and the possibility of seeking less expensive representation for these matters.

Motion by Lockley, seconded by Putnal, authorizing the payment in the amount of \$9,803.78 as presented by Mrs. Pendleton for the County's involvement in two separate lawsuits; Motion carried 5-0.

The Board discussed retaining another attorney for this litigation and Mrs. Pendleton requested that the Board be certain that if they hire a new attorney that they are very knowledgeable of tax laws. She said the current attorney has been representing her since she has been property appraiser and represents most of the other appraisers in the State of Florida.

There was further discussion concerning hiring an attorney with a less expensive per hour rate for the Property Appraiser's lawsuits and the probability of the current cases being dismissed.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:21 AM)

Mr. Chipman presented his report to the Board.

Commissioner Sanders stated that the lane shift on Alligator Point will be paved by C.W. Roberts.

Van Johnson – Solid Waste Director (9:23 AM)

Fonda Davis, in for Mr. Johnson, presented his report to the Board.

FWC BEAR MANAGEMENT PLAN MEETING:

FOR BOARD INFORMATION: I was sent word by the chairman to attend the August 26, 3:30 meeting conducted by the Florida Wildlife Commission (FWC) in Apalachicola concerning input into their Bear management plan.

At the meeting, I reiterated the Boards concerns over public safety when humans come into contact with Bears foraging for food through residential areas.

FWC staff indicated that the Apalachicola Bear Management Unit (BMU) has a healthy population of approximate 440 to 700 bears and that a limited hunt could become part of a specific plan for the Apalachicola BMU that included the county adopting measures mandating that waste haulers provide Bear resistant containers to their customers if the customer request

one and implementing mandatory garbage collection to help minimize the Bears need to forage for food in residential areas.

If the Board has other comments on the subject, they can be inputted through the FWC website at <http://share2.myfwc.com/bearmp/> ACTION REQUESTED: None

FRANKLIN COUNTY LITTLE LEAGUE FOOTBALL:

FOR BOARD INFORMATION: Parks and Recreation staff has begun signing up kids to participate in the 2010 Franklin County Little League Football and Cheerleader Program. The kickoff jamboree will be held at 10:00AM EDT in Wewahitchka on Saturday, September 25. ACTION REQUESTED: None.

Commissioner Sanders asked about the football field at Kendrick Park, and stated that because it was funded with FRDAP it is important that the field be completed.

Mr. Davis stated that funding is a problem with finishing the field and Commissioner Sanders said the funds needed to be found from somewhere in order to keep from being delinquent with FRDAP.

Dan Rothwell – County Engineer (9:24 AM)

Mr. Rothwell had no items for Board action and/or approval.

Commissioner Putnal and Mr. Rothwell discussed the final payment for the paving project.

Commissioner Putnal and Mr. Pierce discussed the possibility of C.W. Roberts completing any paving at the Urgent Care facility in Carrabelle.

Pam Brownell – Emergency Management Director (9:27 AM)

Mrs. Brownell had no items for Board action.

Commissioner Putnal thanked Mrs. Brownell for her time and effort during the oil spill disaster.

Bill Mahan – County Extension Director (9:28 AM)

Mr. Mahan had no items for Board action, but discussed the following informational items.

1. *“All About You” Health Survey Results – Attached, please find a copy of the results summary from the “All About You” health survey that was conducted on July 20-22, members of the Franklin’s Promise Coalition and the Franklin UF IFAS Extension Office worked with a group of healthcare professionals from UF and the University of Maryland completed 71 interviews with local residents to “take” a mental health and wellness snapshot of seafood industry in Franklin County relative to the BP Oil Gusher.*

2. *National Goat Conference – September 12-15th, 2010 at the Leon County Civic Center in Tallahassee, FL, hosted by Florida A & M University. The overall goal of the National Goat Conference is to provide educational and training opportunities for producers, agricultural professionals, and students on goat production, management and marketing to help enhance the viability of the goat industry in the U.S. Please visit the website at: <http://www.famu.edu/cesta/main/index.cfm/cooperative-extension-program/small-ruminant/national-goat-conference/general-information/>. Or, contact Angela McKenzie Jakes at 850-875-8557 or angela.mckenziejakes@famu.edu .*

3. *FWC Seeks Input on New Redfish Limits – The FWC has scheduled a series of public workshops this fall to discuss possible fishing regulation changes for red drum (redfish). The FWC is considering creating regional management areas for red drum and raising the daily bag limit from one fish to two per person in Northeast and Northwest Florida. The Commission is also seeking public comment on possible red drum rule changes for Southeast Florida.*

The FWC encourages interested people to attend the workshops, which will take place from 6-8 p.m. local time as follows:

*Wednesday, Sept. 8
Gulf Coast Community College
5230 W. U.S. Highway 98
Student Union East
2nd Floor Conference Room
Panama City*

*Thursday, Sept. 9
FWC Headquarters
620 S. Meridian St.
Farris Bryant Building
2nd Floor Conference Room
Tallahassee*

Anyone requiring special accommodations to participate in the workshops should advise the FWC at least five days prior to the workshop by calling 850-488-6411. If you are hearing or speech impaired, please contact the FWC using the Florida Relay Service at 800-955-8771 (TDD) or 800-955-8770 (voice).

[More information regarding these workshops](#) is available online at MyFWC.com/Rules, click on "Marine Advisory Boards, Public Workshops, etc."

4. *FWC Approves Red Snapper Bonus Season - On September 2nd, the FWC agreed to reopen the recreational harvest season for red snapper in Gulf of Mexico state waters for eight straight three-day weekends this fall. This action coincides with a proposed open season for red snapper that is expected to be implemented in Gulf federal waters off of Florida on the same dates.*

The regular recreational harvest season for red snapper in all waters of the Gulf off Florida took place from June 1 until July 24 this year. This season was set based on projections of how many red snapper could be caught by recreational anglers without exceeding the annual harvest quota, which was established to help rebuild overfished stocks so that anglers can benefit from better red snapper fishing in the future.

However, recreational fishing effort for Gulf red snapper by private and charter boats was much less than anticipated because of the BP Deepwater Horizon oil spill, which resulted in fishing closures and cancelled fishing trips in federal and state waters off parts of Florida's Gulf coast. Consequently, the established Gulf recreational red snapper quota was not met during the regular season, which means more fishing days can be opened this year.

Anglers will be able to keep the current Gulf daily recreational limit of two red snapper greater than 16 inches total length per person on Fridays, Saturdays and Sundays beginning Oct. 1 and extending for eight consecutive weekends through Sunday, Nov. 21.

"That gives folks an extra 24 days to enjoy Gulf red snapper fishing at a time when the weather is usually very nice and on weekends when most people are able to take off from work," Barreto said.

Updated information about [red snapper management and regulations](#) is available online at MyFWC.com/Rules (click on "Fishing - Saltwater").

5. *FWC Proposes to Increase Redfish Bag Limit in North Florida – The FWC has proposed a draft rule that would raise the recreational daily redfish bag limit from one fish to two per person in large areas of northern Florida. The FWC also is proposing to create three regional management areas for redfish to better target its management approaches for this popular Florida fish.*

The FWC has strictly managed redfish (also called red drum, channel bass and red bass) for more than 20 years to help rebuild overfished populations. A 2008 FWC stock assessment now indicates that annual management goals for redfish are consistently being exceeded in areas of northeastern and northwestern Florida.

As a result, the FWC is proposing establishment of three management areas for redfish in Florida (which are the same as established management areas for spotted sea trout). In all waters in the northwest management area (Escambia through Pasco counties) and in the northeast management area (Flagler through Nassau counties), the FWC proposal would raise the daily recreational bag limit for redfish from one fish to two. The Commission also directed staff to develop a possible redfish vessel limit in areas where a two-fish limit would apply. The current one-fish daily limit would still apply in all waters in the south management area (south of Pasco and Flagler counties).

The FWC has scheduled a series of workshops this fall to hear what people think about its redfish proposals. [Information regarding these workshops and additional background](#) regarding the FWC's redfish rule proposals is available online at MyFWC.com/Rules (click on "Fishing - Saltwater").

A final public hearing on the FWC's redfish rule proposals is scheduled for the Commission's February public meeting in Apalachicola.

6. *FWC Proposes Changes to Blue Crab Harvesting Rules – The FWC has proposed a series of draft rule amendments to modify blue crab regulations. These proposals include some recommendations by the FWC's Blue Crab Advisory Board, which helps the Commission manage Florida's blue crab fishery, as well as some technical blue crab amendments. One proposed rule amendment by the board would change the six annual regional, 10-day blue crab trap closures to occur every other year. The January closure to the harvest of blue*

crabs with traps in the St. Johns River system and the August closures in Nassau through Palm Beach counties would occur in even-numbered calendar years only. The July closures in Broward through Wakulla counties and the January closure in Franklin through Escambia counties would occur in odd-numbered calendar years only. This proposed change would help focus trap cleanup efforts in each region and lessen the economic impact of the closures on individual crabbers.

Other board-proposed rule amendments would change the blue crab license-endorsement transfer window from September through December to May through February to increase opportunities for crabbers to transfer their endorsements to someone else and allow initial blue crab trap tags to be ordered at any time.

The FWC also is proposing technical rule amendments that would allow qualified blue crab harvesters to designate another of their own vessels to be used to temporarily pull blue crab traps while their regular vessel is repaired or replaced and clarify that each soft shell blue crab harvester may hold only two soft shell endorsements at one time.

The FWC will hold a final public hearing on these blue crab draft rule proposals at its December meeting in Weston. [More information regarding the proposed draft rules](#) is available online at MyFWC.com/Commission, linked from the Sept. 1-3 meeting agenda.

7. *Green Industries Best Management Practices – On September 23rd, from 8:45 am – 4:00 pm The Coastal Training Program will offer training for lawn maintenance and lawn care professionals at the Research Reserve in Apalachicola. Registration \$15 is due by Sept. 15th. Contact Victor Rivera for more information. 850-245-8086, or hector.rivera@dep.state.fl.us.*

The Board and Mr. Mahan discussed the University of Maryland's study and what is done with tar balls when discovered in the County.

Dave McLain – Update – Riparian County Stakeholder Coalition (9:34 AM)

Dave McLain, Coordinator for the RCSC, presented and discussed an update on the progress report for the RCSC. He presented and read a Resolution asking the Board to support the continued role as coordinator for the ACF sub basin. He said he is no longer on the staff of the Apalachicola Riverkeeper and they will no longer support the cost for the coordinator position. He said each county was going to be asked to fund a subsidy in the amount of \$5,000.

Commissioner Putnal stated the importance of the County having representation at these meetings.

Chairman Parrish discussed how the change in administration in Tallahassee will affect the County and the river wars. He said he was worried as to whether or not the new administration would fight for these issues.

Commissioner Jackel and Mr. McLain discussed what would happen if he were unable to raise the total \$30,000 needed from the other Counties.

Commissioner Jackel asked about the financial issues with the Riverkeepers and Mr. McLain discussed the problems that the Riverkeepers is experiencing.

Chairman Parrish stated that he would lobby other counties on this matter to assist Mr. McLain in receiving funding.

Motion by Putnal, seconded by Jackel, to approve the Resolution and allow funding of a subsidy of \$5,000 as requested by Mr. McLain; Motion carried 5-0.

Commissioner Putnal stated that any travel expenses incurred by Mr. McLain would be reimbursed to him separately from the \$5,000 subsidy.

Motion by Sanders, seconded by Putnal, to send a letter to the Department of Environmental Protection voicing concerns with having ever present representation for Franklin County with the ACF talks; Motion carried 5-0.

Helen Spohrer (Tourist Development Council) – Discussion – Gift Cards (9:47 AM)

Mrs. Spohrer, of the TDC, gave an update on BP grants and requested Board action on a budget revision which would allow the purchase of an additional 2,200 in gift cards. She discussed the success of the program given the allotted time in which to advertise.

Curt Blair, of the TDC, and Commissioner Jackel discussed additional information regarding the gift cards.

Mrs. Spohrer discussed the procedure for issuing and tracking the gift cards and also who is eligible to distribute them.

Mrs. Johnson commented on where the funding will come from for these cards.

Chairman Parrish stated that the TDC needs to be more aggressive with marketing for seafood sales throughout the Country with leftover funding. He asked that the TDC be more active during the next budget year in coming up with ideas for seafood marketing.

Mrs. Spohrer said she can see where there has been a problem with seafood marketing and she said the TDC will focus on seafood marketing in the spring. She said it will come to the forefront this next year and believed Franklin County had a unique opportunity in marketing seafood because the area wasn't affected by the oil spill.

Motion by Jackel, seconded by Sanders, to authorize the purchase of the additional 2,200 gift cards, contingent upon the Clerk's Office authorizing all funding sources; Motion carried 5-0.

Board Consideration – Lifeguard Ambulance Service Proposal (10:07 AM)

Mr. Pierce distributed the proposal by Lifeguard Ambulance Service.

Jason Kimbrell, of Lifeguard, addressed the Board and discussed the proposal for service. He said after carefully studying the inner moving parts of the current EMS system, the outcome shows it to be underdeveloped. He said it is in desperate need of enhanced services and the integration of multiple different departments and agencies as it relates to public safety. He said the County can't continue to operate in the current state. He said we have to move

forward to new ideas and operational strategies to ensure the greatest outcome for the community.

Mr. Kimbrell said Lifeguard fell in love with this community and felt like the need is here for their services and said he had been encouraged by feedback from numerous people.

Commissioner Lockley and Mr. Kimbrell discussed Lifeguard's interaction with the Hospital Board when creating this proposal.

Commissioner Lockley and Mr. Kimbrell discussed the statement made by Mr. Kimbrell at an earlier meeting regarding the pay difference for EMTs between Franklin and other counties.

Commissioner Lockley said he wanted the recommendation for ambulance services to come from the Hospital Board, not the fire departments. Mr. Kimbrell said the Hospital Board provided the necessary information in order to bring the proposal together.

Recess (10:19 AM)

There was a recess due to a power outage.

Reconvene (10:35 AM)

Chairman Parrish reconvened the meeting.

Board Consideration – Lifeguard Ambulance Service Proposal – Continued (10:35 AM)

Commissioner Sanders stated why the Board went out for RFPs for Ambulance Services in the first place and explained that the Board could only afford to subsidize the ambulance services for \$425,000.

Mr. Kimbrell explained that to add a third ambulance it would cost more than \$425,000 and explained the intentions of Lifeguard for ambulance service in Franklin County. He stated some of the efforts of Lifeguard to provide better ambulance service in Franklin County and also stated that there would be a cap on the \$525,000 proposal.

Mr. Kimbrell further discussed all of Lifeguard's efforts in compiling information to present this proposal.

Commissioner Sanders said she isn't dismissing Lifeguard but would still like an opportunity to look at other areas that have been provided services by Lifeguard.

Commissioner Putnal explained that the County has had bad experiences in the past with ambulance providers so the Board is very cautious about this.

Mr. Kimbrell, based on a request from Commissioner Jackel, gave a breakdown of ambulance services that would be provided to the County compared to what is currently in place.

Commissioner Jackel stated that she would like to see the ambulance service improved in the County but is not satisfied with the subsidy requested from Lifeguard because they knew how much the County could afford in the beginning. She asked if this was Lifeguard's final offer and Mr. Kimbrell stated that it was final in services provided but not in how it is paid out.

Commissioner Lockley asked what the difference would be between giving this company the money for ambulance services versus giving the money to the Hospital Board. Commissioner Putnal said that is why he would like to table this matter for now.

Motion by Putnal, seconded by Sanders, to suggest that this item is tabled until the Commissioners have an opportunity to research this further; Motion carried 5-0.

Public Hearing – Franklin County and City of Apalachicola Land Swap – Continuation (10:58 AM)

Attorney Shuler presented the information to the Board regarding the Land Swap Public Hearing. *Franklin County would deed to the City of Apalachicola all its right, title and interest in the following parcels to the City:*

- i. All of Lot 2, Block 154, Apalachicola, Florida.*
- ii. Fractional Lot 5, Block 64, Apalachicola, Florida.*
- iii. Fractional Lot 3, Block 18, Apalachicola, Florida.*
- iv. Fractional Wharf Lot 6, Apalachicola, Florida.*

He said a presentation had been presented at an earlier meeting but would answer any questions concerning this matter.

Chairman Parrish opened the floor for public comments.

There were no comments from the floor.

Commissioner Sanders asked that the Board is aware of all information relating to future issues so that better decisions can be made.

Motion by Sanders, seconded by Lockley, to approve the Land Swap as proposed; Motion carried 5-0.

Public Hearing – Franklin County and City of Apalachicola Donation to Land Trust (11:02 AM)

Attorney Shuler presented the information regarding the Land Trust Public Hearing. *(City Block 125 Lot 6 & City Block 120 Lot 9, City of Apalachicola have been identified as the lots that will be donated to the Land Trust.)*

Chairman Parrish and Commissioner Lockley asked for a reverter clause.

Motion by Lockley, seconded by Putnal, to approve the donation of the designated lots from the Franklin County to the Land Trust and to include a reverter clause that would return the land to Franklin County; Motion carried 5-0.

Presentation – Big Bend Scenic Byway Corridor Management Entity (11:04 AM)

Dixie Partington and David Butler, of the Big Bend Scenic Byway Corridor Management Entity, asked for Board action to send a letter to the Scenic Byways stating that the Franklin County Tourist Development Council will provide \$25,000 as a match for a grant that would allow signage promoting historic sites in Franklin County. Mr. Butler stated that this action has already been approved by the TDC and the funding is not needed this year but will come out of the promotional budget.

Commissioner Sanders and Mr. Butler discussed other funding sources and verbiage for signs.

Motion by Sanders, seconded by Jackel, to approve writing a letter to Scenic Byways authorizing the \$25,000 match, which will be taken from the TDCs promotional budget; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (11:12 AM)

Mrs. Johnson presented her report to the Board.

1-For information, on Monday, August 23rd, the Supervisor of Elections, Ida Elliott, filed her Certification and petition status report on the petitions sent to her for validation petitioning the Board for a binding referendum election to determine whether the five county commissioners should be elected by all county electors with the County at large. Mrs. Elliott also filed the petitions with my office. There were 852 signatures claimed and 117 signatures were rejected, leaving only 735 signatures when the required signatures totaled 784. Pursuant to F.S. 124.011(7), "If it is determined that the petitions do not contain the required signatures, the supervisor of elections shall so notify the board of county commissioners, which shall file the petitions without taking further action; and the matter shall be at an end. No additional names may be added to the petitions, and the petitions may not be used in any other proceeding." The petitions will be filed with the board minutes today.

2-At your last meeting, I requested Board approval to submit an application for a pre-disaster mitigation grant to make some upgrades at the courthouse with assistance from the Emergency Management office. Since a structural analysis of the main courthouse building would be a requirement, you requested I first get an estimate on the costs for such an analysis. I contacted two separate engineering firms, but only one responded. That was Barkley Consulting Engineers, Inc. in Tallahassee, and their quote is attached which would not exceed \$1,495.00 to complete the structural analysis. I request Board action to engage Barkley Consulting Engineers, Inc. to complete the structural analysis and action to apply for the grant.

Motion by Lockley, seconded by Sanders, to approve Barkley Consulting Engineers, Inc. to complete structural analysis and grant application; Motion carried 5-0.

3-For information, the amount in the hospital's capital fund to-date is \$1,172,490.48.

4- Our first budget public hearing is scheduled for this afternoon at 5:15 p.m. with the final

public hearing set for Monday, September 20th at 5:15 p.m.

5-Representatives from the Health Department (Sherry Willis and Jason Flowers) are present to request approval of the fees they charge and explain the changes from last year. Each of you has been provided a copy of the fee schedule for the 2010-2011 year.

Jason Flowers, of the Health Department, stated that in the Environmental Health section there is an increase in the amount of \$25 to the bi-annual aerobic treatment permit.

Sherry Willis, of the Health Department, stated that there are no fee increases but there are now charges for items and exams that were free before. She gave further details on these fees.

Commissioner Sanders and Ms. Willis discussed who will be charged for some of these new fees.

Commissioner Putnal and Ms. Willis discussed the sliding fee scale for those who cannot afford to pay the established fees.

David Walker, Public Information Officer, also commented on the fees.

Motion by Lockley, seconded by Putnal, to approve the Health Department fee schedule; Motion carried 5-0.

Chairman Parrish discussed that as the County faces financial burdens it affects the Health Dept. also.

Commissioner Sanders discussed proposed Senate Bill #SB550 regarding septic systems and asked the Board to form an opinion and ask that it be overturned. She said it is another way of pushing unfunded mandates on counties and citizens.

The Board discussed this matter further.

Motion by Sanders, seconded by Putnal, to send a letter to the Governor and Legislative Delegation opposing proposed Senate Bill #SB550; Motion carried 5-0.

Alan Pierce – Director of Administrative Services – Report (11:29 AM)

Mr. Pierce presented his report to the Board.

1- Provide Board with copy of plans and specifications on the 1100 foot section of Alligator Point involved in the lane shift.

2- Inform Board there is a public information meeting this Thursday, Sept. 9, from 5:30- 6:30 PM, at the Pine St. Firehouse on St. George Island, regarding the proposed improvements at the

intersection of Island Drive and US 98. The Board has already gone on record requesting a traffic signal be installed as part of the improvements. DOT has responded and said they will perform a new signal study.

Commissioner Jackel stated that the meeting might be moved to Eastpoint.

3- DOT has executed the JPA and the Notice to Proceed for improvements to Brownsville Road. Board action to direct Preble-Rish to prepare plans and specs for project consistent with DOT guidelines.

Motion by Lockley, seconded by Sanders, to approve directing Preble-Rish to prepare plans and specs for the Brownsville Road project; Motion carried 5-0.

4- The Board staff has been working on the CDBG project involving the approaches to the bridge over CR 67. Board action to direct staff to advertise for an administrator and an engineering firm for this project in accordance with CDBG guidelines. The CDBG program requires that an administrator and engineering firm be selected for each project.

Motion by Sanders, seconded by Lockley, to hire an administrator and engineer for the bridge approach projects in accordance with CDBG guidelines; Motion carried 5-0.

5- Board action to pay the City of Apalachicola the remaining funds budgeted in this year for services related to the Elder Care programs that the City took over. The Board budgeted funds and paid Elder Care a prorated share for the first quarter of work, but then the City of Apalachicola took over the program in Jan. of 2010. The remaining budgeted funds to Elder Care should be paid to the City of Apalachicola.

Motion by Lockley, seconded by Sanders, to approve payment of remaining budgeted funds for Elder Care to the City of Apalachicola; Motion carried 5-0.

6- GIS Committee has concluded its rankings of vendors. Because there were two specific functions the committee was looking at, they evaluated the vendors in two different ways. The rankings are below:

Completing the County Base Map

911 Mapping

1. Panda Consulting
2. Bruce Harris & Associates
3. HAS Consulting Group
4. GeoComm
5. Contact One
6. Preble-Rish
7. Digital Data Technologies
8. Calvin, Giordano & Associates

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7- Remind Board that it has a 2nd Budget Hearing at night on Sept. 20, and a regular scheduled Board meeting at night on Sept. 21. The final night meeting for this year will be in Carrabelle on Dec. 21.

8- Airport Update- The airport has not received written confirmation that it passed its latest inspection, but the inspector indicated the airport did pass but it had a few minor items it needed to work on.

On a separate issue, the Airport Advisory Committee at its August 16 meeting recommended that Mr. Mosteller be entitled to earn/receive 1% of Administrative fees associated with Airport grants over and above the current County Commission cap of \$12,000.

9- Inform that Board that the Eastpoint Cemetery water issue has been resolved. Mr. Charles Pennycuff, Fisherman's Choice, is taking the responsibility of getting the tap and making sure that it is used responsibly. Anyone in Eastpoint wanting to know more about water at the cemetery should contact Mr. Pennycuff at Fisherman's Choice.

Motion by Sanders, seconded by Jackel, to send a Letter of Thanks and Resolution to Mr. Pennycuff and his family regarding the provision of water at the Eastpoint Cemetery; Motion carried 5-0.

10- Board action to approve a Resolution recognizing Noah Lockley, Sr., and his wife for 70 years of marriage.

Motion by Putnal, seconded by Sanders, to approve a Resolution recognizing Noah Lockley, Sr. and his wife for 70 years of marriage; Motion carried 5-0.

11- Presentation to Board of water collected at the source of Chattahoochee River, in far north Georgia.

Mr. Pierce discussed his vacation hiking the Appalachian Trail.

Mr. Pierce updated information regarding the use of the rocks and a DOT project at the St. George Island Boat Ramp.

Mr. Pierce said that Luberto Construction is removing the rocks at no cost to the County.

Commissioner Sanders asked for signs to be straightened out at St. James Bay.

Commissioner Sanders asked about requiring rotation of employees working through the Gulf Coast Workforce grant in the County so that more residents benefit from the grant.

Commissioner Jackel said the grant expires on September 30 but the GCWF is trying to get an extension on the grant.

Commissioners Lockley and Jackel along with Mr. Pierce discussed the dependent requirement of the grant.

T. Michael Shuler – County Attorney – Report (11:44 AM)

Attorney Shuler presented his report to the Board.

1. Proposed Land Swap: At 10:30, a joint public hearing with the City of Apalachicola, Florida will be held to consider a land swap to benefit the reconstruction of Weems Hospital. A copy of the advertisement is attached which more fully explains the land swap and its purpose.

This item was presented earlier in the meeting.

2. Proposed Donation To Franklin Count Land Trust: At 10:45, a public hearing will be held to consider Franklin County's donation of two lots in Apalachicola to the Franklin County Land Trust for the purpose of providing lands upon which affordable housing may be constructed. A copy of the advertisement is attached which more fully explains the land swap and its purpose.

This item was presented earlier in the meeting.

3. The Bank of New York vs. Stephen Bernstein (10-444-CA): Bernstein owes the bank \$950,000.00, secured by a mortgage recorded in OR Book 699, page 219, Franklin County. The property is located on St. George Island. Franklin County is owed a fire assessment lien, recorded after the mortgage in OR Book 992, Page 624. The County's assessment is inferior to the bank's mortgage and less than \$100 is owed to the county. There is no economic reason for me to defend this case as the expense to the county will exceed the amount owed and there is no realistic expectation that the county will collect the assessment.

BOARD ACTION: Motion authorizing me to accept service of process and allow a default to be entered. Franklin County will not collect this assessment, but will collect future assessments.

Motion by Sanders, seconded by Lockley, to approve acceptance of service; Motion carried 5-0.

Attorney Shuler suggested including the Special Assessment in the Ad Valorem Tax Bill in order to help ensure the County receives these funds in the event of foreclosures.

The Board and Mrs. Johnson discussed putting the Special Assessment on Ad Valorem Tax Bills.

Steve Fling, Chief of Alligator Point VFD, also commented on this matter.

The Board asked Attorney Shuler to discuss this matter with the Tax Collector and Property Appraiser and investigate what other counties are combining Tax Bills.

4. Progress Energy Proposed Easement: Progress Energy has requested that Franklin County consider granting it an easement thirty five feet wide and one thousand two hundred and fifty

feet long (35'x 1,250') at the intersection of Airport Road and Highway 98. I need permission from the Board to schedule a public hearing at which you may consider their request. According to Progress Energy, they need the easement because they do not have a written easement for that part of the existing transmission line. According to Progress Energy, they do not propose to relocate the transmission line in any manner.

A copy of the proposed easement is attached.

Board Action Requested: Motion authorizing me to schedule a public hearing.

Motion by Sanders, seconded by Putnal, to schedule a public hearing to discuss Progress Energy's request to have the County consider granting an easement for power poles, which are already in place; Motion carried 5-0.

Commissioner Jackel asked if the County has to follow the order of the wording that is on the ballot for the healthcare one cent sales tax.

Attorney Shuler commented on the order of events and the possible need to renegotiate with the City of Apalachicola and the City of Carrabelle if the order is to change.

Commissioner Putnal believed that the wording of the surtax would allow funding to upgrade the ambulance service.

The Board and Attorney Shuler discussed the terms of the ballot, the order of how the funding should be spent and whether or not the order of events would have to be re-negotiated to change them.

Commissioner Jackel wanted to know why the wording was written before the referendum passed and Attorney Shuler discussed this further.

Commissioner Jackel suggested that voters didn't realize how the money received from the sales tax surtax was going to be used.

Chairman Parrish suggested that Board members fully understand the inter-local agreements with the City of Apalachicola and the City of Carrabelle as this sales tax was promoted to take any subsidy to Weems off of the Ad Valorem sales tax and to offset cost to indigent residents in Franklin County who do not have insurance.

Commissioner Sanders further explained that she was only looking for a way to fund better ambulance services along with keeping Weems funded through this tax and not use any Ad Valorem tax dollars.

Commissioner Lockley stated his preference as to the order in which the surtax should be spent.

Mr. Pierce commented on what was being done to seek the building of a new hospital and also the cost of the project.

Commissioner Jackel believed that this matter concerned the entire County and not just the two cities.

The Board discussed this matter further.

Motion by Sanders, seconded by Jackel, to direct Attorney Shuler to notify the City of Apalachicola and the City of Carrabelle that the County will use a portion of the surtax funding to upgrade ambulance services in Franklin County; Motion carried 4-1, Lockley opposed.

NON-ACTION ITEMS

5. Calvin-Giordano and Associates (CGA): Attached is the email from George Keller, Jr., Vice-President of CGA acknowledging in writing CGA's consent to the termination of their contract with Franklin County and consenting to Franklin County entering into a contract with GRD for the same services.

6. Hospital Surtax: Attached is a copy of the ballot language, the ordinance, the two inter-local agreements, and minutes from an August 30, 2007 workshop held by the Board.

7. Roscoe Daly House: Your realtor, Donna Maloy of Sea Crest Realty, has recommended reducing the sale price from \$64,500.00 to \$59,900.00. I have told her to proceed as she believes is best. Any offer she receives will be reduced to writing and returned to the Board for consideration.

8. Department of Corrections Possible Reduction of Inmate Crews: Attached is the August 20, 2010 letter to D.O.C. Secretary McNeil requesting that he not reduce the inmate crews in Franklin County.

9. Jarrett Woolever Claim: Attached is the letter from the Florida Association of Counties Trust denying Mr. Woolever's insurance claim against Franklin County. Mr. Woolever alleged that he was damaged as a result of being falsely arrested by the Franklin County Sheriff.

Commissioners' & Public Comments (12:19 PM)

Commissioner Putnal explained that he had recently moved and has been without phone service so he asked that anyone who needs him to call Mr. Pierce.

Steve Fling, of Alligator Point, asked if the Board was ready to recommend members of the ESAC (Emergency Services Advisory Committee).

Mr. Pierce stated that he is moving forward with this but the Board is not ready to recommend members as of yet.

Mr. Fling stated that there was an incident recently that required a third ambulance because there were no other ambulances in the County.

Mr. Fling discussed the benefits to the County by hiring Lifeguard Ambulance Services and suggested holding a workshop to discuss a final price for the third ambulance.

David Mills asked if there was a time limit for advertising contract with The Times. Attorney Shuler stated that there were no terms expressed in the contract and there is not a signed copy of the contract.

Mr. Mills asked if the RFP and the contract were two separate contracts.

Attorney Shuler stated that he would have to investigate this matter further and would like the opportunity to listen to the audio of that meeting.

Motion by Sanders, seconded by Jackel, to direct Attorney Shuler to investigate and provide necessary information to the Board on this matter so a decision could be made; Motion carried 5-0.

Adjourn (12:31 PM)

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

Joseph A. Parrish – Chairman, FCBCC

Attest:

Marcia M. Johnson – Clerk of Courts