

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
JULY 5, 2011
9:00 AM**

MINUTES

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

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

Call to Order (9:03 AM)

Chairman Lockley called the meeting to order.

Prayer and Pledge (9:04 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of the Minutes - June 7, 2011 and June 21, 2011 Regular Meetings (9:05 AM)

Motion by Putnal, seconded by Parrish, to approve the Minutes of the June 7, 2011 & June 21, 2011 Regular Meetings; Motion carried 5-0.

Payment of County Bills (9:06 AM)

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

Jimmy Harris – Tax Collector – Update on Tax Sales (9:06 AM)

James Harris, Franklin County Tax Collector, addressed the Board and discussed the Tax Certificate Sale, which was held on May 27th. Mr. Harris said most of the certificates were sold to individuals and not many were left for the County. He provided figures for the Insolvency

Report, which is a list of additions and subtractions from the Tax Roll and he also asked for Board action accepting the Insolvency Report.

Mr. Harris asked for Board action on changing the MSBU delinquency notice date from April 1st to June 1st and explained why this would be beneficial to the public. He said this will correspond with the Ad Valorem Tax bills.

Commissioner Sanders said she had received calls concerning this matter and agreed that the delinquency notice date should be changed to June 1st.

Mr. Harris said he had given the Clerk's Office around 1,800 MSBU liens this year.

The Board and Attorney Shuler discussed the need for a Public Hearing to change the MSBU date by Ordinance.

Commissioner Jackel discussed putting the MSBU notice on the tax bill rather than sending a separate notice.

Mr. Harris discussed this matter further and said this decision would be up to the Property Appraiser.

Mrs. Johnson expressed her opinion on putting the MSBU on the tax bill.

Commissioner Jackel asked that this be discussed, along with changing the notice date, at the Public Hearing.

The Board discussed this matter further and asked Mr. Harris to find out how many other surrounding Counties place the MSBU on their Ad Valorem Tax Bills.

Motion by Sanders, seconded by Parrish, to authorize the Chairman to sign the Insolvency report and direct Attorney Shuler to schedule the public hearing to consider moving the MSBU notice date and including that amount on the tax bills; Motion carried 5-0.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:15 AM)

Mr. Chipman presented his report to the Board.

Mr. Pierce presented Item #1 from his report.

1- (Discuss with Hubert present) The Board has authorized Mr. Chipman to advertise an opening with a starting salary of \$25,000. According to the county employee rules, current employees are provided a notice of an opening in the event they want to seek a transfer. Mr. Chipman has advised me that at least one current employee from another department has expressed an interest in transferring to Public Works. I have spoken with Ms. Lucy Turner and she concurs with my assessment that Mr. Chipman should still advertise the position so that he has the ability to select the most qualified applicant from the total pool of transfers and new applicants. The personnel rules state, "The Department Head shall select the applicant/transfer candidate who is determined by management to be the most qualified for the position." The personnel rules do state that the submission of new employment applications may be waived in the case of transfers, but the Board has not directed Mr. Chipman to favor a transfer so I believe he needs to advertise and select the most qualified applicant from either a transfer or a new applicant.

Motion by Sanders, seconded by Parrish, to authorize Mr. Chipman to advertise for the vacant position; Motion carried 5-0.

Mr. Pierce presented Item #2 from his report.

2- The Board directed me at the last meeting to review the county salary structure to see if additional changes should be made. I have been in consultation with the county Finance Office and there are some ideas that we are developing but I do not have a recommendation at this time. I hope to have it by the next Board meeting.

The Board discussed the 3% retirement the County and Constitutional employees will have to pay.

The Board discussed the status of the County workforce and the need to replace workers as they retire.

Van Johnson – Solid Waste Director (9:21 AM)

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

The Board discussed the upcoming Dixie Youth League Girls Softball State Tournament to be held at Kendrick Sports Complex in Carrabelle.

Commissioner Sanders discussed the hard work over the years to get to this point for the County to be hosting the tournament.

The Board and Mr. Johnson discussed morale within his department.

Mr. Johnson said he has always moved employees around within his department in order to have them do the jobs that best suit their abilities.

Commissioner Sanders discussed her excitement over seeing one of her visions coming to fruition with the State tournament being held in Franklin County.

Pam Brownell- Emergency Management Director (9:26 AM)

Mrs. Brownell presented her report to the Board.

Action Items: None

Information Items:

- 1. Wakulla County lost a great man on June 24, 2011 Joe Blanchard the former Emergency Management Director and County Commissioner for many years he will be missed.*
- 2. Meetings held on June 28, and 29 concerning the power outage on St George Island.*

Mrs. Brownell thanked Ms. Beth Brinkley for her assistance with updating the businesses on St. George Island during the power outage.

Commissioner Jackel also thanked Ms. Brinkley for her assistance and also thanked the Emergency Management office for their efforts.

Commissioner Jackel discussed the events regarding the power outage, including her conversation with Bobby Pickels. She discussed the effects that the outage had on the County and her desire that the wooden poles be replaced as soon as possible.

Commissioner Putnal suggested asking Progress Energy to bury the lines going to St. George Island and asked if poles in other parts of the County need replacing.

Commissioner Sanders discussed her conversation with Bobby Pickels of Progress Energy. She said the residents of St. George Island were fortunate that Progress Energy had provided generators.

Motion by Jackel, seconded by Sanders, to send a letter to Progress Energy to reconsider the time line for replacing the wooden poles to cement poles; Motion carried 5-0.

The Board and Mrs. Brownell discussed changes in weather patterns and the storm readiness of the County.

Bill Mahan – County Extension Director (9:36 AM)

Mr. Mahan was not in attendance.

Keith McCarron, ARPC Update on 5 year DOT work plan (9:36 AM)

Will be at the next meeting

Marcia Johnson – Clerk of Courts – Report (9:37 AM)

Mrs. Johnson had no report for the Board.

Alan Pierce – Director of Administrative Services – Report (9:37 AM)

Mr. Pierce presented his report to the Board.

1- (Discuss with Hubert present) The Board has authorized Mr. Chipman to advertise an opening with a starting salary of \$25,000. According to the county employee rules, current employees are provided a notice of an opening in the event they want to seek a transfer. Mr. Chipman has advised me that at least one current employee from another department has expressed an

interest in transferring to Public Works. I have spoken with Ms. Lucy Turner and she concurs with my assessment that Mr. Chipman should still advertise the position so that he has the ability to select the most qualified applicant from the total pool of transfers and new applicants. The personnel rules state, "The Department Head shall select the applicant/transfer candidate who is determined by management to be the most qualified for the position." The personnel rules do state that the submission of new employment applications may be waived in the case of transfers, but the Board has not directed Mr. Chipman to favor a transfer so I believe he needs to advertise and select the most qualified applicant from either a transfer or a new applicant.

This item was discussed earlier in the meeting.

2- The Board directed me at the last meeting to review the county salary structure to see if additional changes should be made. I have been in consultation with the county Finance Office and there are some ideas that we are developing but I do not have a recommendation at this time. I hope to have it by the next Board meeting.

This item was discussed earlier in the meeting.

3- The Board asked for a cost estimate for improvements at the Armory and Lombardi Seafood Landing Park. I have extracted cost estimates for the Armory from the Architect's Assessment that was done through a Historical Preservation Grant in 2006. Attached to my report is the prioritization of repairs/improvements recommended by the architect. The architects split the repairs into 2 phases- Phase 1 at \$150,700, and Phase 2 at \$645,570, for a total estimated cost of \$796,270.

The cost of making improvements at Lombardi is harder to estimate because there could be a wide range in costs depending on how the existing building is used. The building is intended to hold museum displays but since the displays have not been conceived it is not possible to develop costs. But as a rough guide, the building could be dried in, secured, and made functional for \$50,000.

Motion by Sanders, seconded by Parrish, to direct Mr. Pierce to send these figures to the Tourist Development Council so it could be included in their budget; Motion carried 5-0.

4- Board action to expend \$30,000 of Bald Point Trust to pay for the appraised value of land the county is seeking in condemnation along Tom Roberts Road. This expenditure is FEMA reimbursable.

Attorney Shuler further explained this item.

Commissioner Sanders wanted to verify that this expenditure would be reimbursed by FEMA and Mr. Pierce stated that it should be reimbursed by FEMA.

Motion by Sanders, seconded by Parrish, authorizing the expenditure of \$30,000 of Bald Point Trust to pay for the appraised value of land the county is seeking in condemnation along Tom Roberts Road; Motion carried 5-0.

5- Board action to sign Modification No.1 for an increase of \$12,335 to the Storm Water Project at the Airport. The state has approved the modification and is providing 100% of the funds.

The Board discussed this matter.

Motion by Parrish, seconded Jackel, to approve signing Modification No.1 for an increase of \$12,335 to the Storm Water Project at the Airport; Motion carried 5-0.

6- Inform Board that Senator Nelson has responded to the Board's letter concerning North Florida Medical Center (NFMC). The US Dept. of Health and Human Services is monitoring NFMC to ensure compliance with federal requirements.

7- Mr. Chuck Tear has requested a letter of recommendation from the Board for his work during the BP oil spill. Board direction.

Motion by Parrish, seconded by Sanders, to approve writing a letter of recommendation from the Board to Chuck Tear for his work during the BP Oil Spill; Motion carried 5-0.

8- The Weems Hospital Board met in regular session on June 30th, and the following items were announced:

A) Weems received a \$24K grant from the Office of Rural Health for upgrades in the way pharmaceuticals are dispensed.

B) The Hospital Board amended its governing policies to include the following checks and balances:

**All contracts or agreements for the purchase of equipment, goods, or services must be reviewed by the CEO, CNO, or CFO, the county attorney, and the Board before final execution.*

**Any items paid for using sales tax funding must receive approval from both the Hospital Board and the Board of County Commissioners. (This last item I had been reporting any expenditures to the county commission but it had not been a rewritten policy of the Hospital Board.)*

C) And on the issue of expenditures of the share of sales tax for capital outlay, the Hospital Board would like authorization to spend \$34,680 for a dual die injector for the new CT scanner, and \$14,000 to replace the engine and transmission in one of the ambulances. I advised the Hospital Board of the high rate of consumption that was currently going on with the capital outlay portion of the sales tax. The Board understood the ramifications but believe both expenditures are warranted.

Commissioner Sanders warned that the Capital funding is starting to run low.

Chairman Lockley suggested that the Hospital Board meet with the Commissioners.

Commissioner Parrish stated that these recent policy changes should stop some of the problems with spending and contracts with the Hospital Board.

Commissioner Sanders agreed with statements made by Commissioner Parrish.

Motion by Parrish, seconded by Jackel, to authorize funding from the hospital's capital fund in the amount of \$34,680 for a dual die injector for the new CT scanner, and \$14,000 to replace the engine and transmission in one of the ambulances; Motion carried 5-0.

Chairman Lockley commented on the hospital using an out of town contractor for billing versus employing local residents. He believed that local employees could have been trained for those jobs.

Chairman Lockley also renewed his request to meet with the Hospital Board.

Commissioner Jackel commented that Hospital Board meetings should be advertised so more than one County Commissioner may attend.

Mr. Pierce said the Hospital Board would be contacted concerning this matter.

Commissioner Sanders commented on the hospital and the Board being aware of the Hospital Board actions. She said everyone has an interest in the hospital and believed the Commissioners should be more involved.

Commissioner Putnal discussed local residents using Sacred Heart Hospital in Port St. Joe versus Weems Hospital.

The Board and Mr. Pierce discussed some of the problems at Weems Hospital, including the Emergency Room doctors.

D) Ms. Davie Lloyd, new Weems CEO, will start July 25. We will get her to a Board meeting as soon as possible. TMH is providing an interim CEO until then.

Pierce suggested waiting for the new CEO to start before meeting with the Hospital Board.

E) Board action to accept the resignation of Mr. Curt Blair from the Hospital Board, and to appoint Mr. Jim Bachrach. Mr. Blair was an appointment from Commissioner Parrish's district and so the replacement is supposed to come from the same district. The Hospital by-laws call for the Hospital Board to make a recommendation to the county commission for filling vacancies on the Hospital Board, and the Hospital Board recommends Mr. Bachrach.

Motion by Parrish, seconded by Sanders, to accept the resignation of Mr. Curt Blair from the Hospital Board, and to appoint Mr. Jim Bachrach to his position; Motion carried 5-0.

9- The Franklin County Election Office has contacted the Planning Office to say they have been unable to locate Mr. Bill Laine, a Planning and Zoning member, and Mr. Laine has been delinquent in filing his Financial Disclosure forms. Mr. Laine called me several weeks ago to say he was in North Carolina but he did not provide any address or phone number. Mr. Laine does not have a current valid Franklin County address as all our correspondence with him has been returned "No forwarding address."

In order to satisfy the requirements of the Ethics Commission and their requirement for a timely filing of the Disclosure forms I recommend the Board remove Mr. Laine. Mr. Laine was appointed by Commissioner Lockley.

Motion by Sanders, seconded by Jackel, to approve removing Bill Laine from the Planning and Zoning Board; Motion carried 5-0.

Mr. Pierce stated that Santa Rosa didn't sign the 8-County Resolution for federal distribution and read an email from Commissioner Grover Washington regarding this matter.

The Board discussed this matter further.

Commissioner Putnal thanked Commissioner Parrish for all of his hard work on this matter.

Motion by Sanders, seconded by Putnal, to ask Commissioner Parrish to contact Commissioner Washington and inform him that Franklin County will move forward with the Resolution; Motion carried 5-0.

Mr. Pierce read an email from John Wayne Smith, of FAC, regarding an action committee and fee schedule.

Chairman Parrish said he attended this meeting and provided additional information on this matter.

The Board discussed this matter further.

Motion by Parrish, seconded by Jackel, to table this item until more information is received; Motion carried 5-0.

Mr. Pierce stated that the BP office in Apalachicola will be closed in August.

Chairman Lockley stated that it will be an inconvenience to local residents if they close the local office and asked the Board to send a letter to BP asking them to keep the office open.

Motion by Parrish, seconded by Sanders, to authorize a letter to BP asking them to keep the Apalachicola claims office open; Motion carried 5-0.

Nikki Millender, Coordinator of the Parks and Recreation Department, updated the Board on the schedule for the Dixie Tournament and gave the Commissioners event passes.

Commissioner Sanders asked Mr. Pierce to make sure that EMT's are available because of the heat.

Recess (10:18 AM)

Chairman Lockley called for a recess.

Reconvene (10:38 AM)

Chairman Lockley reconvened the meeting.

Curt Blair – TDC – Update (10:38 AM)

Curt Blair, of the Franklin County Tourist Development Council, updated the Board on TDC items relating to the BP Grant which included a handout.

MEMO

TO: FC BOCC

FROM: FC TDC

July 5, 2011

The TDC Board met in a special meeting on June 28 to consider a number of items relating to the BP Grant. You will be receiving a copy of the minutes of that meeting shortly.

Three items were approved and are being presented to you at your meeting on July 5. These include:

- 1) At the request of the County Commission, the TDC and its BP Grant advertising agency has met with the County's Parks and Recreation Department to determine the level of assistance the TDC can provide for the Dixie League Softball Tournament. After review the TDC is planning to provide approximately \$8,500 to pay for gift bags containing tourism information and favors, and pay costs associated with printing the tournament brochure from BP grant funds. In addition, the TDC will be covering 1/3 of the expected*

cost of the tournament banquet from regular TDC funds. We would ask your final approval of these items.

- 2) *The County Commission has indicated on several occasions that the TDC utilize local entities when obtaining services wherever possible. Specifically, the Commission has asked that the TDC move in the direction of obtaining assistance with recruiting and assisting travel writers when they come to Franklin County. The TDC currently has approved travel writer tours for August and October to be handled by Geiger and Associates. There are a number of reasons that it makes sense to continue the Geiger agreement for another year which the TDC would hope to do. At the same time, the TDC Board has approved a mechanism that utilizes the three Visitor Centers to begin local recruitment of travel writers and to service writers from individual publications that come to Franklin County independently. The TDC is currently developing an agreement to fund the three Visitor Centers \$25,000 each to provide necessary local travel writer services. The Board thinks this plan will make the best use of the relationship with Geiger and Associates while providing an equitable formula for obtaining services from the Visitor Centers.*

The TDC would request your approval to continue the Geiger Service through next spring. The TDC would request approval of funding the Visitor Centers at \$25,000 each from BP monies for local travel writer services.

- 3) *Monthly Promotions: Included in the BP grant are funds for conducting monthly promotions. The TDC has reviewed a proposal from its Advertising Agency to provide each community the sum of \$27,500 to assist in conducting local promotions. These funds will be covered under the BP grant and will be included in the next Buy Request to BP. We would request your approval of this proposal.*

He said the BP Grant wouldn't cover the cost of the bags for the tournament and stated that the TDC is covering the cost of the bags, the brochures and half of the cost for the banquet. Mr. Blair asked for Board action on this matter.

Mr. Blair discussed continuing the contract with Geiger Ad Agency and explained the benefits of this relationship. He also discussed using BP funds to contract with the three local visitor centers so they can start promoting tourism.

Commissioner Jackel and Mr. Blair discussed the specific role of the visitor centers.

Chairman Lockley and Mr. Blair discussed the differences between the services of Mrs. Helen Spohrer and the Geiger Ad Agency. They also discussed what Geiger did for the County during the oil spill.

Commissioner Putnal asked that these agencies, non-profits and contractors be made aware these BP funds are only available for one year. Mr. Blair commented on this matter.

Commissioner Sanders asked if the visitor centers are required to meet any criteria for the \$35,000 they receive annually from the TDC.

Mr. Blair said there are criteria and explained how each of the visitor centers can receive additional funding, above the \$35,000 from the local tourist tax, and the proposed \$25,000 from BP funding.

Commissioner Putnal suggested including the four local airports in the County as part of tourism advertising.

Chairman Lockley and Mr. Blair discussed the conditions and criteria for the services Geiger provides for the County.

Commissioner Parrish asked if the funding for Geiger's contract will be from BP and Mr. Blair explained that some of the funding will be from BP but some will be from the TDC tourist tax dollars that are collected. Commissioner Parrish stated that he would prefer that the Board not commit any tourist tax dollars until the TDC budget is approved during budget time. Mr. Blair explained that he only wanted the Board's agreement with moving in this direction, not a contract approval.

Chairman Lockley asked about radio ad funding and Mr. Blair discussed this.

Chairman Lockley stated that he wants a lot of the BP money to be spent locally. Mr. Blair then discussed monthly promotions.

Commissioners Jackel and Parrish and Mr. Blair discussed how these funds would be distributed throughout the County. Mr. Blair said the funds would be split between Apalachicola, Carrabelle and Eastpoint/St. George Island.

Commissioner Sanders said she understood that the funds would be split between Apalachicola, Carrabelle/Lanark Village/Alligator Point and Eastpoint/St. George Island.

Chairman Lockley and Mr. Blair discussed the process to submit requests for these funds.

Mr. Blair stated that some of the requests for the small grant funding program will be able to be funded by using BP funds.

Chairman Lockley recommended that there be a maximum amount on each applicant for this program so that one applicant doesn't receive all of the funding.

Motion by Jackel, seconded by Parrish, to approve funding for items 1 and 2, but table item 3 until more information is received from Ms. Spohrer at the next meeting; Motion carried 5-0.

Mr. Blair stated that the TDC is currently reviewing the applicants for the small grant program.

Chairman Lockley and Mr. Blair discussed what type of group is considered a non-profit organization.

Commissioner Jackel asked if Eastpoint started a Chamber would they receive funding separately and Mr. Blair stated that they should but the TDC would have to review the rules and procedures.

The Board discussed a County Economic Development Council and the benefits of having one.

Commissioner Sanders verified that Mr. Blair had received the figures for the Armory and Lombardi Seafood Park. Mr. Blair explained how soon this funding would be available to start work on the Armory.

Commissioner Sanders said she wanted to see the work on the Armory completed in order to promote the County and bring in more jobs.

Chairman Lockley asked Mr. Blair to provide definite dates for the Armory project as soon as he can.

Commissioner Jackel stated that she received an email from John Solomon, President of the Florida Seafood Festival Committee, requesting funding for promotional items and she would like the TDC to fund an advertising budget for this event. She also discussed some of the benefits the Festival provides for the County.

Mr. Blair stated that he has been in communication with the Seafood Festival Committee and will discuss this matter further with the TDC and Ms. Spohrer.

Motion by Jackel, seconded by Sanders, to direct the TDC and Ms. Spohrer to get with the Seafood Festival Committee to discuss providing an advertising budget for the annual Seafood Festival event in Apalachicola; Motion carried 5-0.

T. Michael Shuler – County Attorney – Report (11:30 AM)

Attorney Shuler presented his report to the Board.

Capital City Bank/ South Shoals Condemnation

A. Attached are two resolutions for the Board's consideration. The resolutions are necessary preconditions before I can file the condemnation lawsuit. The two resolutions speak for themselves.

Board Action: I request that the Board approve the resolutions.

Attorney Shuler explained the legal process of the lawsuit.

Commissioner Sanders asked if the County is responsible to pay for all of the attorney fees that Capital City submits.

Attorney Shuler explained that the Court will decide what fees are reasonable.

Attorney Shuler stated that there are no other parties besides Capital City that the County will be involved with.

Attorney Shuler read the highlights from Resolution 2011-1:

This tract of land is part of the South Shoals PUD Ordinance Number 2004-36 and the plat thereof recorded in Plat Book 9, Page 21, Franklin County, Florida (Hereinafter "South Shoals" or "South Shoal Subdivision). Generally speaking, the Project Parcel is a tract of land fifty-one feet wide by three hundred ten feet long, more particularly described in exhibit "A." The Project Parcel is bounded on the East by Tom Roberts Road and on the West by Harbor Circle, a/k/a Harbor Road, both of which are public roads, and represents an extension of Tom Roberts Road connecting to Harbor Circle; it is bounded by private property on the North and South. This Project will provide a public road inland from the open waters of the Gulf of Mexico, thereby bypassing approximately One Thousand feet of Alligator Drive between Tom Roberts Road to the East and Harbor Circle to the West which has been repeatedly destroyed and/or damaged by storms and hurricanes due to its location abutting the open waters of the Gulf of Mexico.

The Project Parcel has previously been constructed, paved and completed as a road for many years (in part by a prior owner and in part by Franklin County), but remains private because the parties negotiations for a voluntary purchase failed.

Presently, Alligator Drive is the sole public road providing access to Alligator Point from the mainland. Alligator Drive between Tom Roberts Road and Harbor Circle is highly vulnerable to stonn damage and hurricanes because it abuts the open waters of the Gulf of Mexico. Between those two points, Alligator Drive suffers repeated destruction and/or damage from storms and hurricanes. This necessitates expensive and repeated reconstruction, or extensive repairs, and prevents public access to approximately two-thirds of Alligator Point West of Tom Roberts Road because Alligator Drive is the sole public road which presently provides such access.

This Project will provide an inland by-pass around the most vulnerable area of Alligator Drive (the 1,000 feet, more or less, of Alligator Drive between Tom Roberts Road and Harbor Circle), thereby enhancing public safety and access, as well as saving scarce public resources which otherwise must be used to reconstruct this part of Alligator Drive following its destruction, or severe damage, in this highly vulnerable area.

Without this Project, Alligator Drive between Tom Roberts Road and Harbor Circle will continue to abut the open waters of the Gulf of Mexico as the sole public road connecting Alligator Drive to the mainland and, with no inland by-pass, will continue to suffer frequent destruction and

damage by storms and hurricanes such that it is unsafe for vehicular traffic and causing expensive and time consuming repairs or reconstruction, which can be materially reduced if the road does not have to be reconstructed or repaired to the level of service required for the only access road for Alligator Point, or, alternatively, public use of that part of Alligator Drive can be restricted, limited or abandoned in a manner not available to Franklin County if it remains as the sole access road to Alligator Point.

This Project will alleviate the harm to the public's health, safety and welfare caused by the absence of a reliable storm-ready public by-pass road to Alligator Point West of the intersection Tom Roberts Road, and will provide public ingress and egress, evacuation and recovery from storms and hurricanes and the provision of emergency services and police services by Franklin County in circumstances when such services and access have in the past been cut-off for substantial periods of time due to the absence of an inland by-pass, resulting in an undue delay in evacuation and recovery from storms and hurricanes.

The Project will also allow Franklin County to consider cost effective alternatives to the continued reconstruction of Alligator Drive between Tom Roberts Road and Harbor Circle at its present level of service as the sole access road to the mainland, such as limiting or restricting public access or abandonment. Without the Project, Franklin County will have no such cost effective alternatives and the public health, safety and welfare will continue to suffer from the lack of a storm ready road. Franklin County has been unsuccessful in negotiating the voluntary purchase of this tract.

Motion by Sanders, seconded by Putnal, to authorize and adopt Resolution 2011-1; Motion carried 5-0.

Attorney Shuler read the highlights from Resolution 2011-2:

These four lots are part of the Alligator Harbor Unit 3 subdivision recorded in Plat Book 5, Page 29, Franklin County, Florida (Hereinafter "Harbor Circle"). Generally speaking, the Project tract is a two acre parcel of land consisting of four lots. The Project tract is bounded on the East by Harbor Circle aka Harbor Road and on the West by Harry Morrison's Island Road; it is bounded by private property on the North and by Alligator Drive on the South. This Project will eliminate the current intersection of Harbor Circle aka Harbor Road and Alligator Drive and relocate Harbor Circle inland a distance of approximately 200 feet North and construct a new connection with Harry Morrison's Island Road. The Project will thereby providing a public road inland from the open waters of the Gulf of Mexico, thereby avoiding approximately 250 feet of Alligator Drive, which suffers frequent and expensive destruction or severe damage short of complete destruction as a result of its proximity to the open waters of the Gulf of Mexico. When Alligator Drive abutting the Project is impassable to vehicles due to storm or hurricane damage, there is no public access to approximately two-thirds of Alligator Point. This Project will provide an inland route around this part of Alligator Drive, thereby enhancing public safety and access, as well as saving scarce public resources which otherwise must be used to repair or reconstruct this part of Alligator Drive. Without this Project, that part of Alligator Drive will continue to abut the open waters of the Gulf of Mexico and will continue to suffer frequent wash-outs and expensive

repairs. Franklin County has been unsuccessful in negotiating the voluntary purchase of this tract.

Motion by Sanders, seconded by Parrish, to authorize and adopt Resolution 2011-2; Motion carried 5-0.

B. Since we are using federal FEMA funds it appears that I may have to provide additional notice to Capital City Bank before filing the lawsuit. This is for your information only.

C. As you know, the same afternoon that I telephoned Capital City Bank's attorney, Rhonda Morris, to inform her that Franklin County intended to file a condemnation lawsuit, they delivered a proposed replat to Planning and Zoning. That replat is presently scheduled for consideration by P&Z on July 12, 2011. I believe that the board should conduct public hearings to determine whether it desires to enact a moratorium on all site plans, development orders, plats, replats and building permits at Alligator Point in the area around, and including, South Shoals Subdivision.

Board Action: I request that the Board authorize me to schedule public hearings so that you may consider whether to enact a moratorium.

Attorney Shuler updated the Board on the status of the condemnation lawsuit and explained the reason he is encouraging the County to proceed with it. He said the Board and the public would be better suited to consider the moratorium on re-plats, site plans or any construction that continues to add to public access on that vulnerable area of Alligator Point Road.

Commissioner Putnal stated his desire to have the Alligator Drive relocated from where it is but didn't want to stop any development in Franklin County.

Motion by Sanders, seconded by Jackel, to schedule public hearings in order for the Board to consider whether to enact a moratorium; Motion carried 5-0.

Commissioners' & Public Comments (12:05 PM)

Commissioner Putnal suggested that the Board set up public workshops with the current Road Department administration and employees to discuss future plans for this department as both the Director and Assistant Director will be retiring in 2012. He believes it is important that these employees are allowed to express their ideas and concerns.

Mr. Pierce discussed this idea with the Board and suggested that each Commissioner individually visit the department and discuss this with the employees.

Commissioner Sanders stated that even though the Board likes to hear from County employees, it is still ultimately the Board who makes the decisions.

Adjourn (12:13 PM)

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

Noah Lockley, Chairman – FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts