

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
NOVEMBER 15, 2011
9:00 AM**

MINUTES

Commissioners: 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 (9:02 AM)

Chairman Lockley called the Meeting to order.

Prayer and Pledge (9:03 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes – October 18 & November 1, 2011 Regular Meetings (9:03 AM)

Motion by Sanders, seconded by Putnal, to approve the Minutes of the October 18, 2011 & November 1, 2011 Regular Meetings; Motion carried 5-0.

Payment of County Bills (9:04 AM)

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

Election of Chairman & Vice Chairman (9:04 AM)

Motion by Sanders, seconded by Putnal, to appoint Commissioner Jackel as Chairman of the Franklin County Board of County Commissioners; Motion carried 5-0.

Chairman Jackel thanked the Board for their support.

Motion by Sanders, seconded by Parrish, to appoint Commissioner Putnal as Vice Chairman of the Franklin County Board of County Commissioners; Motion carried 5-0.

The Board and Mr. Pierce discussed the role of Vice Chairman.

Chairman Jackel reappointed Commissioner Sanders to the Franklin Tourist Development Council Board. Commissioner Sanders accepted the reappointment.

Doris Pendleton – Property Appraiser – Update on DOR Requirement (9:09 AM)

Doris Pendleton, Franklin County Property Appraiser, explained the Department of Revenue guidelines for the complete submission of the Tax Roll. She stated that one of the requirements is that the County must have a GIS parcel data map completed and it will cost the County between \$100,000 and \$150,000. She stated that the company hired to do this a few years ago is no longer in business but the maps that were done then are totally outdated.

The Board discussed where to get this funding.

Joseph Ferrell, of the Property Appraiser's Office, explained the difference between the 911 map and the GIS parcel layer map needed by the Appraiser's Office. He explained that some of the information that was used before can be used for the new mapping. Mr. Ferrell recommended taking recommendations from the DOR as to which company to hire for the GIS Mapping.

Commissioner Parrish requested that the contract with the new company be designed so that they are paid as the projects are completed.

There was discussion about this and it was decided that the County will go with the bids that were submitted last year.

Commissioner Lockley asked that the importance of the deadline be stated to the contractors. The Board discussed and decided that the contract would be between the Property Appraiser and the contractor.

Motion by Putnal, seconded by Sanders, to pay for this out of the Capital Outlay Fund and have the contract designed so that payment is made as projects are completed; Motion carried 5-0.

Department Supervisors Report

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

Mr. Chipman had no items for Board action.

Mr. Chipman updated the Board on the Road Department's work being done throughout the County.

Commissioner Putnal asked that the trash be picked up before cutting the grass.

Van Johnson – Solid Waste Director (9:22 AM)

Mr. Johnson had no report but did have an item that required Board action.

Mr. Johnson stated that Lanark Village residents wanted the pavilion and park renamed in honor of Betty Roberts and Jean Sewell.

Motion by Sanders, seconded by Putnal, to rename the pavilion to Betty Roberts Pavilion and the park to Jean Sewell Park, in Lanark Village; Motion carried 5-0.

Mr. Pierce discussed the Fort Coombs Armory rehab project.

Motion by Sanders, seconded by Parrish, to appoint Van Johnson as Project Manager for the Fort Coombs Armory rehab project; Motion carried 5-0.

Motion by Sanders, seconded by Putnal, to direct Van Johnson to contact FDOT and ask if a sign could be erected informing the public of the Hall of Fame monument, honoring Buck O'Neal, in Kendrick Park; Motion carried 5-0.

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

Mrs. Brownell presented her report to the Board.

Mrs. Brownell updated the Board on the alleged sewage spill in the Bay and said DEP is waiting for test results to confirm the origin of this matter.

The Board discussed possible origins of this smell and thought it might be rotten June Grass.

Action Items: None

Information Items:

1. Franklin County Emergency Management along with their consultant, "The Management Experts", will hold their second planning session Nov. 15 for a "River Rescue Exercise". This search and rescue exercise is scheduled for Dec. 10, 2011 and the tentative location will be up the Apalachicola River.
2. Franklin County Emergency Management was successful in obtaining a Hazard Mitigation Grant for our Road Department to install 10 cross drains on the following county roads:
 - McIntyre Road
 - Crooked River
 - Jeff Sanders Road
 - New River Road
 - Mill Road

The amount of the grant is \$52,487 with the Federal Share being \$39,365 and the Local Share being \$13,122 (In-Kind). There is a 10 week window in which to complete this project.

Commissioner Sanders stated that she would prefer the galvanized pipes over the plastic pipes for cross drains in her area because of the traffic on these roads. She said the plastic ones don't hold up under the strain of the log truck traffic.

3. Representatives from The U.S. Army Corps of Engineers, Jacksonville District and the U.S. Army Engineering & Support Center, Huntsville met with county officials on Thursday Nov. 3, 2011 in Carrabelle to discuss Technical Project Planning (TPP) with respect to remedial investigation of areas of the old Camp Gordon Johnston for lost, forgotten and buried munitions.
4. Information is being sought from Planning and Building about the status of their requests from owners of the burned out units from the October 2010 Lanark fire, to move towards repair or removal. Residents are concerned.

Commissioner Sanders stated the concerns regarding the vacant apartments in Lanark Village and the need to clean them up.

Commissioner Parrish asked if the County can do more than put a lien on the property such as possibly withholding a building permit to stop any improvements to the property. He wanted the taxpayers to be protected in this matter.

Attorney Shuler explained this matter further and also discussed options for the Board to consider.

Mr. Pierce discussed this matter with the Board.

Motion by Sanders, seconded by Parrish, to direct Attorney Shuler to contact the owners of the vacant burnt apartments in Lanark Village and explain to them the immediate need for these apartments to be cleaned and then report back to the Board all legal options; Motion carried 5-0.

Bill Mahan – Extension Office Director (9:41 AM)

Mr. Mahan attended a meeting out of town but submitted his report to the Board.

Hospital Update (9:42 AM)

Ms. Davie Lloyd, Weems Hospital CEO, updated the Board on Hospital matters, including the reduction of Medicare payments by 2%. She said this is a great concern for all rural hospitals but especially for critical access hospitals, such as Weems. Ms. Lloyd discussed the requirements for hospitals, through the American Recovery and Reinvestment Act, to implement electronic health records. She said Weems is at the point now where it must implement the EHR and Attorney Shuler has reviewed and is working with them on the contract

with a start-up company. Ms. Lloyd discussed having this implemented by 2012 in order not to lose any reimbursements for Weems. She said included with the EHR would be a new pharmacy medication dispensing system and said the Hospital had received a \$25,000 grant from the State Office of Rural Health in order to defray costs for the EHR.

Ms. Lloyd reported the current census for the month of November as average inpatient per day is 3, average Emergency Room visits per day is 15 and outpatient visits is 10. She said the CT machine was fully installed and functional but she said they wanted to be sure there were no problems with the CT machine before final payment is made.

Ms. Lloyd discussed the AHEC office and said they are offering smoking cessation classes at the Hospital. She discussed the upcoming community health fairs in conjunction with TMH in Carrabelle in February and in Apalachicola in April.

Ms. Lloyd stated that Board action is needed to appoint Dr. Pat Conrad as the new Medical Staff Representative on the Hospital Board of Trustees.

The Board verified that the previous representative, Dr. Miniatt, was still a part of Weems Hospital and was comfortable with this issue.

Motion by Putnal, seconded by Parrish, to appoint Dr. Pat Conrad as the new Medical Staff Representative on the Hospital Board of Trustees; Motion carried 5-0.

The Board and Ms. Lloyd discussed concerns with funding for the electronic health record contract for Weems once the four year contract expires.

Ms. Lloyd explained how the phases of this contract are implemented and said that this company waits for reimbursement from the Federal government before billing the County. She explained the reimbursement process and total cost to the company.

Commissioner Lockley asked if the Hospital could learn how to do its own EHR and Ms. Lloyd said the Federal Government requires the Hospital use a company that is certified in meaningful use, which means they have been approved by the Federal Government.

Commissioner Parrish asked if the Hospital was purchasing or leasing software and Ms. Lloyd said this is essentially internet based.

Commissioner Sanders asked if the Hospital had the money to do this and Ms. Lloyd said it does not but this company does not require payment until the Hospital receives its incentive payment from the Federal Government.

Commissioner Parrish and Ms. Lloyd discussed the future of the EHR, which would allow access to medical records no matter where patients are being treated.

Chairman Jackel and Ms. Lloyd discussed the possibility of the Hospital being part of TMH's EHR system rather than purchasing its own and also costs and reimbursements for the system.

Chairman Jackel asked if training would be provided and Ms. Lloyd said they would provide training.

Commissioner Sanders and Ms. Lloyd discussed the start-up company.

Jerry Forbes, of TMH, updated the Board on Weems' business operation and stated that they anticipate authorizing the beginning of the audit next week, which would help the audit go

smoothly and be on time. She said TMH has dedicated several full time resources to assist with this project and wanted to reassure the Board that the audit is well under way.

Commissioner Sanders stated that she didn't want to pay any fines so she would like to have the audit completed on time.

Ms. Forbes said the deadline that would expose the Hospital to penalties would be the end of January but she didn't believe that would be an issue.

Commissioner Lockley asked if the Hospital had a CFO as of yet and Ms. Forbes said someone from TMH had been on sight several times but that they wanted to get the audit process underway first, due to the time sensitive nature.

Marcia M. Johnson – Clerk of Courts – Report (10:04 AM)

Mrs. Johnson presented this item to the Board.

1-For information, the balance in the hospital's operating account at the end of October was \$29,751.01. There is also \$204,111.60 in Certificates of Deposit, \$150,272.99 in a Money Market Account, and \$97,065.65 in a grant account for a total balance of \$481,201.25.

Public Hearing – Land Use and Zoning Changes (10:05 AM)

Mr. Pierce presented the three parcels located in Hickory Hammock and said these parcels have been reviewed and recommended in favor by Planning and Zoning. He said there had been no opposition from neighbors.

Chairman Jackel opened the floor for public comments.

There were no comments from the floor.

**Motion by Sanders, seconded by Parrish, to approve the three land use change requests;
Motion carried 5-0.**

**Motion by Sanders, seconded by Putnal, to approve the three zoning change requests;
Motion carried 5-0.**

Recess (10:11 AM)

Chairman Jackel called for a recess.

Reconvene (10:31 AM)

Chairman Jackel reconvened the Meeting.

Presentations – Landfill Operations (10:31 AM)

Mr. Pierce reminded the Board of the three companies that submitted presentations and suggested that the Board listen to each representative one at a time with the other two out of the room.

Don Hollins, of Jones/Edmonds, stated that his company is more of a consulting-engineering company that focuses on counties and municipalities. He further discussed his company, which has been in operation since 1974, and stated what services his company would provide to the County.

Larry Jones, of Waste Management, discussed his company and what services they could provide for the County.

Ralph Mills, of Waste Pro, discussed his company and what services they could provide for the County, including a free initial assessment.

Commissioner Lockley stated that he wanted to keep the operation of the Landfill as it is now. Commissioner Putnal stated that he agreed with Commissioner Lockley on keeping the Landfill operation as it is now. He said he believed it is being run as efficiently as possible. Commissioner Sanders stated that all she wanted was some assistance in helping Mr. Johnson with running the Landfill, especially with the State consistently reducing its funding to the County. She explained the reason she was interested in having a consultant help find any money saving options.

Van Johnson, Solid Waste Director, stated that he gets a lot of assistance from Preble – Rish with running the Landfill and meeting all deadlines.

Chairman Jackel stated that the purpose of seeking outside assistance was not to close or privatize the Landfill but to possibly save the County some money.

Motion by Lockley, seconded by Putnal, to keep the current status of the Landfill rather than engaging an outside contractor; Motion carried 5-0.

The Board discussed using Preble-Rish for helping assist with the operation of the Landfill.

Motion by Putnal, seconded by Sanders, to direct Van Johnson to confer with Clay Kennedy, of Preble-Rish, on reviewing the operation of the Landfill to seek possible savings; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report – Continued (10:59 AM)

Mrs. Johnson continued the presentation of her report.

1-For information, the balance in the hospital's operating account at the end of October was \$29,751.01. There is also \$204,111.60 in Certificates of Deposit, \$150,272.99 in a Money Market Account, and \$97,065.65 in a grant account for a total balance of \$481,201.25.

This item was discussed earlier in the Meeting.

2- I have a resolution for approval on unanticipated revenues in continuation of the finance office's end of the year bookkeeping. This involves funds that weren't included in last year's initial budget because we didn't know they would be received. The resolution needs to be adopted in order for the money to be appropriated and expended for the purpose it was received to comply with F.S. 129. This resolution deals with \$99,660.39 received from landfill tipping fees for landfill services. We put the funds in the Landfill Tipping Fee Fund into account 304.40.534.3100. To explain, you approved an increase in the tipping fees back in March so we received more in revenues than budgeted so we need this resolution so we can make the appropriate increase.

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$99,660.39 from LANDFILL TIPPING FEES for LANDFILL SERVICES, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2010-2011, and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

<i>304.40.534.3100</i>	<i>Professional Services</i>	<i>\$99,660.39</i>
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NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$99,660.39 in the LANDFILL TIPPING FEE FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15TH day of November 2011.

Motion by Lockley, seconded by Sanders, to approve the Resolution to appropriate unanticipated revenues in the amount of \$99,660.39 in the LANDFILL TIPPING FEE FUND, in order to comply with FS129(2)(d); Motion carried 5-0.

Planning and Zoning – Report (11:01 AM)

Mr. Pierce presented the items for approval.

CRITICAL SHORELINE APPLICATIONS:

1- (Recommended Approval by Planning and Zoning- Unanimous with the idea that the property north of Highway 98 would be tied to the parcel that will have the dock attached by easement so that it would be sold as one parcel not two.) Consideration of a request to construct a Single Family Private Dock at 1301 US Highway 98, Eastpoint, Franklin County, Florida. This dock will be 85' x 4' with an 8' x 20' terminus. This dock meets all local, state and federal requirements and has all state and federal permits. Request submitted by Garlick Environmental Agency, agent for Helen Claussen, applicant. (Has House across the street).

Clayton Studstill, of Garlick Environmental Agency, the Board and Attorney Shuler discussed public access, the connection of the parcels, and other issues regarding this request. The Board and Attorney Shuler discussed the legality of restricting an approval based on public access.

Motion by Putnal, seconded by Sanders, to table this item until Attorney Shuler and Garlick Environmental Agency settle on an agreement allowing the public water access for fishing; Motion carried 5-0.

2-(Recommended Approval by Planning and Zoning- Unanimous contingent upon Commissioner Putnal visit the location and have the house permitted at the same time as the dock) Consideration of a request to construct a Single Family Private Dock at 578 River Road, Carrabelle, Franklin County, Florida. This dock will be 44' x 4' walkway, a 40' x 18' covered boat slip, 30' x 24' uncovered boat slip and a 24' 4' finger pier. This dock meets all local, state and federal requirements and has all state and federal permits. Request submitted by Garlick Environmental Agency, agent for Will Lawler, applicant. (No House)

Motion by Sanders, seconded by Putnal, to table request to construct a Single Family Private Dock at 578 River Road, Carrabelle until the Board reviews further information; Motion carried 5-0.

3-(Recommended Approval by Planning and Zoning - Unanimous) Consideration of a request to construct a Single Family Dock at Lot 8, Block A, Magnolia Bluffs, 113 North Bayshore Drive, Eastpoint, Franklin County, Florida. This dock will be 407' x 4' and have an 18' x 6' terminal platform and a 12' 20' boatlift. This dock meets all local, state and federal requirements and

has all state and federal permits. Request submitted by Garlick Environmental Agency, agent for John Hosford, applicant. (Has House)

The Board discussed the length of this dock with shallow water and lighting.

Motion by Parrish, seconded by Lockley, to approve request to construct a Single Family Dock at Lot 8, Block A, Magnolia Bluffs; Motion carried 5-0.

4-(Recommended Approval by Planning and Zoning- Unanimous with the stipulation that the Home Owner's Association will place covenants that not one boat will be moored on this dock without having a house built per boat that will be moored). Consideration of a request to construct a Multi-Family Dock at Grace Bay Subdivision, St. George Island, Franklin County, Florida. This dock will be 420' x 4' with a 26' x 6' terminus and (2) 20' x 2' finger piers and (6) 12' x 20' boatlifts. This dock meets all local, state and federal requirements and has all state and federal permits. Request submitted by Garlick Environmental Agency, agent for Grace Bay Subdivision Home Owners Association, applicant.

Attorney Shuler asked for an opportunity to review this request further before the Board takes action.

Commissioner Parrish raised concerns of approving a dock without a house being built on the property.

Mr. Studstill addressed this matter as it related to Item 4.

Motion by Sanders, seconded by Parrish, to table a request to construct a Multi-Family Dock at Grace Bay Subdivision, St. George Island until Attorney Shuler can review with Clay Studstill; Motion carried 5-0.

RE-PLAT:

5-(Recommended Approval by Planning and Zoning - Unanimous) Consideration of a request to re-plat Lot 4 and Lot 5 Osprey Village, St. George Island, Franklin County, Florida as one lot. Request submitted by Chris Varnes, applicant.

Motion by Parrish, seconded by Sanders, to approve a request to re-plat Lot 4 and Lot 5 Osprey Village, St. George Island with knowledge that lots cannot be divided after this; Motion carried 5-0.

Advisory Board of Adjustment – Report (11:26 AM)

Mr. Pierce presented the items to the Board.

1-Approve a request for a variance to construct a rip rap revetment within the Critical Habitat Zone on Lot 4, Block 54, Unit 5, St. George Island. Request submitted by Garlick Environmental, agent for Walthall Oil, owner.

2-Approve a request for a variance to construct a rip rap revetment within the Critical Habitat Zone on Lot 5, Block 54, Unit 5, St. George Island. Request submitted by Garlick Environmental, agent for Gordon P. Waldo, owner.

3-Approve a request a request for a variance to construct a rip rap revetment within the Critical Habitat Zone on Lots 6 & 7, Block 54, Unit 5, St. George Island. Request submitted by Garlick Environmental, agent for Peter H. Guthrie, owner.

(All three lots are contiguous)

Chairman Jackel wanted to verify that there were no objections to these requests. Mr. Pierce and Attorney Shuler verified that there were no objections. Attorney Shuler, Clay Studstill, and the Board reviewed these items as Mr. Studstill used a map to explain the requests.

Motion by Parrish, seconded by Sanders, to approve Items 1 – 3 from the Advisory Board of Adjustment; Motion carried 5-0.

4-Approve a request for a variance to construct an open deck within the Critical Habitat Zone on the west ½ of Lot 1, Block N, Unit 3, Peninsular Point, Alligator Point. Request submitted by Matt Tharpe, agent for David Ramba, etal, owners.

Commissioner Sanders verified that there were no objections to this request.

Motion by Sanders, seconded by Putnal, to approve a request for a variance to construct an open deck within the Critical Habitat Zone on the west ½ of Lot 1, Block N, Unit 3, Peninsular Point, Alligator Point; Motion carried 5-0.

Alan Pierce – Director of Administrative Services – (Report 11:32 AM)

Mr. Pierce presented his report to the Board.

1- Update on Energy grant work. The county's architects have finished the bids and specifications for the solar panels on the Annex and the window replacement work in the Courthouse. The Energy grant requires that the State Energy Office review the documents before going out for bid so the documents have been forwarded to the Energy Office.

The State Historic Preservation Office has modified what they will allow to be done to the exterior of the Courthouse. The bottom floor windows will be replaced with double pane insulated windows. The middle and top floor windows of the old part of the courthouse will

have to be repaired. But the repairs will include re-glazing all the windows, placing a solar film over the windows, and removing all the window AC units. The AC units represent a significant energy loss because of the way they are installed. Those rooms with AC units will have new modern in-room air conditioning systems installed. Because of the great expense of replacing the windows, the repairs will actually be less expensive and will keep the project in budget since the in-room AC units were not originally included in the grant expenses.

2- Update on Community Health Survey being conducted by consultants for the National Association of Counties. A well represented group of community leaders met at Carrabelle City Hall on Nov. 3 to kick-off the Health Survey. There will be a second community meeting on Dec. 1 in the Armory. The Planning Office is collecting the surveys that were handed out at the meeting. The consultants would like at least 100 responses.

3- Inform the Board that the Airport Advisory Committee voted on Monday, Nov. 7, to enter into lease negotiations with Sky Dance, LLC to become the next FBO at the airport. The Airport Advisory Committee can not sign any lease or contract so when they have a recommended lease, with terms, they will bring it to the Board for approval.

4- Commissioner Parrish and I were on a long teleconference call on Wed. Nov. 9, with representatives of NACo, FAC, and counties affected by the BP oil spill. The call was open to counties in all five states, but only representatives of Florida and Louisiana were on the call. The call had two goals: to seek changes in the Oil Pollution Act (OPA) so that there will be some representation by local governments in determining the proper response to an oil spill, and a discussion of the current status of pending legislation in Congress concerning the fine money that will be generated by the Clean Water Act.

A: Changes to OPA- NACo and FAC representatives discussed with the Coast Guard the need to change OPA so that local governments have a say in responding to disasters in the near shore waters, or once oil gets on-shore. Currently, the Act allows the responsible party, in this case BP, to have the final say on the response efforts. The request from local governments is that the federal government provides a place for local governments to participate in the response decision making. The Coast Guard representatives did not offer solutions but said they would discuss it with their superiors.

Commissioner Parrish commented further on the OPA and said the responsible party makes all of the calls, which means they have the responsibility to respond, clean it up and fix the problem. He said he believed that should be changed so that the Government has more authority in these types of matters. He discussed limited powers of the local and Federal Government.

Attorney Shuler commented on litigation involving CGA and BP.

B: Status of pending legislation concerning the Clean Water Act so that a percentage of BP fine money would be re-directed to the impacted counties. The NACo representatives said it

was going to be an uphill battle to get Congress to act on the legislation that has been submitted. The main reason is that the current status of the Clean Water Act directs all fine money to the US Treasury. The proposed legislation directs 80% of the BP fines to the impacted counties and states. NACo said it is going to be very difficult in these economic times to re-direct that much money away from the US Treasury. The amount of money could be billions of dollars. At the request of the FAC, NACo pledged to write a letter of support.

Commissioner Parrish commented on the proposed trust fund and said all of this money goes into a super trust fund to make preparations and clean up for future oil spills and is controlled by the Coast Guard.

5- A property owner in the City of St. George subdivision (also known as Yellow Hill) has a failed septic tank and can not meet current county standards on replacement. The septic system has been inspected by the Health Department and this is their report. The lot was created before 1972, and has suffered erosion over the years. The property owners will have to replace it with an aerobic system but the system will be between 50 and 75 feet from the water. Because the lot was created before 1972, the state can issue a permit for a system that is at least 50 feet from the water, but the county ordinance requires 75 feet for an aerobic system.

They also cannot meet the county's requirement of a well and septic tank being 100 feet apart. Board direction.

Commissioner Parrish expressed concerns of public health safety issues and County liability. Attorney Shuler commented on this issue and said he would like an opportunity to review this matter.

Commissioner Putnal discussed an issue similar to this one that happened about 15 years ago. Carol Zurawka, the property owner, addressed the Board regarding this matter. She explained that the lots to the East of the discussed property belong to her and are unbuildable. She said the property to the west is an easement.

The Board, Mr. Pierce and Ms. Zurawka discussed this matter further.

Motion by Sanders, seconded by Parrish, to table this item and allow Attorney Shuler to confer with DOH Representative Shaun May and property owner and present a recommendation to the Board at the next meeting; Motion carried 4-1, Lockley opposed.

6- Commissioner Jackel and I were on a conference call on Nov. 10 with a number of representatives concerning sea turtle disorientation in Franklin County. As the Board is aware, the beaches of St. George Island have one of the largest populations of nesting sea turtles of any beach in the northern Gulf. In 2011, we had a large number of disorientations and the federal and state representatives are asking the county to provide more assistance with educating the owners and renters of beachfront property about sea turtles. One of the representatives on the call said that many other local governments utilize their extension agents in educating about sea turtles. Franklin County has not yet included Mr. Mahan in the sea turtle issue, but it is logical that Mr. Mahan play a role as he is a marine agent, and his office is intended to provide

outreach and education to the public. Board direction for Mr. Mahan to provide leadership in the sea turtle education program that has been developed by FWC and others.

Chairman Jackel stated that BP has made funds available for grants to retrofit homes to comply with turtle lighting, which would be an economic boost for the homeowners and local electricians.

Commissioner Parrish commented on other BP funding.

Motion by Sanders, seconded by Parrish, to appoint Bill Mahan as leader in the sea turtle education program that has been developed by FWC and others; Motion carried 5-0.

Mr. Pierce discussed an email he received from Senator Nelson's Office regarding free legal advice pertaining to BP claims. He said Legal Services of North Florida will be holding a free legal clinic at the Franklin County Senior Center on November 17, 2011.

Michael Shuler – County Attorney – Report (12:03 PM)

Attorney Shuler had no items for Board action and/or approval.

Non-Action Items

1. Lease Portion of old SR 65

Progress Energy has requested permission to lease a portion of the old Highway 65 right of way. They want the temporary exclusive use of the land during the construction of the new transmission line to St. George Island. Generally speaking, the land is located where the old ferry dock was and is about one acre in size. They intend to build a temporary dock to access deeper water. This dock would be removed after construction, which is expected to take about one year

The property in question has to be reasonably advertised for bid. In order to accommodate Progress Energy's and the newspapers time tables, I delivered the advertisement to the Apalachicola Times on November 10, 2011.

A public hearing is scheduled for December 6, 2011 to open the bids.

I am told that Progress Energy has consulted with the oyster workers association over a year ago to make certain that the route for the new transmission line does not interfere with existing oyster bars.

Does the Board want Progress Energy to again discuss the transmission line route with the new administration of the oyster workers association?

2. Carrabelle Health Department

Attached is the letter I sent to Dr. Farmer. I also copied Representative Bemby and Senator Montford last week.

3. Daly House

The Franklin County Land Trust has expressed interest in accepting the Daly House, but their

Board does not meet until the end of November 2011.

The recommendation is for that board to consider accepting the ownership of the property, with the limitation that the property shall only be used for affordable public housing consistent with their charter. They may have to demolish the house on the property and do not want to be prevented from doing so.

4. Repeal of Local Gun Ordinances

The hearing on the Board's consideration of the repeal of local gun ordinances and regulations has been rescheduled to December 6, 2011.

5. BP Denial of Skimmer Claim

Attached is an email from CGA to me, along with a draft lawsuit, regarding BP's denial of CGA's claim for reimbursement for staging an oil skimmer in Franklin County. The lawsuit speaks for itself.

6. Apalachicola-Franklin County Airport

Attached is a letter from me to Southern Petroleum Services contesting an invoice they sent to Franklin County for services it rendered repairing a fuel tank gauge at the airport. The tenant requested the services, not Franklin County. The letter speaks for itself.

7. The George E. Weems Memorial Hospital

a. Attached is copy of the November 3, 2011 letter I sent to Mark O'Bryant regarding the possibility that the year-end audit may be delinquent. The letter speaks for itself. You will note that due to scrivener's error on my part, that Davie Lloyd was not copied. I corrected that oversight on November 8, 2011.

b. Attached is a draft of a contract for electronic medical records software and my addendum. I am informed that the hospital board has approved of the contract to begin the process of complying with electronic medical record regulations adopted by the Federal Government. The contract is for a 50 month term and costs approximately \$450,000.00. I am told that grants and/or stimulus funding exists to reimburse the hospital for about 75% of the expense of the contract, but, as with any other grant, there is no guarantee that the hospital will be awarded such grants/stimulus funding.

c. I was informed last week that Progress Energy intends to replace the two existing wooden transmission line poles in front of the hospital with four of the new transmission line poles of equal height to the existing wooden poles. I have asked their representative to contact our hospital CEO to discuss this to determine whether it affects the planned construction of the new hospital.

8. Apalachicola Times

The contract with the newspaper expires November 30, 2011. I am in the process of negotiating a renewal with them and will bring this back to you once the negotiations are complete. While I believe we are entitled to one additional year at the current rate, I would like to try and negotiate a longer term contract.

Commissioner Sanders updated the Board on the Carrabelle Health Department re-opening. She said they told her they need to have a medical director before the Clinic can be opened and also a medical doctor to oversee the nurse practitioner. The Board discussed the DOH providing a doctor as the Director of the local health department rather than having an administrator.

Motion by Sanders, seconded by Putnal, to send letter to the DOH asking for a Doctor as the Director of the local health department rather than an Administrator, with copies going to local Legislative Delegation and also forward all correspondence sent to Dr. Farmer to the Governor's Office and Legislative Delegation, along with a statement regarding the lack of response to the County from Dr. Farmer; Motion carried 5-0.

Commissioners and Public Comments (12:10 PM)

Commissioner Putnal thanked the Board for working as a group to assist the County's residents.

The Board thanked Commissioner Lockley for serving as Chair for the FCBOCC.

Commissioner Sanders expressed her Thanksgiving comments.

Chairman Jackel commented on Board attendance of FAC meetings during this week.

Adjourn (12:12 PM)

There being no further business, Chairman Jackel adjourned the Meeting.

Pinki Jackel, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts