

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
DECEMBER 6, 2011
9:00 AM**

MINUTES

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

Staff: 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 Jackel called the Meeting to order.

Prayer and Pledge (9:03 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of the Minutes – Regular Meeting: November 15, 2011 (9:04 AM)

Motion by Lockley, seconded by Sanders, to approve the Minutes of the November 15, 2011 Regular Meeting; Motion carried 5-0.

Payment of County Bills (9:04 AM)

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

Themo Patriatis, Pastor of St. George Island Methodist Church, asked the Board to consider assisting with the installation of a curtain around the three walls in the Chapman Building auditorium in order to help with absorbing sound and blocking light for daytime presentations and also for aesthetic appeal.

Motion by Parrish, seconded by Sanders, to accept the lowest bid in the amount of \$1,220 by R.W. Thomas Construction to assist with installing the curtain in the Chapman Building auditorium; Motion carried 5-0.

Ms. Glenda Ondracek – Introduction of new Administrator for Wilderness Coast Library System (9:08 AM)

Ms. Ondracek, Library Director for Franklin County Public Library, introduced the new Administrator, Pat Gilleland, for the Wilderness Coast Library System. Ms. Ondracek thanked Cheryl Turner, the outgoing administrator, for her services.

The Board thanked Ms. Turner for all of her services and congratulated her on her retirement. Commissioner Sanders thanked Ms. Turner for her services as she has served for quite a few years.

Ms. Turner said that, statistically, more people are reading now than they ever have.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:12 AM)

Larry Brown had no items for Board action.

Alan Pierce – Director of Administrative Service

Mr. Pierce presented this item from his report to the Board.

7- Board action to approve change in speed limit on Twin Lakes Road. Clay Kennedy, Preble-Rish Engineers, and I inspected Twin Lakes Road, Old Ferry Dock and Avenue A roads in response to the Board's concern about an inconsistency in speed limits on those two roads. It is our recommendation that Twin Lakes Road, Old Ferry Dock, and Avenue A have a posted speed limit of 35 mph. Otter Slide would stay at 25 mph because it has a sharp curve in it, and it also has several road intersections. Provide Board with copy of map.

Motion by Putnal, seconded by Sanders, to accept Clay Kennedy's recommendation to post the speed limit as 35 MPH on Twin Lakes Road, Old Ferry Dock Road and Avenue A and to post the speed limit as 25 MPH on Otter Slide Road in Eastpoint; Motion carried 5-0.

Chairman Jackel asked Mr. Brown to meet with Mr. Pierce and her later today to discuss a culvert on Howell Street.

The Board asked Mr. Brown to provide contact numbers to the Board, in the event of an emergency during Christmas break.

Motion by Sanders, seconded by Parrish, to close Patton Drive in Eastpoint for the Santa Claus celebration; Motion carried 5-0.

Chairman Jackel asked everyone to attend the Eastpoint Christmas celebration.

Commissioner Putnal asked all of the Board members to attend the Christmas dinner at the Senior Center in Carrabelle.

Van Johnson – Solid Waste Director (9:19 AM)

Fonda Davis had no items for Board action.

VACANT POSITIONS:

FOR BOARD INFORMATION: Due to the transfer of Tyrone Evans from the Solid Waste Department to Parks & Recreation and the transfer of Tracy Evans to the Road Department, this left one vacant position in Solid Waste and one in Parks & Recreation. In-house advertisement was performed and David Wilson transferred from the Solid Waste Department to the opening in the Parks & Recreation Department, leaving two vacant Equipment Operator Position in the Solid Waste Department. According to Board Policy, first in-house advertisement was conducted following a local media Job Announcement. Interviews were performed, and both Solid Waste Positions were filled by Maurice Miller and Letha Brannan.

The Board and Mr. Davis discussed the Christmas break schedule.

Pam Brownell – Emergency Management Director (9:21 AM)

Mrs. Brownell presented her report to the Board.

Action Items: Request the Board to approve and sign the Homeland Security awards letter for the 2011 Training and Exercise Grant for \$20,000.

Motion by Sanders, seconded by Putnal, to approve and sign the Homeland Security Grant in the amount of \$20,000; Motion carried 5-0.

Information Items:

1 - On Nov. 17, 2011, Franklin County Emergency Management hosted a meeting between Franklin's Promise, Franklin County's Faith Based organizations and the Pensacola based Be Ready Alliance Supporting Emergencies (BRASE) to discuss building working relationships during and after disasters.

2 - Emergency Management held a meeting with its Faith Based organizations to discuss Red Cross training for church members to become non-tropical shelter managers and staff.

3 - The Local Mitigation Strategy Task Force met on November 30th at 3:00pm at the EOC to review projects and to remain eligible for Federal funding when it becomes available.

4 -The finale planning session for the water search and rescue exercise was held at the EOC on November 30th at 10:00am.

5 -Emergency Management and the Franklin County Road Department met with representatives from the Northwest Florida Water Management District on Thursday, Dec.1, 2011 to complete the environmental permitting process for the installation of 10 cross drains throughout the county. This is a Hazard Mitigation project funded 75 / 25 by FEMA.

Chairman Jackel asked Mrs. Brownell to update the Board on the recent Bay closure. Mrs. Brownell stated that the reason for the closure was organic. The Board discussed this matter further.

Bill Mahan – County Extension Director (9:25 AM)

Mr. Mahan presented these items from his report to the Board.

Franklin - UF IFAS Updates

1-University of West Florida, Innovation & Entrepreneurship Fund Grant Program – Dr. Steve Otwell and I have been having meeting and discussions with local industry leaders about possible submission ideas for these grant opportunities. Ideas include dredging the Eastpoint Channel; Summer Bay Enhancement Program, and developing seafood – County Airport connection. The University of West Florida has received \$30-million from the State to administer to disproportionately affected counties impacted by the BP Oil Spill over the next 3-years. The funds will be distributed in three consecutive \$10 million annual appropriations. The initiative comprises two grant programs: the industry Recruitment & Expansion Fund (IREF) and the Innovation & Entrepreneurship Fund (IEF). The IREF will supplement state and local economic incentives for medium and large enterprises locating or expanding operations in the eight-county region. The IEF will target funds to businesses that expand or locate in the eight-county region which are likely to serve as catalysts for growth of existing industry or significantly affect the regional economy.

Chairman Jackel suggested a workshop to provide this information for anyone that is interested.

Commissioner Parrish provided information regarding a program that would bring more jobs into the County.

2-Beekeeping in the Panhandle – Our beekeeping series is going well. We have three participants in the distance learning program. In total there are 242 people at 15 different sites

participating in the program. Our next session is an optional field trip on Saturday, December 10th, to Chipley for a Beekeeping Trade Show. The next class is on December 12th.

The Board and Mr. Pierce discussed the sea turtle program that Mr. Mahan will be involved in.

Isabell Rush – Presentation on 211 Big Bend, Inc. (9:30 AM)

Isabell Rush and Francisco Thomas, of 211 Big Bend, Inc., asked the Board for their assistance in informing the public of all the services that the 211 Big Bend, Inc. program provides. She mentioned the kiosks that are located in neighboring county courthouses. She asked the Board to visit them, while in Tallahassee, for a tour of their facilities.

Mr. Thomas explained that he is a hot line crisis counselor with 211 Big Bend and he discussed other services provided by the organization.

Ms. Rush explained that the crisis counselors listen, engage the client in conversation and then help them make a plan.

Shannon Hartsfield – President of FCSWA – Update of Association (9:36 AM)

Shannon Hartsfield, President of FCSWA, suggested that the shelling program keeps the status quo but would like to pull the AP license, as it is not beneficial to the seafood workers.

Mr. Hartsfield discussed the pros and cons of the AP license, DEP's budget effects on the shelling program, and other seafood issues.

Mr. Hartsfield stated his concerns with the manner in which the Bay closure was handled by the State and made suggestions for handling future occurrences.

The Board and Mr. Hartsfield discussed the manner in which the oystermen were notified of the closure.

Mr. Hartsfield stated that there is a possibility of either losing or gaining an hour during the upcoming summer months.

Commissioner Putnal and Mr. Hartsfield discussed issues with the ACF Stakeholders shutting down the water.

Chairman Jackel and Mr. Hartsfield discussed the poor attendance of the FCSWA Meetings.

Mr. Hartsfield stated that there are still issues with people docking their boats at the County boat ramps, despite the County's Ordinances.

The Board suggested additional signage and contacting the Sheriff's Department to report violators.

Delores Croom – Franklin County S.W.A.T (Students Working Against Tobacco) – Presentation to the Board - Smoke Free Plan (9:52 AM)

Eleanor Mount Simmons, Chair of Franklin County Tobacco Free Partnership Coalition, introduced the SWAT staff members, David Walker, Lt. Pam Lewis, Delores Croom and students who were in attendance. She read from a statement and asked the Board to adopt a Resolution to ban the sale of flavored tobacco in Franklin County.

Pastor David Walker explained what types of flavored tobacco are referred to in the Resolution. He said they are putting different types of fruit and chocolate flavors in chewing tobacco, dip and roll type tobacco.

The Franklin County cheerleaders made a cheer presentation to the Board.

Adreenah Wynn, President of the Franklin County SWAT Team, asked the Board to support the Resolution. Other members of the SWAT team provided facts regarding tobacco use.

Pastor Walker provided additional information on the role of the SWAT team in Franklin County.

Chairman Jackel thanked and encouraged the SWAT Team for the work that they do.

The Board congratulated the SWAT Team members.

Motion by Putnal, seconded by Lockley, to adopt a Resolution to ban the sale of flavored tobacco in Franklin County; Motion carried 5-0.

Recess (10:09 AM)

Chairman Jackel called for a recess.

Reconvene (10:29 AM)

Chairman Jackel reconvened the Meeting.

Public Hearing – Ordinance repealing local gun regulations (10:29 AM)

Attorney Shuler explained that the gun repeal Ordinance was required by the Florida Legislature and it is mandatory. He explained that this repeal involves County Ordinance 79-1, which deals with concealed weapons and the Board policy, which prohibits the discharge of firearms within 500 yards of rural residences. Attorney Shuler discussed this further with the Board.

Chairman Jackel opened the floor for public comments.

There were no comments from the floor.

Motion by Putnal, seconded by Lockley, to approve the Ordinance repealing local gun laws, as presented by Attorney Shuler; Motion carried 5-0.

Marcia Johnson – Clerk of Courts – Report (10:33 AM)

Mrs. Johnson had no report for the Board.

Alan Pierce – Director of Administrative Service (10:33 AM)

Mr. Pierce presented his report to the Board.

1-Update on BP and Clean Water Act fine money - Commissioner Parrish and I participated in a teleconference on Wed. Dec. 1 to discuss with FAC and the 8 impacted Florida counties the progress being made in Congress on assessing BP through the Clean Water Act, and then having those fines dedicated to the impacted Gulf Coast. The summary is that progress is slow and strewn with hurdles. The current version of the House bill dedicates a percentage of the money to the impacted counties. If the Bill is ever approved by Congress the local government will have to create something called a RESTORE council which would make recommendations to the local government on projects to be funded. The local government would have final authority. The other topic discussed was the NRDA projects. At this time DEP and BP are negotiating with no local input on what NRDA projects to approve. The first round of projects to be reviewed is artificial reef projects. We were told on the conference call that BP and DEP are using artificial reef projects as a way to test a formula being developed for how much environmental credit BP will be given as each project is funded. Other projects that counties have submitted are still in the hopper for future funding.

Commissioner Parrish said the first round of NRDA projects have been approved and the approved projects will be announced in late December 2011 or January 2012. He said BP will have the final authority on approval of all of these projects. He explained how the credits work and gave more insight on the artificial reef project.

Recess (10:40 AM)

Chairman Jackel called for a recess.

Reconvene (10:41 AM)

Chairman Jackel reconvened the Meeting.

Mr. Pierce resumed his report.

2- As the Board is aware Commissioner Parrish has been the Board's contact on the BP issue and coordination with the 8 impacted counties. Under the leadership of the larger counties to the west, the Board has been presented several times with a joint Resolution supporting the wording in the federal legislation that seeks federal fines and penalties to be sent back to the impacted Gulf coast. Based upon status report at the last conference call, and the fact that the counties to the west of us are asking for prompt action on the current version, Board action on Joint Resolution requesting Federal support for legislation directing the distribution of Clean Water fine money.

Commissioner Parrish provided additional information on this issue. He said he believes the Board needs to move forward on signing the Joint Resolution.

Motion by Sanders, seconded by Putnal, to authorize Chairman Jackel's signature on the Joint Resolution requesting Federal support for Legislation directing the distribution of Clean Water fine money; Motion carried 5-0.

3- Confirmation from Commissioner Parrish that the Board should pay the \$2500 invoice from the FAC for its share of coordinating with the 8 impacted counties. The Board approved payment contingent upon Commissioner Parrish making sure the other counties were also paying their share. The Board has a letter from the FAC asking for verification it will pay by Dec. 31. Board direction based upon Commissioner Parrish's recommendation.

The Board agreed with the previous decision to pay Franklin County's share of \$2,500 for the invoice to the FAC.

4- Board action to appoint two representatives to the Small County Coalition.

Motion by Parrish, seconded by Putnal, to appoint Commissioners Sanders and Lockley to serve as representatives for the Small County Coalition; Motion carried 5-0.

5- Board action to appoint a new representative to the ARPC to replace Chairman Jackel. The ARPC meets four times a year in Tallahassee. The next meeting is Friday, January 27, 2012.

Commissioner Sanders stated that she would attend the next meeting to represent the Board but would like another Commissioner to serve on a more permanent basis as her schedule is full.

Chairman Jackel stated other members on the ARPC who represent the County. The Board discussed this further.

Motion by Parrish, seconded by Putnal, to authorize Commissioner Sanders to attend the January 27, 2012 ARPC Meeting; Motion carried 5-0.

6- Inform the Board that the State Energy Office has finally approved the county's bid package for the solar panels on the Courthouse Annex, and the window replacement/repair in the Courthouse. The bids are currently being advertised and will be opened at the Jan. 3 Board meeting. Mark Curenton is handling this project as there are numerous federal requirements that must be met.

7- Board action to approve change in speed limit on Twin Lakes Road. Clay Kennedy, Preble-Rish Engineers, and I inspected Twin Lakes Road, Old Ferry Dock and Avenue A roads in response to the Board's concern about an inconsistency in speed limits on those two roads. It is our recommendation that Twin Lakes Road, Old Ferry Dock, and Avenue A have a posted speed limit of 35 mph. Otter Slide would stay at 25 mph because it has a sharp curve in it, and it also has several road intersections. Provide Board with copy of map.

This item was discussed earlier in the Meeting.

8- Board action on requested road cuts by Eastpoint Sewer and Water District. As the Board is aware the District has been slowly moving through a system upgrade funded by both a CDBG grant and a Rural Development grant/loan. At the August 18th, 2009 Board meeting, County Engineer Dan Rothwell recommended the Board allow the District to cut Avenue A at 4th St, and at the Otter Slide intersection to allow the installation of new pipes. The Board granted the road cut and provided the District with specifications on how it is to be repaired.

Sometime around November 16, 2011, the District started to cut Ridge Road in 10 places as part of this same system upgrade. The Board had not granted any road cuts to Ridge Road. In a series of meetings with the County Attorney, the District Attorney, myself, and other District representatives, the District has agreed to apply for a utility permit for the 10 road cuts on Ridge Road, 1 road cut on Wilderness Road, and 2 road cuts on David Street to service the new vacuum station. I have visited the site, consulted with Clay Kennedy, and Clay Kennedy has consulted with the District's contractor, Royal American. Clay Kennedy agrees that at this point in the project the only feasible thing to do is allow the road cuts. Clay Kennedy has provided me with a drawing that meets state standards for road cuts and I have provided that to the District. If the Board agrees to the road cuts the cuts will be repaired in the manner required by Preble-Rish. The County Attorney and the District Attorney have discussed what additional safeguards are in place in the event the road cuts do not hold up. According to George Allen, Eastpoint representative, the contractor, Royal American, will be on the job for another year and so if the cuts do not Royal American will be required to fix them again. Board action.

The Board, Mr. Pierce, Attorney Shuler, and Clay Kennedy, of Preble-Rish, discussed these cuts and how it affects the quality of the road. Mr. Kennedy explained what standards Preble-Rish has in place to try and insure that the road is built back to the quality it was before it was cut. Chairman Jackel stated that Debbie Belcher had confirmed that the EPWS has no funding to repave the roads after the cut.

Commissioner Sanders stated that if EPWS doesn't have the funds for a letter of credit they shouldn't be allowed to cut the roads.

Attorney Shuler stated the procedure that should be used to grant the permit, which would require a bond or a letter of credit.

Chairman Jackel suggested that a letter of credit be required before a permit is granted.

Commissioner Lockley and Attorney Shuler discussed any liability to the County regarding damage to vehicles due to cuts to these roads.

The Board, Attorney Shuler and Mr. Kennedy discussed this matter further.

Commissioner Parrish suggested that something be put in place to address this type of situation, unauthorized cutting of roads, that might occur in the future.

George Allen, of EPWS, explained that there were three permits requested for Board action. He discussed this matter further and asked the Board to clarify what type of letter of credit is required.

Attorney Shuler stated that he will confer with the EPWS attorney on the requirements of the letter of credit or bond.

The Board and Mr. Allen discussed the details of this issue.

Motion by Sanders, seconded by Lockley, to authorize all three permits, along with the submission of a bond or a letter of credit and that road is repaired to the condition it was in, prior to cuts, according to statutory standards; Motion carried 5-0.

9- Airport Update. Mr. Bruce McCormack, ARTIC Company-which stands for Apalach Regional Training Complex, has submitted a draft lease for the new hanger at the airport. He is seeking Board action for a lease to be signed by Dec. 15th. I have advised him that he is operating on a very short window. I have asked Mr. McCormack to be here to discuss his proposal.

The problem is that the building Mr. McCormack would like to lease was part of the RFP that the Airport Advisory Committee is reviewing for next FBO. Mr. McCormack did not respond to the RFP so the Airport Committee has not received a proposal from Mr. McCormack to review.

Mr. Pierce explained that he told Mr. Naggiar, of ARTIC, that instead of them leasing a hangar, the County could give them a lease for land at the airport and they could have a building built to their specifications.

Mr. Ed Naggiar, Director of ARTIC, explained what his company would like to do and stated that he did speak to Mr. Pierce during the break and agreed with Mr. Pierce's recommendation of leasing land at the airport and building their own facility.

The Board and Mr. Naggiar discussed the possibility of an interim agreement.

Commissioner Parrish stated some of his concerns with this agreement, due to local residents not meeting the qualifications for job descriptions, and the possibility of having to re-bid the hangar and FBO uses.

Mr. Naggiar discussed job opportunities associated with ARTIC, such as range technicians. He said these jobs would mainly be in the woods and not in an office setting.

Commissioner Sanders asked Mr. Naggiar to be cautious about military type training and the effect it has on County residents.

Commissioner Lockley and Mr. Naggiar discussed funding and training for these potential jobs, including a local preference for available positions.

Motion by Sanders, seconded by Lockley, to direct Attorney Shuler, Mr. Pierce and the Airport committee to confer with ARTIC to consider an interim agreement and report back to the Board with a plan; Motion carried 5-0.

10- Board action on items tabled from last meeting:

A) Tabled a request for a Single Family Private dock at 1301 US Hwy 98. The Board tabled the item for further discussion about public access to the water in that area. I have visited the site and have an additional concern. While the site plan presented indicates there is some 16 feet of private land that the dock would attach to it is my observation that the private land has eroded and the dock would attach to the DOT right of way. A current survey needs to be provided or some indication that DOT is consenting to a dock connecting to their ROW.

Dan Garlick withdrew Item A for consideration.

Attorney Shuler provided some information on this item and suggested a new survey if this item is ever considered by the Board.

B) Tabled a request for a Single Family Private dock at 578 River Road, Carrabelle, contingent upon Commissioner Putnal concurring that the dock would not obstruct navigation.

Commissioner Putnal commented on this item and said he requested that a PVC pipe is put near the location to mark the edge of the shoal in the area.

Motion by Putnal, seconded by Parrish, to approve a single family private dock at 578 River Road in Carrabelle; Motion carried 5-0.

C) Tabled a request for a Multi-Family Dock at Grace Bay Subdivision, St. George Island, pending a review by the County Attorney.

Attorney Shuler stated that he reviewed this request and recommended approval. Chairman Jackel agreed with Attorney Shuler's recommendation.

Motion by Sanders, seconded by Putnal, to approve a multi-family dock at Grace Bay Subdivision on St. George Island; Motion carried 5-0.

D) Tabled a variance request for an On-site Sewage Disposal for the address of 2606 W Hwy 98 Carrabelle. The current owner is Mr. Zurawaka.

Attorney Shuler stated that he reviewed this request and recommended approval.

Motion by Sanders, seconded by Putnal, to approve request for an on-site sewage disposal at 2606 W. Hwy 98, Carrabelle; Motion carried 5-0.

11- Community Health Survey update. The second meeting of the Community Health Survey was held in Apalachicola on Dec. 1. The consultants presented their findings and I provided a copy for the Board file.

Chairman Jackel asked Staff to send a letter to NACO thanking them for their efforts in the County.

Chairman Jackel also discussed the meetings that were held to discuss the surveys. She said the Board received some valuable tools of information regarding what needs to be done in terms of a future plan for taking care of the health needs of the citizens of Franklin County.

12- Hosp. Update. On Friday, Dec. 2, I received a letter of resignation from Ms. Gayle Dodds from her position as an at-large appointment to the Hosp. Board effective immediately. An at-

large seat means the appointment can be from anywhere in the county. While the Hospital by-laws call for the Hospital Board to make a recommendation to the county commission on appointments, to my knowledge there is not a list of interested people wanting to serve. The commission may choose to advertise in order to create such a list. Mr. Paul Marxsen's seat, an appointment from Commissioner Sanders, expired in November. Commissioner Sanders says she intends to replace Mr. Marxsen with a new appointment. The next Hosp. Board meeting is not until Jan. 5.

The Board discussed this matter and agreed to give the Hospital Board an opportunity to present some names to the BOCC for new appointments.

Chairman Jackel stated some financial items discussed at the last Hospital Board Meeting, which she attended. She thought that the BOCC needed to look at ways to help the Hospital get more current on payment for some of the vendors and believes the Board needs to pay closer attention to the finances of the hospital operation.

The Board discussed these items further.

Commissioner Putnal commended Ms. Cindy Drapel on her efforts as the interim CEO and discussed some of the problems facing the Hospital.

Chairman Jackel agreed that the hospital is doing a good job and other businesses in the County should promote the Hospital.

Commissioner Sanders said the County's partnership with TMH is vital in their role of support for the Hospital. She said she is quite pleased with how things are going at the Hospital right now.

Commissioner Lockley stated that he would like to have TMH provide a better billing system for the Hospital.

13- Inform Board that Ms. Kim Bodine, Gulf Coast Workforce Board Executive Director, will be contacting each commissioner to discuss proposals by the legislature that will change the function and structure of all Workforce Boards.

14- Inform Board that it has received notice from the Public Service Commission that Water Management Services is seeking a water rate increase for St. George Island.

15- County Coordinator job description, advertising, and salary range.

Mr. Pierce distributed a job description for the Board's review.

Commissioner Sanders and Mr. Pierce discussed the need for applicants to have experience with planning and zoning requirements.

Commissioner Putnal was not in favor of labeling the job description as a County Manager position, which would allow them to make decisions for the Board.

The Board discussed some of the duties listed and preferred having a Commissioner represent them at the Hospital Board meetings instead of the County Coordinator and asked that this portion be removed from the job description. They would like to add additional duties, as assigned by the BOCC, to the job description.

Commissioner Sanders stated that she would like to add strong financial experience to the job description.

The Board agreed to keep the job title as a County Coordinator and to require a four year degree or equivalent experience as stated.

The Board agreed to add building management as a job description and also agreed to a salary range of \$40,000 to \$50,000.

Commissioner Parrish suggested that experience in dealing with the general public and representing the Board is an important item.

Motion by Sanders, seconded by Putnal, to accept the County Coordinator job description as amended, with a salary range of \$40,000 to \$50,000 and advertise immediately in local newspapers with an end date of December 30, 2011, which will be opened at the January 3, 2012 Meeting; Motion carried 3-1, Lockley opposed, Parrish absent.

Commissioner Sanders asked Mr. Pierce to look at the Right of Way on several of the streets in Lanark Village and find a solution for possible boat ramp expansion.

Commissioner Sanders informed Mr. Pierce that Gulf Shore Blvd. in Alligator Point needs repairs but stated that she doesn't want rocks used at that location.

Commissioner Sanders discussed a letter from Alligator Point Water District regarding the expansion of the water district and asked Mr. Pierce to respond to that letter.

Mr. Pierce stated that he needs Board action for Preble-Rish to do engineering on the St. George Island and Abercrombie Boat Ramps; Motion carried 5-0. (This item was discussed after Attorney Shuler's report during the Meeting)

Motion by Sanders, seconded by Parrish, to approve Chairman Jackel's signature on a contract for agreement to have Preble-Rish do the design engineering for St. George Island and Abercrombie Boat Ramps; Motion carried 5-0.

T. Michael Shuler- County Attorney Report (12:20 PM)

Attorney Shuler presented his report to the Board.

Attorney Shuler provided the Board with a copy of the Hold Harmless Agreement from Progress Energy for the Indian Creek Park.

Attorney Shuler also asked for Board action to renew the Eastpoint Library lease.

Chairman Jackel expressed concerns regarding the completion of the new facility and the possible need to terminate this lease.

Attorney Shuler stated that he would word the early termination clause in the lease agreement.

Motion by Putnal, seconded by Sanders, to approve renewal of the Eastpoint Library lease with an early termination clause; Motion carried 5-0.

Action Item

1. Ordinance Rescinding All Local Ordinances, Regulations and Policies Concerning Firearms and Ammunition

My memorandum on the subject matter and the proposed ordinance are attached for your review.

As set forth in detail in my memorandum, the Florida Legislature has enacted a law which removes local authority to regulate firearms and ammunition. This law also imposes severe penalties to local elected officials for enacting or enforcing local laws regulating firearms or ammunition. Many other local governments have also rescinded their local laws on the subject because of this new law.

Henceforth, the Legislature alone will regulate firearms and ammunition.

Board Action Requested: Motion adopting the ordinance.

This item was discussed earlier in the Meeting.

2. Proposed Joint Resolution Requesting That the Department of Health Consider Re-hiring Dr. Charbonneau.

A proposed joint resolution with Calhoun County is attached for your consideration. The proposed resolution speaks for itself.

Board Action Requested: Motion approving the proposed joint resolution.

Attorney Shuler presented a copy of an updated Joint Resolution between Franklin, Calhoun and Liberty Counties. He discussed the desire to have Dr. Charbonneau reappointed to the position that he held in each of the three counties.

Commissioners Putnal and Lockley would prefer having additional information on this matter before moving forward.

Motion by Sanders, seconded by Putnal, to approve proposed tri-county Joint Resolution requesting that the Dept. of Health consider re-hiring Dr. Charbonneau, contingent upon Attorney Shuler's review and approval of Resolution; 4-1, Lockley opposed.

3. Carson-Adkins \$916.00 Invoice:

Carson and Adkins is the law-firm which represents you on labor law related issues.

Attached are invoices for services which they provided to the hospital in the amount of \$916.00. The invoices have gone unpaid for several months and I have told them that I would present it to you for consideration for payment from your professional services budget.

Board Action Requested: Motion to approve payment of the invoice from Carson and Adkins in the amount of \$916.00.

Non-Action Items

*4. Eastpoint Water and Sewer District - Proposed Amendment to Franchise
Attached is a Notice of Intent to consider an ordinance at your December 20, 2011 meeting whether to amend their authority to excavate and make cuts into paved county roads.*

*5. Carrabelle Health Department:
I still have not received any reply to the letters I sent to Dr. Farmer.*

*6. Daly House
I am informed that that the Franklin County Land Trust voted November 30, 2011 to accept the Daly House for affordable housing. A copy of their December 1, 2011 letter is attached.*

*7. Capital City Bank - South Shoals Appraisal
Capital City Bank delivered their appraisal last week. It shows a value of \$280,000.00 for the value of the land taken for the roadway. This value includes damages to the remainder of the subdivision not taken. The appraisal has been reviewed by our FEMA consultant, who indicates we should submit the appraisal to FEMA for reimbursement.*

*8. Apalachicola Times
The contract with the newspaper expired 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 of \$1.00 per square inch, I would like to try and negotiate a longer term contract.
These negotiations continue. I am trying to get them to agree to a three year contract at a rate of \$1.60 per square inch, with two annual renewals with a price increase of between three and five percent each year.*

*9. 2010 Census and Reapportionment
A copy of the 2010 census information is attached. You are required to consider whether to reapportion the five commissioner districts based on the 2010 census. I will bring this up for your consideration at your December 20, 2011 meeting.*

Supplement to Attorney Report

*1. George E. Weems Hospital
a. Davie Lloyd: Attached is a letter from attorney Barbara Sanders to TMH.
Ms. Sanders represents Ms. Lloyd and seeks to negotiate certain portions of the TMH separation agreement with Ms. Lloyd. Ms. Sanders' letter speaks for itself, though the gist of the letter is that Ms. Lloyd seeks one-year severance pay. Also attached is the draft response from TMH to Ms. Sanders. Although stated in greater detail in their letter, TMH has denied all of Ms. Sanders' requests.
No Board action is requested.*

*b. Carson and Adkins: Action item three on my report has become moot. I have been informed that Weems will pay the invoice this week.
No Board action is requested.*

*2. Reapportionment: Attached is a copy of the 2003 resolution adopted by the Board when it reapportioned the commissioner districts following the corrected 2000 census. A similar resolution will be considered at your next board meeting.
No Board action is requested.*

Attorney Shuler stated that he received, but couldn't confirm, information that the Health Department director has asked the WIC program to vacate the Apalachicola Health Department building and would research this matter further.

The Board asked that he inform them as soon as he gets more information concerning this matter.

Commissioners' & Public Comments (12:32 PM)

Commissioner Sanders stated that she will be attending the canvassing board meeting in Orlando with Attorney Shuler.

The Board members wished the community a Merry Christmas and a Happy New Year.

Chairman Jackel asked that the December 20, 2011 FCBOCC Board Meeting be moved to Carrabelle beginning at 5:00 PM at the Carrabelle City Complex.

Attorney Shuler stated that he might have to reschedule the public hearing for the ordinance to the January Meeting because of the location change.

Adjourn (12:35 PM)

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

Pinki C. Jackel, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts