

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**  
*Apalachicola National Estuarine Research Reserve, Conference Room*  
*108 Island Drive, East Point, FL 32328*  
**APRIL 17, 2012**  
**5:00 PM**

**MINUTES**

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

**Others Present:** Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Betty Sasnett – Deputy Clerk

**Call to Order (5:02 PM)**

Chairman Jackel called the meeting to order.

**Prayer and Pledge**

There was a prayer followed by the Pledge of Allegiance.

Chairman thanked Lee Edmiston for hosting the Meeting.

Mr. Edmiston provided information on the Estuary facility and said they would be glad to host future meetings.

**Payment of County Bills**

Commissioner Parrish questioned two checks to Boyd Brothers, Inc. both in the amount of \$24,599.50.

Helen Spohrer, of Forgotten Coast TV, said these items were to pay for the TDC visitor guides. She explained that they would send one check now and hold the other check until the guides were delivered, which should be around April 30th. She explained that all requests out of this funding had to be turned in by the end of the month so they had to go ahead and cut the second check.

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

### **Department Supervisors Report**

#### **Hubert Chipman – Superintendent of Public Works**

Mr. Chipman had no written report.

Mr. Chipman informed the Board that the Road Department no longer picks up inmates at the County Jail, now they have to pick up the inmates from the Bay City Work Camp which requires more gas, takes longer to pick them up, and shortens the inmate's workday.

Commissioner Sanders told Mr. Chipman to make sure he considers the extra fuel cost for picking up inmates when figuring his budget. She said all County departments that pick up inmates allow for this expenditure in their budget. She also said they will be picking up inmates in Carrabelle soon.

Commissioner Putnal said the County is going to face a big shortfall when losing the State inmates at the County Jail. He said the Board needs to send letters to big counties asking them to send their inmate overflow for housing our County Jail to make up for some of the cuts. He said he believed taking their over flow may be the solution to our problem.

Alan Pierce said someone mentioned to him the idea of getting Federal inmates.

Chairman Jackel said she also had spoken with Congressman Southerland about the possibility of getting Federal inmates housed in the County Jail. She said Wakulla County uses Federal inmates and they get 3 to 4 times the amount of money for Federal inmates than for State inmates. Mr. Pierce said he would talk to Wakulla County concerning this matter.

Commissioner Putnal discussed Avenue A and the deep shoulder in front of Dewey Shiver's house.

Mr. Chipman said it would be fixed today and Chairman Jackel said to get C.W. Roberts to fix this area when they come back to work on Otter Slide and 4<sup>th</sup> street. She said she has a little money left in her paving fund that can be used for this project.

Commissioner Sanders asked Mr. Chipman if he had gotten the milled asphalt they discussed at the last meeting; Mr. Chipman said the Road Department had just acquired ten loads.

Chairman Jackel and Mr. Chipman discussed installing a stop sign at W. Pine and 5<sup>th</sup> Streets on St. George Island to slow down traffic because a lot of children live in this area.

#### **Van Johnson – Solid Waste Director- No Report**

Mr. Johnson presented his report to the Board.

Mr. Johnson said he announced his retirement at the last meeting. He said he will be retiring at the end of May and wants to make recommendations to the Board. Mr. Johnson asked that Fonda Davis be appointed as Solid Waste Director and Nikki Millender as Mr. Fonda's assistant.

**Motion by Putnal, seconded by Sanders, to accept the recommendation of Mr. Johnson to appoint Fonda Davis as Solid Waste Director and Nikki Millender as his assistant; Motion carried 3-2, Lockley and Parrish opposed.**

Commissioner Lockley asked if this decision is usually decided by seniority and Mr. Johnson said it does but he has worked with all of the employees and this would be the best recommendation to replace him.

Commissioner Putnal said CC Land Road in Eastpoint is a mess due to household garbage being dumped on the side of the road. He asked that this area be policed in order to keep it cleaned up.

Chairman Jackel asked Attorney Shuler if there was a legal remedy for handling the illegal dumping.

Attorney Shuler said this is a misdemeanor and informed the board of the criminal process for prosecuting individuals.

Commissioner Putnal believed the illegal dumping will lead to the loss of a service that is very much needed for the elderly.

Chairman Jackel requested that Attorney Shuler ask the officers to go through the dumped garbage and see if we can figure out who is dumping at this location.

Commissioner Putnal expressed concerns about the vandalism of abandoned buildings in Eastpoint. Mr. Pierce suggested contacting Centennial Bank, owner of the property, and informing them of this matter.

**Motion by Putnal, seconded by Sanders, to contact Centennial Bank regarding the abandoned buildings in Eastpoint; Motion carried 5-0.**

Chairman Jackel asked if the structures along the water were to be removed and the land has eroded can the structures be rebuilt.

Attorney Shuler stated that the demolition of some of these building could create liability issues for the County.

Commissioner Sanders asked that Mr. Johnson and Mr. Chipman combine efforts to patch the side of the roads at the debris sites in the County.

#### **Pam Brownell – Emergency Management**

Mrs. Brownell had no items for Board action.

*Action Items: None*

*Information Items:*

1. *Franklin County Emergency Management Director and Coordinator participated in a Statewide Evacuation Exercise at the Florida State Emergency Operations Center on April 5<sup>th</sup>. The exercise was facilitated by the Apalachee Regional Planning Council and concentrated on counties abilities to safely evacuate populations when faced with large and dangerous hurricanes.*
2. *The Florida Fire Service will be working with Franklin County Emergency Management Coordinator, Mike Rundel, to develop a Community Wildfire Protection Plan. This will be a cooperative effort on behalf of county fire chiefs, Emergency Management and the Florida Fire Service to identify areas at risk and local resources available from the VFD's. This plan will be a formal document to be filed with the state in order to qualify for future funding.*
3. *The Franklin County Communications Advisory Group (formerly Franklin County 911 Communications Group) met at the Sheriff's Office, Wednesday, April 11. St. George Island Fire Chief, Jay Abbott, will present the report to the Commission.*
4. *State Department of Agriculture representatives for Emergency Support Function 17 (ESF 17), Animal Protection, met with Franklin County Animal Control, Franklin County Extension Service and Emergency Management on Thursday, April 12 to update everyone on strategies and resource availability for the upcoming hurricane season.*

*A full scale Search and Rescue Exercise was held Saturday, April 14, 2012 at the Abercrombie Boat Ramp. Coordinated by Franklin County Emergency Management, the exercise was funded by grant funding from the Department of Homeland Security and facilitated by The Management Experts LLC. The object of the exercise was to test emergency response times and communications*

Jay Abbott, of St. George Island Fire Department, reviewed the Minutes of the Franklin County Communications Advisory Group Meeting. He stated that the Sheriff's Office is short on dispatchers at this time and he also discussed the installation of the new power poles. Mr. Abbott also discussed a new CPR machine for EMS.

Chairman Jackel thanked Mr. Abbott and the other fire departments in the County for responding to the fire on Highway 65 in the Brick Yard area.

**Bill Mahan – Extension Office Director**

Mr. Mahan presented his report to the Board.

*Franklin - UF IFAS Updates*

- 1) *ISSC Committee Appointments* – The Executive Director of the Interstate Shellfish Sanitation Conference and Chairman of the Executive Board have begun announcing the committee assignments and charges for 2012 & 2013. To date, I have been appointed to six Committees – Biotoxins, Communications, Education, Pathogen Review, Post Harvest Processing Review, and Use of the Press. The Pathogen Review Committee is a new assignment that I requested.

Commissioner Sanders thanked Mr. Mahan for his efforts in getting these assignments because they are important to our County.

#### *Gulf of Mexico Fishery Management Council (GMFMC)*

- 2) *NOAA is Seeking Comments on A Proposed Supplementary Rule for "Other Shallow-Water Grouper" Complex* – The NOAA Fisheries Service is seeking public comment on a proposed supplementary rule. The rule would correct the regulations for the "other shallow-water grouper" complex. It published in the Federal Register on April 6, 2012. The comment period will end on April 23, 2012.

The final rule implementing management measures in the Annual Catch Limits (ACL) and Accountability Measures Amendment for Reef Fish, Red Drum, Shrimp, and Coral Fisheries of the Gulf of Mexico (Generic ACL Amendment) established a new species complex called "other shallow-water grouper." This complex includes scamp, black, yellowmouth, and yellowfin grouper. The rule set an "other shallow-water grouper" quota and annual catch limit. Following the Generic ACL Amendment final rule, a final rule for Amendment 32 to the Fishery Management Plan for Reef Fish Resources in the Gulf of Mexico published. It erroneously replaced the new "other shallow-water grouper" quota and annual catch limit with older language that included gag and red grouper. Gag and red grouper are also considered shallow-water grouper, but they have their own quotas, annual catch targets, and annual catch limits. This proposed supplementary rule would re-establish commercial quotas and annual catch limits for "other shallow-water grouper."

Comments on this amendment must be received no later than April 23, 2012, in order to be considered by NOAA Fisheries Service.

Mr. Mahan discussed the Healthy Gulf-Healthy Communities project and said Apalachicola is one of the sights for this event. He asked that everyone go on line and register and try to attend.

#### **Helen Spohrer – Forgotten Coast TV**

Helen Spohrer, of Forgotten Coast TV, discussed Change Order # 8, #9 and also Buy Schedule 2. She said these orders have been approved by BP but also need Board approval. She discussed leftover funding from the grant which expires at the end of April. She discussed that this will allow the TDC to give money to Parks and Recreation for promotional items and recreational activities, such as the State Ball Tournament.

Commissioner Putnal stated that a lady called him and said she has leased the basketball gymnasium at the Carrabelle City Complex. He said she wanted to know if there are any grants

available to help renovate the building in order to open a skating rink there, which will help the kids in the community.

Ms. Spohrer said she wasn't sure if there was anything available but stated that the TDC would help in any way possible.

Commissioner Sanders said she had spoken with the same lady and also told her she would present it to the Board.

**Motion by Sanders, seconded by Putnal, to approve all three requests, Change order # 8 and #9 and give \$15,342.00 to the Parks and Recreation Department for promotional items for recreational activities; Motion carried 5-0.**

**Public Hearing – Ordinance – TDC Spending Plan & other TDC action items**

Attorney Shuler presented the 2 year TDC Spending Plan to the Board. He said the only changes from the previous plan are as follows:

\$204,000 for renovations to the Armory

\$30,000 to complete the Nature Museum at Lombardi's Park

\$77,000 for the purchase of the Lombardi property

Chairman Jackel asked for public comments. There were no public comments.

Commissioner Sanders asked Attorney Shuler if he was satisfied with this plan and he said it meets all directions of the Board and it also meets statute requirements.

Commissioner Lockley asked if any part of this plan was funded with BP money and Attorney Shuler said there is a provision from BP in the 1<sup>st</sup> year, but not the second.

Chairman Jackel said this budget is based on the County's regular collection of the bed tax.

Commissioner Sanders wanted to remind the Board that this plan was approved by the TDC back in August and has taken this long to schedule a public hearing in order to adopt it.

Attorney Shuler stated that the original budget was operating as a one year plan instead of a two year plan.

Commissioner Lockley asked if the TDC administration budget is going to remain the same for both years and Curt Blair, of the TDC, stated that the 2011/2012 year budget is \$115,000, which includes BP funding and the 2012/2013 year budget is \$89,000, with no BP funding.

Mr. Blair stated that the BP grant runs out at the end of this month.

Commissioner Putnal asked if the BP money helped any businesses that were struggling with during this time and Mr. Blair said no, because these funds were for promotions only. He did say that some of the local businesses did benefit from the promotions.

**Motion by Sanders, seconded by Putnal, to approve the 2011/2012 & 2013/2014 TDC Spending Plan; Motion carried 5-0.**

**Marcia M. Johnson – Clerk of Courts – Report**

Mrs. Johnson had no report for the Board.

**Alan Pierce – Director of Administrative Services – Report**

Mr. Pierce presented his report to the Board.

*1-Provide Board with copy of letter of support for University of West Florida grant to study the economic feasibility of relaying oysters to a saltier environment in the summer as an alternative to postharvest processing for Vibrio. Research has shown that Vibrio can be killed by high salinity. The oyster industry currently has to respond to the Vibrio threat by limiting hours of harvesting or by putting the oysters through a post harvest process. Other oyster producing states have developed a relay program where the industry moves oysters into high salinity areas and let the salinity remove the Vibrio. It is not yet being done in Florida and this grant, if awarded, would examine the economic feasibility of relaying here in the Apalachicola Bay.*

Mr. Pierce said the University of West Florida is trying to get part of the \$30 million that the Legislature has appropriated for economic development. He said they are looking at possibly creating a seed lab.

Commissioner Putnal said he thinks there would be a problem with this because of the Summer/Winter issues.

Mr. Pierce said the theory is to put the seed lab off shore. He said the overall idea is to try to produce and promote research in the Apalachicola Bay. He said there were 160 requests for grants, only 40 were asked to go forward and this was one of them. Mr. Pierce said this grant is only for \$300,000.

*2-Inform Board that through the efforts of the Planning Office homeowners who are required to carry flood insurance are now eligible for a 15% discount on their premiums, up from the previous 10% discount. Inform the Board that the federal government has generated a new Floodplain Management Ordinance. Ms. Ward is reviewing the new Ordinance to see if there are changes that make the county's current Floodplain Ordinance out of compliance. If there are changes it is possible the Board will have to adopt a new Floodplain Management Ordinance in order to continue to receive the 15% discount on flood insurance premiums.*

*3-Inform the Board that from the last meeting I was asked to investigate the ability to get a public boat ramp on property recently owned by the Schoelles family in the 11 Mile area. At this time the parcel of land in question is owned by the Trust for Public Land (TPL). The Florida Wildlife Commission (FWC) is currently in the process of trying to raise money to purchase the property. According to representatives of the St. Vincent National Wildlife Reserve who is managing the property the existing boat ramp will remain private.*

Mr. Pierce said they have concerns about liability and access but it isn't even in public ownership at this time.

Commissioner Lockley asked if there any other boat ramps in that area and Mr. Pierce said this was the best site and he will monitor this matter for now.

Commissioner Putnal said there would be a lot of benefits from having a boat ramp in this area. He said it's actually filled in right now and would have to be dug out in order to be used.

*4- Inform the Board that I have spoken to DOT and when US 98 is repaved in Apalachicola it will be re-milled. It is not scheduled to be repaved until 2014.*

*5- Mr. Dan Tonsmeire, Apalachicola RiverKeepers, would like the Board to receive the ACF update prepared by Mr. Dave McClain. Mr. Tonsmeire might be in attendance.*

*6- Inform Board that while the courthouse lawn looks a little dry right now by the end of the week the irrigation of the courthouse yard will be done through the City of Apalachicola's water re-use system. Through the leadership of the county commission county facilities are becoming more energy efficient and environmentally friendly.*

Mr. Pierce said solar panels are now installed on the Courthouse Annex.

Commissioner Putnal discussed water issues in Alligator Point.

*7- Inform the Board that the Legislature has deleted the state mandate for every county to produce a report on the full cost of solid waste management. In next year's budget the Board will be able delete that expenditure.*

*8- Inform the Board that several individuals have approached either me or the Clerk regarding cleaning the exterior of the courthouse. The north side of the courthouse in particular has a lot of mildew. As the Board is aware, the courthouse is essentially 3 stories and it will require an external system to clean the windows and brick. Because of the height that people will be working off the ground proof of insurance is going to be required. I will be getting with the County Attorney for direction on how to proceed with getting the building cleaned.*

Chairman Jackel asked Mr. Pierce if he was going out for bid on this item and Mr. Pierce said he thought he was required to and wanted Board direction.

Commissioners Sanders and Putnal wanted to be sure this was advertised locally.

Mr. Pierce said he will be discussing this with the County Attorney for guidance regarding liability insurance.

**Motion by Sanders, seconded by Putnal, to approve advertising for bids to clean the exterior of the Courthouse; Motion carried 5-0.**



*9- Inform Board that I have scheduled a public hearing for May 1 to adopt the wind speed maps I have previously provided the Board, The Building Code is requiring the Board adopt the wind speed maps by ordinance.*

*10- Inform the Board Franklin County has received approximately \$112,000 in unanticipated revenues in the general fund from a final payout FEMA reimbursement for Hurricane Ivan. The unanticipated revenue came from work the county did on Alligator Point Road after Hurricane Ivan. With the receipt of the unanticipated revenue, the BOCC is now able to pay for the expense of the GIS Parcel mapping from the general fund and preserve the balance of the Capital Outlay Fund.*

Mr. Pierce said there is \$112,000 in the General Fund that is not encumbered. He asked the Board if the Board wanted to pay the GIS mapping out of General Fund and not mess with Capital Outlay.

The Board discussed this matter and agreed to leave as voted on, taking the money for the GIS mapping out of Capital Outlay.

*11- At the last meeting the Chairman suggested we do a load test on the AC system for the Annex before we award bids to make sure the building really needs a 40 ton unit. It is important for a cooling system to be properly sized because if the system is too large then air is chilled too fast for the moisture to be removed. The AC load testing has been done on the Annex and it does appear that the current 40 ton unit that the Board had advertised to be replaced is oversized for the building. It appears that a 30 ton unit could suffice. I am getting additional guidance on what we need to bid out and hope to have a complete report at the next Board meeting. Board action to reject the current 40 ton bids and approve re-advertising.*

Commissioner Lockley asked if an A/C company had looked at this issue.

Mr. Pierce said Alan Peaden A/C, of Panama City, came and did the load test, and said a 30 ton unit would work with the possibility of a 20 ton unit.

Commissioner Parrish wanted to be sure the unit isn't too small because it needs to be able to keep the mildew out of the building.

Commissioner Lockley asked how many units will be used and Mr. Pierce said there was discussion about splitting into two units.

Mr. Pierce said it was a 40 ton condenser that went bad and that was what he was trying to replace, probably with one 30 ton unit.

Chairman Jackel said George Pruettt brought this matter to her attention and suggested running a "J" Test. She thanked Mr. Pruettt for bringing this to the Board's attention.

Mr. Pierce read part of the "J" Test from Peaden A/C. He said a 30 ton unit would be adequate but suggested one additional test.

**Motion by Parrish, seconded by Lockley, to reject the current 40 ton bid and approve re-advertising for A/C replacement at the Courthouse Annex; Motion carried 5-0.**

*12- Inform the Board that the University of West Florida is holding a meeting on Monday, April 23, in Destin to explain to the 8 impacted counties how to access the \$30M worth of economic development funds the legislature appropriated this year. I will be attending unless a Board member wants to attend. There is also an important meeting to discuss NRDA projects on Monday, May 7<sup>th</sup>, in the South Walton County Admin. Building. Commissioner Parrish and I think there is a good chance of the county's oyster project being discussed so one or both of us will be attending that meeting.*

*13-Board update on FBO negotiations. At the last Board meeting the Board directed that Commissioner Parrish and I work with Fly High to finalize the FBO lease. I discussed the issue with Commissioner Parrish and then had a series of emails with Mr. Karel Van Der Linden, Fly High Director. There were two issues that needed to be resolved meaningful benchmarks to determine whether there is compliance with the contract, and length of contract. Here is where we stand:*

*Because Mr. Linden is in the service industry he will not make contractual commitments on how many people he will employ. His success depends on the health of the overall economy and how many people are using airplanes. I agreed with Mr. Linden so I suggested he develop a marketing plan so that at least the Board will have some level of comfort that he is promoting the airport as best he can. He has provided a marketing plan and I have forwarded that on to Commissioner Parrish and Mr. Shuler. The marketing plan does not have meaningful benchmarks to determine compliance with a lease but it is an effort to show the Board that Mr. Linden is promoting the airport.*

*The other issue is terms of the lease. At the last Board meeting Commissioner Parrish suggested as a compromise that the first lease be a term of 5 years with 10 year options to renew. Mr. Linden will accept that however the 10 year renewal will be automatic unless he is violating terms of his lease, such as failure to maintain insurance.*

Attorney Shuler discussed the Board's position on negotiating renewals with this contract and said it was a decision the Board has to make.

Commissioner Putnal wanted to know if Mr. Linden would agree to a 10 year lease.

Commissioner Parrish said the Board was trying to get away from a 20 year lease but couldn't come to an agreement on bench marks within the lease. He said at this time Mr. Ruic is out of fuel and only has jet fuel available at the Airport. Commissioner Parrish said he explained to the Airport Advisory Committee that there will be a gap in getting fuel for the Airport, but it will be an even bigger gap if the Board doesn't move forward with approving a lease.

Commissioner Parrish said that if the Board goes back out for bids the Airport will be down for a month or two. He said Mr. Linden will get a 20 year lease if he complies with the Board's guidelines within the first 5 years of the contract.

Commissioner Parrish and Mr. Pierce discussed the status of the T-hangars.

The Board decided to defer the T-hanger issues to a later date.

Commissioner Parrish said Mr. Linden will not be ready for the May 4<sup>th</sup> transition if the Board doesn't go forward with this now.

The Board and Mr. Pierce discussed this matter further.

**Motion by Parrish, seconded by Putnal, to accept the terms of the lease with Fly High for the FBO as presented; Motion carried 4-1 Lockley opposed.**

*14-Inform Board that the advertisement for county auditor will be in next week's paper. The Board will open up proposals at the May 15<sup>th</sup> meeting.*

*15-Received a phone call from Artic, the military company, they have had a change of personnel; Mr. Bruce McCormick is no longer with the company. So they are revising their firms approach to things so they may be getting back with the Board.*

Chairman Jackel asked if Grace was out of the picture at the Airport and Mr. Pierce said That is the other building and he isn't sure.

Commissioner Parrish discussed ideas of helping Grace Industries because they had planned to create jobs in the County. He discussed rental fees of the T-hangars.

Chairman Jackel said she heard from Jeff Littlejohn, of DEP, regarding the dredging of the Eastpoint Channel. She said he informed her that they can't work under the permit from the 1983 agreement and at this time the County needs to apply for a new permit. She said Sean Hamilton, of DEP, wants to move forward on the permit application as quickly as possible but will need information from Mr. Pierce in order to complete the application.

Chairman Jackel said there should not be any problems getting the permit and they should be able to put the spoil on the seaward side of the breakwater.

The Board and Mr. Pierce discussed this matter further.

#### **Recess (6:40 PM)**

Chairman Jackel called for a recess.

#### **Reconvene (7:00 PM)**

Chairman Jackel reconvened the Meeting.

#### **Michael Shuler – County Attorney – Report**

Attorney Shuler had no report for the Board.

Chairman Jackel discussed a business on Highway 98 called Flashy Me. She said the owner sells used appliances and she believes it is a public safety hazard for children.

Chairman Jackel said she had asked Attorney Shuler to research Florida Statutes regarding public safety and he gave her the requested information.

Attorney Shuler said he spoke with the business owner and said the owner had since put the refrigerators behind a fence or had taken the doors off, but the Attorney doesn't believe these actions were sufficient in solving the problem with safety hazards.

Commissioner Sanders expressed her concerns with this matter.

**Motion by Sanders, seconded by Putnal, to direct Attorney Shuler and Mr. Pierce to take whatever action is necessary to make the owner of Flashy Me comply with Florida Statutes in order to make this property safe and also send the owner a certified letter and also give him time to comply; Motion carried 5-0.**

Commissioner Parrish asked if the owner of the property had been contacted and Attorney Shuler said they had not but the tenant is the responsible party.

Commissioner Parrish asked that the property owner be contacted to make sure he knows about this issue.

Attorney Shuler and the Board discussed this matter further.

Chairman Jackel asked that Attorney Shuler notify the property owner in writing and be sure he is aware of this issue.

#### **Commissioners and Public Comments**

Commissioner Sanders read a statement from the Florida Association of Counties regarding a lawsuit opposing House Bill 5301/Medicaid. She said it will cost \$1,000 for small counties to join the law suit. She believed House Bill 5301, if it were to pass, would be devastating to Franklin County.

Chairman Jackel thanked Commissioner Sanders for this information and asked her to keep the Board informed on this matter.

The Board and Attorney Shuler discussed this matter.

**Motion by Lockley, seconded by Putnal, to support FAC, pay the \$1000 small county contribution and join the law suit; Motion carried 5-0.**

Chairman Jackel informed everyone that Commissioner Sanders is scheduled to have surgery on May 1st.

#### **Adjourn (7:24 PM)**

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

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Pinki Jackel, Chairman – FCBOCC

Attest:

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Marcia M. Johnson, Clerk of Courts