

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
OCTOBER 2, 2012  
9:00 AM**

**MINUTES**

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

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

**Call to Order (9:03 AM)**

Chairman Jackel called the Meeting to order.

**Prayer and Pledge (9:03 AM)**

Chairman Jackel asked for a moment of silence in memory of Tyrone Evans, who passed away last week. Mr. Evans was an employee of the Franklin County Parks and Recreation Department.

There was a prayer followed by the Pledge of Allegiance.

**Approval of the Minutes (9:05 AM)**

**Motion by Lockley, seconded by Sanders, to approve the Minutes of the September 4, 2012 meeting; Motion carried 5-0.**

**Payment of County Bills (9:06 AM)**

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

**James A. Harris – Tax Collector/Doris Pendleton – Property Appraiser (9:07 AM)**

Mr. Harris and Mrs. Pendleton made a request for the Board to purchase a new AS400 server, which is the main computer for the entire tax system for the Tax Collector and Property Appraiser. Mr. Harris stated that the cost to replace the system is \$47,596 and there are no funds in their budgets to purchase this machine.

The Board, Mr. Harris, and Mrs. Pendleton discussed the purchase of the server.

The Clerk suggested using Capital Outlay funds for the purchase of this equipment.

Chairman Jackel asked if the Property Appraiser's Office will have any extra money in salary since the Chief Deputy will be the Property Appraiser next year.

Rhonda Skipper, the Property Appraiser's Chief Deputy, and Chairman Jackel discussed the budget of the Property Appraiser's Office.

**Motion by Lockley, seconded by Parrish, to approve the purchase of the server from the Capital Outlay Fund; Motion carried 5-0.**

Mr. Harris asked the Board to extend the 2012 Tax Roll in order to allow him to mail the bills out on November 1<sup>st</sup>.

**Motion by Sanders, seconded by Lockley, to extend the 2012 Tax Roll; Motion carried 5-0.**

**Michael Shuler – County Attorney – Report (9:17 AM)**

Attorney Shuler presented this item from his report.

*4. Special Fire Assessments Being Placed On the Tax Bill:*

*Does the board want me to schedule a public hearing for you to consider-adopting a Resolution allowing, but not requiring, that you put the fire assessment on the ad valorem tax bill. Doing so will increase funding available to the fire departments.*

*This is a different issue from the fire departments wanting to increase the assessments.*

*No hearing could be held on this until the end of November, 2012, at the soonest.*

*Board Action Requested: A motion authorizing the assessments to be placed on the ad valorem tax bills.*

Mr. Harris discussed possible issues with declaring some residents indigent on a yearly basis but stated that the MSBU being added to the Tax Bill was more of an issue for the Property Appraiser's Office.

Mrs. Skipper discussed the advantages and the disadvantages of adding the MSBU to the Tax roll.

Attorney Shuler stated that homesteaded properties would not be subject to a tax lien if the MSBUs are under \$200.



Cardboard	4.86 TONS	4.84 TONS	3.96 TONS	.40 TONS	-0-	-0-	.53 TONS
Plastic, Paper , Glass, Aluminum	.95 TONS	.56 TONS	1.51 TONS	.45 TONS	1.45 TONS	.37 TONS	.35 TONS

REQUESTED ACTION: None

Chairman Jackel and Mr. Davis discussed the Waste Pro transfer station issue.

**Nikki Millender- Parks & Recreation (9:32 AM)**

Mrs. Millender had no items for Board action.

Mrs. Millender informed the Board that the start of the Franklin County Soccer League season will kick off on October 6<sup>th</sup>.

Mrs. Millender also informed the Board that services for Mr. Tyrone Evans would also be on October 6<sup>th</sup>.

Mr. Pierce suggested spreading the workers from the Workforce Board to different park locations in the County in order to help Parks & Rec. as they are short handed at this time.

Chairman Jackel and Mrs. Millender discussed advertising for the vacant position at Parks & Rec.

**Pam Brownell – Emergency Management Director (9:35 AM)**

Mrs. Brownell presented her report to the Board.

*Action Items: Request Board action by signing Florida Division of Emergency Management Award Letter for Federal Fiscal Year 2012. This awards letter outlines the amount of funding that has been allocated for Franklin County Emergency Management’s forthcoming Federally Funded Sub grant Agreement. This letter must be signed and returned prior to the execution of the Agreement. No funds will be distributed until the awards letter has been signed and returned.*

**Motion by Putnal, seconded by Parrish, to approve the Chairman’s signature on the Florida Division of Emergency Management Award Letter for Federal Fiscal Year 2012; Motion carried 5-0.**

*Information Items:*

*-Received funding agreement from the State for TS Debby on September 26, 2012. No word yet on the request for our 12% county waiver.*

*-Called the state September 26, 2012 about declaration for TS Isaac. The State informed us that it was denied. The State will appeal.*

*-September 26, 2012, I spoke with the State about what resources were still available for residents due to TS Debby. I was informed the incident was closed. They said residents could still call FEMA at 1-800-621-3362, but FEMA would not re-open a Disaster Relief Center. I also asked about disaster unemployment. Again I was told that residents could file, but would have to have reason why they did not file with the DRC previously. Some reasons cited were hospitalization or incarceration.*

*-Pamela Brownell Attended the Franklin Promise Coalition for Unmet Needs & Long Term Recovery. The meeting was held on September 26, 2012 at Franklin s Promise in Apalachicola. There were 28 participates at this meeting from numerous different organizations, with all of us tying to come up with resources or ideas on how to help the residents here in our county.*

*-October 4, 2012 we will be attending the North Florida Domestic Security Task force meeting in Tallahassee.*

*-October 9-11, 2012 we will be attending the Current Issues in Emergency Management at the State EOC.*

Chairman Jackel and Mrs. Brownell discussed the status of the FEMA funds requested by Anita Grove.

Mrs. Brownell discussed the types of assistance available to business owners and homeowners. Mr. Pierce stated that he has a friend who has taken advantage of this assistance.

Mrs. Brownell discussed the differences in low interest loans and grants.

Commissioner Putnal and Mrs. Brownell discussed expiration dates for storm re-entry tags.

### **Bill Mahan – County Extension Director (9:41 AM)**

Mr. Mahan had no items for Board action but discussed the following items from his report.

#### *Franklin - UF IFAS Updates*

*1. U.S. Commerce Department has declared a national fishery disaster in Mississippi – On September 12<sup>th</sup>, the Acting Secretary of Commerce Rebecca Blank declared a national fishery disaster had occurred in Mississippi for oysters and blue crab. Former Governor Barber's request also asked for a fishery failure declaration for shrimp, however that request was denied. Note the Governor's request for a declaration was June 22, 2011 the response was dated September 12, 2012. Under the Magnuson-Stevens Fishery Conservation and Management Act, the Secretary of Commerce is given 120-days to respond to a fishery failure declaration request. Commissioner Parrish and Mr. Mahan discussed the timeline for the declaration on this item. Commissioner Parrish stated that by looking at this information it could be next June before anything happens here.*

*6. Healthy Gulf/Healthy Communities Listening Session – The UF-lead Healthy Gulf/Healthy Communities study team will be holding a community listening session at the Armory on October 9<sup>th</sup> from 5:30 – 7:00 PM. The goal of the session is to listen to the concerns and needs*

*of the Franklin County community members and provide this information the University of Florida Oyster Recovery Team.*

*7. UF Oyster Recovery Team Meeting – The UF Oyster Recovery Team will meet on October 10<sup>th</sup> at the Apalachicola National Estuarine Research Reserve to begin their work. The Team is made up of scientists from all over the state, local seafood industry, state agencies and non-governmental organizations. The recovery Team during the first meeting will begin reviewing what information is already available, what is needed and to develop a list of factors that have lead to the current state of the Apalachicola Bay.*

Commissioner Putnal and Mr. Mahan discussed this item further, along with the need for independent testing of the water quality of the Bay. Commissioner Putnal said he believed an independent study would be a better choice to determine what is going on with the water.

Commissioner Putnal and Mr. Pierce discussed the signs around town that state BP claims.

Commissioner Lockley asked if the University of Florida has a marine department that can do water quality testing in the Bay.

Mr. Mahan stated that there isn't a formal Marine Biology program at UF but there are scientists who work in marine sciences and they will be coming here, along with representatives of other universities, to do research.

**Mr. Steve Lanier- CFO- Weem's Hospital Update (9:49 AM)**

Mrs. Tammi Hardy, Chairman of the Weems Hospital Board, thanked the Commissioners for their encouragement and support during the CEO selection process. She stated that out of the thirty four applicants, the Hospital Board recommends Mr. Ray Brownsworth as the new CEO of Weems Hospital. She stated that he is prepared to begin work next Monday. Mrs. Hardy commended all of the Hospital Board members who worked diligently and tirelessly over the last few months and she discussed the selection process used by the Hospital Board.

**Motion by Lockley, seconded by Putnal, to accept the recommendation of the Weems Hospital Board to hire Ray Brownsworth as the new CEO of Weems; Motion carried 5-0.**

Chairman Jackel asked Mrs. Hardy to introduce some of the Hospital Board members who were in the audience.

Chairman Jackel thanked Mrs. Hardy and the Board for their hard work.

Steve Lanier, Comptroller of Weems Hospital, reviewed the Hospital's financial report with the Board.

Chairman Jackel commended Mr. Lanier on getting the accounts payable amounts down to a manageable number.

Commissioner Sanders and Mr. Lanier discussed the sliding fees used at Weems East in Carrabelle. Commissioner Sanders wanted to be sure that the people who aren't able to pay are being accommodated.

Commissioner Putnal commented on the unique needs of the people, especially seafood workers, who live in Franklin County.

Mr. Lanier stated that the Hospital tries to work with people who are unable to pay for medical help.

Commissioner Lockley and Mr. Lanier discussed the status of starting a clinic in Apalachicola.

Ginny Griner, of Weems Hospital, explained the processes that are in place to provide care for indigent residents who use Weems or Weems East.

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

Mr. Pierce presented the following item from of his report.

*15- Board action to approve an EMS grant for Weems Hospital in the amount of \$1,436.00*

**Motion by Putnal, seconded by Parrish, to approve EMS grant for Weems Hospital in the amount of \$1,436.00; Motion carried 5-0.**

Ms. Griner discussed health training programs being offered in the County.

**Recess (10:09 AM)**

Chairman Jackel called for a recess.

**Reconvene (10:32 AM)**

Chairman Jackel reconvened the Meeting.

**Marcia Johnson- Clerk of Courts Report (10:32 AM)**

Mrs. Johnson presented her report to the Board.

*1. For action, the health department has submitted the core contract between the Department of Health and the Board for the period October 1, 2012 through September 30, 2013. A motion is requested to approve the contract and authorize the chairman's signature. Attorney Shuler has been provided a copy of same.*

Commissioner Sanders would like to have Article 5 (CHD Administrator) enforced so the Board can have a say regarding the selection of an administrator. She also discussed the amount of funding for the Health Department.

Chairman Jackel and Mrs. Johnson discussed the current status of Ms. Linderman, Gulf County Health Dept. Administrator, also the interim administrator for the Franklin County Health Department.

Commissioner Parrish commented on the State's portion of funding health departments and expressed concerns about the County being responsible for funding the Health Department if the State turns it over. He discussed essential services which are provided by health departments.

Commissioner Sanders stated that the Board needed to stay active and informed in this matter.

**Motion by Putnal, seconded by Lockley, to approve contract and authorize the Chairman's signature on the contract between the Board and the County Health Dept.; Motion carried 5-0.**

*2. For information, my office is authorized by law to pay into the fine and forfeiture fund all unclaimed money deposited or collected. A list was published, and pursuant to the law, proof of the publication is to be filed and recorded in the minutes of the county commission. The list totaled \$1,070.20 and represented checks issued as traffic or jury refunds or restitution by my office that were never cashed. We did reissue \$45.00 to individuals who made claims, and the charge for the advertisement was \$82.50. The proof of publication is attached.*

Mrs. Johnson stated that this money would go to the State of Florida.

**Alan Pierce- Director of Administrative Service (10:39 AM)**

Mr. Pierce presented his report to the Board.

*1- At the previous Board meeting, the Board opened bids for a 30 ton AC unit. One of the bidders had sent in an amended bid that I taped to the outside of their original bid so that I would not lose it. The amended bid came in before the deadline and I should have opened the amended bid but during the bid opening I opened the original bid instead. (Hold up envelope with amended bid still taped to original). I have consulted with the County Attorney and he has advised me that since the Board has not awarded any bid that I should open the bid this morning and read it aloud.*

Mr. Pierce opened the bid and read it to the Board.

LMI - \$38,928.00 is the amended bid amount.

**Motion by Sanders, seconded by Parrish, to forward this bid to the review committee; Motion carried 5-0.**

*2- Inform the Board that I have received the Notice to Proceed and have met on-site with DEP representatives regarding the rebuilding of a temporary access in the Gulf Shore Blvd road for*



*the 7 lots that lost their access during TS Debbie. The county can rebuild the road whenever it is ready.*

*The county is seeking FEMA funds for a permanent asphalt road but we are currently only going to build a limerock road. The permanent asphalt road will come in from Bald Point Road and access the 7 lots from the rear.*

*3- Board authorization to spend up to \$10K of Bald Point Trust fund money for a survey and preliminary design for the permanent relocation of the Gulf Shore Blvd. The survey and preliminary design are required by the DEP State Parks as the proposed relocation will be across Bald Point State Park property.*

**Motion by Sanders, seconded by Parrish, to authorize \$10,000 of Bald Point Trust Fund money for a survey and preliminary design for permanent relocation of the Gulf Shore Blvd.; Motion carried 5-0.**

*4- Inform Board that Warden Hosford did respond to the Board's Aug. 22 letter inquiring about the future of the Bay City Work Camp. Read the letter.*

*5- Inform the Board that DOT has authorized contractors to work on both the bridge over the Apalachicola River as well as the box culvert near Yent's Bayou. Both jobs will require one-lane traffic at times. The contractor will be responsible for maintaining traffic control.*

*6- Mr. Keith McCarron, ARPC, wants the Board to know that he got a response from DOT regarding what it will take for DOT to resurface US 98 between Eastpoint and Carrabelle. According to DOT, "the Department's most recent Central Office survey (crack, ride, and rut measurements) did not indicate a need for resurfacing. Ride and rut measurements are collected by a laser equipped truck that collects measurements every six inches as it rides both directions of a roadway." DOT said it would send a District 3 survey crew out to "ride" US 98 again to see if there has been any change since the last survey.*

*7- Inform the Board that NACo (National Association of Counties) is using Franklin County in some national advertising as a community that has embraced and benefited from the NACo drug card, so don't be surprised if you read about Franklin County.*

*8- Board action to close US 98 in Eastpoint at Gillespie St on the East to Bay St. and then south on Bay St. to Patton Drive on Friday, Dec. 14<sup>th</sup>, from 4 to 5:15 PM, for the Eastpoint Christmas Parade.*

**Motion by Sanders, seconded by Parrish, authorizing the requested closure of US 98 for the Eastpoint Christmas Parade; Motion carried 5-0.**

*9- Inform Board that the 3<sup>rd</sup> Annual Running for the Bay Marathon will occur on Sunday, Oct. 21. The race will start in Apalachicola at the community center under the bridge and run over to St. George Island and back. The race route has been approved by the Franklin County Sheriff's*

*Office and the Apalachicola City Police. Chairman Jackel has arranged for the race promoters to make a \$2500 contribution to Franklin's Promise to enhance contributions for charity work related to the current bay tragedy. Last year the Race gave \$500 so this is a significant increase in contribution.*

Chairman Jackel and Mr. Pierce discussed the \$1,000 deposit for clean up for this event.

*10- At the Board's final public hearing regarding the budget, the Board discussed the need to appoint an insurance committee to make a recommendation to the Board on which health insurance plan should be provided county employees and retirees. I will be working with the Finance Office to come back to the Board with a recommendation on the structure of the committee. The School Board has created a similar committee to look at the school's insurance program.*

*11- Board action to renew the Memorandum of Understanding between Franklin County and Enterprise Florida. Enterprise Florida is the economic development arm of the state. By renewing the agreement, Enterprise Florida will continue to promote Franklin County.*

**Motion by Sanders, seconded by Putnal, to approve the renewal of the Memorandum of Understanding between Franklin County and Enterprise Florida; Motion carried 5-0.**

*12- Provide Board update on activities leading from the Board's disaster declaration of the winter oyster harvest. On Friday, Sept, 21, the Chairman and I attended a REDI meeting in Tallahassee. REDI stands for Rural Economic Development Initiative and it is a meeting of state agencies who have resources and programs in rural areas. Franklin County was the program and the Chairman spoke at length of the county's needs.*

*The following items are in the works:*

*\*an increase in the delivery of food, both canned and fresh produce, to Franklin's Promise for distribution in the community.*

*\*Gulfcoast Workforce is interviewing and qualifying workers for "training" opportunities in Franklin County. Training will consist of up to 6 months of pay to learn new skills. The county is pressing very hard for that "training" to include money to pay seafood workers to plant shells.*

Commissioner Putnal stated that he has received complaints that when some of the seafood workers have applied for the jobs at the Workforce they have been rejected because they don't have a high school diploma or GED.

Commissioner Sanders said she believed that applicants would be trained for the GED if they didn't have it once they applied with the GCWF.

Joe Taylor, of Franklin's Promise Coalition, clarified some of the information Commissioner Putnal commented on and asked Commissioner Putnal to ask those seafood workers to return to the GCWF.

The Board had some discussion on this matter.

Mr. Pierce stated that Kim Bodine, of Gulf Coast Workforce, is working to organize another Workforce Fair.

**Motion by Sanders, seconded by Putnal, to agree to designate the County as the contractor for any FEMA funds received for re-shelling programs; Motion carried 5-0.**

Joe Taylor updated the Board on recent actions in the County to assist the displaced seafood workers and other residents through the food pantry, Franklin's Promise and other agencies. Mr. Taylor commented on contributions that are coming in from different areas of the State to help those in need.

Mr. Taylor provided some information concerning a new program called A Hand Up, which is a collaborative effort between Volunteer Florida, Catholic Charities, Progress Energy, Gulf Coast Workforce, Dept. of Children and Families, and Franklin's Promise. He explained how this program works.

Commissioner Putnal and Mr. Taylor discussed the increase of residents who are taking advantage of help being offered throughout the County.

Chairman Jackel and Mr. Taylor discussed concerns about children whose needs for food are not being met in the County. Mr. Taylor stated that volunteers are willing to meet people after specified times in order to provide meals for families.

Mr. Taylor commented on volunteers who are helping throughout the County.

*\*Warden Hosford, Franklin CI, has announced that there are 31 vacancies at Franklin CI for correctional officers. Current certified correctional officers can be hired immediately. Gulfcoast Workforce will be providing training opportunities for new officers in the near future.*

*\*DEO- Department of Economic Opportunity will be presenting the Board with some options for developing plans for long term economic diversification in the county.*

*\*Gulfcoast Workforce will be providing Franklin County with 15 temporary employees associated with TS Debbie clean-up. The county is anticipating the Workforce will finish screening applicants next week.*

*\*Senator Nelson's office has confirmed that people affected by TS Debbie can still make an application to FEMA on the toll free line 1-800-621-3362. Applicants may initially be told that the time to file a claim closed on Sept. 4, but FEMA will accept late applications till Nov. 4 if the applicant explains that they are late applying because the state of Florida only recently announced that the winter oyster harvest is a failure. What kind of FEMA aid an individual may be eligible is going to be dependent on what damage the applicant suffered.*

Chairman Jackel asked Mr. Pierce to explain this process in detail. Mr. Pierce stated that applicants have to call the toll free number to apply and applicants can also go to the Emergency Management Office to apply over the phone.

Joe Taylor provided information regarding the application process for individual assistance and also offered to have applicants come to the Franklin's Promise Office.

Chairman Jackel suggested having an announcement on Oyster Radio regarding this information.

The Board and Mr. Taylor discussed the claims process and other available programs. Commissioner Sanders commented on the confusion that is encountered when applying for these types of assistance.

Mr. Taylor stated that it is hard for those who are self-employed to receive assistance. Commissioner Parrish stated that this is a whole other issue that isn't usually addressed. Mr. Taylor discussed available help for those who aren't skilled in using computers in order to apply online.

Toni Rearden, of St. George Island, commented on this matter and suggested forming a group to discuss the program with FEMA, so that the residents are better served. She also stated other options to possibly assist the residents. She stated that there was a need to have someone in charge of organizing all of these matters instead of discussing them at the Board Meetings.

*On Monday night, Sept. 24, the Chairman met with Ms. Palmer, DACS, and the leadership of the seafood workers to further discuss the options for rebuilding the oyster bars.*

*On Thursday, Sept. 27, representatives of the Governor's Office came down on a fact finding mission and met with the Chairman and I. The Governor's representatives asked a lot of questions about whether the state agencies were providing adequate help.*

Chairman Jackel discussed the topics addressed in the meeting she and Commissioner Sanders had with FWC, DACS, FCSWA and Apalachicola Riverkeeper. Chairman Jackel stated that DACS agreed to amend their original findings in the letter presented to the Governor.

Mr. Pierce stated that Ms. Palmer informed him that DACS is trying to reorganize their money to help with re-shelling.

Chairman Jackel stated that she thought the Board would have already received some information on this matter from Ms. Palmer.

Chairman Jackel said the group also discussed supportive information to be received by FWC and also the discussion of developing some type of a Bay management plan.

Mr. Pierce said Ms. Palmer said there are oysters in closed waters but they aren't abundant enough to stand weeks of replanting.

Commissioner Putnam suggested moving oysters from the closed waters to open bars.

Shannon Hartsfield, President of FCSWA, provided additional information regarding efforts to move oysters.

The Board and Mr. Hartsfield discussed the quality of the oysters that are in the closed areas of the Bay.

Chairman Jackel discussed the need for better communication between the parties involved.

Mr. Hartsfield stated that the Ochlockonee River opened up for oystering yesterday but said the conditions are not any better over there.

*13- Provide Board with letter written by Commissioner Putnam to Dept. of Economic Opportunity in support of making federal funds available for oyster re-shelling. The Board had directed a letter be written at the last Board meeting to Commissioner Putnam asking for his*

*support. I had called Ms. Palmer to advise her of the Board's request and at the same time Ms. Kim Bodine was also contacting Ms. Palmer, so the Commissioner wrote his letter of support so promptly that I never finalized the Board's letter.*

*14- Mr. Greg Preble is here to provide the Board with a report on the damage to the St. George Island Fishing Pier and a proposal to repair the pier and make it open to the public.*

Greg Preble, of Preble-Rish, discussed the barge crashing into the pier during the tropical storm last summer and the potential liability the damage could cause the County.

Mr. Preble reviewed his proposal to repair the pier with the Board. He proposed building a timber super structure with concrete pilings and concrete piling caps. He said the estimate for repairs would be about \$605,000.00 but stated that the Board should budget another \$100,000.00 for any damages that might be found during repairs.

The Board and Mrs. Johnson discussed the account balance in the bridge fund.

Chairman Jackel stated that the Board is going to continue to pursue the responsible parties and hopefully recover all of the funding to repair the pier.

Attorney Shuler discussed the litigation and the possibility of recovering funds.

Commissioner Lockley and Mr. Preble discussed the possibility of the project hurting the oyster beds in that area. Mr. Preble said he didn't believe there was anything that would be environmentally harmful to the oysters.

Commissioner Parrish and Mr. Preble discussed the relocation site for the removal of the collapsed material. Mr. Preble stated that the debris could just be moved out of the way of repairing the pier instead of hauling them offshore.

Chairman Jackel was in favor of moving forward with this project because of the economic hardship this is causing businesses in the area. She was hopeful in recovering the funds for this matter.

Ricky Banks, Vice President of FCSWA, stated his experience with moving materials from the old bridge project.

**Motion by Sanders, seconded by Putnal, to approve the project amount of \$605,063.29, along with the additional \$100,000 for possible overages due to unknown damage to existing structure from the SGI Pier maintenance fund, with the understanding that the County will seek litigation against the responsible parties to refund the County for the cost of these repairs; Motion carried 5-0.**

*15- Board action to approve an EMS grant for Weems Hospital in the amount of \$1436.00*

This item was discussed earlier in the Meeting.

*16- Airport update. To be filled in Monday, after Crystal Air replies to my proposal.*

Mr. Pierce distributed a proposed lease from Crystal Air and discussed the lease with the Board. He stated this would be a five year lease and a new term would be negotiated within the last six

months of the first lease. He said the items included in the lease would include the FBO office, hangar next to the FBO, the fuel farm, t-hangars, the new corporate hangar, terminal ramp space, tie downs and the parking area. He said the lease payment would be \$5,000 per month plus 7% sales tax with a total payment of \$5,350.00.

The Board and Mr. Pierce discussed the terms of the lease.

Ted Mosteller, Manager of the Apalachicola Airport, commented on this matter and discussed with the Board.

Chairman Jackel asked Mr. Mosteller to take the terms presented today and ask the aviation attorney to create a lease and have the County Attorney review it and return it to the Board as soon as possible.

**Motion by Sanders, seconded by Putnal, to direct Alan Pierce and Ted Mosteller to contact the aviation attorney to create a lease with the terms presented today and with Attorney Shuler having a review of the final contract and return to the Board at the October 16, 2012 Meeting; Motion carried 3-2, Lockley and Parrish opposed.**

Mr. Mosteller asked for some assistance at the Airport during this month, as he and Mr. White will be absent for a few days. He stated that he needs more help at the Airport. The Board and Mr. Pierce discussed hiring someone to fill in while Mr. Mosteller and Mr. White are absent.

**Motion by Putnal, seconded by Sanders, to approve 30 hours a week at \$10 per hour for the next 3 weeks for labor at the Airport; 4-1 Motion carried, Parrish opposed.**

Mr. Pierce discussed a notice he received from FDOT stating that they will not be mowing Hwy. 65 or Hwy. 98 until the butterfly migration is over.

Mr. Pierce asked that the Board proclaim October 2012 as National Domestic Violence Month as requested by the Refuge House.

**Motion by Lockley, seconded by Putnal, to approve the request to proclaim October 2012 as National Domestic Violence Month; Motion carried 5-0.**

**T. Michael Shuler – County Attorney – Report (12:35 PM)**

Attorney Shuler presented his report to the Board.

*1. St. George Island Pier - Outside Counsel*

*Attached is the CV of attorney Robert Dees. He is certified by the Florida Bar in Maritime and Admiralty law, and comes recommended to me by an attorney in whom I have confidence.*

*Mr. Dees usual hourly rate is \$300.00 hour, but at my request he has agreed to charge \$200.00 per hour.*

*Board Action Requested: A motion authorizing me to retain Mr. Dees on your behalf at the rate of \$200.00 per hour, provided that your insurance carrier denies coverage.*

**Motion by Sanders, seconded by Lockley, to authorize Attorney Shuler to retain Attorney Robert Dees on behalf of the Board at the rate of \$200.00 per hour, provided that the County's insurance carrier denies coverage; Motion carried 5-0.**

## *2. Hospital By-Laws Amendment*

*The proposed amendments to the hospital by laws are attached for your consideration. The proposed changes appear at page 4, paragraph 3.6 entitled "Appoint of Board Members." Additions are underlined. Deletions are ~~stricken through~~*

*The changes appear at paragraphs 3.4 and 3.6*

*This version is slightly changed at paragraph 3.6 from the version given to you at the last meeting. The chairman suggested the changes and come with my recommendation for approval. A copy of the original changes is attached.*

*Board Action Requested: A motion approving the amendments to the hospital bylaws at paragraphs 3.4 and 3.6.*

**Motion by Parrish, seconded by Sanders, to approve the amendments to the Hospital bylaws at paragraphs 3.4 and 3.6; Motion carried 5-0.**

## *3. Se Con Cove Condemnation -Authorizing Resolution*

*Attached is a draft resolution for your consideration. The resolution is necessary and required before the condemnation lawsuit may be filed. All other statutorily required notices have been served and the deadline for the bank to respond has expired.*

*Board Action Requested: A motion adopting the resolution.*

**Motion by Sanders, seconded by Putnal, to approve a resolution in order to proceed with the condemnation lawsuit; Motion carried 5-0.**

## *4. Special Fire Assessments Being Placed On the Tax Bill:*

*Does the board want me to schedule a public hearing for you to consider-adopting a Resolution allowing, but not requiring, that you put the fire assessment on the ad valorem tax bill. Doing so will increase funding available to the fire departments.*

*This is a different issue from the fire departments wanting to increase the assessments. No hearing could be held on this until the end of November, 2012, at the soonest.*

*Board Action Requested: A motion authorizing the assessments to be placed on the ad valorem tax bills.*

#### *Informational Items*

##### *5. Water War Information-Corp Closing Chattahoochee River*

*Attached is an article from the Columbus Ledger Enquirer regarding the corps decision to stop the flow of water from the Chattahoochee River into the Apalachicola River. This will farther reduce the fresh water coming into Apalachicola Bay. The article speaks for itself.*

##### *6. City of Apalachicola-RESTORE Act Issues*

*Attached is a demand letter from the City of Apalachicola regarding the RESTORE Act. The letter speaks for itself. The city attorney meet with me late Friday to discuss the city's letter with me, but since I have not gone to the RESTORE meetings and discussions, I told him that I was not in a position to discuss the substance of the letter. At this point, my position is that the city cannot invoke Ch. 164 to require a settlement discussion because the counties compliance with a federal law cannot be the basis of a dispute with the city within the meaning of Ch. 164. Unless the board directs otherwise, I will review the RESTORE act and respond accordingly to the city.*

*To date, the City of Carrabelle has not served the county with any demands.*

##### *7. CGA and FCBC v. BP*

*The parties are exchanging discovery and the scheduling order sets the trial for August 2013.*

##### *8. HSMV Building in Eastpoint*

*Attached is correspondence I have had encouraging the lease holders to expedite releasing their leases so that title to the old highway patrol building in Eastpoint, Florida can be conveyed to Franklin County.*

#### **Commissioners' & Public Comments (12:17 PM)**

Joe Taylor, of Franklin's Promise stated that the Health Department will offer free flu shots at the Resource Fair tomorrow.

Mr. Taylor asked for a change for the ESF system.

The Board suggested contacting Pam Brownell, the Emergency Management director, on this issue.

#### **Adjourn (12:19 PM)**



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

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Pinki C. Jackel, Chairman – FCBOCC

Attest:

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Marcia M. Johnson, Clerk of Courts