

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
OCTOBER 16, 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 (9:00 AM)

Chairman Jackel called the Meeting to order.

Prayer and Pledge (9:00 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes (9:00 AM)

Motion by Lockley, seconded by Sanders, to approve the Minutes of the August 18, 2012 Regular Meeting; Motion carried 5-0.

Motion by Lockley, seconded by Parrish, to approve the Minutes of the October 2, 2012 Regular Meeting; Motion carried 5-0.

Payment of County Bills (9:02 AM)

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

Commissioner Sanders discussed emails received from Mr. Ted Mosteller, Airport Manager, requesting reimbursement for a laptop purchased in April of 2010 along with other items and Mrs. Erin Griffith of the County Finance office explaining that Mr. Mosteller was a subcontractor at the time of the purchase and that the County, as a practice, doesn't reimburse

subcontractors for purchase of equipment. Commissioner Sanders stated that she would like Mr. Mosteller reimbursed for the purchase but wanted the laptop and the other items added to the County's inventory.

Chairman Jackel asked that any questions about invoices or bills submitted for reimbursement is brought before the Board before any decision is made.

Mrs. Marcia Johnson, Clerk of Court, asked the Board to provide some direction regarding purchases by Mr. Mosteller, because currently there is no oversight regarding what and how much Mr. Mosteller purchases.

Commissioner Sanders stated that this is a onetime exception but from now on Mr. Mosteller must request Board authorization for any large purchases.

Mr. Alan Pierce, Director of Administrative Services, stated that since the new FBO should be starting at the end of the month there should be no further major purchases by Mr. Mosteller. The Board, Mrs. Johnson, and Mr. Pierce discussed this matter further.

Motion by Sanders, seconded by Parrish, to authorize the one time reimbursement to Mr. Mosteller for the outstanding reimbursement request, add all equipment in this request including the laptop to the County's inventory, and restrict Mr. Mosteller from making any other major purchases without prior approval from the Board; Motion carried 5-0.

Mr. Richard Quackenbush – Emerald Coast Credit Union (9:09 AM)

Richard Quackenbush, of Emerald Coast Credit Union, stated that Emerald Coast Credit Union will be opening a branch office in Franklin County. The office will be located in the FCTV building in Eastpoint. He said the tentative opening date is November 5, 2012, depending on how quickly all of the equipment can be installed. Mr. Quackenbush discussed services the credit union provides to residents.

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works (9:11 AM)

Mr. Chipman addressed the Board and discussed the availability of shells to help the residents in the County.

Commissioner Lockley and Mr. Chipman discussed speeding problems on 24th and 25th Streets in Apalachicola. Mr. Pierce stated that this was a matter for the City of Apalachicola and he will send them a letter concerning this issue.

Commissioner Parrish stated that there are ditches that need attention before the Seafood Festival and Mr. Chipman stated that the Road Dept. started that project today.

Mr. Pierce and Mr. Chipman discussed the need to get the excavator out to cut trees at the Airport in order for funds to be released to the County.

Chairman Jackel asked that Old Ferry Dock Road is checked for maintenance before the Homecoming Parade.

Commissioner Sanders and Mr. Chipman discussed the hiring of an employee at the Road Dept.

Fonda Davis– Solid Waste Director (9:16 AM)

Mr. Davis presented his report to the Board.

SOLID WASTE TRANSFER STATION:

FOR BOARD ACTION: At the Boards request I have attempted to seek out other Disposal Contractors that would be interested in bidding on the Transfer Station, with little success. As you are aware, the Transfer Station Waste Disposal Agreement between Franklin County and Waste Management expires on March 10, 2013. The initial term of the agreement was for a period of five (5) years, with the County's option to extend the agreement for one (1) additional period of five years provided that the County has determined that the Contractor has successfully performed services in conformance with the agreement during the initial term. According to this agreement the County may elect not to permit such extension by giving Waste Management at least 180 day's written notice prior to the end of the initial term.

REQUESTED ACTION: Motion to renegotiate and extend the current agreement with Waste Management for one (1) additional period of five years.

Chairman Jackel and Mr. Davis discussed the dollar amount of the Waste Management contract.

Chairman Jackel preferred that this contract be bid out for the possibility of a better price because the County is losing money as the contract stands now.

Commissioner Parrish, Attorney Shuler, and Mr. Davis discussed the requested 6 month notification to terminate the contract.

The Board and Mr. Davis discussed options of negotiating the contract further.

Commissioner Lockley and Mr. Pierce discussed steps for extending the advertising area for this bid.

Motion by Sanders, seconded by Putnal, to start bid process for the Transfer Station and direct Attorney Shuler to notify Waste Management of intent to cancel contract within the 180 day notice; Motion carried 5-0.

ANIMAL CONTROL PATROLLING:

FOR BOARD INFORMATION: Starting October 22th, Animal Control will be patrolling the County after normal business hours, to assist residents with Animal Complaints and to catch stray animals throughout the County.

Chairman Jackel informed Mr. Davis that there is still a dog roaming around the area of the Pavilion in Eastpoint and needs to be restricted to the owner's property.

Right-of-Way Debris Pickup / Recycle Material Hauled September 26th – October 9th FOR BOARD INFORMATION:

*SEPTEMBER 26TH – OCTOBER 9TH
 RIGHT-OF-WAY DEBRIS PICKUP*

<i>Apalachicola</i>	<i>Eastpoint</i>	<i>St George Island</i>	<i>Carrabelle</i>	<i>Lanark</i>	<i>Alligator Point</i>
<i>31.89 TONS</i>	<i>15.76 TONS</i>	<i>0 TONS</i>	<i>7.46 TONS</i>	<i>31.89 TONS</i>	<i>32.71 TONS</i>

RECYCLE MATERIAL HAULED

	<i>Apalachicola</i>	<i>Eastpoint</i>	<i>St George Island</i>	<i>Carrabelle</i>	<i>Lanark</i>	<i>Alligator Point</i>	<i>St Jam</i>
<i>Cardboard</i>	<i>3.24 TONS</i>	<i>1.98 TONS</i>	<i>1.48 TONS</i>	<i>1.09 TONS</i>	<i>.22 TONS</i>	<i>0 TONS</i>	<i>0 TONS</i>
<i>Plastic, Paper, Glass, Aluminum</i>	<i>2.67 TONS</i>	<i>.42 TONS</i>	<i>3.10 TONS</i>	<i>1.72 TONS</i>	<i>.63 TONS</i>	<i>1.41 TONS</i>	<i>0 TONS</i>

REQUESTED ACTION: None

Commissioner Parrish asked Mr. Davis to patrol the City of Apalachicola for debris in preparation for the upcoming Seafood Festival.

Chairman Jackel asked that US 98 is also patrolled for debris in preparation for the Seafood Festival.

Commissioner Putnal thanked Mr. Davis for the delivery of a dumpster in Carrabelle.

Nikki Millender – Parks & Recreation (9:28 AM)

Mrs. Millender presented her report for the Board.

- *For Board Action: I am requesting Board approval to advertise and fill the vacant position that is currently allocated in my budget. This would be an entry level position with the starting pay of \$ 25,000. Attached is the job description of the position I will be advertising. REQUESTED ACTION: Board’s Approval to Advertise the Vacant Position*

Motion by Putnal, seconded by Sanders, to authorize advertising for vacant position at Parks & Recreation and bypass the in-house advertisement; Motion carried 5-0.

Chairman Jackel asked that Attorney Shuler review the advertisement before being sent to the paper.

Mrs. Millender asked for Board action to repair damaged picnic tables at the Carrabelle Beach Park. She recommended using the same contractor who made repairs to the last tables.

Motion by Sanders, seconded by Putnal, to authorize the repair of picnic tables at the Carrabelle Beach Park; Motion carried 5-0.

- *For Board Information: Fort Coombs Renovations/Armory and Convention Center*

Section One: Summary

Through 4 October 2012 EMO has completed 100% of the Final Architectural Construction Documents (Drawings and Specifications) and has advertised the project for Bids. The first Notice to Receive Sealed Bids was published in the Apalachicola Times on 27 September 2012; the second Notice was published on 4 October 2012. EMO has received interest in the project and is actively pursuing a successful Bid outcome by inviting prominent General Contractors and trade specialist to Bid the project. Per the previously provided Probable Project Schedule a Mandatory Pre-Bid Conference is scheduled for 12 October 2012 at 2 pm.

Section Two: Activities and Progress

Basic Services

400	Construction Documents	100% Complete
500	Bidding/Negotiations	20% Complete
600	Construction Administration	0% Complete

EMO has submitted a final copy of the 100% Preliminary Architectural Construction Drawings and Specifications on 28 September 2012.

Mr. Pierce stated that he will be transferring one of his trucks to Parks and Recreation, as one of theirs is damaged.

Commissioner Parrish congratulated Mrs. Millender on her efforts with the County Soccer program.

Pam Brownell- Emergency Management (9:33 AM)

Mrs. Brownell had no items for Board action and/or approval.

Action Items: None

Information Items:

1. *The Emergency Management and Franklin Promise Collation acting as Emergency Service Function 15 (ESF15) Donations and volunteers will be meeting every Monday at 10:00am for a brief out from the different departments and agencies. That way each agency is on the same page with what the unmet needs are and which agency is working on what. This also this way we have some form of structure for information.*

2. *Kim Bodine with the Regional Work Force is trying to set up a system to send out weekly updates (e-mail contacts and Face book).*
3. *Workforce and Franklin Promise are working on detailing the case management system to help coordinate between the different organizations to cut down on duplications.*
4. *Workforce has 15 positions in process that will be working with the county department of parks and recreations to help with debris clean up from T.S. Debby funds.*
5. *Workforce is working on a re-shelling and relaying project that is in the process of being detailed but is not official yet.*
6. *Workforce has an On the Job Training program (OTJ) currently offering Corrections, Certified Nursing Assistant (CAN) and potentially welding. There are approximately 18 people signed up for the corrections training to date.*
7. *Workforce also has a Franklin Works program with about 220 people signed up and some of these need GEDs, so they are working with Maxine Creamer (FC Literacy) on this.*
8. *Franklin Promise has identified about \$ 160,000.00 in unmet needs as to date and have had about \$27,000, in donations to BAY AID FRANKLIN.*
9. *Franklin Promise reported that a load of food was delivered on Saturday, Oct 6, 2012 to the Eastpoint Baptist Church Food Bank from the Governors' REDI Committee.*
10. *Florida Main Street coordinator, Ms. Joan Jefferson, Department of State is scheduling a delivery of food to the Carrabelle Food Pantry.*
11. *Radio station WPAP is working on a food drive for the Apalachicola Food Pantry.*
12. *347 families were severed by the food donated by Farm Share on Wednesday, October 3, 2012.*
13. *Emergency Management reported that the Florida Department of Emergency Management had sent an e-mail about The National Marine Fisheries Service that has a disaster assistance program. I forwarded this email to the BOCC, Alan Pierce, and Leslie Palmer with the Department of Agriculture. I also pointed out that the county would not be the applicant on this. The applicant would be the Department of Agriculture and there is a lot of documentation to this process.*
14. *The Seafood Workers Association is working on putting together a Seafood Management Assistance Recovery Team (SMART) with all the appropriate agencies and organizations with a round table forum.*
15. *Mike Rundel and I will be attending the Local Emergency Planning Committee (LEPC) at the Tallahassee Fire Department training Division in Tallahassee scheduled for Oct 24, 2012.*
16. *October 22, 2012 the Debris Management Committee will meet to review the RFQ's from Debris Management Companies.*
17. *The Community Emergency Response Team (CERT) class is still scheduled for October 18-20, 2012 at the Franklin County Emergency Management Office from 8:30am-4:30.*

Mr. Pierce stated that he needs Board action to extend the State of Emergency.

Motion by Sanders, seconded by Parrish, to authorize the extension of the State of Emergency; Motion carried 5-0.

Mr. Pierce stated that Progress Energy has provided a \$10,000 grant to the St. Patrick Catholic Outreach Office for help with the payment of utility bills for seafood worker families.

Commissioner Putnal discussed a problem with a seafood worker's family who was having trouble paying their Progress Energy bill.

Chairman Jackel stated that it is important to contact Progress Energy regarding bills before service is stopped in order to avoid paying additional connection fees.

Commissioner Putnal and Joe Taylor, the County's ESF15 and of Franklin's Promise Coalition, discussed a problem with the distribution of food from the Food Pantry in the County.

Mr. Taylor discussed the food distribution process further and other food that will be distributed in the County.

Mr. Taylor recognized several different food drives going in surrounding areas to help the seafood workers.

The Board discussed using County vehicles to distribute food within the County if needed. Mr. Taylor said at this time the people providing the food also provide transportation to deliver it.

Mr. Taylor gave contact and location information for Franklin's Promise, which is at the old Apalachicola High School.

Mr. Taylor explained the process of applying for available Progress Energy funds.

Commissioner Lockley and Mr. Taylor discussed the requirements for volunteering when receiving funds.

Mr. Taylor discussed a program that will assist some of the residents with their mortgage payments.

Shannon Hartsfield, of the Franklin County Seafood Workers Association, spoke in favor of the efforts of Joe Taylor within the community.

Bill Mahan – Extension Office Director

Mr. Mahan was not in attendance.

Franklin - UF IFAS Updates

- 1) Annual FL Sea Grant Program Planning Meeting – I'm unable to attend today's Board Meeting because I am participating in our FL Sea Grant Annual Program Planning Meeting, October 15 – 18.*
- 2) Healthy Gulf/Healthy Communities Public Forum – I would like to invite you to attend one or both of the Community Forums that will be held today, October 16th from 2:00 – 4:00 PM and 5:30 – 7:00 PM. The objectives are to determine the needs of Franklin County residents in response to the current crisis in the Bay and to coordinate with community service providers to help provide assistance and identify any possible funding opportunities to assist the community. We scheduled two forums to provide folks with a way to work around their busy schedules.*

- 3) *Franklin County Domestic Violence Task Force Board Meeting – I participated in the group’s Board Meeting on October 3rd.*
- 4) *Forgotten Coast Black Bear Festival – I attended the Forgotten Coast Bear Festival held on October 6th in Carrabelle. The weather was perfect!*
- 5) *Franklin County Seafood Worker’s Association Meeting – On Monday, October 8th, I attended the FCSWA Meeting at the former Brown Elementary School. I spoke briefly to the approximately 80 people there about the Healthy Gulf/Healthy Communities Listening Sessions scheduled for October 9th & 16th at the Fort Coombs Armory. In addition, I talked about the UF Oyster Recovery Team and their meeting which was held on October 10th at the Apalachicola National Estuarine Research Reserve in Eastpoint.*
- 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 9th 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 met on October 10th 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 organization representatives. The Recovery Team had very good discussions about the public input from the “Listening Session” the night before as well as the tremendous amount of data available on the Bay to analyze what happened and to begin developing a plan to maintain the resiliency of the Bay system.*
- 8) *Panhandle Outdoors Live – Tate’s Hell – With the assistance of David Morse, Forest Supervisor at Tate’s Hell State Forest, Mike Jenkins, Forest Service Botanist and their staff I had a guided educational tour of Tate’s Hell State Forest. 30 people from throughout the Panhandle participated in the program. We explored the forest’s flood plain, savannas and Cyprus forest communities while learning about the plants and animals that live in those ecosystems.*

FL Fish & Wildlife Commission (FWC)

- 9) *Stone Crab Season Opened October 15th – Florida’s recreational and commercial stone crab claw harvest season opens Oct. 15 in state and federal waters.
To be harvested, stone crab claws must be at least 2 3/4 inches in length when measured from the elbow to the tip of the lower immovable portion of the claw (see illustration).
Claws may not be taken from egg-bearing female stone crabs. Recreational harvesters can use up to five stone crab traps per person. Stone crabs may not be harvested with any device that can puncture, crush or injure the crab body.*

Gulf of Mexico Fishery Management Council (GMFMC)

- 10) *The GMFMC Will Meet in Gulfport, MS – The Gulf of Mexico Fishery Management Council will meet October 29 through November 1, 2012, at the Courtyard Marriott, 1600 East Beach Boulevard, Gulfport, Mississippi. The Council Committees will begin meeting Monday at 10:00 am and will meet through 11:30 am Wednesday. The full Council will convene at 1:00 pm Wednesday and is expected to adjourn by 4:00 pm Thursday. Agenda highlights are*

summarized below. For a copy of the detailed agenda or to review briefing book materials, please visit the Council web site at www.gulfcouncil.org or call 888-833-1844.

- *The Shrimp Management Committee will discuss the status of the Electronic Logbook reporting program. The Committee will also review a new shrimp Stock Assessment for penaeid shrimp; SSC recommendations; and the status and health of gulf shrimp stocks. Finally, the Committee will discuss exempted fishing permits related to shrimp (if any).*
- *On Tuesday, the Reef Fish Management Committee will meet to discuss the Red Snapper Individual Fishing Quota 5-Year Review, including recommendations from the Socioeconomic SSC. The Committee will also review:*
 - *Economic Evaluation of Red Snapper Allocation*
 - *Final action on Amendment 37 - Gray Triggerfish Rebuilding Plan*
 - *Scoping document for Amendment 39 - Regional Management of Red Snapper*
 - *The 2013 red snapper season and non-compliance by states*
 - *Draft Regulatory Amendment for Vermilion Snapper Annual Catch Limits and Bag Limits*
 - *Final action on a Regulatory Amendment to set the 2013 Gag Recreational Season and Bag Limits*
 - *SEDAR 27 - Yellowtail Snapper Benchmark Assessment*
 - *Additional comments from the SSC and Socioeconomic SSC*
 - *Exempted Fishing Permits related to reef fish (if any)*

Recess (9:54 AM)

Chairman Jackel called for a recess.

Reconvene (10:13 AM)

Chairman Jackel reconvened the Meeting.

Marcia M. Johnson- Clerk of Courts- Report (10:13 AM)

Mrs. Johnson had no report for the Board.

Alan Pierce – Director of Administrative Services – Report (10:14 AM)

Mr. Pierce presented his report to the Board.

1- Introduce Mr. Richard Quackenbush, Emerald Coast Credit Union. On March 2, 2011 the Board wrote a letter to the Credit Union asking them to consider opening an office in Franklin County. A year and much federal red tape later, Mr. Quackenbush is here to make an announcement.

This item was discussed earlier in the Meeting.

2- Inform Board that DOT has advised the county that it will administer the construction of the Carrabelle shared use path, which is the bike path from Carrabelle Beach to River Road. To quote the letter, "Because the funding for this project is federally funded, the Department had originally agreed to allow the County to administer this project under a Local Area Program (LAP). However under new policy, the Department will be taking the lead in administering projects on the state highway system."

Evidently the Department wants to supervise any construction along state roads. The bike path will be designed next year, followed by construction so long as funding is available.

3- Board action to award the low bid to LMI Construction to replace the 40 ton AC unit for the annex with a 30 ton unit. The low bid is \$38,928.

Motion by Putnal, seconded by Parrish, to approve awarding low bid to LMI Construction to replace the 40 ton AC unit for the Courthouse Annex with a 30 ton unit; Motion carried 5-0.

Mr. Pierce stated that he had received a call from FWC last night and was told they are considering other areas for re-shelling.

4- As the Board is aware, Governor Scott visited Franklin County on Wed., Oct. 3. Chairman Jackel provided the Governor with an overview of the problems in the Bay and with some suggestions for providing relief for the seafood workers and recovery for the Bay.

5- Board action to have the Chairman sign the letter requesting the US Dept. of Labor grant an extension for Franklin County residents to apply for Disaster Unemployment Assistance.

Motion by Putnal, seconded by Lockley, to approve the Chairman's signature on a letter requesting the US Dept. of Labor grant extension for Franklin County residents to apply for Disaster Unemployment Assistance; Motion carried 5-0.

6- Board action to approve FBO lease with Crystal Air. The lease has been drawn up by attorneys working with AVCON, and has been reviewed by AVCON to be consistent with FAA policies. Board should further allow for minor modifications to lease to be approved by Chairman and myself in the event Crystal Air has some corrections as Crystal Air has not seen final version.

Commissioner Parrish asked that a provision is added to the agreement so that life flight service can use the airport as is necessary.

Taylor Newman, Director of Operations for Crystal Air, stated that he is aware of this matter and will have someone available if the airport is needed after business hours.

Mr. Newman stated his plans as the new FBO at the Apalachicola Airport and stated they will basically be providing good customer service for what local communities need in a general aviation airport.

Chairman Jackel asked Mr. Newman to link his website to the TDC and County Chambers of Commerce and other such websites.

Chairman Jackel also asked Mr. Newman to consider the Workforce option when employing and asked him to speak with Mr. Pierce concerning this option.

The Board welcomed Mr. Newman to the County.

Motion by Lockley, seconded by Sanders, to accept AVCON's recommendation to approve the FBO lease with Crystal Air; Motion carried 5-0.

7- Board action to direct staff to amend the county's NRDA applications to provide more specificity on some desired projects. While the county's first priority is rebuilding the oyster industry I have been asked to provide specifics on some smaller projects. There may be an opportunity to receive funding for projects associated with the loss of human use of resources and increase public access to water resources. I have also added a few other projects which the county has been trying to get built. What I have been advised is to provide projects that already have planning and design phases completed as many of the current NRDA projects are apparently just in the formative stages. I realize funding for some of these projects is being sought elsewhere but I recommend we list the projects here as some of the projects could be strong candidates for NRDA funding.

The specificity will be:

- *Abercrombie Park- build pier- \$100,000*
- *Armory- make it a functioning convention center- \$750,000*
- * Chapman Auditorium- put new roof on historic building- \$100,000*
- *Lombardi Park- build Museum, improve parking and docks- \$250,000*
- *Indian Creek Park- build bathroom, improve boat ramp and parking- \$300,000*
- *Eastpoint Pavilion- buy adjoining land and build second boat ramp- \$750,000*
- *Rebuild bulkhead to St. George Island fishing pier- \$500,000*
- *Rebuild St. George fishing pier- \$700,000*
- *Eastpoint and St. George Island fishing piers- build bathrooms- \$300,000*
- * Timber Island Boat Ramp- buy land for parking and build parking- \$150,000*
- ** Seek conversion of old FSU Marine Lab on Alligator Point to something serving the public. (This might end up being a state project.)*
- ** Purchase St. George Bayfront property to protect Oyster Industry- \$1M
(This might end up being a state project.)*

Commissioner Sanders suggested adding the area around Leonard's Landing, the area of the clam aquaculture, and possible other areas in Lanark and Carrabelle.

Motion by Putnal, seconded by Sanders, to approve proposed NRDA application list and to also reserve the right to add more projects; Motion carried 5-0.

Michael Shuler- County Attorney- Report (10:33 AM)

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

No action items.

1. St. George Island Pier - Outside Counsel

A copy of the initial engagement letter is attached. They are amending it to remove the attorney fee provision at paragraph 8. Once the amended engagement letter is received, I will have the Chairman sign it.

2. Restore Act - City of Apalachicola

Attached is the response letter I mailed to Mayor Van Johnson regarding the city's allegation of a dispute with Franklin County over the terms of the Restore Act.

3. Lanark Village - Burned Apartments

Attached is a copy of the October 8, 2012 letter mailed to the three owners of the burned out apartments in Lanark Village setting forth hard deadlines for them to comply with on cleaning-up the apartments.

4. Capital City Bank

a. The eminent domain lawsuit on Lots 1-4, Alligator Harbor, Unit 3, Franklin County, Florida, was filed October 12, 2012.

b. The court has not ruled on the bank's motion for rehearing of the order dismissing its lawsuit against Franklin County regarding the revetment at Alligator Point.

c. The administrative cause of action filed by DEP is proceeding and we have complied with the initial scheduling order. No trial date is set. I will be filing a motion to hold the administrative action in abeyance while we litigate the circuit court cases against Capital City Bank and DEP.

5. Special Fire Assessments Being Placed On the Tax Bill:

I have checked with a number of counties, large and small, that use the uniform method of collecting special assessments. None of them report any significant problems with doing so.

Many people's monthly mortgage payment includes an amount for taxes, so the fire assessment would be added to that monthly payment and spread-out over the year.

Others, may apply to the Tax Collector to pay their taxes quarterly, so, again the fire assessment is spread out over time.

Florida statutes also provide a deferral program which allows for deferral of that part of the total tax bill which exceeds 5% of their prior years income, or, if they are over 65, will defer that part of the total tax bill what exceeds 3% of their prior years income. The taxes are still due, they are deferred until the ownership or use of the property changes.

There is another statute which defers all of the taxes for those who are 65 years of age and whose income is less than \$10,000.00 or less than the amount of household income designates for the additional HX exemption. That income is adjusted annually and for January 2012 it was \$27,000.00, more or less.

The county can also create a local hardship program that would establish poverty guidelines and applicant's special assessments would be paid from a fund created by the county. That fund cannot be created from funds generated by the fire assessment.

If the board wants to pass the resolution, it must be advertised once a week for four weeks and has to be passed before December 31, 2012. Passing the resolution gives the county the right, but not the requirement to place the fire assessment on the tax bill for next year.

6. Membership on Multiple Advisory Boards

The Board asked me whether service on multiple advisory boards was prohibited. Since the boards in question are all appointed advisory boards lacking decision making authority, I find nothing prohibiting membership of one person on more than one county advisory board.

The Board will have to make the policy decision whether it is or is not, good public policy for one person to serve on multiple county advisory boards.

Commissioners and Public Comments (10:34 AM)

Commissioner Parrish updated the Board on the consortia as it relates to the Restore Act funding. He explained that there are three pots of money in the Restore Act and they are state pot, a county share and federal competitive pot of money. He said under State law 75% of the State pot of money had to go to the disproportionate counties along the panhandle that had petroleum products reach their shores, which is the pot of money the consortia will oversee. Commissioner Parrish said there are a lot of issues that goes with it and Franklin County is the only County that hasn't signed the inter-local agreement and resolution that gives it a seat at the table. He explained the importance of having a seat at the table and asked for Board action to join the consortia. He stated the cost of joining and the potential benefits of joining the consortia.

Mr. Pierce distributed a copy of the Resolution that will allow the County to join the consortium.

Commissioner Parrish said he had read the Resolution and didn't see anything in it that would be damaging to the County and there is a way out if the County doesn't like what is going on with it.

Commissioner Sanders stated some concerns she had with the Restore Act, FAC's role with it, and the consortia. She discussed the problems she and Chairman Jackel experienced at a recent FAC meeting they attended. She stated that a lobbyist at the FAC meeting was very disrespectful to her and the Chairman, which caused her concerns with joining the consortia.

Commissioner Sanders expressed her concerns with being rushed into signing the consortia but was in favor of creating a committee of local gulf counties before joining the state wide consortia. She said she is in favor of a Restore council for Franklin County and discussed the timeline for receiving funding.

Commissioner Parrish explained that the consortium is a requirement of the Restore Act. He said it has nothing to do with the way the County decides to spend the funds once they become available.

Commissioners Lockley and Parrish discussed the different 'pots' of funding and who will receive them.

Commissioner Putnal asked for more time to review the information regarding the consortia.

Motion by Lockley, to join the consortia; Motion failed due to a lack of a second.

Chairman Jackel discussed the importance of this decision and how it will affect the County for years to come. She commended FAC on their hard work with the consortia but addressed some of the specifics in the Restore Act regarding the consortia and the different counties. She also discussed the funding formula for the different counties.

Chairman Jackel expressed concerns with Franklin County's placement on the list. She stated some of the advice she received from Congressman Southerland regarding the Restore Act funding. She said he told her that there isn't an allocation formula attached to the bill.

Chairman Jackel also agreed with Commissioner Sanders on the way they were treated at the FAC meeting and some of what was told to them at this meeting.

Chairman Jackel supported a local consortium with neighboring gulf counties, and expressed her concerns with the consortia and how it will be created, along with the creation of the executive committee.

Chairman Jackel suggested creating a Franklin County Restore Act council and distributed a draft copy of an ordinance regarding this advisory council and the makeup of the council. She read the proposal to the Board.

Chairman Jackel explained how the funds from the different "pots" of funding will be distributed and how the local council will act as an advisory board to the Board.

The Board discussed the details of this suggestion further.

Commissioner Lockley was in favor of this group but wanted the opportunity to look over the proposal to make sure it was a diverse make up of the community.

Commissioner Putnal and Mr. Pierce discussed how BP funding was used in the past.

The Board discussed this item further.

Commissioner Lockley stated that a better understanding of the availability of funds and restrictions is needed to make better decisions.

Chairman Jackel stated the importance of creating the committee and, if needed, the makeup and the ordinance could be changed if the Board decides.

Ricky Banks, of Franklin County Seafood Workers Association, was in favor of this committee and asked the Board to move forward with this action.

Allen Feifer, of Alligator Point and Alligator Point Taxpayers Association, provided some history that applied to this situation and was in favor of forming this committee. He also suggested some public hearings to inform the public as to the details of the Restore Act.

Chairman Jackel stated that the names of advisory council members should be presented at the second meeting in November.

Motion by Sanders, seconded by Putnal, to form an advisory council with the addition of two at-large members for a total of 4 at-large members; Motion carried 3-2, Lockley and Parrish opposed.

The Board and Mr. Pierce discussed the appointment process for this committee. Commissioner Parrish asked that the Board appoint someone else to handle any further oil spill issues for the County.

Chairman Jackel suggested the Chairman of the Board should represent the Board at the meetings that Commissioner Parrish referenced.

Mr. Pierce read a letter from the FAC regarding the next Restore Act meeting.

Motion by Parrish, seconded by Lockley, to nominate the Chairman to serve as The Board's representative of the Restore Act; Motion carried 5-0.

Adjourn (11:43 AM)

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

Pinki C. Jackel, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts