

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
DECEMBER 4, 2012  
9:00 AM**

**MINUTES**

**Commissioners:** Cheryl Sanders – Chairman, William Massey – Vice Chairman, Noah Lockley, Joseph Parrish, Pinki Jackel

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

**Call to Order (9:01 AM)**

Chairman Sanders called the Meeting to order.

**Prayer and Pledge (9:02 AM)**

There was a prayer followed by the Pledge of Allegiance.

**Approval of the Minutes (9:04 AM)**

**Motion by Lockley, seconded by Parrish, to approve the Minutes of the November 20, 2012 Regular Meeting; Motion carried 5-0.**

**Payment of County Bills (9:04 AM)**

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

**Resolution of Appreciation – Doris Barber Pendleton – Franklin County Property Appraiser (9:04 AM)**

Alan Pierce read the Resolution of Appreciation.

**Motion by Lockley, seconded by Massey, to support and approve a Resolution of Appreciation for Doris Barber Pendleton, Franklin County Property Appraiser, for her years of service to Franklin County; Motion carried 5-0.**

Commissioners Lockley and Massey congratulated Mrs. Pendleton and wished her well on her retirement.

Mrs. Pendleton thanked everyone for their support over the years, including her Staff, the Board, and the County overall.

Chairman Sanders and Commissioner Parrish thanked Mrs. Pendleton for her years of service and congratulated her on her retirement.

Rhonda Skipper, of the Property Appraiser’s Office, thanked Mrs. Pendleton for her years of service to the County. She said it has been an honor and a privilege to work with and under Mrs. Pendleton.

**Department Supervisor Report**

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

Larry Brown had no items for Board action.

Mr. Pierce discussed a possible problem with a new hire as it relates to inmate supervisors. He stated that the State will not do background checks on new hires until the certification class starts.

Commissioner Jackel informed Mr. Brown that South Bayshore Drive needs some attention.

**Fonda Davis – Solid Waste Director (9:14 AM)**

Mr. Davis had no items for Board action.

*Right-of-Way Debris Pickup / Recycle Material Hauled November 14th – November 27<sup>th</sup> FOR BOARD INFORMATION:*

*NOVEMBER 14TH – NOVEMBER 27<sup>TH</sup>*

*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>5.85 TONS</i>	<i>29.98 TONS</i>	<i>70.10 TONS</i>	<i>40.21 TONS</i>	<i>11.25 TONS</i>	<i>0 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>4.68 TONS</i>	<i>1.82 TONS</i>	<i>1.49 TONS</i>	<i>.90 TONS</i>	<i>.42 TONS</i>	<i>0 TONS</i>	<i>0 TONS</i>
<i>Plastic, Paper</i>							

,Glass, Aluminum	2.04 TONS	.77 TONS	3.34 TONS	1.76 TONS	.94 TONS	1.06 TONS	.38 TO
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*REQUESTED ACTION: None*

**Nikki Millender – Parks & Recreation (9:15 AM)**

Mrs. Millender had no items for Board action.

*FOR BOARD INFORMATION: I received approximately ten applications for the Groundskeeper position. After extensive review of applications and many interviews, I have decided to hire Michael Ray Messer. Michael has prior working experience around state inmates and certified umpire and referee. Also, he has coached youth league football and baseball for numerous years, giving him knowledge and experience in the upkeep and maintenance of athletic fields.*

*REQUESTED ACTION: None*

Commissioner Massey and Mrs. Millender discussed tables being refinished by Shawn Oxendine.

Commissioner Jackel thanked Commissioner Massey, Mrs. Millender, Parks and Recreation, Mr. Pierce, and Roxie Allen for their work with the Christmas Lights project in Eastpoint.

**Pam Brownell – Emergency Management Director (9:16 AM)**

Mrs. Brownell had no items for Board action.

*Action Items: None*

*Information Items:*

- 1. The Local Mitigation Strategy meeting was conducted on December 03, 2012 at 10:00am at the EOC for updates and submittal of new projects.*
- 2. Debris Management Classes are scheduled to start Wednesday December 05,-December 06 at the EOC starting at 8:30 am and ending at 4:30pm daily.*
- 3. There is an initial planning committee meeting scheduled on December 11, 2012 to decide on training and exercise for the upcoming year.*
- 4. December 12, 2012 the Debris Management committee will be conducting Debris interviews with the contractors.*
- 5. Pam Brownell will be attending the DOT meeting scheduled for December 13, 2012 at the Apalachicola City Hall from 5:30 till 6:30pm.*

6. *The Emergency Management office will be attending the North Florida Regional Domestic Security Task Force meeting in Tallahassee on December 17, 2012 at 9:00am.*

**Bill Mahan – County Extension Director (9:17 AM)**

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

*Franklin - UF IFAS Updates*

- 1) *SMARRT & UF Oyster Recovery Team Round Table – SMARRT and the UF Oyster Recovery Team are hosting a round table discussion on December 6th at the Apalachicola Community Center from 1:30 – 4:00 PM to hear updates from the recovery Team Committee leaders and to learn more about the developing SMARRT Initiative. The round table is open to the public and everyone is encouraged to attend and participate.*

**Ms. Marcia Lindeman – Health Department Update (9:18 AM)**

Marcia Lindeman, Interim Director of Franklin County Health Dept., updated the Board on the Health Department programs and recent funding, secured by the hard work of her staff. She discussed the combined efforts the Health Dept. and Workforce have made with drug testing. Ms. Lindeman discussed flu vaccines and stated that seafood workers can show their saltwater products licenses to receive a free vaccine.

Ms. Lindeman invited the Board to visit the Health Department to learn about some of the new programs.

David Walker, Manager of Franklin County Health Dept. Dental Program, updated the Board on the new dental program and discussed statistics for the residents of Franklin County. Mr. Walker introduced the dental program staff.

Mr. Walker explained eligibility requirements for the dental program services.

**Weem's Hospital – Update (9:30 AM)**

Ray Brownsworth, CEO of Weems Memorial Hospital, informed the Board that Weems West Clinic is now open in Apalachicola and stated the operation hours. He also discussed the swing bed program at the Hospital, which provides after care services for patients who have had surgery at other hospitals in the area.

Mr. Brownsworth updated the Board on the meeting with the USDA and how they are moving forward with the Hospital building project and also funding for this project.

Mr. Brownsworth discussed services being offered at Weems East.

Mr. Brownsworth discussed the HB711 law and how it will affect Weems Hospital and also the County.

Mr. Brownsworth updated the Board on some RFPs for fire doors and the Hospital information system (electronic medical records) that have been advertised and he also discussed transitioning into narrow banding.

Commissioner Parrish commented on HB711 and the option to lease the Hospital, which has not been a favorable situation for the County. He discussed this matter with Mr. Brownsworth. Commissioner Lockley spoke in favor of the Weems West Clinic and how it would benefit the residents and the County.

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

**Recess (9:46 AM)**

Chairman Sanders called for a recess.

**Reconvene (9:58 AM)**

Chairman Sanders reconvened the Meeting.

**Public Hearing – Ordinance – Regulating activities at Eastpoint Pavilion (9:59 AM)**

Attorney Shuler explained the reason for the public hearing.

Chairman Sanders opened the floor for public comments.

Gathana Parmenas, County resident, asked why this Ordinance was specifically for one location in the County. She asked if this Ordinance should be in place for all County parks.

Attorney Shuler explained why this Ordinance was addressing this specific area.

Attorney Shuler and Ms. Parmenas discussed this issue further.

Commissioner Jackel and Attorney Shuler discussed the current County Ordinance that covers all County boat ramps. Commissioner Jackel asked if the Board would like to make this Ordinance County-wide.

Commissioner Lockley and Attorney Shuler discussed the State laws that already address this issue versus creating an additional Ordinance that specifically addresses the Eastpoint Pavilion.

Commissioner Jackel stated that there is a need for this Ordinance as soon as possible and amendments to cover other areas in the County can be made later.

Attorney Shuler explained that there is not an Ordinance currently in place that addresses this issue. He stated the penalties for violators.

Commissioner Lockley wanted to verify that this Ordinance applies only to the Eastpoint Pavilion.

**Motion by Jackel, seconded by Massey, to adopt the new Ordinance for the Eastpoint Pavilion; Motion carried 4-1, Lockley opposed.**

Commissioner Jackel suggested that the Board discuss other venues in the County at a future meeting.

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

Mr. Morón stated that Mrs. Johnson had provided informational items for the Board.

*1-Regarding the MSBU (Fire Tax) discussion, I would like to point out several things. At the Board's meeting on September 18, 2012, a motion passed unanimously to authorize a public hearing to hear input on a requested increase to the MSBU. At that meeting, Attorney Encinosa was present and explained the MSBU process. At the Board's next meeting on October 2, 2012, Attorney Shuler inquired if the Board wanted to schedule a public hearing to consider adopting a Resolution to allow, but not require, putting the fire assessment on the ad valorem tax bill and said doing so would increase the funding available to the fire departments. Mr. Jimmy Harris, Tax Collector, asked for the opportunity to come back to the Board with pros and cons on this matter and the board unanimously voted to table it. There were some possible issues discussed. Mr. Harris was concerned about the process on indigent residents because under the current structure, he is allowed broad discretion on waiving the fee and satisfying the liens, and that process would have to be altered if the MSBU assessment was placed on the ad valorem tax bills. Another issue was the possibility that homesteaded property would be subject to public sale but Attorney Shuler stated that would not be the case if the MSBUs are under \$200. I think the law quotes \$250. Besides, I'm sure our Tax Collector exhausts all efforts now before beginning any tax deed procedure. Mrs. Rhonda Skipper, incoming Property Appraiser, was present and had some concerns, but she has since expressed a willingness to cooperate should the Board so direct, especially if the fire departments might reap the benefit of additional funding.*

*Currently, two separate bills are mailed out by the Tax Collector: one is for ad valorem (property) taxes and the other is for the MSBU assessment. When the MSBU isn't paid, liens are prepared and then recorded in my office. In 2012, my office received approximately 1200 liens to be recorded and it took several months to process all the paperwork. This shows that many people aren't paying their MSBU and they aren't being cleared unless the property involved is being sold. These liens create a lot of staff time annually and the Official Records are being cluttered with them with few being cleared up. I asked for a report from the Tax Collector's office just on the St. George Island area for unpaid MSBU assessments for the 2011 tax year. That report, dated July 16, 2012, indicated 262 records with a total of \$15,675.10.*

*I've said now for several years that it would make more sense to first try and collect more money for the fire departments by trying to find a method to ensure that everyone that is assessed the MSBU pays rather than just increasing the rate for those who are already paying. That method would be to put the MSBU on the same tax bill as the ad valorem taxes instead of having two separate bills. Of course, you'll always have those who don't pay their property taxes; however, those who do will be sure to pay the MSBU included on that same bill. It was brought to my attention that the Tax Collector had a concern that when people paid taxes early and received a discount, that the discount would apply to the MSBU too and cause a reduction in those receipts, and that may be true, and Mr. Shuler may be able to clarify the correctness of this for consideration also.*

*One other issue is that there was some question about the requirements of advertising should the Board wish to have the MSBUs placed on the tax bills. Pursuant to F.S. 197.3632, the Board would have to enter into a written agreement with the property appraiser and tax collector for administrative costs, and the Board would have to adopt a Resolution at a public hearing prior to January 1<sup>st</sup>, or, if the property appraiser, tax collector, and Board agree, March 1<sup>st</sup>. If all agreed, the Board still has time to hold the public hearing, advertise for 4 weeks, and adopt the Resolution prior to March 1<sup>st</sup>.*

*If the rate is increased at the request of any one fire department, it will set a precedent for all other area fire departments to do likewise. It makes sense to first put these fire assessments on the tax bill to see if more funds are paid. If it doesn't happen, the Board can always entertain a rate increase in the future.*

**Alan Pierce – Director of Administrative Service (10:11 AM)**

Mr. Pierce presented his report to the Board.

*1- Inform the Board that Assistant Secretary Jane Oates of US Dept. of Labor has received a positive recommendation from staff to approve funding to the GulfCoast Workforce for the re-shelling and relaying money. I was preparing to send the Board's letter but was advised that a letter to the Secretary with copies to our federal legislation may delay the decision making process so I did not send the letter. After close of business on Friday, Nov. 30, Governor Scott's office announced that the Dept. of Labor has awarded Gulf Coast Work Force \$2.7M for hiring up to 200 dislocated workers for an oyster relaying and re-shelling program.*

Mr. Pierce discussed this item further.

*2- Inform the Board that I met on site with Mr. Paul Vetter, Jacobs Engineering, regarding the intersection of 24<sup>th</sup> Ave and Bluff Road. Mr. Vetter is a consultant to DOT on the Bluff Road widening and resurfacing project that is currently in the design phase. The intersection is within the city limits of Apalachicola and the city intends to put STOP signs on the Bluff Road to slow the traffic down. The City has received complaints from the community that the intersection is dangerous. The City was going to erect the signs using the materials they normally use but because the intersection is a high traffic intersection and the road is in the design phase for widening I suggested the City let DOT offer an opinion on what should be done at the intersection, and then to put it into the DOT contract documents so that when the road is resurfaced the contractor will use their highway quality material known as thermoplast to properly mark the road. Mr. Vetter's concern is that it is a high traffic road and the proposed location of the stop sign is on a curve. If stop signs are going to be erected there needs to be adequate notice to traffic as you enter the curve from both directions.*

Commissioner Lockley asked if some of the drainage problems around the 'project' area on 12<sup>th</sup> Street will be addressed. Mr. Pierce stated that he will discuss this matter with DOT.

3- *Inform the Board that DOT is holding a public workshop for anyone interested in learning more about the proposed re-surfacing of US 98 within the City of Apalachicola. The workshop is on Dec. 13<sup>th</sup>, from 5:30 to 6:30, at the Apalachicola City Hall. The project is not slated for construction until 2015.*

4- *Inform Board that I have received a copy of the 2012 Jail and Medical Inspection report from Capt. Summerhill in the Sheriff's Office. As the Board is aware, it owns the Jail, and while the Sheriff's Office is budgeted for a certain amount of maintenance expenses, the 2012 Jail report cites significant problems with the plumbing in the jail portion. Essentially, after 20 years of use by inmates the jail plumbing is failing. I have spoken to Capt. Summerhill about the situation and we will be meeting with the incoming Sheriff in a few weeks to talk about possible solutions and then come to the Board with a recommendation.*

Chairman Sanders stated that she will attend the meeting with Mr. Pierce and the incoming Sheriff.

5- *Inform the Board that additional applications to be on the RESTORE Council have been received. The following list is the total list of all applications on file. There is some duplication of names as some people checked both at-large and a community.*

*City of Apalachicola- no appointment yet*

*City of Carrabelle- no appointment yet*

*Alligator Point seat- Jim Cummins or Marvin Heymann*

*Lanark Village- no application*

*Eastpoint- Sandra Allen, James (Tom) Durham, Hank Garrett, Dan Tonsmeire, Ronnie Segree*

*St. George Island- Larry Kinzer,*

*TDC- Paul Parker*

*School Board- Pam Shiver*

*Seafood Workers- Ricky Banks*

*Weems Hosp- Jim Bachrach*

*Seafood Dealer's- Lynn Martina*

*4 At-Large Seats- Val Webb, Robin Vroegop, Tom Daly, David Walker, Carol Barfield,*

*Clarice Powell (Apalachicola residents)*

*Hank Garrett, Dan Tonsmeire, James (Tom) Durham (Eastpoint)*

*Vance Millender, Leslie Cox, Tamara Allen (Carrabelle)*

*Additionally, both the Apalachicola Chamber of Commerce and the Carrabelle Chamber of Commerce submitted applications for appointment. The cover letter from the Apalachicola Chamber of Commerce leads me to believe they would like their appointment to be as an additional seat on the Council, and not as an At-Large appointment.*

*I did raise an issue with some of the applicants that I knew were associated with groups who be seeking funding that it might be viewed as a conflict to sit on the Council and also be seeking*



*funding. I am aware of the criticism Planning and Zoning was getting 10 years ago when the Board received complaints that too many realtors/developers were on P and Z. One prospective applicant withdrew their name to avoid a conflict.*

*The Board has just received these names and it might want to take some time to evaluate the list.*

Chairman Sanders discussed her meeting with the mayors of the City of Carrabelle and the City of Apalachicola. She stated that both mayors want the Restore Council to be made up of both City Commissions and the County Commission. She said they also want the funding to be allocated by population.

Commissioner Parrish stated that it is important that there is transparency and that the public is able to comment on any and all projects that are submitted for funding, with the County Commission having the final say on approval.

Commissioner Jackel stated that she appreciates what both Cities are asking for but doesn't want Eastpoint and St. George Island left out of funding. She explained, to her understanding, how the Restore Act funding will be allocated for any project submitted. She expressed concerns of the fairness of how the funding will be allocated throughout the County.

Commissioner Parrish agreed with some of Commissioner Jackel's comments and commented further on this issue. He explained how he thought the funds should be used in order to have something to fall back on in the future should the Bay need restoration again.

Commissioner Lockley stated that it is important for the public to know what the guidelines for these funds are so they can start working on getting these projects together.

Commissioner Massey stated that Commissioner Lockley's concerns are the reason this Council is needed as soon as possible.

Commissioner Jackel stated that the criterion in the Restore Act language is somewhat vague but the Council needs to start working so they can assist the residents who want to submit projects.

Mr. Pierce stated that there is a meeting on Friday, December 7th that might provide some additional information which would answer some of the criteria and other questions and concerns raised today.

Bud Hayes, Representative of the Apalachicola Bay Chamber of Commerce, asked that the Chamber is included on the Council to represent area businesses.

Gene Langston asked the purpose of putting a project together if there is no criterion in place. Commissioner Jackel explained that other counties already have projects ready for submission, so it is important that Franklin County start working on projects now.

Commissioner Jackel and Mr. Langston discussed this issue further.

Commissioner Parrish offered some examples of how projects can be submitted and partnered, then brought before the Board for approval, with the public having the opportunity to comment.

Commissioner Jackel explained that it is in the language of the Restore Act that all projects must be approved by County Government.

Mr. Langston believed that both Cities should be represented on the Council.

The Board and Mr. Langston discussed forming the Council and how it should be put together. Shannon Hartsfield, President of the Franklin County Seafood Workers Association, stated that he was not in favor of the three councils making up the Restore council. He said that wouldn't be fair to the rest of the County.

Jim Asthorpe, of Alligator Point Taxpayers Association, stated that his Association would like to recommend Marvin Heyman for the Restore Council.

Commissioner Jackel suggested tabling this item until a later date so the Commissioners have more time to look at all available options.

Roger Bybee, of Carrabelle, was in favor of the two Cities and the County Commission being members of the Restore Council.

Commissioner Jackel explained why she wasn't in favor of this and would like the opportunity to consider it further.

Commissioner Parrish stated that the next two weeks should be an opportunity for the Commissioners to consider how this Council should be formed and stated the importance of having good representation on this Council.

Commissioner Massey stated the importance of moving ahead with the Council and starting the projects.

Commissioner Lockley stated the importance of looking at all the available funding versus just the money directed for Franklin County.

**Motion by Jackel, seconded by Parrish, to table forming the Restore Council to allow the Board to consider the options discussed today; Motion carried 5-0.**

Mr. Pierce stated that there should be a County representative at the meeting scheduled for Friday, December 7<sup>th</sup>, which he discussed earlier, so he will attend unless directed otherwise. Commissioner Jackel provided some information on what will be discussed at the meeting and the importance of attending.

The Board discussed this matter further and Chairman Sanders agreed that the County should be represented at this meeting.

**Motion by Jackel, seconded by Parrish, to pay the Board members' and Mr. Pierce's expenses to attend the meeting on Friday, December 7th in Ft. Walton; Motion carried 5-0.**

*6- Inform the Board that the Dept. of Economic Opportunity (DEO) is moving forward with its offer to help the county diversify its economy. I informed the Board several weeks ago that I met once with DEO staff and I will be meeting with them again. At some point DEO will provide funds for the Board to advertise and select a consultant familiar in economic development and that consultant will offer suggestions for economic diversification.*

*7- Inform Board that we will be opening bids for repairs to the St. George Island Fishing Pier on Jan. 15<sup>th</sup>. Preble-Rish has already received the permit from DEP and USACOE to make the repairs.*

*8- Board action to approve the ranking of projects for submission to FEMA for funding through T.S Debbie Hazard Mitigation funding. The county has been notified that up to \$400,000 in Hazard Mitigation money might be available. Eligible projects must be on the Local Mitigation Strategy. The projects proposed to be submitted are: new roof and retrofit on EOC; new roof and retrofit on County Jail, new roof and retrofit on Carrabelle City Hall, and shutter retrofit for FSU Marine Lab. All projects carry a 25% match requirement if funded so the City of Carrabelle and FSU will be responsible for their match requirements if funded. Ms. Traci Buzbee, the EOC's consultant, is assisting in the preparation of the applications and will receive 5% of any grant award for administration.*

Commissioner Massey and Mr. Pierce discussed using local contractors for all work done in the County.

Commissioner Lockley asked about a local preference for bidders. Attorney Shuler stated that sometimes even when a local contractor doesn't win the bid the contractor is agreeable to hire local workers.

**Motion by Jackel, seconded by Parrish, to support ranked projects as recommended; Motion carried 5-0.**

Commissioner Jackel asked Mr. Pierce to follow-up on a letter to Senator Montford on the funding of the Lombardi and St. George Island Boat Ramp projects.

Chairman Sanders asked Mr. Pierce to follow up on the meetings with non-profits to discuss possible duplication of services.

**T. Michael Shuler – County Attorney Report (11:13 AM)**

Attorney Shuler presented his report to the Board.

*Action Items*

*1. Eastpoint Pavilion Ordinance*

*The ordinance hearing is at 10:00 a.m. (ET). A copy of the draft ordinance is attached for your review. It prohibits the consumption, but not the possession, of alcohol.*

This item was discussed earlier in the Meeting.

*2. Catlin v. Franklin County*

*Attached is the proposed \$25,000.00 settlement with Dr. Lionel Catlin. It speaks for itself. Both the hospital and I recommend that the Board accept the settlement. The hospital will pay Dr. Catlin.*

**Motion by Lockley, seconded by Parrish, to approve settlement with Dr. Lionel Catlin; Motion carried 5-0.**

Attorney Shuler asked for Board action on the renewal of the Eastpoint Library Lease.

**Motion by Jackel, seconded by Massey, to approve a six month extension of the Eastpoint Library Lease; Motion carried 5-0.**

Attorney Shuler stated that the attorney representing the County in the Orion case is asking for authority to file this case locally for liability purposes. This case involves the damages to the old St. George Island Bridge by a barge owned by Orion during a storm. Commissioner Lockley and Attorney Shuler discussed the possibility of making Progress Energy liable since Orion was their subcontractor.

**Motion by Jackel, seconded by Massey, to approve filing the Orion case locally for liability purposes; Motion carried 5-0.**

Attorney Shuler asked for Board action on an amended consent order regarding Gulfshore Blvd.

**Motion by Jackel, seconded by Massey, to approve amended consent order regarding Gulfshore Blvd.; Motion carried 5-0.**

The Board, Mr. Pierce and Attorney Shuler discussed the possibility of another boat contributing to the destruction of the St. George Island Bridge.

#### *Informational Items*

##### *3. Restore Act - City of Apalachicola*

*Unless the Board instructs otherwise, I do not plan to notify the cities that the county will not attend their second Restore Act meeting. I think they are meeting December 19, 2012.*

##### *4. Lanark Village - Burned Apartments*

*According to the process server, Daniel LaFleur has moved from Iowa, Louisiana to Baton Rouge, Louisiana. He is charging an additional \$150 for service of process at the new address.*

##### *5. Capital City Bank*

*a. The Court entered the consent Order of Taking last week. The Clerk is paying the \$265,000.00 out of the Bald Point Trust Fund this week since the Board's condemnation resolution authorized the use of that fund for the litigation. Once the money is paid into the Court's Registry, then title to the property passes to Franklin County. That will happen this week. There will be a future jury trial to determine the final value of the property taken.*

*b. The Bank on Friday, November 30, 2012, filed another lawsuit against Franklin County. A copy has been forwarded to you by the Clerk. I have skimmed the complaint and it essentially alleges two violations. First, they bank alleges that Franklin County did not follow its 1989 PUD ordinance when processing the bank's request to re-plat South Shoals.*

*Second, the allege that Franklin County can be required to rebuild and maintain in perpetuity, the revetment in front of South Shoals. I do not believe that the bank's case has any more merit to it than the other lawsuit that the court has twice dismissed.*

*6. Potential Increase In Special Fire Assessments And Creating Fire Districts With Ability To Request Rates Specific To Each District:*

*The Board has previously authorized a public hearing to consider adopting an ordinance that creates multiple fire districts and whether to consider whether the rates within those districts should be raised, subject to the approval of affected persons. I will schedule that public hearing for your second meeting in January 2013. The rates within the individual districts may be same or they may differ depending on the needs of each fire district.*

*The county will reserve the authority to make final decisions regarding rates. The fire districts will not be independent statutory fire districts.*

*I have consulted with the Supervisor of Elections, the Tax Collector and the Property Appraiser as to their schedules in the event the Board approves creating a multiple fire district system.*

*The Supervisor of Elections recommends a mail out ballot and that it can be accomplished prior to May 1, 2012, if the Board makes a decision in January 2013.*

*The Property Appraiser's deadline is May 1, 2013.*

*The Tax Collector's deadline is prior to, but not after, June 1, 2013.*

*7. Public Bid On Wire Attached To Old St. George Island Bridge*

*The bids will be opened at the December 18, 2012 meeting.*

*8. HSMV Building In Eastpoint*

*I have spoken with Tracy Peters at DEP and with Greg Prescott with Division of Management Services. Tracy advises that the current lease and sublease on the property do not expire until 205 1. Greg advises that he is the person now in charge of terminating the two leases and that he can have it done shortly. I got the impression from him that it would be a matter of a couple of weeks. Greg and I are supposed to speak Wednesday, December 5, 2012, for an update from him.*

**Commissioners' & Public Comments (11:23 AM)**

Commissioner Massey and Attorney Shuler discussed the Attorney's service contract.

Commissioner Jackel asked if Attorney Shuler's contract had been reconsidered since he started in 2001 and he said it had not.

**Motion by Jackel, seconded by Massey, to advertise for RFP for County Attorney services and to make it a 2 year cycle for renewal; Motion carried 3-2, Lockley and Parrish opposed.**

Chairman Sanders read a letter of apology received from John Wayne Smith, a FAC lobbyist, who was disrespectful to her and Commissioner Jackel.

Mr. Pierce reminded the Board of the FWC quarterly Commission meeting being held in the 3<sup>rd</sup> Floor courtroom today.

Chairman Sanders reminded the public of the Health Department's opening of the new dental program in Carrabelle.

**Adjourn (11:28 AM)**

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

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Cheryl Sanders, Chairman - FCBOCC

Attest:

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Marcia M. Johnson, Clerk of Courts