

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
FEBRUARY 19, 2013
9:00 AM**

MINUTES

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

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

Call to Order (9:04 AM)

Chairman Sanders called the Meeting to order.

Prayer and Pledge (9:04 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes (9:05 AM)

Chairman Sanders asked for some sort of indication to separate the discussions regarding the interviews for County Attorney and the proposed FWC firing range. She also asked to include any additional discussion regarding the motion made to retain Attorney Shuler.

Motion by Lockley, seconded by Parrish, to approve the Minutes of the February 5, 2013 Regular Meeting; Motion carried 5-0.

Payment of County Bills (9:09 AM)

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

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works (9:09 AM)

Mr. Chipman updated the Board on some of the projects going on throughout the County. Commissioner Massey asked that maintenance be done on Buck Street in Eastpoint. Chairman Sanders read a letter received from Pine Coast Plantation Homeowners Association regarding maintenance to some roads. Commissioner Jackel asked that Plum Street be added to the maintenance request list. Marcia Johnson, Clerk of Court, warned the Board about using County equipment on private property without an ordinance in place. The Board discussed options as to how to go through proper procedures to help maintain these roads. Commissioner Jackel suggested tabling this item until this issue is investigated further. Commissioner Parrish stated that there is a portion of Paradise Lane that also needs maintenance.

Motion by Jackel, seconded by Massey, to direct staff to get a list of roads that need maintenance and to investigate the legal procedure to maintain these roads further; Motion carried 5-0.

Mr. Chipman asked for Board action to advertise for a vacant entry-level position.

Motion by Jackel, seconded by Massey, to approve advertisement for vacant entry-level position at the Road Department; Motion carried 5-0.

Mr. Chipman discussed some shoulders of roads that need maintenance and stated that some of the damage is done by residents 'rutting' through the mud. Chairman Sanders asked staff to look at an Ordinance that was passed a few years ago on this matter. Commissioner Parrish discussed issues with the shoulders on Pal River's Road.

Fonda Davis – Solid Waste Director (9:21 AM)

Mr. Davis presented his report to the Board.

*SOLID WASTE TRANSFER STATION WASTE DISPOSAL AGREEMENT:
FOR BOARD ACTION At the February 5th Board Meeting, it was requested that the County Attorney review the RFP Waste Management submitted for the operations of the Franklin County Transfer Station, which included an increase rate from \$46.29 to \$57.95 (Difference of \$11.66). The proposal has since been reviewed by the County Attorney and a Waste Disposal Agreement has been prepared for signature*

REQUESTED ACTION: Motion to sign the Waste Disposal Agreement for the operation of the County's Transfer Station, between Franklin County and Waste Management and to increase the County's Household Tipping Fees to \$65.00 Per Ton and Yard Trash to \$45.00 Per Ton, to offset the rate increase.

Commissioner Jackel and Attorney Shuler discussed the contract further.

Motion by Lockley, seconded by Jackel, to approve the Chairman’s signature on the Waste Disposal Agreement for the operation of the County’s Transfer Station between Franklin County and Waste Management and to increase the County’s Household Tipping Fees to \$65.00 Per Ton and Yard Trash to \$45.00 Per Ton, to offset the rate increase; Motion carried 5-0.

Right-of-Way Debris Pickup / Recycle Material Hauled January 25th –February 11th FOR BOARD INFORMATION:

*JANUARY 25TH – FEBRUARY 11TH
 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>48.04 TONS</i>	<i>57.98 TONS</i>	<i>38.37 TONS</i>	<i>57.52 TONS</i>	<i>33.11 TONS</i>	<i>22.83 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 James</i>
<i>Cardboard</i>	<i>3.76 TONS</i>	<i>3.18 TONS</i>	<i>3.30 TONS</i>	<i>2.08 TONS</i>	<i>0 TONS</i>	<i>0 TONS</i>	<i>0 TONS</i>
<i>Plastic, Paper, Glass, Aluminum</i>	<i>1.68 TONS</i>	<i>.23 TONS</i>	<i>3.67 TONS</i>	<i>1.87 TONS</i>	<i>.37 TONS</i>	<i>1.94 TONS</i>	<i>0 TONS</i>

REQUESTED ACTION: None

Commissioner Jackel asked for road side maintenance leading up to the annual Chili Cook-Off on St. George Island.

Nikki Millender – Parks & Recreation (9:25 AM)

Mrs. Millender presented her report to the Board.

For Board Action:

The City of Carrabelle will have reuse water available in about a month for Kendrick Park. They recently gave me a price for .32 cents per 1,000 gallons. DW Wilson Sports Complex currently receives reuse water from the City of Apalachicola. REQUESTED ACTION: Board Approval to authorize Alan Pierce to write a letter to the City of Carrabelle requesting them to not charge the county for reuse water at Kendrick Sports Complex.

Motion by Parrish, seconded by Massey, to authorize Alan Pierce to write a letter to the City of Carrabelle requesting them to not charge the County for reuse water at Kendrick Sports Complex; Motion carried 5-0.

For Board Information:

** As of last month all Parks & Recreation Employees work schedule is Monday thru Friday 7:00 a.m. to 3:00 p.m.*

**Parks & Recreation Beach Clean-up Employees will be working Saturday March 2, 2013 at SGI Park due to the Chili Cook-Off.*

**DW Wilson Sports Complex has received some long overdue extensive upgrades and renovations to the concession stand, bathrooms, and ball fields.*

**Water Fountains for Vrooman Park, DW Wilson Park, & SGI Park have been ordered and is expected to be in the week of February 20th, and is projected to be installed the same week.*

**Due to the electrical upgrades, the Fort Coombs Armory will be without power February 13, for approximately two weeks.*

Mrs. Millender updated the Board on the purchase of equipment for the Kiddy Parks in the County. She also discussed the status of electrical scoreboard signs for the ballparks in the County, as requested by Commissioner Jackel.

Commissioner Jackel discussed the importance of electrical scoreboards to allow the County to host more tournaments, which would provide a boost to the County's economy.

Mrs. Millender discussed the eligibility of the County parks to host tournaments. She stated that she will look into the cost of the scoreboards.

Pam Brownell – Emergency Management (9:30 AM)

Mrs. Brownell presented her report to the Board.

Action Items:

A motion to approve the ranking of the Debris Contractors.

Emergency Management and the Solid Waste Department met on February 7, 2013 to rank the Debris Contractors by experience, price and availability. We will begin the process of working out the contract with the companies and our county attorney with the Boards' approval.

- *Bergeron*
- *Crowder Gulf*
- *Ashbritt*
- *J.B. Coxwell*

The Board and Mrs. Brownell discussed this matter further.

Motion by Parrish, seconded by Lockley, to approve ranking of debris contractors; Motion carried 5-0.

Information items:

1. Pam Brownell attended the Area Contingency Plan update meeting on February 6, 2013 and will begin the process of making copies of the county plan and scheduling a meeting with stakeholders to compare the two documents.
2. Franklin County Communications Advisory Group met at the Emergency Operations Center on February 13, 2013.
3. Emergency Management and The Management Experts conducted a school shooting planning meeting with ABC school and other stakeholders on February 14, 2013.
4. Emergency Management and ESF15 have a meeting today at 2:00pm in the EOC to meet with Citizen Corp and other interested persons in the county. This meeting is to discuss how we recruit other persons in the county that would like to volunteer during a disaster and the training they would need.
5. Pamela Brownell will be attending the Crisis Management for School-Based Incident in Wakulla County, February 27, 2013 from 8:00am till 4:00pm.

Bill Mahan – Extension Office Director (9:32 AM)

Mr. Mahan presented his report to the Board and discussed the following items.

Franklin - UF IFAS Updates

1) *Growing Turf grass 101 – The Basics - A new series of educational programs on turf grass is now set. The Franklin UF IFAS is one of the host sites for this distance education program.*

- *Tuesday February 26th: pH, Soil Types, Soil Testing, Turf Types*
- *Tuesday March 5th: Fertilization*
- *Tuesday March 12th: Weed Control*
- *Tuesday March 19th: Irrigation*

These classes will be offered by interactive video at the Franklin UF IFAS County Extension Office located at 66 4th Street, Apalachicola, from 7-9 p.m. (Eastern Time). Registration fee is \$25 per person or \$40/couple and covers the costs of the classes, refreshments and course materials.

Commissioner Parrish and Mr. Mahan discussed the electricity being off during meeting times so the meetings will be held at Franklin's Promise.

2) *DACS Shellfish Harvester & HACCP Training Meeting - (will be on FEB 27 in Talley)*

FL Fish & Wildlife Commission (FWC)

3) *Saltwater Game Fish, Sport Fish Designations – The recent proposal to create saltwater game fish and sport fish designations in Florida was tabled by the FWC during their meeting in Orlando on February 13th. It will be discussed again at the Commission's meeting in April, scheduled for Tallahassee. In the mean time staff has been directed to draft catch-and-release guidelines for bonefish and tarpon.*

- 4) *2013 State Recreational Red Snapper Season Proposed – The FWC has proposed that this year’s recreational red snapper season be open 44-days from June 1st – July 14th. These dates are inconsistent with the currently proposed federal season that is expected to be around 27-days. Final action on the proposal will be at the FWC’s scheduled meeting in Tallahassee in April.*

Commissioner Parrish was in favor of sending a Letter of Support for this matter.

Motion by Parrish, seconded by Jackel, to send a Letter of Support regarding the 2013 State Recreational Red Snapper Season Proposal; Motion carried 5-0.

United Firefighters Association (9:36 AM)

Commissioner Jackel discussed a letter from the United Firefighters Association regarding their recent meeting. The letter discussed current and upcoming projects to upgrade communications equipment in the County.

Commissioner Jackel also asked for Board action on the closing of Chili Blvd. and Gulf Beach Drive from Franklin Blvd. to 1st Street on St. George Island for the annual Chili Cook-Off.

Commissioner Jackel asked for public support for this event and also discussed some of the activities that will be going on.

Motion by Jackel, seconded by Massey, to authorize closing Chili Blvd. and Gulf Beach Drive from Franklin Blvd. to 1st St. on St. George Island on March 2nd for Chili Cook-Off; Motion carried 5-0.

Ms. Marsha Lindeman – FCPHU Director – Request permanent status (9:40 AM)

Marsha Lindeman, Director of the Franklin County Health Department, addressed the Board and asked for Board action to send a recommendation to the Department of Health to change her position status from interim to permanent. She gave some information about how a director is selected for a health department and how this blended leadership position is shared between Gulf and Franklin Counties. She discussed the services and status of the Franklin Health Department.

Commissioner Lockley and Ms. Lindeman discussed the status of job positions with the Health Department.

Commissioner Jackel and Ms. Lindeman discussed the locations of individuals who will be shared between both Counties. Ms. Lindeman discussed services.

Chairman Sanders and Ms. Lindeman discussed the dental program and the limitation of only serving residents that are below 21 years of age and the possibility of serving older clients in the future.

Commissioner Lockley wanted assurance that no one at the Health Department will lose jobs. Mr. Pierce explained how the funding is distributed for the Health Dept.

Motion by Parrish, seconded by Lockley, to approve Ms. Lindeman's position change from interim director to permanent Director of the Franklin County Health Department; Motion carried 5-0.

TDC Update – Curt Blair (9:51 AM)

Curt Blair, of the Franklin County Tourist Development Council, provided some new numbers on recent collections of the Tourist Tax. He stated that the County is seeing a steady increase of visitors to the County.

He asked for Board action to fill a vacant position on the TDC Board with Rex Pennycuff, of Eastpoint.

Motion by Jackel, seconded by Massey, to accept the TDC Board's recommendation of Rex Pennycuff to fill a vacant position; Motion carried 5-0.

Mr. Blair discussed a recommendation for a TDC Welcome Center and administrative offices at the Highway Patrol building in Eastpoint.

Mrs. Johnson asked if TDC would be responsible for the insurance and maintenance of the building as the County doesn't pay these costs for any other welcome center in the County. The Board and Mr. Blair discussed this matter further and agreed that the TDC would be responsible for the costs of maintenance and insurance for the building.

Motion by Jackel, seconded by Massey, to approve TDC's recommendation for the use of the Highway Patrol building in Eastpoint as a TDC Welcome Center and TDC administrative center; Motion carried 5-0.

Commissioner Parrish asked for this type of information to be submitted by the Thursday before Meetings in the future.

BOA Consent – Report (9:58 AM)

Mr. Pierce presented an item for Board approval.

Approved by BOA - A request for a variance to construct a rock revetment within the Critical Habitat Zone on property described as Lot 6, Savannah Cove, St. George Island, Franklin County, Florida. Request submitted by Ricky Moseley, agent for Robert and Juliet Barber, owners.

Motion by Jackel, seconded by Massey, to approve request for a variance to construct a rock revetment within the Critical Habitat Zone on property described as Lot 6, Savannah Cove, St. George Island; Motion carried 5-0.

Planning & Zoning – Report (9:59 AM)

Mr. Pierce presented these items for Board approval.

SINGLE FAMILY PRIVATE DOCK REVIEW:

APPROVED BY PLANNING AND ZONING - Unanimous Consideration of a request to construct a Single Family Private Dock in Section 26, Township 7 South, Range 7 West, 1 Lunsford Lane, Eastpoint, Franklin County, Florida. This application meets all state and local requirements. The Dock will be 15' x 4' and 36' x 4' with a 26' x 6' terminus. Request submitted by GEA, Inc, agent for John C. Nunnally, applicant.

Motion by Massey, seconded by Parrish, to approve request to construct a Single Family Private Dock in Section 26, Township 7 South, Range 7 West, 1 Lunsford Lane, Eastpoint; Motion carried 5-0.

RE-ZONING APPROVAL:

APPROVED BY PLANNING AND ZONING - Unanimous Consideration of a request for a Public Hearing to re-zone a 20 foot parcel between lot 12 & 13 and all of Lot 13, Block Z, Unit 1, Lanark Beach, Franklin County, Florida from C-4 Commercial Mixed Use to C-3 Commercial Recreational. Requests submitted by Mike Hughes, Ho-Hum RV Park, Inc., applicant.

Motion by Lockley, seconded by Jackel, to approve request for a Public Hearing to re-zone a 20 foot parcel between lot 12 & 13 and all of Lot 13, Block Z, Unit 1, Lanark Beach; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (10:00 AM)

Mrs. Johnson had no report for the Board.

Board Selection of County Attorney (10:01 AM)

Motion by Lockley, seconded by Parrish, to retain Attorney Shuler as the County Attorney; Motion and second withdrawn.

Chairman Sanders stated that since Commissioner Lockley's same motion at the last Meeting failed, based on past procedure of this Board, Commissioner Lockley is not able to make this motion again.

Commissioner Lockley wanted to see proof for when these rules were adopted.

Chairman Sanders and Commissioner Lockley discussed procedures and the Board's actions on this matter in the past.

Commissioner Parrish discussed Attorney Shuler's work history and explained why he was in support of keeping him as County Attorney. He discussed how attempts to save money can

sometimes end up costing the County in the long run as it did recently with the Solid Waste Transfer Station.

Commissioner Jackel stated that there needs to be some type of rule established regarding failed motions and discussed why this is important for the future of the Board.

Chairman Sanders commented on lack of progress if motions are allowed to be reintroduced over and over.

Mrs. Johnson stated there were occasions where failing motions were brought back for a vote. Al Shuler, of Apalachicola, commented on the adoption of Roberts' Rules.

The Board stopped their discussion to allow Commissioner Jackel to return to the Meeting.

Commissioner Jackel discussed this item further and stated that Commissioner Lockley's question about the Board's procedure was a challenge to the Chairman's authority to run this meeting. She stated that the Board needed some rules to operate by and said that she didn't want to be part of a vote that wasn't done correctly.

Chairman Sanders discussed threats that have been made to some of the Commissioners and read an email she had received concerning these threats. She also discussed what she felt was a challenge to her role as Chairman. She stated some of her personal feelings concerning this matter.

Commissioner Massey stated that when he originally brought this matter up, he never intended for it to go like it has gone. He said he never meant for Attorney Shuler to lose his job.

Commissioner Jackel asked if Commissioners Lockley and Parrish would withdraw their motion in order for the Board to get clarification of the order of this Meeting. She stated that the Board needs rules of operation for the conduct of these Meetings.

Commissioner Lockley stated that he wasn't changing his motion.

Mrs. Johnson expressed her concerns with this matter and stated that she wanted to speak up for Attorney Shuler and didn't believe he had done anything that should cause him to lose his job. She stated that she wanted the Board to do the right thing for the County and either accepts the motion to keep Attorney Shuler or to reject all bids and keep things the way they are currently.

Commissioner Massey said he is willing to withdraw the motion to accept bids for County Attorney. Commissioners Parrish and Lockley agreed to withdraw their motion to retain Attorney Shuler as the County Attorney.

Commissioner Jackel stated that she is the one who made the original motion to accept bids for the County Attorney not Commissioner Massey and she isn't going to withdraw her motion.

Recess (10:31 AM)

Chairman Sanders called for a recess.

Reconvene (10:39 AM)

Chairman Sanders reconvened the Meeting.

Chairman Sanders suggested that this discussion be tabled until the next Meeting, which will give everyone an opportunity to do more research and investigate the authority of the Chairman further.

Commissioner Jackel stated that she would like to see the rules of operation and the authority of the Chairman for Board Meetings.

Motion by Parrish, seconded by Lockley, to reject any and all bids concerning the County Attorney position; No action taken.

Chairman Sanders stated that she heard Commissioner Massey make a motion to table this item until the next regular meeting before Commissioner Parrish made his motion. There was further discussion on this matter because there seemed to be some confusion whether Commissioner Massey made a motion or seconded one he thought was on the floor. Commissioner Jackel stated that she would make the motion if Commissioner Massey didn't.

Motion by Massey, seconded by Jackel, to table this item until the March 5, 2013 Meeting; Motion carried 3-2, Lockley and Parrish opposed.

Alan Pierce – Director of Administrative Services – Report (10:46 AM)

Mr. Pierce presented his report to the Board.

1- Inform Board that I met with 2 Board members from The Nature Conservancy on Feb. 13. They had requested the meeting to offer assistance in applying for funds to buy land for preservation. Their intended source of funds is BP, either through the RESTORE Act, or perhaps NRDA. I showed them a map of the county where over 80% of the county is already in public ownership. I told them that unless a particular acquisition would either increase public access to the water, or provide some other specific benefit, the county would probably not support wholesale removal of land from the tax base.

I did offer them some very specific projects that county has discussed in the past, such as the Old Marina Site on St. George, and the strip of land south of US 98 along Alligator Harbor that the county tried to acquire from St. Joe. If the Board members have other specific projects the TNC would be glad to review them. The TNC's role is not to buy the land but to facilitate someone else taking ownership.

Chairman Sanders suggested property at Ell's Court/Island View outside of Carrabelle, which she had discussed earlier with Mr. Pierce.

Commissioner Parrish stated that he was in favor of the property proposal by Chairman Sanders.

2- Inform the Board the Dept. of Economic Opportunity is moving forward with the county's long term economic diversification summit. The intended date of the summit is Monday, March 11, and it will be held at the Reserve in Eastpoint. The keynote speaker at lunch will be the new head of DEO.

3- Board action to approve the funding agreement with DEO to pay for the economic consultant the Board will be selecting. The Board will be opening up RFQs for the consultant at the March 5 Board meeting.

Motion by Parrish, seconded by Lockley, to approve funding agreement with DEO funding; Motion carried 5-0.

4- Inform the Board that Congressman Southerland's office informed the county that there will be second round of funding out of the Gulf Tourism and Seafood Promotional Fund. This is part of the BP settlement. I have turned the information over to the county TDC. The application deadline is due March 29.

5- Inform the Board that Mike Rundel, EM Coordinator, did turn in 2 HMGP grants to FEMA for a new roof on the EOC, and a new roof on the Jail. The total amount of money the county is eligible for is approximately \$450,000. The new roof on the EOC is estimated to be \$83,000. The estimated cost for a new roof on the jail is between \$721,000 and \$860,000. Both roof estimates are for raised metal roofs as the Board had directed. Admittedly the Board did not know the estimates for the jail roof would be so large so the Board might want to consider other options. And the current options include:

A.) Waiting to see if the county will be able to get more HMGP funds. This has happened in the past when other communities did not use their share of funds. Mike Rundel hopes to hear from FEMA with 90 days.

B.) Revisit the idea of a raised roof. The last flat roof the county put on the jail was approximately \$120,000 so there is a large difference in costs.

C.) If the county does not receive additional HMGP funds then the question is how to finance a new raised roof on the jail. I had a meeting with representatives of the Sheriff several weeks ago and if the county will fix the roof, repair the plumbing, and make a few other repairs the jail is otherwise sound and should provide another 10-20 years of service. In preparing the cost benefit analysis for the HMGP project the architect estimated the replacement cost of the new jail would be \$7.9M, so it is cost effective to fix these problems in lieu of building a new jail. I have spoken to the Finance Office about where money could come from and in the time that we are waiting to hear from FEMA I hope to be able to provide the Board some funding options.

Commissioner Jackel and Mr. Pierce discussed this matter.

6-Board action to approve a Resolution authorizing the submission of 2 grants to FWC- building bathrooms at the St. George Island Boat Ramp, and building additional docking at Abercombie Boat Ramp. The grant submission deadline is April 4. Mark Curenton has finished the grants

and we have had them reviewed by FWC staff for completeness and believe they are strong grant applications.

Motion by Jackel, seconded by Parrish, to approve a Resolution authorizing the submission of 2 grants to FWC- building bathrooms at the St. George Island Boat Ramp, and building additional docking at Abercrombie Boat Ramp and notify Legislative Delegation; Motion carried 5-0.

7- I have attended the last several Airport Advisory Committee meetings and recommend the Board appoint me as Airport Manager. I want to thank Mr. Mosteller for his years of service in the double capacity of Airport Manager and Chairman of the Airport Advisory Committee. As I told the AAC, I believe in these last six months we almost killed Mr. Mosteller with all the time he felt obligated to give the airport and I believe it is in the best interest of everyone, including Mr. Mosteller, that he not continue in that double capacity. Mr. Mosteller will stay on as Chairman of the Committee and will help schedule those meetings. As Chairman, Mr. Mosteller will not receive any compensation and he will no longer be the grant administrator after we conclude these existing open grants. All grant administration will come out of the Planning Office. I told the AAC that it is my intention to have the Airport Manager serve the AAC in the same way I, as County Planner, serve the Planning and Zoning Commission. Both the Committee and Commission are advisory, and both create recommendations for Board of County Commissioners to consider. And in both cases the Chairman does not receive any compensation. I believe I have provided proper and competent guidance to the Board for 25 years on Planning and Zoning matters and I believe I can be of assistance in moving the airport forward as well. Board action on appointment of Airport Manager.

Commissioner Jackel asked that Mr. Mosteller be given a letter of commendation, commended at a future Board Meeting, and naming a facility at the Airport after him.

Motion by Lockley, seconded by Parrish, to approve appointment of Alan Pierce as Airport Manager; Motion carried 5-0.

8- At the last county commission meeting, the Board opened bids for a new hanger and I recommended that the Board let me go to the AAC and discuss another alternative, which was to improve the existing county hanger and rent that to Mr. Randall Terry instead of building another hanger. I did go to the AAC meeting and they did agree that it was a better use of FAA funds to modify the existing county hanger and turn that building into a revenue producer first, and then discuss other improvements with the FBO. So the next few items need action, and can all be in one motion:

A) Reject all bids opened on Feb. 5 for constructing a new hanger.

B) Amend the lease description with Mr. Terry so that he will rent the existing county hanger instead of a new hanger. All terms will remain the same. Mr. Terry understands that he will be paying \$500 a month rent for a 10 year old hanger instead of a new hanger, but he is willing to do so as he will be getting new office space and the hanger is in a better location for him.

C) Authorize the Chairman to sign a supplemental JPA that will extend the timeline on the existing JPAs so that we don't lose any funds, and to change the scope of work consistent with the recommendations of the AAC and the FAA. The scope of work will now include building office space in the existing hanger and making fencing/security improvements at the airport.

Motion by Jackel, seconded by Parrish, to approve all recommendations and direct Staff to review all grants and make all extension requests that is needed for any grant; Motion carried 5-0.

9- Inform the Board that I will be attending the next Gulf Coast Consortium meeting, which is at the Gulf Coast College campus in Panama City on Feb. 28, starting at 2 PM Eastern. I have discussed this with the Chairman. The county has received emails from Congressman Southerland informing the Board that Governor Scott has asked DEP to propose restoration projects that will access funds allocated to projects of Gulf-wide significance. The Board may recall that the RESTORE Act allocates money into 3 pots. One pot, 35% of the funds, will go directly to the impacted counties, a second pot, 30%, will go to a consortium of counties, and a third pot, 30%, will go to projects of a Gulf-wide significance. DEP will be generating a list of projects for that 3rd pot and it is my understanding that there will be discussion of this 3rd pot at the Feb. 28 meeting in Panama City. I believe the restoration of the Apalachicola Bay oyster industry would be a strong candidate for a project of Gulf-wide significance.

10- Inform the Board that a website called Florida Virtual Entrepreneur Center would like Franklin County to join. For a cost of \$2500 a year this website will promote Franklin County and provide information to new businesses and businesses interested in relocating to Franklin County. The website address is www.flvec.com/franklin if anyone wants to check it out. This center is trying to get all 67 counties involved and at this time 28 counties have signed up.

Commissioner Jackel stated the need for this website to promote Franklin County and will discuss this with the TDC and come back to the Board for a discussion on this matter.

11- Pass out new proposed Flood Ordinance that the Board will have to adopt at some point after the flood maps are finalized. The Ordinance is required to be adopted if the Board wants to continue to participate in the National Flood Insurance Program. The Building Dept. will be holding a public workshop intended for builders and contractors to explain the changes in the federal flood program. The workshop will be held March 13, at 6:30 PM here in the Annex.

Chairman Sanders discussed a letter she received regarding this issue.
Mr. Pierce commented on this matter.

12- Remind the Board that its Legislative Delegation meeting is next Tuesday, Feb. 26, at 7 PM, here in the Annex.

Motion by Jackel, seconded by Parrish, to approve travel expenses and allow Commissioners to travel to necessary Florida Association of Counties and related meetings; Motion carried 5-0.

Commissioner Jackel asked for Board action for a Letter of Support to open oyster harvesting to seven days a week. She explained, based on information from the Seafood Workers Association, why this should be done.

Motion by Jackel, seconded by Massey, to approve a Letter of Support to DACS and FWC to consent to opening oyster harvesting to seven days a week; Motion carried 5-0.

Chairman Sanders asked for the second Meeting in April to be held in Carrabelle at 10:00 AM.

Motion by Massey, seconded by Lockley, to join the Gulf Consortium; Motion carried 5-0.

Michael Shuler – County Attorney – Report (11:10 AM)

Attorney Shuler presented his report to the Board.

1. MSBU BALLOT ELECTIONS RULES

Attached for the board's review is a proposed set of election rules for the Supervisor of Elections to follow. A copy is attached.

Board Action Requested: Motion approving the rules as submitted.

Attorney Shuler provided a few more details concerning the election rules.

Commissioner Parrish asked for language to be added as to who will pay for these elections and Attorney Shuler stated that a decision had not been made concerning this matter.

Commissioner Jackel asked for a limitation on when each district could return for another increase.

Motion by Lockley, seconded by Massey, to approve the election rules with the added language to include each district funding their own election and also impose restrictions which will limit increase elections to periods of 2 years or more; Motion carried 5-0.

2. Lanark Village

I have sent a demand letter to the owner of unit 19-6 to conduct the required asbestos inspection and proceed with cleaning the property to the slab within 30 days.

The building official has inspected the Putnal Station and reports that the entire structure is a hazard and subject to condemnation. However, the Putnal Station is outside of Lanark Village and the ordinance requiring removal of such structures does not apply. Does the board want to enact a county-wide ordinance, similar to the one in Lanark Village or does the board want me to pursue a common law action for abatement of a public nuisance? The advantage of an ordinance is that the board can create the rules for abating nuisances and impose financial penalties if the ordinance is violated.

Board Action Requested: Does the Board want to enact a county-wide nuisance abatement ordinance or proceed with an abatement action against the Putnal Station owners as a common-law nuisance.

Commissioners Jackel and Attorney Shuler discussed the difference between this item and the Flashy Me item.

Commissioner Jackel stated that she would like a county-wide nuisance ordinance.

Motion by Jackel, seconded by Massey, to move forward with enforcement action on Putnal Station as a common-law nuisance; Motion carried 5-0.

3. Apalach Restore Lawsuit Letter To Carrabelle

Attached is a draft letter to be sent to the City of Carrabelle requesting their reply to the City of Apalachicola's apparent position that the lawsuit against the county was authorized on a motion made by Carrabelle.

Board Action Requested: Approval of the letter as submitted or as changed by the board.

The Board discussed this issue further.

4. Capital City Bank and the Alligator Point Revetment

a. On February 6, 2013, the circuit court entered an order dismissing, for the third and final time, the bank's lawsuit against Franklin County in case number 12-39-CA.

b. Case number 12-411-CA is pending and the court will hear the county's motion to dismiss on June 24, 2013.

c. Administrative law judge Alexander has entered a recommended order requiring that Franklin County remove the rubble from the Alligator Point revetment in front of the old KOA property, which is now owned by the bank.

Board Action Requested: None.

Chairman Sanders and Attorney Shuler discussed the removal of the rubble as requested by Judge Alexander and the effect it will have on other residents of Alligator Point.

The Board discussed the future of this area in Alligator Point.

5. City of Apalachicola Restore Lawsuit

I have received an email from your insurance carrier stating that they will not provide a defense to this lawsuit. The county will have to cover the cost of the defense.

Board Action Requested: None.

6. Eastpoint Pier

I have filed a report with the FSCO regarding the stolen wire inside the conduit.

Commissioners and Public Comments (11:33 AM)

There were no comments from the Commissioner or the public.

Adjourn (11:34 AM)

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

Cheryl Sanders, Chairman - FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts