

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MARCH 07, 2006
9:00 AM**

MINUTES

Commissioners Present: Cheryl Sanders-Chairman, Bevin Putnal Vice-Chairman, Russell Crofton, Noah Lockley, and Jimmy Mosconis

Staff Present: Van Johnson - Solid Waste Department, Hubert Chipman - Road Department, Bill Mahan - County Extension Director, Marcia Johnson - Clerk of Courts, Alan Pierce - Director of Administrative Services, Michael Schuler - County Attorney, Connie McKinley - Board Secretary

Call To Order

Chairman Sanders called the Regular Meeting to order at 9:00 AM

Pledge and Prayer

There was a Prayer followed by the Pledge of Allegiance

Approval of Minutes

Motion by Crofton, seconded by Lockley, to approve the February 21, 2006 Regular Meeting minutes; Motion carried 5-0.

Payment of County Bills

Motion by Putnal, seconded by Crofton, to approve the County Bills, as presented; Motion carried 5-0.

Department Supervisor Report

Hubert Chipman – Superintendent of Roads

Item 1 – Will S. Kendrick Sports Complex Update

Item 2 – Boat Ramp at Pine Log Update

Item 3 – Lake Morality Road Update

Item 4 – Mosquito spraying at Tip Tucker Road

Board commended Commissioner Sanders and Representative Kendrick on their efforts on the Sports Complex project.

Van Johnson – Solid Waste Director

Item 1 – Uncovered Debris Policy

Motion by Lockley, seconded by Crofton, to adopt, by Resolution, the Uncovered Debris Policy with the assessment fees going to the Landfill; Motion carried 5-0.

Bill Mahan – County Extension Director

Item 1 – Commercial Red Snapper Update

Board discussed regulations on red fish.

Motion by Mosconis, seconded by Lockley, to write a letter to the Florida Marine Fishery Commission regarding policy on red fish; Motion carried 5-0.

Item 2 – Goliath Grouper Update

Item 3 – FL Leads The Nation in Registered Boats Discussion

Item 4 – UF Impact Magazine Discussion

Sheriff Mike Mock – Outsourcing Inmate Medical

Sheriff Mock discussed outsourcing inmate medical services to a private company such as Conmed who provides this service. **Board** suggested that the Sheriff meet with the new Hospital Administrator and discussed sending all inmates to the Hospital for medical services.

Michelle Moore, Sheriff's Department Finance Officer, commented on this issue.

Mrs. Johnson, Clerk of Court, expressed her concerns regarding funding for the Sheriff Department.

Motion by Putnal, seconded by Mosconis, to table this issue until sufficient research is done by both the Sheriff and Attorney Shuler; Motion carried 5-0.

Dave McClain – Feasibility Study Update

Mr. McClain gave an update on the actions of the Seafood Task Force, including the Gulf Oyster Industry Council report, the report from the consultant on the OTED grant, and the Feasibility Study. Mr. McClain stated that new bylaws were approved by the Seafood Workers Association.

Department Supervisor Report (Continued)

Marcia Johnson - Clerk of Courts

Item 1 – Juvenile Justice Agreement – I've received an interagency agreement between the Board and the Department of Juvenile Justice. Under Florida Law, the County has a financial obligation to pay a share to the Department for juvenile detention care, and we receive information on juveniles who reside in our County.

It appears to me that by the agreement, the County only agrees to maintain the confidentiality of any juvenile information we receive from the Department.

Motion by Mosconis, seconded by Crofton, to authorize the Chairman's signature on the Juvenile Justice agreement; Motion carried 5-0.

Item 2 – I have a resolution for your approval on unanticipated revenues. The County received Requested Board approval for a Resolution for unanticipated funds of 1,520,000.00 from the State of Florida for the Old Bryant Patton Bridge Fishing Pier and we need to adjust the budget to appropriate the funds. The Resolution reads as follows:

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$1,520,000.00 from the STATE OF FLORIDA for OLD BRYANT PATTON BRIDGE FISHING PIER, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2005-2006, and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

| | | |
|-----------------|-------------------------|----------------|
| 144.99.584.9600 | Reserve for Contingency | \$1,520,000.00 |
|-----------------|-------------------------|----------------|

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$1,520,000.00 in the FISHING PIER MAINTENANCE FUND in order to comply with FL 129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 7TH day of MARCH 2006.

Motion by Lockley, seconded by Putnal, to authorize the Chairman's signature on the Resolution for unanticipated funds of 1,520,000.00 for the Old Bryant Patton Bridge Fishing Pier; Motion carried 5-0.

Item 3 – I have the final report on the Bay Aid after my office reconciled the bank account. The total deposited was \$13,325.00, the amount disbursed was \$12,385.08, there were costs for the checks, deposit tickets & postage of \$103.93 leaving a balance in the account of \$835.99. I've presented you each with a detailed report, but as you can see, there were several checks written but the stubs didn't indicate who the qualifying individuals were. My office has written a letter to the Bay Aid Committee advising them that in the future, the stub should reflect all the information, that a separate register sheet should be kept, and that all applications and back-up documents are to be kept for auditing purposes. Should the Board keep bay Aid as an on-going project each year, I'd like to have your permission to meet with the committee on the requirements for bookkeeping purposes.

Motion by Putnal, seconded by Crofton, to have Mrs. Johnson meet with the Bay Aid Committee and instruct them on the bookkeeping requirements before any further funds are disbursed; Motion carried 5-0.

Item 4 – Hospital matters:

1 – We need clarification of Board action at the December 29th special meeting. The Board approved payment of the December 30th net payroll on behalf of DASSEE. It was agreed that DASSEE would be responsible for the payroll tax liability. At that time, however, there was no motion made for the budget amendment to adjust the budget for that payment. The following budget amendment is needed:

| | | | |
|----------|-----------------|-----------------------------|-------------|
| Increase | 001.51.561.8200 | Aid to Private Organization | \$84,108.26 |
| Decrease | 001.99.584.9600 | Reserve for Contingency | \$84,108.26 |

Motion by Putnal, seconded by Lockley, to approve the requested budget amendment as stated by Mrs. Johnson; Motion carried 5-0.

2 – We need clarification of board action at the January 10th special meeting. At that meeting, there was discussion of payment of the January 13, 2006 payroll on behalf of DASSEE, with DASSEE being responsible for the payroll taxes. The County did fund the net payroll for that date, however after discussion with the County Auditor, he recommended the County take responsibility for the payroll taxes for the January 13th payroll. The basis for this recommendation was that the County assumed responsibility for the operation of the hospital on January 1, 2006. The January 13th payroll was for the time period of December 26, 2005 through January 8, 2006. Some of the people on the payroll for the 13th were not employees of DASSEE, therefore, making the County responsible for their payroll taxes. Since the payroll information was not submitted with information split between Dec & Jan, our auditor thinks it would be in the County's best interest to pay all the taxes, thus avoiding confusion for the employees on the 2006 W2s. Additionally, Mike Lake, CEO of DASSEE, has refused responsibility for the payroll taxes on the Dec. 30th, 2005 payroll. It is reasonable to assume that he would do the same for the January 13th payroll. The following budget amendment is needed to adjust the budget for the payroll and payroll taxes:

| | | | |
|----------|-----------------|--------------------------|--------------|
| Increase | 001.51.61.1300 | Other Salaries and Wages | \$117,401.93 |
| Increase | 001.51.561.2100 | FICA Taxes | \$ 8,981.22 |
| Decrease | 001.99.584.9600 | Reserve for Contingency | \$126,383.15 |

Motion by Mosconis, seconded by Crofton, to approve the requested budget amendment as stated by Mrs. Johnson; Motion carried 5-0.

Board suggested contacting Mike Tucker and asking him to contact the IRS and request a waiver of any tax penalties. The Board discussed refunds from Medicaid.

3 – At some point, the Board discussed taking some action against DASSEE on the monies he owes the County. He owes the County \$160,000 in lease payments which weren't paid from Sept 04 until Dec 05, and owes taxes in the amount of \$88, 867.03.

4 – The Board has in place a bid policy that specifies anything \$5,000 and over should go through the bid advertising process. During the interim period the County has been operating the hospital, I'm not sure that bid policy was communicated. I'd request the Board pass a motion waiving their bid policy during the change-over period that began January 1, 2006 due to the emergency situation existing. There wasn't enough time to proceed with the bid policy to advertise for all the things needed immediately

Motion by Lockley, seconded by Crofton, to waive the County's bid policy due to the emergency situation at the hospital. Motion carried 5-0.

5 – Concern about workman's compensation insurance. Has it been procured for hospital employees?

Ron Wolfe, interim CEO, commented on this matter.

6 – When the County first took over the operation of the hospital, my office was instructed to pay emergency bills outside the regular pay periods. We pay bills at each board meeting twice monthly, but bills are continually being turned in for immediate payment that are not what I'd consider to be emergencies. The Hospital has had 2 and ½ months to get organized and a lack of advance planning is causing an additional workload for my deputy clerks. All payment requests should be turned in to my office by the Thursday prior to the board meeting dates, and in the future, I'll decide if an emergency exists. I'd like the Board to approve this policy for the future.

Ron Wolfe addressed this matter.

7 – I've got a hand-out for each of you on hospital expenditures. To date, the total spent is \$723,059.35. We have only receipted \$4,297.30. In the beginning, before you made your budget amendments, some of the expenditures were paid out of the reserve for contingency. We have approximately \$620,000 left in what was transferred over to cover the hospital at this time. The Board, agreed on Jan 10th, to have the attorney negotiate with GE Financial and then to turn the license over to Blackhawk.

There was discussion on this matter.

Open Bids – Bluff Road Bike Path

Mr. Pierce opened the following bids:

C. W. Roberts \$424, 960.00

Motion by Mosconis, seconded by Crofton, to forward the bid to the Engineer for a recommendation; Motion carried 5-0.

Department Supervisor Report (Continued)

Alan Pierce – Director of Administrative Services

Mr. Pierce presented the following items for discussion and/or approval:

Item 1 – Ms. Clarice Gross, Victim's Advocate in Sheriff's Office, to be recognized about Students Against Drunk Driving.

Ms. Gross was not present at this time

Item 2 – Inform Board that Mike Dombrowski will be at the April APTA meeting to provide an update on the costs of beach renourishment.

Item 3 – The Area Agency on Aging will be announcing a Request Of Interest for groups interested in running the food programs that Ms. Weiss spoke of recently. Bob Conner is here to tell you that his group, Franklin's Promise, will put a request in, although they prefer that some other group step forward. However, he needs 3 things: commitment of \$30,000 of program money in next year's budget; assistance in office space for 3 employees; and \$10,000 in start-up money in this year's budget because he will start getting organized in May or June, which is before the county's budget year is over. Board discussion with Mr. Conner.

Item 4 – Mr. Seth Blich, will be at the March 21 Board meeting to discuss hunting on Little St. George. Also at that meeting, there will be a representative from St. Vincent to discuss hunting and the red wolves on St. Vincent. Both items are on the agenda.

Item 5 – Inform Board that I signed an approval for the City of Carrabelle to construct 3 crossings of River Road through directional borings, and to place a sewer force main on County Road 67. I received a copy of the hold harmless agreement that the City has with its contractor, and the City will provide the same agreement with the County. The work had already commenced by the time the documents were received in the Planning Office. Provide Board copies.

Gathana Parmenas, City of Carrabelle, apologized for the Board not receiving notice in a timely manner.

Item 6 – Board authorization for Noah Lockley to travel to annual conference of the Florida Association of Counties, and to the annual conference of the National Association of Counties.

Motion by Putnal, seconded by Lockley, to authorize payment of travel expenses to the FAC annual conference at Marco Island on June 27 – 30, 2006 for Commissioners Sanders and Lockley, and Mr. Pierce will provide more information at a future meeting regarding the NAC annual conference; Motion carried 5-0.

Item 7 – Board action to release the letter of credit for the roads in The Reserve at Magnolia Ridge. Preble-Rish has reviewed the test results and approved them.

Motion by Mosconis, seconded by Crofton, to authorize the release of the letter of credit for the roads in The Reserve at Magnolia Ridge; Motion carried 5-0.

Item 8 – Board action to release the letter of credit for the roads in Rivercrest Phase I. Preble-Rish has reviewed and approved the test results.

Motion by Mosconis, seconded by Crofton, to authorize the release of the letter of credit for the roads in Rivercrest Phase I; Motion carried 5-0.

Item 9 – Provide Board with copy of letter from St. Joe Community Foundation extending the grant time line.

Item 10 – Board action to authorize the advertising of bids for C-30A and Lake Morality Road. Preliminary construction estimates are \$2.8 million for both projects which means that if the bids come in at or near the estimates the Board will need more than the \$1 million dollars set aside for these two projects. The projects are 50% match by the State, so the State would pay \$1.4 Million and the county would pay \$1.4 Million if the bids meet the construction estimates. There are some changes that can be made to reduce costs if necessary.

Motion by Mosconis, seconded by Lockley, to authorize advertising for bids for C-30A and Lake Morality; Motion carried 5-0.

Item 11 – Does the Board want to request GT COM and Progress Energy to open local payment centers?

Motion by Putnal, seconded by Crofton, to direct staff to send letters to both GT Com and Progress Energy to open local offices to provide customer service; Motion carried 5-0.

Item 12 – Board action to approve the fee proposal for architectural services for the renovations to the Courthouse contingent. The fees total approximately 10% of estimated construction costs, which is consistent with current fee schedules for architectural services.

Motion by Lockley, seconded by Mosconis, to approve the fee proposal for architectural services for the renovations to the Courthouse contingent; Motion carried 5-0.

Item 13 – Board action to approve Interlocal Agreement between Franklin County and

Eastpoint Sewer and Water for the use of a portion of the Road Department property for a potable water well. The county is not charging a lease and in exchange Eastpoint will provide a free commercial water tap and no charge for the water used. Board action contingent upon the County Attorney approving Agreement.

Attorney Shuler inquired about the size of the tap. Board decided not to take any action on this matter until Mr. Chipman of the Road Department, could address Attorney Shuler's concerns.

Item 14 – Board action to approve URS contract for engineering services for re-surfacing runway 13/31. DOT has issued Notice To Proceed for project.

Motion by Mosconis, seconded by Croton to approve the URS contract; Motion carried 5-0.

Item 15 – Board action to approve Federal share of EMPA grant.

Motion by Lockley, seconded by Crofton, to approve the Federal Share of the EMPA grant; Motion carried 5-0.

Commissioner Lockley asked about the possible starting of a road paving project. Mr. Pierce stated that there were no funds currently available for a road paving project.

Michael Shuler - County Attorney Report

Attorney Shuler presented the following items for discussion and/or approval:

Item 1 – Comp Plan Challenge hearings ended; no decision before May

Item 2 – GE filed amended complaint that I will respond to. I will also request that the court transfer the lawsuit to Franklin County. License transfer and value of the license is of concern to the County. Appraisal might be necessary to get accurate value.

Item 3 – Wilson vs. Franklin County (public beach on St. George Island) is a class action suit and there will be a hearing on March 27. Plaintiffs are seeking to reform the plat that will do away with the public beach.

Item 4 – Alexis Marketing suit, filed in 2001, where private property owner claimed ownership of some streets and part of a public beach on St. George Island. The court ruled in favor of Franklin County but an appeal has been filed. Commissioner Mosconis asked about the possibility of the County recouping court cost. Attorney Shuler stated that a motion on that matter is currently pending.

Item 5 – Recommend Board action to approve Ambulance contract with changes to the language regarding the end term, mutual aid, insurance, disaster condition, and co-ownership of equipment.

Motion by Lockley, seconded by Crofton, to approve the ambulance contract as recommended by Attorney Shuler; Motion carried 5-0.

Item 6 – Interlocal Agreement on Tax Share will require both cities to send their portion to the hospital and is not required to be completed until Nov.

Item 7 – Update on the ARPC responsibilities regarding the revolving loan program. Commissioner Mosconis recommended discontinuing our membership with the ARPC. Commissioner Sanders stated that she would bring up the revolving loan issue at the next ARPC meeting.

Item 8 – South Shoal Ordinance still in process and will present a final draft to the Board when completed.

Commissioners' and Public Comments

Commissioner Sanders inquired about Toni Toranto's complaints regarding permits issued to the Bay City Road project.

Attorney Shuler stated that Attorney Nick Yonclas has a conflict on this matter and cannot make a recommendation on this matter.

Delores Roux stated that the Board should not be involved in this matter.

Mr. Pierce stated that the parties involved could file a lawsuit to settle the matter.

Commissioner Mosconis stated that County funds should not be spent on this matter.

Toni Toranto stated that the zoning code for R-4, C-3, & C-4 should be looked at to solve this problem.

Mr. Pierce stated that the County doesn't distinguish between residential long term versus short term rental property and these permits issued are the same as other issued.

Commissioner Sanders stated that the Board should not mitigate family problems, it is a civil matter.

Commissioner Crofton suggested tabling this matter until the next meeting.

Toni Toranto stated that the problem is the permits being issued are for transient rental in a residential area.

Attorney Shuler stated that in his opinion the County's practice is consistent with County policy.

The Board agreed not to take further action on this matter.

Commissioner Sanders reminded the Board of the Camp Gordon Johnston activities this weekend, March 17th it's the Lanark Village Association anniversary, and the Legislature is currently in session with issues of interest to Franklin County.

Adjourn

There being no further business Chairman Sanders adjourned the meeting at 11:20 AM.

Cheryl Sanders, Chairman FCBCC

Attest:

Marcia M. Johnson, Clerk of Courts