

**FRANKLIN COUNTY BOARD  
OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
JUNE 6, 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, Michael Moron - Board Secretary

**Call to Order**

Chairman Sanders called the meeting to order at 9:00 AM.

**Pledge and Prayer**

There was a Prayer followed by the Pledge of Allegiance.

**Approval of Minutes: Regular Meeting May, 16, 2006**

**Motion by Crofton, seconded by Lockley, to approve the minutes for the May 16, 2006 Regular Meeting. Motion carried 5-0.**

**Payment of County Bills**

**Motion by Lockley, seconded by Crofton, to approve payment of the County Bills as presented. Motion carried 5-0.**

**Department Supervisor Report**

**Hubert Chipman - Superintendent of Public Works**

Discussed EPA inspection and requested Board action to declare this situation an emergency and waive the bid process to resolve the situation; Board discussed Risk Management class.

**Motion by Lockley, seconded by Crofton, based on Mr. Chipman's request, to declare an emergency and waive the bid process to resolve the issue based on the inspection by EPA. Motion carried 5-0.**

**Van Johnson - Solid Waste Director**

Discussed the FDEP Application for Recovered Materials Certification and Reporting Form, the Consolidated Solid Waste Management Grant Program Application, the Taser Use Policy for the Franklin County Animal Control Officers, and the use of Sperry and Associates to construct the new maintenance shop.

**Board** discussed and it was stated that the Sheriff Dept, Road Dept, and Landfill would all utilize the maintenance facility. There was discussion regarding the actual savings that would be recognized by building this maintenance facility.

**Motion by Putnal, seconded by Lockley, to authorize the Chairman's signature on the FDEP Application for Recovered Materials Certification and Reporting Form and the payment of the \$50.00 annual fee. Motion carried 5-0.**

**Motion by Lockley, seconded by Crofton, to authorize the Chairman's signature on the Consolidated Solid Waste Management Grant Application for Fiscal Year 2006 - 2007. Motion carried 5-0.**

**Motion by Lockley, seconded by Putnal, to adopt the Taser Use Policy for Franklin County Animal Control Officers. Motion carried 5-0.**

**Motion by Putnal, seconded by Lockley, to utilize Sperry and Associates to construct the new maintenance shop at the quoted price of \$257,672.00. Motion carried 3-2. Crofton and Mosconis voting Nay.**

**Bill Mahan - County Extension Director**

Updates on 4H Tropicana Public Speaking Program, County's 4-H Summer Camp, Red Tide Seminar, Apalachicola Watershed Invasions Working Group Meeting, Larra Wasps and Mole Cricket Control, and FL HB 7175/SB 2128.

**Board** directed Mr. Mahan to have one of the agencies at a future meeting to explain the current Red Tide Test.

**Board** discussed moving 'derelict' boat at the City Dock.

**Motion by Lockley, seconded by Putnal, to write a letter to FWC, Dept of Agriculture, and the ISSC supporting a newer Red Tide testing method. Motion carried 5-0.**

**Doris Pendleton - Property Appraiser - Attorney Fees**

Discussed lawsuit with St. James Bay; requested payment for attorney fees relating to this lawsuit.

**Motion by Lockley, seconded by Mosconis, to approve the payment request for the attorney fees, as presented by Mrs. Pendleton, and future legal cost relating to this lawsuit. Motion carried 5-0.**

**Rick Marcum - Opportunity Florida**

Discussed a grant that would help bring broadband service to rural counties, asking the Board to consider a resolution supporting broadband use; also discussed e-commerce opportunities and gave Mr. Pierce a CD with updated grant opportunities, a summit of Florida's Rural Counties, new technology that would provide information about select locations for tourists, funds for oyster testing labs; stated that a new 503c status will allow for land trust and community development corporation that will work with rural counties; informed the Board that there is a possibility to use state land for affordable housing based on new legislature;

**Board** discussed this issue;

**Billy Buzzett**, of St. Joe Company, discussed proposed Commerce Park;

**Gary Shiver**, of Apalachicola, commented on the affordable housing issue.

### **Tammi Ray - Haskel Company - Feasibility Study**

PowerPoint presentation with Mr. Tom Bryant of Meridian Planning; discussed an application that will be presented to OTTED, for a \$200,000 grant, which would allow the Haskel Company to do a clean water (potable) impact (feasibility) study; requested the Board's support and approval;

**Board** discussed this request;

**Jason Shuler** commented on this issue.

### **Motion by Lockley, seconded by Putnal to support and approve application for clean water (potable) impact study. Motion carried 5-0.**

### **Camile Tharpe - MSBU & MSTU**

**Mr. Pierce** made some introductory comments;

**Ms. Tharpe** discussed MSTUs, MSBUs, CRAs, and TIFs;

**Board** discussed these items as it relates to a beach re-nourishment project on Alligator Point

**Ken Osbourne**, of Alligator Point, expressed his support for the project and Ms. Tharpe's firm and asked for the Board's support on this matter

**Ms Tharpe** discussed **Jim Parrish**, of Small Counties Technical Support, willingness to offer a grant to get this project started

**Board** discussed starting and funding a Phase I of this project

**Board** will discuss this issue further after APTA's (Alligator Point) meeting on June 10, 2006

### **John Richards - Seafood Workers Association - Mechanical Harvesting**

Linda Raffield, spoke on behalf of the Seafood Workers Association, discussing the issue of dredging in Apalachicola Bay and stated that the Association does not support dredging of the Bay at anytime and in any form

### **Motion by Crofton, seconded by Putnal, objecting to any dredging in Apalachicola Bay. Motion carried 5-0.**

**Department Supervisor Report (Continued)**

**Marcia Johnson - Clerk of Court**

Discussed Weems revenues and expenditures; presented contract from the State for the housing of state prisoners at the county jail

**Motion by Mosconis, seconded by Putnal, to authorize the Chairman's signature on the contract from the State for the housing of state prisoners at the county jail.**

**Motion carried 5-0.**

**Alan Pierce - Director of Administrative Services**

**Item 1**

Inform Board that I interviewed a number of candidates for Courthouse Maintenance position, and have offered the job to Mr. Frankie Crosby. He will start June 16, 2006

**Item 2**

Mr. Dan Rothwell, candidate for County Engineer, is here to be interviewed by the Board. Mr. Rothwell will be working directly for the Board so I believe it appropriate that the Board make a decision to hire him, but I recommend him, and Preble-Rish recommends him. The compensation package that I have offered Mr. Rothwell is a salary of \$78,000, with Senior Management retirement benefits. Board action. Board interviewed Mr. Rothwell.

**Motion by Putnal, seconded by Mosconis, to approve the hiring of Mr Rothwell as the County Engineer. Motion carried 5-0.**

**Item 3**

Inform Board that the National Association of Counties (NACo) has awarded Franklin County and STAR- Sea Turtles At Risk, a \$28,350 grant for the restoration of sea turtle nesting habitat on St. George Island. STAR will administer the money, and the county will provide in-kind labor for the building of some dune walkovers. The county was eligible for the funds because of its membership in NACo. This was a national grant program, and only one other county in Florida received a grant.

**Bruce Hall**, of STAR, commented on this grant.

**Item 4**

Provide Board with copy of letter to Mr. Steve Harris, St. George Island Civic Club president, supporting a second grant for additional dune restoration on St. George Island. This grant is also being written by Ms. Bruce Hall, on behalf of STAR.

**Item 5**

Board action to extend the FWC Bluff Road Boat Ramp grant till Sept. 30, 2006 to provide time for the parking area to be finished.

**Motion by Crofton, seconded by Lockley to extend the FWC Bluff Road Boat Ramp grant until September 30, 2006 . Motion carried 5-0.**

**Item 6**

Clarification of grant award. For the past several months the county and the Northwest Florida Water Management District have been working on two sets of draft grant documents. One was for stormwater improvements in Eastpoint, and the other for stormwater improvements on Sawyer Street on St. George Island. Both of these were the results of grants written by the county. On May 16, 2006, I recommended the Board sign an agreement between the Northwest Florida Water Management District and the county for the installation of stormwater treatment facilities in Eastpoint. The documents the District actually sent down were for stormwater improvements on Sawyer Street on St. George Island. I need to have the record corrected to indicate that on May 16, 2006, the Board signed a grant agreement between the District and the county for \$366,000 grant for stormwater improvements and shoreline stabilization on Sawyer Street. Board action

**Board** discussed this issue and **Attorney Shuler** stated that a motion was not necessary.

And a second motion to approve the signing of the agreements that have just been received for the \$251,000 worth of stormwater treatment facilities in Eastpoint. Board action.

**Motion by Crofton, seconded by Putnal, to approve the signing of the agreements for stormwater treatment facilities in Eastpoint. Motion carried 5-0.**

**Item 7**

Board action to sign Community Rating System form for Franklin County to continue in the CRS program, which provides a reduction in flood insurance premiums.

**Motion by Crofton, seconded by Putnal to authorize the Chairman's signature on the Community Rating System form. Motion carried 5-0.**

**Item 8**

Inform Board that the Bureau of Emergency Medical Services approved an EMS grant of \$3,2662 for improvements to the ambulance service.

**Item 9**

Provide Board copy of letter Chairman Sanders wrote to DOT regarding the protection of water access while DOT builds the US 98 shoreline stabilization project.

**Item 10**

Provide Board with copy of grant application to the Florida Fish and Wildlife for the construction of the St. George Island Boat Ramp. The grant request is for \$877,000, which is approximately ¼ of all the FWC boat money state-wide for boat ramps, so it will be very competitive if we get the full funding.

**Board** discussed the grant and the location of the boat ramp on St. George Island

**Item 11**

Inform Board it is time for the county to advertise for proposals to write and administer the county's CDBG grant application. The Board has to go through a formal process to select a CDBG grant writer and administrator consultant. For the past several CDBG projects, Ms. Debbie Belcher has been the county's CDBG grant writer and administrator, but she, as well as anybody else who is interested, must re-apply. If no grant is awarded, then no compensation is paid. The position requires specific knowledge of federal CDBG rules in order to be successful. This year the county is eligible for approximately \$700,000 in CDBG funds for improvements to areas that have the required level of low and moderate income families. Unfortunately, most of Franklin County no longer has the required number of low and moderate income residents in any one area, so there are very few places in the county which are eligible for CDBG funds. Part of Eastpoint is still eligible, and that is most likely the area that the County's CDBG grant writer will recommend for a project. The Eastpoint Sewer and Water District has an interest in replacing and extending sewer lines in the Ridge and Wilderness Road areas, but the actual project will be developed after a grant writer and administrator has been selected. Mark Curenton and I recommend that Board advertise for a CDBG grant writer and administrator, and have the Board appoint a committee to open the proposals and rank them prior to the July 5th meeting. We are recommending this be done because the time for submitting a CDBG grant application is the end of July and we need to have our consultant selected as soon as possible.

Board action to advertise for a CDBG grant writer and administrator and to appoint a committee of Mark Curenton, Michael Moron, and Erin Griffith from the Finance Office, to rank these CDBG proposals.

**Motion by Putnal, seconded by Crofton to authorize the advertisement for a CDBG grant writer and administrator and to appoint the recommended members to the committee to rank the proposals. Motion carried 5-0.**

**Item 12**

Board action to direct the County Attorney to negotiate a trade of property in the lot directly across the street from the Annex between the county and Mr. Grady Leavins.

The county owns five lots in the block but they are not all in a row, and Mr. Leavins owns two lots, which are also not together. One of Mr. Leavins lots is between the county lots. In order for Mr. Leavins and the county to maximize the use of each others property I recommend the Board offer to swap the appropriate lots so that the county has five lots in a row, and Mr. Leavins has two lots in a row. While Mr. Leavins paid more for his last lot than the county paid for its lots, Mr. Leavins has agreed to a straight swap with no money changing hands. Board direction.

**Motion by Mosconis, seconded by Putnal to direct the County Attorney to negotiate for the property with Mr. Grady Leavins. Motion carried 5-0.**

### **Item 13**

Mr. Mike Rundel, Emergency Management, is here to present to the Board an agreement between the county and the school board for the use of school buses and drivers in the event the county has to order a mandatory evacuation of the county. The school board has already signed the agreement. The state of Florida is requiring these agreements be in place. The agreement does not stipulate the number of buses and drivers to be available but the understanding between the county emergency management office and the school board is that 8 bus drivers have volunteered to drive 8 buses out of the county to a designated shelter if a mandatory evacuation is ordered. At this time, two buses would go to each of the following locations: Chapman Elementary, Brown Elementary, Carrabelle High School, and Chilas Hall in Lanark Village. These buses would make as many trips as possible, but it is certainly possible only one trip can be made from each location. The buses will be going to shelters in Tallahassee. Expenses would be kept by the school board and then submitted to the county. FEMA would reimburse the county for expenses. Board action.

**Motion by Putnal, seconded by Lockley to approve the agreement between the County and School Board for the use of the school buses contingent on Attorney Shuler's approval. Motion carried 5-0.**

### **Item 14**

Hospital update:

A) Timing of sales tax referendum: Based upon the publicity of the workshop between the county commission and the county Health Council, I have received several emails prompted by an email blast that Ms. Gail Rigelmayer did to residents asking the residents contact me about their opposition to moving forward with a sales tax referendum without adequate information. I have provided a copy of Ms. Rigelmayer's email on the last page of this report.

Based upon the direction I received at the workshop, and the expected public comments that not enough is known to authorize a referendum at this time, Ms. Becky Gibson, Health Council, and I participated in a teleconference with a group recommended by Mr. Bob Pannell of the Office of Rural Health. This group, called Build Smart-Integrated Solutions for Capital Improvements, has national experience in developing the

financial feasibility of building rural hospitals. The group is comprised of: Mr. Tommy Barnhart, Dixon Hughes, CPA; Baston Architects; and PNC Multi-Family Capital, a finance group. Both I and the Health Council recommend the Board complete the feasibility study before proceeding to a referendum.

Mr. Pannell has funds available to hire this group to provide Franklin County with a financial feasibility study for a new hospital somewhere in the county. The group is developing a draft letter of agreement on the scope of their proposal that I will review and then submit to Mr. Pannell for his consideration. If he approves he will then provide the Board with the funds. It will probably take 30 days to firm up the scope of work, and then 60 to 90 days to actually do the study. The study will then be presented to the Board, the Health Council, and the public. Considering a realistic time frame, this study will probably not get started until July 15th, and not be completed until Oct. 1, and presented some time after that. This is well after the deadline of Sept. 1 for putting something on the November ballot.

The financial feasibility study will include participation by the BlackHawk group, as well as investigation with what might or might not be happening in surrounding counties. While this is going on, I recommend the Board consider two items: clarify its direction to Mr. Shuler on whether he is to continue to develop a ballot issue for the Nov. referendum at this time, and direct county staff to contact Apalachicola, Eastpoint and Carrabelle, regarding their capacity to provide sewer and water if a new hospital were to be built, as the feasibility study will not include an analysis of any sites. Board direction.

B) Status of Revenue: Provide Board with copy of recorded loan agreement between the county and the Office of Tourism, Trade, and Economic Development for a two part \$600,000 loan to Weems Hospital. Ms Diane Scholz, Governor's Office, brought the first \$300,000 down on Friday. The second \$300,000 will arrive in July. The county received earlier last week \$287,000 in disproportionate share funds. Together with some private pay reimbursement arriving, the county has approximately \$950,000 to continue to fund the hospital until either the Medicaid reimbursements arrive, or Medicare reimbursements arrive. The current funding should last 3 months, by which time Medicaid funds should have arrived.

C) Status of 2005 Medicare Cost Report: Provide Board with copy of 2005 cost report that was submitted May 31. With some trepidation, but with advice of counsel, I signed the Cost Report. It was essential the Cost Report be submitted so that future Medicare payments not be withheld.

D) Status of AHCA penalties and fine repayment: Mr. Shuler and I have been in contact with AHCA on the reduction of some of the initial fines and penalties, but no settlement has been reached.

**Attorney Shuler** commented on this item.

E) Status of Hospital Employee Leasing Agreement: Defer to Mr. Shuler on details but the attorneys have developed a path for this to occur. Upon prompt review by the proper staff, the transfer could be effective at the end of June 9th payroll, or the June 23rd payroll, but it must take place before June 30.

**Attorney Shuler** commented on this item.

**Motion by Lockley, seconded by Mosconis, based on Attorney Shuler's recommendation to defer the referendum until the discussed feasibility study is**

**completed and to direct staff to contact the three water and sewer districts and obtain capacity information. Motion carried 5-0.**

**Motion by Lockley, seconded by Crofton to hire, as recommended by Attorney Shuler, Robert Petro and Dennis Petersen, to assist with Medicaid and Medicare fines and penalties reduction and audit replies. Motion carried 5-0.**

**Board and Mr. Pierce** discussed use of leasing company for hospital employees and the **Board** talked about the need for hospital employees to have health insurance.

**Item 15**

Provide Board with copy of petition, as of yet unsigned, by citizens interested in adopting a one year moratorium on condos in C-1 zoning. At this time condos, or any residential uses, are not allowed in C-1 zoning, but a blank petition has been submitted to the Planning Office.

**Item 16**

Discussion of proposed adoption of fixed house height. This is not a public hearing, this is only a discussion. The intent of this is to provide relief to property owners who have high flood insurance premiums by giving them a chance to build higher off the ground, but limits the overall height of houses.

This item was deferred until next meeting.

Jim Cummings, of Alligator Point, commented on this issue

**Item 17**

Inform Board that the past Legislative session passed several bills related to affordable housing, and at least one bill has funding associated with it. While there has been some effort by the community to develop some affordable housing strategies, Michael Moron and I recommend the county commission take an active role in investigating what funds might be available to the county. In July Michael Moron and I will be asking the Board to appoint an Affordable Housing Board made up of 5 members, one from each county commission district. The Board will investigate the state funding and work with any large property owners on developing a land trust.

**Motion by Lockley, seconded by Putnal, to request by letter, from the School Board, any of its unused property in Apalachicola after the new consolidated school is built. Motion carried 5-0.**

**Item 18**

Board action to sign contracts with architect for courthouse renovations. Mr. Shuler has reviewed the documents.

**Motion by Crofton, seconded by Putnal, to authorize the Chairman's signature on the contracts with the architects for courthouse renovations. Motion carried 5-0.**

**Skip Chormicle - Emergystat**

Discussed proposal regarding costs for inmate transportation and past due bills.

**Motion by Putnal, seconded by Crofton to authorize the Chairman's signature on the proposal from Emergystat regarding inmate transportation. Motion carried 5-0.**

**Item 19**

I am going on vacation June 10-24, and will be out of the state. Good luck.

**Board** discussed letter from Mayor Kelly regarding parking at Timber Island Boat Ramp and directed Mr. Pierce to investigate this situation.

**Board** discussed boat ramps at 2 mile, 8 mile and other possible locations with Billy Buzzett of the St. Joe Company.

**T. Michael Shuler - County Attorney**

Updates on potential zoning conflict as directed to by Board and little St. George hunting issue; requested permission, along with Mr. Pierce, to meet with Lanark Water and Sewer district to discuss different issues.

Board directed Attorney Shuler to respond to, at the next meeting, the letter from Attorney Randy Dinker regarding the Taranto issue.

**Motion by Lockley, seconded by Putnal, to authorize Attorney Shuler and Mr. Pierce to meet with Lanark water and sewer district to discuss certain matters. Motion carried 5-0.**

**Gary Shiver - Replacement Housing Program**

Discussed his Replacement Housing Program proposal

**Board** recommended getting with Mr. Butch Baker, Director of the EOC, and contacting FEMA regarding replacement mobile homes.

**Mayor Kelly**

Discussed Scenic By-way funding and the City of Carrabelle receiving their FBIP funds.

**David McDaniels**

Asked the Board to adopt an ordinance regarding the inspection of residential elevators because of certain issues;

**Mr. Pierce** stated that Robin Brinkley, the County's Building Official, very recently became aware of the residential elevator situation;

**Board** recommended that the County's License Board address this issue

**Commissioner's Comments**

Commissioner Crofton stated that someone was interested in selling bait and soft drinks at the end of the old bridge on St. George Island

**Motion by Crofton, seconded by Putnal, to approve the request to sell bait and soft drinks at the end of the old bridge on St. George Island contingent on Attorney's Shuler approval. Motion carried 5-0.**

**Adjourn**

Chairman Sanders adjourned the Regular Meeting at 12:20 PM

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Cheryl Sanders, Chairman FCBCC

Attest:

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Marcia M Johnson, Clerk of Courts