

**FRANKLIN COUNTY BOARD
OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
DECEMBER 20, 2005
5:00 P.M.**

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

Staff Present: Fonda Davis– Solid Waste Department, Larry Brown – Road Department, Bill Mahan – County Extension Director, Marcia Johnson – Clerk of Courts, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Moron – Board Secretary

Call to Order

Chairman Sanders called the meeting to order at 5:00 PM

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 minutes for the December 6, 2005 Regular Meeting. 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(on vacation) Larry Brown: Invited Commissioners to the Christmas Party. Stated that Mosquito Control needed to spray on Alligator Point and St. George Island.

Motion by Putnal, seconded by Crofton, to instruct Mosquito Control to start spraying as directed by Larry Brown. Motion carried 5-0.

Motion Crofton, seconded by Putnal, to have employees of the Mosquito Control department to become certified as inmate supervisors. Motion carried 5-0.

Board: Discussed Bald Point State Park traffic study for anticipated increase in visitors and traffic.

Van Johnson(on vacation) Fonda Davis: Discussed holiday schedule with the Board and Children's Pottery Classes at the Armory. Update on Bay Aid current balance (\$12,981.15) and new guidelines. Discussed Workforce Development contract extension.

Motion by Lockley, seconded Putnal, to add vehicle, boat and boat motor payments to the Bay Aid guidelines. Motion carried 5-0.

Motion by Putnal, seconded by Crofton, to extend the Workforce Development contract. Motion carried 5-0.

Bill Mahan: Discussed fisherman regulations. Red Grouper bag limit update. FWC press release regarding new measurements for fish. New Extension Office official, from Ireland, to visit Franklin County in February or March.

Mike Lake – Weems Memorial Hospital

Mike Lake: Addressed Board regarding the Emergency Room issues. Discussed problems with other Counties. Stated that due to a cash flow problem with his company, his ability to manage the Hospital was on a “day to day” basis and suggested that the Board seek a new company to manage the Hospital as soon as possible, perhaps with a RFP .

Attorney Shuler: Commented on RFP procedures

Board: Discussed sending letters to doctors who “stepped up” during ER crisis.

Motion (Rescinded) by Mosconis to do a RFP, on Emergency Basis, for a new management company, for Weems Memorial Hospital

Board: Discussed Certificate of Need and License to operate

Motion by Mosconis, seconded by Crofton, to do a RFP, for 30 days, for a new management company, for Weems Memorial Hospital. Motion carried 5-0.

Attorney Shuler: Discussed forming a committee to search for a contractor to manage the Hospital in “bridge mode”.

Motion by Crofton, seconded by Mosconis, to appoint Mosconis to the committee to search for contractor to manage the Hospital, in a “bridge mode”. Motion carried 3-2 Sanders and Lockley voting nay

Dr Marsh: addressed Board regarding new Management Company for Hospital. Recommended David Berk, the Health Council's Consultant, to help with search for a new Company to manage the Hospital

Motion by Crofton, seconded by Mosconis, to replace Mosconis with Lockley on the committee to search for new contractor to manage the Hospital in a "bridge mode".
Motion carried 5-0.

Dr. Stephen Miniati: Addressed Board regarding the Emergency Room and Hospital issue.

Motion by Mosconis, seconded by Lockley to send a letter of commendation to all Doctors that "stepped up" during Emergency Room crisis.

Motion by Putnal, seconded by Mosconis, to send a letter from the Board to whatever State agency that can assist Bayline Medical Center to procure malpractice insurance.

Dana Holton: Discussed Bayline Medical insurance issues with the Board

Board: Directed Attorney Shuler to assist with getting information on this issue.

Mayor Kelly: Commented on this issue and offered support.

Recess

Board: Recessed from 6:00 PM to 6:07 PM

Planning & Zoning Commission Report

Item 1- (Without Recommendation) Michael Conn to construct a Single Family Dock modification at 217 Harbor Circle, Alligator Point, Franklin County, Florida. The modification will be 102' x 4' walkway and have a 20' x 8' platform and have 20' x 12' boatlift. This application meets all state and local requirements. Request submitted by GEA, Inc, agent for the applicant.

Item 2- (Without Recommendation) John Moody to construct a Single Family Dock modification on Lot 4 Oyster Bay Village, 2227 Coquina Drive, St. George Island, Franklin County, Florida. The modification will be 150' x 4' walkway and have a 26' x 6' platform and 10' x 20' boatlift. This application meets all state and local requirements. Request submitted by GEA, Inc, agent for applicant.

Item 3- (Without Recommendation) Eric Detry to construct a Single Family Dock on Lot 69 Magnolia Shores, 345 East Bay Drive, Eastpoint, Franklin County, Florida. The dock will be 300' x 4' walkway, 26' x 6' terminus, and a 128' x 12' bridge over wetlands and two 10' x 20' boatlifts. This application meets all state and local requirements. Request submitted by GEA, Inc, agent for applicant.

Item 4- (Without Recommendation) Larry Giunpero to construct a Single Family Private Dock on Lot 40, Unit 1, 2318 Highway 98, Lanark Village, Franklin County, Florida. The dock will be 230' x 4' walkway and have a 12' x 6' platform. This application meets all state and local requirements. Request submitted by Docks 4 Less, agent for applicant.

Item 5- (Without Recommendation) Wanda Barfield to construct a Single Family Private Dock at 2232 Highway 98 East, Lanark, Franklin County, Florida. The Dock will be 210' x 4' walkway with a 16' x 10' platform. This application meets all state and local requirements. Request submitted by Docks 4 Less, agent for applicant.

Item 6- (Without Recommendation) Consideration of a request for Final Plat approval for "Tucker's Landing PUD" located in Section 28, Township 8 South, Range 8 West, Apalachicola, Franklin County, Florida. Request submitted by Jim Waddell of Inovia Consulting, agent for applicant.

Motion by Mosconis, seconded by Crofton, to approve Items 1- 6 on the Planning and Zoning Report. Motion carried 5-0.

Board of Adjustment Report

Item 1- Approve a request for a variance to construct a seawall within the Critical Habitat Zone on property described as Lot 9, Hidden Beaches Subdivision, Carrabelle, Franklin County Florida as requested by Garlick Environmental Associates, Inc., agent for Donald & Audrey Schmidt, owners.

Item 2- Approve a request for a variance to construct a single family dwelling 3 feet into the west side lot line on property describe as the east 38 feet of Lot 2, Block J, Unit 4, Perkins Beach, St. Teresa, Franklin County, Florida, as requested by Joe and Nancy Hannon, owners.

Item 3- Approve a request for a variance to relocate a single family dwelling 15 feet into the front setback line on property described as Lot 2, Block 12, Unit 1, Dog Island, Franklin County, Florida as requested by Michael S. McGarry, trustee.

Item 4- Approve a request for a variance to construct stairs five feet into the side setback line on property described as the NW ½ of Lot 18, Bay North, Franklin County, Florida as requested by Stan Brown, agent for Gerald M. & Joyce C. Bailey, owners.

Item 5- Approve a request for a variance to construct a fence within the Critical Habitat Zone on property described as Seaside Cottages Subdivision, Eastpoint, Franklin County, Florida as requested by Inovia Consulting Group, agent for Seaside Cottages, owner.

Item 6- Approve a request for a variance to construct a cantilevered deck 3 feet into the setback line off of 3rd Street East, on Lots 23-30, Block 4, Unit One East, St. George Island, Franklin County, Florida, as requested by St. George Development, Inc., owner.

Motion by Lockley, seconded by Mosconis, to approve Items 1-6 on the Board of Adjustment Report. Motion carried 5-0.

Dan Tonsmire (Apalachicola Bay and River Keepers): Commented on Item 1 and the Critical Habitat Zone.

Department Supervisor Report Continued

Marcia Johnson – Clerk of Court: Discussed renewal of Medicare Supplement Contract. Guardian Ad Litem Program budget transfer discussed. Appointment of members to the Apalachee Regional Planning Council (ARPC). Stated the holiday schedule for Road Department, Mosquito Control, and Emergency Management. Appointment of Chair and Vice-Chairman.

Motion by Mosconis, seconded by Crofton, not to renew the contract with Valery Insurance Agency. Motion Carried 5-0.

Motion by Mosconis, seconded by Putnal, to approve a Budget transfer of \$2,157.35 from Reserve for Contingency for the Guardian Ad Litem Program. Motion carried 5-0.

Motion by Mosconis, seconded by Lockley, to reappoint the current members, Cheryl Sanders and Bevin Putnal, to the ARPC. Motion carried 5-0.

Motion by Mosconis, seconded by Crofton, to appoint Crofton as Chairman. Motion failed 2-3 Lockley, Putnal, and Sanders voting nay.

Motion by Mosconis to appoint Lockley as Chairman. Lockley declined the nomination. Motion failed due to a lack of a second.

Motion by Mosconis, seconded by Lockley, to re-appoint Sanders as Chairman. Motion carried 5-0.

Motion by Putnal, seconded by Mosconis, to appoint Crofton as Vice-Chairman. Motion carried 5-0.

Alan Pierce – Director of Administrative Services

Mr. Pierce presented the following report to the Board:

Item 1- Update on Eastpoint Channel. The bottom line is: bad news for Christmas. I called Mr. Terry Jangula for an update and this is the report: Congress did not appropriate additional funds for the Eastpoint channel. Further, Congress blocked the Corps from reprogramming funds from one program to another, so the Corps is unable to move additional funds from its budget back into the Eastpoint project. Both of these actions were a direct result of Hurricane Katrina and the situation in New Orleans.

Therefore, the Eastpoint channel will not be dredged in 2006, and the county will need to make another request to Congressman Boyd for future funding in 2007.

I have informed Greg Kelly, architect for the School Board. At this time, Mr. Kelly intends to obtain 62,000 cubic yards of spoil from a spoil bank upriver that is slated for removal, and then obtain some 300,000 cubic yards of spoil from the Two Mile disposal area. Following the guidelines requested by Mr. Jangula, the school can dig out the material inside the retaining walls around the spoil site, but leave the walls intact. Mr. Jangula estimates there is 400,000 cubic yards of spoil material at Two Mile.

The spoil the school obtains will be used to prep the site for the high school buildings first. The school site will be developed so that if the county can get the Eastpoint channel dredged in 2007, the school site can still be used for disposal in future athletic fields.

Board discussion about funding requests to Congressman Boyd.

Motion by Lockley, seconded by Crofton, to send Congressman Boyd a letter about this matter, requesting funding for 2007. Motion carried 5-0.

Item 2- I also spoke to Mr. Kelly regarding the development of an entrance to the school property from SR 65. Mr. Kelly told me that he had run into wetland problems and that the school did not have any land to offer as mitigation for the impacts the road would create. I told Mr. Kelly that it was imperative that the school have an entrance from 65, and that the county would assist in any way possible to get that road built, including providing the mitigation necessary. I offered this because the county has various sites that include wetlands that could be offered as mitigation, such as wetlands around the airport, and various roads in Unit 4 on St. George Island that the county never abandoned.

Item 3- Board action to accept the Public Official Bond for Ms. Sharon Thoman, Lanark Village Sewer and Water Commissioner. Ms. Thoman sent the Bond to the state Division of Elections and they returned it to the county with a letter saying the Board was supposed to accept the Bond, and that the state only got a copy after the Board accepts it. The Bond will be kept in the Clerk's Office, along with the bonds for the other elected officials. Board action.

Motion by Putnal, seconded by Crofton, to accept the Bond. Motion carried 5-0.

Item 4- Recommend Board send letter to legislative delegation, Governor Bush, and Florida Housing Agency, thanking them for the additional \$350,000 of SHIP funds received to assist those hurt by the Red Tide. Board action.

Motion by Crofton, seconded by Putnal, to approve requested letter. Motion carried 5-0.

Item 5- Inform Board that ABC Charter School sent a letter of thanks to Board for getting road paved.

Item 6- Inform Board that DOT has issued Notice of Proceed on 2 airport projects: Extending Airport Road, and Purchasing and Installing Radio Equipment. No action needed.

Item 7- Board action to approve submitting an FAA grant request for the resurfacing of Runway 13/31 at the airport. Mr. Mosteller prepared the grant.

Motion by Putnal, seconded by Crofton, to approve submitting of the FAA grant. Motion carried 5-0.

Item 8- Inform Board that Northwest Florida Water Management District is recommending the county receive funding for some \$400,000 worth of stormwater improvements on Sawyer Street on St. George Island. The recommendation will go to DEP for approval, but the approval should be given shortly.

Item 9- Inform Board that the FWC has submitted the Grant Agreement for improvements to Battery Park Marina. The City of Apalachicola will actually supervise construction as it is a city owned facility, but the Chairman must sign the Agreement because the county was the applicant. Board action.

Motion by Mosconis, seconded by Crofton, to authorize the Chairman to sign the grant. Motion carried 5-0.

Item 10- Inform Board that David Kennedy, Preble-Rish, is researching the possibility of receiving Federal Highway Authority money to widen CR 67. While the county resurfaced the road a few years ago, the road might be eligible for widening through a Discretionary Program of the FHWA.

Item 11- Board action to award Apalachee Regional Planning Council with the \$3,300 Hazardous Waste Assessment Grant that is done once every two years. It is a specialized grant that the ARPC regularly does for the county. Board action.

Motion by Mosconis, seconded by Crofton, to award the requested contract to ARPC. Motion carried 5-0.

Item 12- Inform Board that a press release from the Governor's Office has been received announcing that Franklin County has received a \$75,000 feasibility study for the seafood industry. The actual grant documents have not arrived yet so there is no need for Board action yet. The documents will probably arrive in January.

Item 13- Board action for Chairman to sign the renewal of the Memorandum of Agreement between Franklin County and Office of Tourism, Trade, and Economic Development (OTTED) for the continued designation of the Franklin County as Rural Area of Critical Economic Concern. It was this designation that helped the county get the \$75,000 feasibility study.

Motion by Mosconis, seconded by Lockley, to renew the Memorandum of Agreement between Franklin County and OTTED. Motion carried 5-0.

Item 14- Board action on representatives to the ARPC. The Board needs to appoint a representative and an alternate for 2006.

This Item was addressed by Mrs. Johnson earlier in the meeting.

Item 15- The Board funded both a County Engineer and a Grant Writer. While interviews have been done for the grant writer, none have been done for the engineer. For three reasons, I recommend the Board fill the Engineer's position first. One, I suspect that an engineer with a PE and the type of experience desired by the Board is going to cost more than the \$50,000 budgeted by the Board. As example, Joe Hamilton was paid \$50,000 and he retired seven years ago. If more salary is needed, it may have to come from the grant writer position. Two, if an experienced engineer is hired, they will be involved in most of the grant writing because most of the county grants are construction related. Three of the four grants discussed today were construction related. Three, space. There is one office left in the Planning and Building Dept. I believe it is going to be more productive for the Engineer to reside here in the Annex, where he can utilize the support of three clerical positions, and Mark Curenton with drafting skills, and myself. I recommend the Engineer report directly to the Board, as Joe Hamilton did, but allow the Planning and Building Dept. to serve as support services for the Engineer. I have attached a copy of the advertisement that will appear in the Florida Engineering Society's internet help wanted section. This is the society that most PE's belong to. The deadline for applying is Jan. 13, 2006.

Motion by Crofton, seconded by Putnal, to hire Engineer before filling the Grant Writer position. Motion carried 5-0.

Motion by Lockley, seconded by Crofton, to keep Grant Writer position in the County Budget. Motion carried 5-0.

Board: Discussed funding for new paving project.

Dan Tansmire: Discussed the permit for a restoration project involving Site 39

Motion by Crofton Lockley send letter to North Florida Water Management District requesting the "spoils" from the dredging project to be used at the consolidated school. Motion carried 5-0.

Michael Shuler – County Attorney

Shuler: No report

Board: Asked Attorney Shuler to provide legal counsel at every meeting. Discussed legal counsel for the Health Council. Had no objection with Attorney Shuler providing legal advice to the Health Council.

Other Business

Dr. Marsh: Discussed a possible healthcare workshop between Franklin, Wakulla, and Gulf counties on January 19, 2006.

Motion by Lockley, seconded by Putnal, to hold Health Care workshop on January 19 at 5:30pm. Motion carried 5-0.

Board: Discussed Ad Valorem tax rebate

Attorney Shuler: discussed procedure for an Ad Valorm Tax Rebate

Board: Directed Attorney Shuler to research and discuss at the next regular meeting

Board: Discussed assistance for Croom's Transportation because of Agency for Health Care reduction in Medicaid refunds. Directed Mr. Pierce to research and discuss at next Regular Meeting. Discussed Bayline Medical Center insurance issues. Discussed meeting with DEP regarding Alligator Point re-nourishment project. Discussed restitution for stolen lime rock. Discussed ½ cent tax referendum for health care.

Attorney Shuler: Commented on ½ cent tax. Will research and discuss at next meeting.

William Humphrey commented about Gulf County's health care tax

Adjournment

Chairman Sanders adjourned the meeting at 7:00 PM

Cheryl Sanders, Chairman FCBCC

Attest:

Marcia Johnson, Clerk of Court